

THE
Punjab Legislative Assembly
Debates.

From 5th April to 22nd July, 1937.

Vol. I.

OFFICIAL REPORT.



Lahore:

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1937.

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

Speaker.

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

Deputy Speaker.

Sardar Dasaundha Singh, B.A., LL.B.

Secretary.

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

Assistant Secretary.

Khar Sahib Hakeem Ahmad Shujaa, B.A.

PUNJAB LEGISLATIVE ASSEMBLY.

LIST OF MEMBERS.

PREMIER.

- ✓ The Hon'ble Major Sir Sikander Hyat-Khan, K.B.E. (West Punjab, Land-holders).

MINISTERS.

- ✓ The Hon'ble Dr. Sir Sundar Singh, Majithia, Kt., C.I.E., D.O.L., Minister of Revenue (Batala, Sikh, Rural).
- ✓ The Hon'ble Chaudhri Sir Chhotu Ram, Kt., B.A., LL.B., Minister of Development (Jhajjar, General, Rural).
- ✓ The Hon'ble Mr. Manohar Lal, M.A., Finance Minister (University).
- ✓ The Hon'ble Nawabzada Major Khizar Hyat Khan Tiwana, Minister of Public Works (Khushab, Muhammadan, Rural).
- ✓ The Hon'ble Mian Abdul Haye, Minister of Education (South-Eastern Towns, Muhammadan, Urban).

MEMBERS.

- ✓ Abdul Aziz, Mian (Outer Lahore, Muhammadan Urban).
- ✓ Abdul Hamid Khan, Sufi (Ambala and Simla, Muhammadan, Rural).
- ✓ Abdul Rab, Mian (Jullundur South, Muhammadan, Rural).
- ✓ Abdul Rahim, Chaudhri (Shakargarh, Muhammadan, Rural).
- ✓ Abdul Rahim, Chaudhri (South-East Gurgaon, Muhammadan, Rural).
- ✓ Atzaalali Hasnie, Syed (Shahdara, Muhammadan, Rural).
- ✓ Ahmad Bakhsh Khan, Mr. (North Punjab, Non-Union Labour).
- ✓ Ahmad Yar Khan Daulatana, Khan Bahadur Mian (Mailsi, Muhammadan, Rural).
- ✓ Ahmad Yar Khan, Chaudhri (North-West Gujrat, Muhammadan, Rural).
- ✓ Ajit Singh, Sardar (South-West Punjab, Sikh, Rural).
- ✓ Akbar Ali, Pir (Fazilka, Muhammadan, Rural).
- ✓ Ali Akbar, Chaudhri (Gurdaspur, East, Muhammadan, Rural).
- ✓ Allah Bakhsh Khan, Khan Bahadur Nawab Malik, M.B.E. (Shahpur, Muhammadan, Rural).
- ✓ Amjad Ali Shah, Syed, O.B.E. (Ferozepore East, Muhammadan, Rural).
- ✓ Anant Ram, Chaudhri, B.A., LL.B. (Karnal South, General, Rural).
- ✓ Asniq Hussain, Captain (Multan, Muhammadan, Rural).
- ✓ Atma Ram, Rai Sahib Lala (Hissar North, General, Rural).
- ✓ Badar-Mohy-ud-Din Qadri, Mian (Batala, Muhammadan, Rural).
- ✓ Balbir Singh, Rao Bahadur Captain Rao, O.B.E. (North-West Gurgaon, General, Rural).

MEMBERS—CONTINUED.

- ✓ Baldev Singh, Sardar (Ambala North, Sikh, Rural).
- ✓ Baiwant Singh, Sardar (Sialkot, Sikh, Rural).
- ✓ Barkat Ali, Malik, M.A., LL.B. (Eastern Towns, Muhammadan, Rural).
- ✓ Basakha Singh, Rai Bahadur Sardar (Amritsar Central, Sikh, Rural).
- ✓ Bhagat Ram Choda, Lala (Jullundur, General, Rural).
- ✓ Bhagat Ram Sharma, Pandit (Kangra West, General, Rural).
- ✓ Bhagwant Singh, Rai Sahib (Kangra East, General, Rural).
- ✓ Bhim Sen Sachar, Lala, B.A., LL.B., (North Western Towns, General Urban).
- ✓ Binda Saran, Rai Bahadur (Punjab Commerce and Industry).
- ✓ Chaman Lall, Diwan, B.A. (Oxon), (East, Punjab, Non-Union Labour).
- ✓ Chanan Singh, Sardar (Kasur, Sikh, Rural).
- ✓ Deshbandhu Gupta, Lala (South-Eastern Towns, General, Urban).
- ✓ Dina Nath, Captain (Kangra South, General, Rural).
- ✓ Duni Chand, Lala (Ambala and Simla, General, Rural).
- ✓ Faiz Muhammad Khan, Rai (Kangra and Eastern Hoshiarpur, Muhammadan, Rural).
- ✓ Faiz Muhammad, Shaikh, B.A., LL.B., M.B.E. (Dera Ghazi Khan Central, Muhammadan, Rural).
- ✓ Faqir Chand, Chaudhri (Karnal North, General Reserved Seat, Rural).
- ✓ Faqir Hussain Khan, Chaudhri (Tarn Taran, Muhammadan, Rural).
- ✓ Farman Ali Khan, Subedar Major Raja (Gujar Khan, Muhammadan, Rural).
- ✓ Fateh Khan, Raja (Rawalpindi East, Muhammadan, Rural).
- ✓ Fateh Muhammad, Mian (Gujrat North, Muhammadan, Rural).
- ✓ Fateh Sher Khan, Malik (Montgomery, Muhammadan, Rural).
- ✓ Fazl Ali Khan, Khan Bahadur Nawab Chaudhri, O.B.E. (Gujrat East, Muhammadan, Rural).
- ✓ Fazal Din, Khan Sahib Chaudhri (Ajnala, Muhammadan, Rural).
- ✓ Fazal Karim Bakhsh, Mian (Muzaffargarh, Sadar, Muhammadan, Rural).
- ✓ Few, Mr. E. (Anglo Indian).
- ✓ Ghazanfar Ali Khan, Raja (Pind Dadan Khan, Muhammadan, Rural).
- ✓ Ghulam Hussain, Khawaja (Multan Division Towns, Muhammadan, Urban).
- ✓ Ghulam Mohy-ud-Din, M. (Sheikhupura, Muhammadan, Rural).
- ✓ Ghulam Murtaza, Khawaja (Dera Ghazi Khan, North, Muhammadan, Rural).
- ✓ Ghulam Qadar Khan, Khan Bahadur (Mianwali North, Muhammadan, Rural).
- ✓ Ghulam Rasul, Chaudhri (Sialkot Central, Muhammadan, Rural).
- ✓ Ghulam Samad, Khawaja, (Southern Towns, Muhammadan, Urban).

MEMBERS—CONTINUED.

- ✓ Girdhari Das, Mahant (South-East Multan Division, General, Rural).
- ✓ Gokul Chand Narang, Dr. Sir, M.A., Ph.D. (West Lahore Division, General, Rural).
- ✓ Gopal Das, Rai Sahib Lala, (Kangra North, General, Rural).
- ✓ Gopal Singh, (American) Sardar, (Ludhiana and Ferozepore, General, Reserved Seat, Rural).
- ✓ Gopi Chand Bhargava, Dr. (Lahore City, General, Urban).
- ✓ Gurbachan Singh, Sardar Sahib Sardar (Jullundur West, Sikh, Rural).
- ✓ Habib-Ullah Khan, Malik (Sargodha, Muhammadan, Rural).
- ✓ Haibat Khan Daha, Khan (Khanewal, Muhammadan, Rural).
- ✓ Hans Raj, Bhagat, B.A., LL.B. (Amritsar and Sialkot, General, Reserved Seat, Rural).
- ✓ Hari Chand, Rai (Una, General, Rural).
- ✓ Hari Singh, Sardar (Kangra and Northern Hoshiarpur, Sikh, Rural).
- ✓ Harjab Singh, Sardar (Hoshiarpur South, Sikh, Rural).
- ✓ Harnam Das, Lala (Lyallpur and Jhang, General, Reserved Seat, Rural).
- ✓ Harnam Singh, Lieutenant Sodhi (Ferozepore North, Sikh, Rural).
- ✓ Het Ram, Rai Sahib Chaudhri (Hissar South, General, Rural).
- ✓ Indar Singh, Sardar (Gurdaspur North, Sikh, Rural).
- ✓ Jagjit Singh, Sardar (Central Punjab Landholders).
- ✓ Jagjit Singh Bedi, Tikka (Montgomery East, Sikh, Rural).
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- ✓ Jahangir Khan, Chaudhri (Okara, Muhammadan, Rural).
- ✓ Jalal-ud-Din Amber, Chaudhri, B.A. (West Central Punjab, Indian Christian).
- ✓ Jogindar Singh Man, Sardar (Gujranwala and Shahdara, Sikh, Rural.)
- ✓ Jugal Kishore, Chaudhri (Ambala and Simla, General, Reserved Seat Rural.)
- ✓ Kabul Singh, Master, (Jullundur East, Sikh, Rural.)
- ✓ Kapoor Singh, Sardar, (Ludhiana East, Sikh, Rural.)
- ✓ Karamat Ali, Shaikh, B.A., LL.B., (Nankana Sahib, Muhammadan, Rural.)
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- ✓ Kartar Singh, Sardar, (Lyallpur East, Sikh, Rural.)
- ✓ Khalid Latif Gauba, Mr., (Inner Lahore, Muhammadan, Urban.)
- ✓ Kishan Dass, Seth, (Jullundur, General, Reserved Seat, Rural.)
- ✓ Krishna Gopal Dutt, Chaudhri, (North-Eastern Towns, General, Urban.)
- ✓ Lal Singh, Sardar, M.Sc., LL.B., (Ludhiana Central, Sikh, Rural.)
- ✓ Maqbool Mahmood, Mir, (Amritsar, Muhammadan, Rural.)
- ✓ Mazhar Ali Azhar, Maulvi, (North-Eastern Towns, Muhammadan, Urban.)

MEMBERS—CONTINUED.

- ✓ Mohy-ud-Din Lal Badshah, Pir, (Attock South, Muhammadan, Rural.)
- ✓ Mubarik Ali Shah, Syed, (Jhang Central, Muhammadan, Rural.)
- ✓ Muhammad Abdul Rahman Khan, Chaudhri, (Jullundur North, Muhammadan, Rural.)
- ✓ Muhammad Akram Khan, Khan Bahadur Raja, (Jhelum, Muhammadan, Rural.)
- ✓ Mohammad Alam, Dr. Shaikh, B.A., Hons. (Oxon), LL. D. (Dublin), (Rawalpindi Division Towns, Muhammadan, Urban.)
- ✓ Muhammad Ashraf, Chaudhri, (South West Gujrat, Muhammadan, Rural.)
- ✓ Muhammad Faiyaz Ali Khan, Nawabzada, (Karnal, Muhammadan, Rural.)
- ✓ Muhammad Hassan, Chaudhri, (Ludhiana, Muhammadan, Rural.)
- ✓ Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar, C.I.E., (Dera Ghazi Khan South, Muhammadan, Rural.)
- ✓ Muhammad Hassan, Khan Bahadur Makhdum Syed, (Alipur, Muhammadan-Rural.)
- ✓ Muhammad Hayat Khan Noon, Nawab Sir Malik, (North Punjab, Landholders.)
- ✓ Muhammad Hussain, Sardar, (Chunian, Muhammadan, Rural.)
- ✓ Muhammad Hussain, Chaudhri, B.A., LL.B., (Gujranwala East, Muhammadan, Rural.)
- ✓ Muhammad Itikhar-ud-Din, Mian, (Kasur, Muhammadan, Rural.)
- ✓ Muhammad Jamal Khan Leghari, Khan Bahadur, Nawab Sir, (Tumandars.)
- ✓ Muhammad Nawaz Khan, Major Sardar, (Attock-Central, Muhammadan, Rural.)
- ✓ Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed, (Shujabad, Muhammadan, Rural.)
- ✓ Muhammad Saadat Ali Khan, Khan Sahib, Nawab, (Samundri, Muhammadan, Rural.)
- ✓ Muhammad Sarfraz Khan, Chaudhri, (Sialkot North, Muhammadan, Rural.)
- ✓ Muhammad Sarfraz Khan, Raja, (Chakwal, Muhammadan, Rural.)
- ✓ Muhammad Shafi Ali Khan, Khan Sahib Chaudhri, (Rohtak, Muhammadan, Rural.)
- ✓ Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed, (Lodhran, Muhammadan, Rural.)
- ✓ Muhammad Yasin Khan, Chaudhri, B.A., LL.B., (North-West Gurgaon, Muhammadan, Rural.)
- ✓ Muhammad Yusuf Khan, Khan, B.A., LL.B., (Rawalpindi Sadar, Muhammadan, Rural.)
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- ✓ Mula Singh, Sardar, (Hoshiarpur West, General, Reserved Seat, Rural.)
- ✓ Muni Lal Kalia, Pandit, (Ludhiana and Ferozepore, General, Rural.)

MEMBERS—CONTINUED.

- ✓ Mushtaq Ahmad Gurmani, Khan Bahadur, Mian, (Muzaffargarh North, Muhammadan, Rural.)
- ✓ Muzaffar Ali Khan, Sardar, (Lahore, Muhammadan, Rural.)
- ✓ Muzaffar Khan, Khan Bahadur Captain Malik, (Mianwali South, Muhammadan, Rural.)
- ✓ Muzaffar Khan, Khan Bahadur Nawab, C.I.E., (Attock North, Muhammadan, Rural.)
- ✓ Narendra Nath, Diwan Bahadur Raja, (East Punjab, Landholders.)
- ✓ Narotam Singh, Sidhu, Sardar, B.A., LL.B., (South-East Punjab, Sikh, Rural.)
- ✓ Nasir-ud-Din, Chaudhri, (Gujranwala North, Muhammadan, Rural.)
- ✓ Nasir-ud-Din Shah, Pir, (Toba Tek Singh, Muhammadan, Rural.)
- ✓ Nasrullah Khan, Rana, (Hoshiarpur West, Muhammadan, Rural.)
- ✓ Naunihal Singh, Mann, Lieutenant Sardar, (Sheikhupura West, Sikh, Rural.)
- ✓ Nawazish Ali Shah, Syed, (Jhang East, Muhammadan, Rural.)
- ✓ Nur Ahmad Khan, Khan Sahib Mian, (Dipalpur, Muhammadan, Rural.)
- ✓ Nurullah Mian, (Lyallpur, Muhammadan, Rural.)
- ✓ Parbati Devi, Bibi, (Lahore City, General Women.)
- ✓ Partab Singh, Sardar, (Amritsar, South, Sikh, Rural.)
- ✓ Pir Muhammad, Khan Sahib Chaudhri, (South-East Gujrat, Muhammadan, Rural.)
- ✓ Prem Singh, Chaudhri, (South-East Gurgaon, General, Reserved Seat, Rural.)
- ✓ Prem Singh, Mahant, (Gujrat and Shahpur, Sikh, Rural.)
- ✓ Pritam Singh, Siddhu, Sardar, B.A., LL.B., (Ferozepore West, Sikh, Rural.)
- ✓ Raghbir Kaur, Shrimati, (Amritsar, Sikh, Women.)
- ✓ Rai, Mr. C., (Amritsar and Sialkot, General, Rural.)
- ✓ Ram Narain Virmani, Seth, (Lyallpur and Jhang, General, Rural.)
- ✓ Ram Sarup, Chaudhri, (Rohtak Central, General, Rural.)
- ✓ Ranpat, Chaudhri, (Karnal North, General, Rural.)
- ✓ Rashida Latif, Baji, Begum, (Inner Lahore, Muhammadan Women, Urban.)
- ✓ Riasat Ali, Khan Sahib Chaudhri, (Hafizabad, Muhammadan, Rural.)
- ✓ Ripudaman Singh, Thakur, B.A., (Gurdaspur, General, Rural.)
- ✓ Roberts, Professor, William, C.I.E., (European.)
- ✓ Sar Singh, Sardar, (Ferozepore East, Sikh, Rural.)
- ✓ Saif Dad Khan, Chaudhri, (Hissar, Muhammadan, Rural.)
- ✓ Saif-ud-Din Kitchlew, Dr., (Amritsar City, Muhammadan, Urban.)
- ✓ Sampuran Singh, Sardar, (Lyallpur, West, Sikh, Rural.)
- ✓ Santokh Singh, Sardar Sahib Sardar, (Eastern Towns, Sikh, Urban.)
- ✓ Sant Ram Seth, Dr., (Amritsar City, General, Urban.)

MEMBERS—CONCLUDED.

- ✓ Shahadat Khan, Khan Sahib Rai, (Jaranwala, Muhammadan, Rural.)
- ✓ Shah Nawaz Khan, Nawab Khan, (Ferozepore Central, Muhammadan, Rural.)
- ✓ Sham Lal, Rai Bahadur, Chaudhri, (West Multan Division, General, Rural.)
- ✓ Shiv Dyal, Lala, B.A., LL.B., (South-Western Towns, General, Urban) (upto 3rd June, 1937).
- ✓ Shri Ram Sharma, Pandit, (Southern Towns, General, Urban.)
- ✓ Singha, Mr. S. P., (East Central Punjab, Indian Christian.)
- ✓ Sita Ram, Lala, (Trade Union, Labour).
- ✓ Sohan Singh Josh, Sardar, (Amritsar North, Sikh, Rural.)
- ✓ Sudarshan, Lala, (Eastern Towns, General, Urban.)
- ✓ Sultan Mahmud Hatiana, Mian, B.A., (Pakpattan, Muhammadan, Rural.)
- ✓ Sumar Singh, Chaudhri, B.A., LL.B., (South-East Gurgaon, General, Rural.)
- ✓ Saraj Mal, Chaudhri, B.A., LL.B., (Hansi, General, Rural.)
- ✓ Taffi Hussain Khan, Khan, (Jhang West, Muhammadan, Rural.)
- ✓ Tara Singh, Sardar, (Ferozepore South, Sikh, Rural.)
- ✓ Teja Singh, Sardar, (Lahore West, Sikh, Rural.)
- ✓ Tika Ram, Chaudhri, B.A., LL.B., (Rohtak North, General, Rural.)
- ✓ Ujjal Singh, Sardar Sahib Sardar, M.A., (Western Towns, Sikh, Urban.)
- ✓ Umar Hayat Khan, Chaudhri, (Bhalwal, Muhammadan, Rural.)
- ✓ Uttam Singh Dugal, Sardar, (North-West Punjab, Sikh, Rural.)
- ✓ Wali Muhammad Sayyal Hiraj, Sardar, (Kabirwala, Muhammadan, Rural.)

ADVOCATE-GENERAL.

- ★ Diwan Ram Lal, Bar-at-Law.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 5th April, 1937.

The Assembly met at the Council Chamber, at 11 A.M., of the clock.

APPOINTMENT OF TEMPORARY SPEAKER.

The Secretary read the following order of His Excellency the Governor:

"In exercise of the powers conferred upon me by sub-section (3) of section 65 of the Government of India Act, 1935, I, Herbert William Emerson, Governor of the Punjab, hereby appoint Dewan Bahadur Raja Narendra Nath, M.L.A., to perform the duties of the office of Speaker of the Punjab Legislative Assembly until such time as the Speaker shall have been duly chosen and taken upon himself the discharge of his duties."

Dewan Bahadur Raja Narendra Nath, then took the chair, having already taken his oath before His Excellency the Governor.

STANDING OF MEMBERS WHEN GOVERNOR'S ORDERS ARE READ.

Dr. Shaikh Muhammad Alam (Rawalpindi Division Towns, Muhammadan, Urban): I rise to a point of order. May I know if the Secretary had any authority, and if so, whose authority, to write to the members of this House that they should stand while the Governor's message is read in this Hall?

Diwan Bahadur Raja Narendra Nath (from the Chair): It is an ordinary official courtesy that every member is bound to show. I do not think in making this request the Secretary has gone out of his province. I noticed with regret that some of the members did not stand in their seats. If the members are going to take the oath of allegiance to the King, where is this justification for their not showing respect to the representative of the King when his message is announced?

Dr. Shaikh Muhammad Alam: My question to the Chair was, on whose authority this instruction was issued to the members and not whether we should stand or not. I shall be much obliged if the Chair will give me a ruling on the point on whose authority it was written by the Secretary.

Diwan Bahadur Raja Narendra Nath (from the Chair): I presume he simply followed the ordinary practice. I cannot find out any order and I cannot give any authority; I think he just followed the ordinary practice. Whenever a message of the Governor is read out, the members are expected to stand.

Dr. Shaikh Muhammad Alam: Thank you very much. No authority.

OATH OF OFFICE.

The following Members were then sworn in :—

- ✓ The Honourable Major Sardar Sir Sikander Hyat Khan (West Punjab Landholders).
- ✓ The Honourable Sardar Bahadur Doctor Sardar Sir Sundar Singh (Batala, Sikh, Rural).
- ✓ The Honourable Rao Bahadur Chaudhri Chhotu Ram (Jhajjar, General, Rural).
- ✓ The Honourable Mr. Manohar Lal (University).
- ✓ The Honourable Nawabzada Major Malik Khizar Hyat Khan, Tiwana, (Khushab, Muhammadan, Rural).
- ✓ The Honourable Mian Abdul Haye (South-Eastern Towns, Muhammadan, Urban).
- ✓ Mrs. Rashida Latif (Inner Lahore, Muhammadan Women, Urban).
- ✓ Khan Bahadur Nawab Malik Allah Bakhs Khan (Shahpur, Muhammadan, Rural).
- ✓ Sardar Partap Singh (Amritsar South, Sikh, Rural).
- ✓ Khan Bahadur Nawab Muzaffar Khan (Attock North, Muhammadan, Rural).
- ✓ Sardar Major Muhammad Nawaz Khan (Attock Central, Muhammadan, Rural).
- ✓ Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural).
- ✓ Chaudhri Sir Shahab-ud-Din (Sialkot South, Muhammadan, Rural).
- ✓ Doctor Muhammad Alam (Rawalpindi Division Towns, Muhammadan, Urban).
- ✓ Doctor Saif-ud-Din Kitchlew (Amritsar City, Muhammadan, Urban).
- ✓ Shaikh Faiz Muhammad (Dera Ghazi Khan Central, Muhammadan, Rural).
- ✓ Sardar Narotam Singh (South-East Punjab, Sikh, Rural).
- ✓ Sardar Gopal Singh (Ludhiana and Ferozepore, General, Reserved Seat, Rural).
- ✓ Chaudhri Muhammad Yasin Khan (North-West Gurgaon, Muhammadan, Rural).
- ✓ Rai Sahib Chaudhri Het Ram (Hissar South, General, Rural).
- ✓ Mr. Khalid Latif Gauba (Inner Lahore, Muhammadan, Urban).
- ✓ Malik Barkat Ali (Eastern Towns, Muhammadan, Urban).
- ✓ Malik Habib Ullah Khan (Sargodha, Muhammadan, Rural).
- ✓ Sardar Chanan Singh (Kasur, Sikh, Rural).
- ✓ Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban).
- ✓ Sardar Kapoor Singh (Ludhiana East, Sikh, Rural).
- ✓ Chaudhri Jalal-ud-Din Amber (West Central Punjab, Indian Christian).
- ✓ Mahant Prem Singh (Gujrat and Shahpur, Sikh, Rural).
- ✓ Sardar Muzaffar Ali Khan (Lahore, Muhammadan, Rural).

OATH OF OFFICE.

- ✓ Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural).
- ✓ Sardar Lal Singh (Ludhiana Central, Sikh, Rural).
- ✓ Sardar Sahib Sardar Ujjal Singh (Western Towns, Sikh, Urban).
- ✓ Dr. Gopi Chand Bhargava (Lahore City, General, Urban).
- ✓ Prof. W. Roberts (European).
- ✓ Lala Duni Chand (Ambala and Simla, General, Rural).
- ✓ Captain Dina Nath (Kangra South, General, Rural).
- ✓ Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammadan, Rural).
- ✓ Mrs. Jahan Ara Shah Nawaz (Outer Lahore, Muhammadan Women, Urban).
- ✓ Lala Bhim Sen Sachar (North Western Towns, General, Urban).
- ✓ Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban).
- ✓ Chaudhri Tika Ram (Rohtak North, General, Rural).
- ✓ Shaikh Karamat Ali (Nankana Sahib, Muhammadan, Rural).
- ✓ Master Kabul Singh (Jullundur East, Sikh, Rural).
- ✓ Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural).
- ✓ Chaudhri Muhammad Hassan (Ludhiana, Muhammadan, Rural).
- ✓ Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural).
- ✓ Sardar Rur Singh (Ferozepore East, Sikh, Rural).
- ✓ Chaudhri Kartar Singh (Hoshiarpur West, General, Rural).
- ✓ Tikka Jagjit Singh Bedi (Montgomery East, Sikh, Rural).
- ✓ Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural).
- ✓ Nawabzada Muhammad Faiyaz Ali Khan (Karnal, Muhammadan, Rural).
- ✓ Dr. Sant Ram Seth (Amritsar City, General, Urban).
- ✓ Makhdomzada Haji Sayod Muhammad Raza Shah Jeelani (Shujabad, Muhammadan, Rural).
- ✓ Lala Sudarshan (Eastern Towns, General, Urban).
- ✓ Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural).
- ✓ Pandit Shri Ram Sharma (Southern Towns, General, Urban).
- ✓ Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural).
- ✓ Lala Bhagat Ram Choda (Jullundur, General, Rural).
- ✓ Mr. E. Few (Anglo Indian).
- ✓ Mr. S. P. Singha (East Central Punjab, Indian Christian).
- ✓ Sardar Harjab Singh (Hoshiarpur South, Sikh, Rural).
- ✓ Shrimati Raghbir Kaur (Amritsar, Sikh Women).
- ✓ Syad Afzaal Ali Hasnie (Shahdara, Muhammadan, Rural).
- ✓ Shrimati Parbati Jai Chand (Lahore City, General, Women).
- ✓ Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural).

- ✓ Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural).
- ✓ Nawab Khan Shah Nawaz Khan (Ferozepore Central, Muhammadan, Rural).
- ✓ Nawab Sir Malik Muhammad Hayat Khan Noon (North Punjab Landholders).
- ✓ Khan Bahadur Nawab Chaudhri Fazal Ali (Gujrat East, Muhammadan, Rural).
- ✓ Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban).
- ✓ Sardar Dasandha Singh (Jagraon, Sikh, Rural).
- ✓ Khan Bahadur Nawab Sir Muhammad Jamal Khan Leghari (Tumandars).
- ✓ Rai Sahib Lala Gopal Das (Kangra North, General, Rural).
- ✓ Mr. C. Rai (Amritsar and Sialkot, General, Rural).
- ✓ Rao Bahadur Captain Rao Balbir Singh (North-West Gurgaon, General, Rural).
- ✓ Khan Bahadur Mian Ahmad Yar Khan Daulatana (Mailsi, Muhammadan, Rural).
- ✓ Chaudhri Faqir Hussain Khan (Tarn Taran, Muhammadan, Rural).
- ✓ Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh, North, Muhammadan, Rural).
- ✓ Pir Akbar Ali (Fazilka, Muhammadan, Rural).
- ✓ Syed Mubarik Ali Shah (Jhang Central, Muhammadan, Rural).
- ✓ Khan Haibat Khan Daha (Khanewal, Muhammadan, Rural).
- ✓ Chaudhri Sahib Dad Khan (Hissar, Muhammadan, Rural).
- ✓ Mian Nurullah (Lyallpur, Muhammadan, Rural).
- ✓ Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban).
- ✓ Rai Bahadur Sardar Basakha Singh (Amritsar, Central, Sikh, Rural).
- ✓ Bhagat Hans Raj (Amritsar and Sialkot, General, Reserved Seat, Rural).
- ✓ Rai Bahadur Binda Saran (Punjab Commerce and Industry).
- ✓ Rai Bahadur Lala Sham Lal (West Multan Division, General, Rural).
- ✓ Mahant Girdhari Das (South-East Multan Division, General, Rural).
- ✓ Seth Ram Narain Arora (Lyallpur and Jhang, General, Rural).
- ✓ Thakur Ripudaman Singh (Gurdaspur, General, Rural).
- ✓ Lala Shiv Dyal (SouthWestern Towns, General, Urban).
- ✓ Rai Bhagwant Singh (Kangra East, General, Rural).
- ✓ Pir Mohy-ud-Din Lal Badshah (Attock South, Muhammadan, Rural).
- ✓ Khan Sahib Mian Nur Ahmad Khan (Dipalpur, Muhammadan, Rural).
- ✓ Syed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural).
- ✓ Chaudhri Umar Hayat Khan (Bhalwal, Muhammadan, Rural).
- ✓ Captain Ashiq Hussain (Multan, Muhammadan, Rural).
- ✓ Khan Sahib Rai Shahadat Khan (Jaranwala, Muhammadan, Rural).

OATH OF OFFICE.

- ✓ Khan Bahadur Captain Malik Muzaffar Khan (Mianwali South, Muhammadan, Rural).
- ✓ Khan Sahib Chaudhri Pir Muhammad (South-East Gujrat, Muhammadan, Rural).
- ✓ Raja Muhammad Sarfraz Khan (Chakwal, Muhammadan, Rural).
- ✓ Khan Bahadur Makhdum Syed Muhammad Hassan (Alipur, Muhammadan, Rural).
- ✓ Khan Bahadur Sardar Muhammad Hassan Khan Gurchani (Dera Ghazi Khan South, Muhammadan, Rural).
- ✓ Sardar Uttam Singh Dugal (North-West Punjab, Sikh, Rural).
- ✓ Seth Kishan Dass (Jullundur, General, Reserved Seat, Rural).
- ✓ Lala Sita Ram (Trade Union Labour).
- ✓ Diwan Chaman Lall (East Punjab, Non-Union Labour).
- ✓ Rai Sahib Lala Atma Ram (Hissar North, General, Rural).
- ✓ Maulvi Mazhar Ali Azhar ((North-Eastern Towns, Muhammadan, Urban).
- ✓ Pandit Bhagat Ram (Kangra West, General, Rural).
- ✓ Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban).
- ✓ Khan Sahib Chaudhri Fazal Din (Ajnala, Muhammadan, Rural).
- ✓ Chaudhri Muhammad Abdul Rahman Khan (Jullundur North, Muhammadan, Rural).
- ✓ Mian Fateh Muhammad (Gujrat North, Muhammadan, Rural).
- ✓ Mr. Ahmed Bakhsh Khan (North Punjab, Non-Union Labour).
- ✓ Sardar Wali Muhammad Sayyal Hiraj (Kabirwala, Muhammadan, Rural).
- ✓ Chaudhri Nasir-ud-Din (Gujranwala North, Muhammadan, Rural).
- ✓ Subedar-Major Farman Ali Khan (Gujar Khan, Muhammadan, Rural).
- ✓ Khan Bahadur Raja Muhammad Akram Khan (Jhelum, Muhammadan, Rural).
- ✓ Khan Sahib Nawab Muhammad Saadat Ali Khan (Samundri, Muhammadan, Rural).
- ✓ Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural).
- ✓ Lieut. Sodhi Harnam Singh (Ferozepore North, Sikh, Rural).
- ✓ Khan Sahib Chaudhri Muhammad Shafi Ali Khan (Rohtak, Muhammadan, Rural).
- ✓ Sardar Ajit Singh (South-West Punjab, Sikh, Rural).
- ✓ Chaudhri Prem Singh (South-East Gurgaon, General Reserved Seat, Rural).
- ✓ Sardar Sahib Sardar Gurbachan Singh (Jullundur West, Sikh, Rural).
- ✓ Chaudhri Anant Ram (Karnal South, General, Rural).

- ✓ Chaudhri Ram Sarup (Rohtak Central, General, Rural).
- ✓ Sardar Mula Singh (Hoshiarpur West, General Reserved Seat, Rural).
- ✓ Mian Badar Mohy-ud-Din Qadri (Batala, Muhammadan, Rural).
- ✓ Khan Talib Hussain Khan (Jhang West, Muhammadan, Rural).
- ✓ Makhdumzada Haji Sayed Muhammad Wilayat Hussain Jeelani (Lodhran, Muhammadan, Rural).
- ✓ Khawaja Ghulam Murtaza (Dera Ghazi Khan North, Muhammadan, Rural).
- ✓ Mian Abdul Rab (Jullundur South, Muhammadan, Rural).
- ✓ Chaudhri Muhammad Hussain (Gujranwala East, Muhammadan, Rural),
- ✓ Rana Nasrullah Khan (Hoshiarpur West, Muhammadan, Rural).
- ✓ Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural).
- ✓ Sufi Abdul Hamid Khan (Ambala and Simla, Muhammadan, Rural).
- ✓ Pir Nasir-ud-Din Shah (Toba Tek Singh, Muhammadan, Rural).
- ✓ Lala Harnam Das (Lyallpur and Jhang, General Reserved Seat, Rural).
- ✓ Sardar Tara Singh (Ferozepore South, Sikh, Rural).
- ✓ Chaudhri Jugal Kishore (Ambala and Simla, General Reserved Seat, Rural).
- ✓ Sardar Pritam Singh (Ferozepore West, Sikh, Rural).
- ✓ Chaudhri Faqir Chand (Karnal North, General Reserved Seat, Rural).
- ✓ Sardar Indar Singh (Gurdaspur North, Sikh, Rural).
- ✓ Rai Hari Chand (Una, General, Rural).
- ✓ Lieutenant Sardar Naunihal Singh Man (Sheikhupura West, Sikh, Rural).
- ✓ Chaudhri Ranpat (Karnal North, General, Rural).
- ✓ Rai Faiz Muhammad Khan (Kangra and Eastern Hoshiarpur, Muhammadan, Rural).
- ✓ Raja Fateh Khan (Rawalpindi East, Muhammadan, Rural).
- ✓ Chaudhri Abdul Rahim (Shakargarh, Muhammadan, Rural.)
- ✓ Chaudhri Muhammad Sarfraz Khan (Sialkot North, Muhammadan, Rural).
- ✓ Chaudhri Ahmad Yar Khan (North-West Gujrat, Muhammadan, Rural).
- ✓ Chaudhri Ghulam Rasul (Sialkot Central, Muhammadan, Rural).
- ✓ Sardar Muhammad Hussain (Chunian, Muhammadan, Rural).
- ✓ Chaudhri Abdul Rahim (South-East, Gurgaon, Muhammadan, Rural).
- ✓ Malik Fateh Sher Khan (Montgomery, Muhammadan, Rural).
- ✓ Khan Sahib Ghulam Qadir Khan (Mianwali North, Muhammadan, Rural).
- ✓ Chaudhri Jahangir Khan (Okara, Muhammadan, Rural).
- ✓ Mian Fazal Karim Bakhsh (Muzaffargarh Sadar, Muhammadan, Rural).
- ✓ Mian Sultan Mahmud Hatiana (Pakpattan, Muhammadan, Rural).

OATH OF OFFICE.

- ✓ Chaudhri Muhammad Ashraf (South-West Gujrat, Muhammadan, Rural).
- ✓ Sardar Balwant Singh (Sialkot, Sikh, Rural).
- ✓ Chaudhri Sumer Singh (South-East, Gurgaon, General, Rural).
- ✓ Sardar Jogindar Singh Man (Gujranwala and Shahdara, Sikh, Rural).
- ✓ Chaudhri Suraj Mal (Hansi, General, Rural).
- ✓ Sardar Jagjit Singh Man (Central Punjab, Landholders).

STANDING OF MEMBERS WHEN GOVERNOR'S ORDERS
ARE READ.

Diwan Bahadur Raja Narendra Nath (from the Chair): A note has been handed over to me by a Member to say that he wishes to make a statement as to why some of the members did not stand in their seats when the message of His Excellency the Governor was being announced. I understand the Parliamentary practice to be that no member is allowed to make a statement unless there is a motion before the House and that an exception is made only in the case of an official member who too can be allowed to make a statement only with the permission of the Speaker. I myself was a victim to this ruling some years ago (*laughter*) and I am unable to change that ruling.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): I bow to your ruling. But what I wanted to submit was that the announcement of an order of His Excellency the Governor does not amount to a message within the meaning of that expression as used in the Government of India Act. There is no obligation on any member to stand when receiving that announcement. But as you have been pleased to express your regret at the fact that a certain section of the House did not stand, I wanted to clear the position.

Diwan Bahadur Raja Narendra Nath (from the Chair): I do not think that that is a point of order. The honourable member is certainly perfectly at liberty to make a statement in the press.

Dr. Shaikh Muhammad Alam: Certainly the expression of regret made by you was in your personal capacity and not on behalf of the whole Assembly. You will make it very clear.

Malik Barkat Ali: In this connection, if I may be permitted to add, if you will please consider the sections of the Government of India Act you will come to the conclusion that this announcement of an order passed by His Excellency the Governor is not a message, merely because the Secretary has called it a message and it cannot be—

Secretary: I did not describe it as a message; I called it an order.

Malik Barkat Ali: You have called it a message in your letter to the members.

Diwan Bahadur Raja Narendra Nath (from the Chair): As to the other point, I think I was giving expression to the feelings of the majority of members of this House (*Government benches cheers*) and it was certainly my personal feeling too.

Dr. Shaikh Muhammad Alam : May I know if the Chair has got the authority to pronounce regret on behalf of the majority of this House without first taking the sense of the House? Even if you take the sense of the House now it will not be a correct procedure because the regret was expressed before the sense of the House was taken. With due regards to the Chair, I think that the Chair had no right to express regret on behalf of the Assembly.

Diwan Bahadur Raja Narendra Nath (from the Chair): As I have explained, I was expressing the feelings of the majority and I find that I have been confirmed in that view. But if the honourable member wishes to take it as my personal opinion, he may do so. (*Opposition cheers.*)

The Assembly then adjourned till 11 A.M., on Tuesday, 6th April, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 6th April, 1937.

The Assembly met at the Council Chamber at 11 A.M. of the clock. Diwan Bahadur Raja Narendra Nath (Temporary Speaker) in the chair.

VALIDITY OF THE RULES AND STANDING ORDERS.

Dr. Shaikh Muhammad Alam (Rawalpindi Division, Towns, Muhammadan, Urban): Before we proceed to the business of the day I should like to raise a point of order. On account of a very serious defect in the rules under which we are conducting our business, I consider that the proceedings of yesterday are null and void. You will observe from the notification No. 1079-P.G.-37, dated 1st April, 1937, published in the *Punjab Government Gazette* that it reads as follows :—

“In exercise of the powers conferred by sub-section (3) of section 84 of the Government of India Act, 1935, the Governor of the Punjab is pleased to make the following Rules and Standing Orders for the conduct of the business of the Punjab Legislative Assembly.”

But under section 84 (3) of the Government of India Act the Governor has got no power to make rules and standing orders. It is only this Assembly that can make rules and until such rules are framed the rules of procedure and standing orders in force immediately before the commencement of Part III of the Act with respect to the Legislative Council of the Province shall have effect in relation to the Legislature of the Province subject to such modifications and adaptations as may be made therein by the Governor acting in his discretion.

Diwan Bahadur Raja Narendra Nath (from the Chair): I think the point of order can be raised after administering oath to the members who have not already been sworn in.

Dr. Shaikh Muhammad Alam: My point is that even the administering of the oath is invalid under these rules and standing orders; but I have no objection to obeying the chair.

OATH OF OFFICE.

The following members were then sworn in :—

- ✓ Sardar Sampuran Singh (Lyallpur West, Sikh, Rural).
- ✓ Sardar Baldev Singh (Ambala North, Sikh, Rural).
- ✓ Sardar Kartar Singh (Lyallpur East, Sikh, Rural).
- ✓ Lala Deshbandhu Gupta (South Eastern Towns, General, Urban).
- ✓ Syed Nawazish Ali Shah (Jhang East, Muhammadan, Rural).

VALIDITY OF THE RULES AND STANDING ORDERS.

Dr. Shaikh Muhammad Alam : I was drawing your attention to the Government of India Act. According to sub-section (3) of section 84, the rules which should apply are the rules of procedure in force immediately before the commencement of Part III of the Act, with such modifications and adaptations as may be made therein by the Governor. Thus the Governor can only make modifications and adaptations in the rules, but he cannot himself make the rules and standing orders. The language of the notification is that he makes the rules and standing orders which he has no power to do. My submission, therefore, is that these rules are *ultra vires* altogether.

Diwan Bahadur Raja Narendra Nath (from the Chair) : These rules and standing orders are the rules of procedure and standing orders in force prior to the constitution of this Assembly with such modifications and adaptations as the Governor has made therein. They are in order and must be followed.

ELECTION OF SPEAKER.

Diwan Bahadur Raja Narendra Nath (from the Chair) : Two members have been duly nominated for election to the office of Speaker. The following nominations have been received in favour of Chaudhri Sir Shahab-ud-Din :—

Proposed by—

Sardar Wali Muhammad Sayyal
Hiraj.
Mian Abdul Aziz.
Mrs. Jahan Ara Shah Nawaz.
Khan Bahadur Makhdum Syed
Muhammad Hassan.
Khan Bahadur Nawab Malik Allah
Bakhsh Khan.
Nawabzada Muhammad Faiyaz Ali
Khan.
Khan Sahib Mian Nur Ahmad
Khan.
Rai Sahib Lala Atina Ram.
Khan Bahadur Mian Ahmad Yar
Khan Daulatana.
Rai Sahib Lala Gopal Das.
Mir Maqbool Mahmood.
Shaikh Faiz Muhammad.
Professor W. Roberts.
Sardar Sahib Sardar Ujjal Singh.
Lala Sita Ram.

Seconded by—

Rai Bhagwant Singh.
Mr. E. Few.
Khan Bahadur Nawab Sir
Muhammad Jamal Khan.
Chaudhri Sahib Dad Khan.
Malik Habib Ullah Khan.
Chaudhri Umar Hayat Khan.
Raja Muhammad Sarfraz
Khan.
Khan Bahadur Captain Malik
Muzaffar Khan.
Syed Afzaanlali Hasnie.
Mr. S. P. Singha.
Khan Sahib Chaudhri Fazal
Din.
Mr. Ahmad Bakhsh Khan.
Rai Bahadur Binda Saran.
Tikka Jagjit Singh Bedi.
Maulvi Ghulam Moby-ud-Din.

*Proposed by—**Seconded by—*

Lieutenant Sardar Naunihal Singh
Mann.

Sardar Jagjit Singh.

Rao Bahadur Captain Rao Balbir
Singh.

Chaudhri Tika Ram.

Chandhri Suraj Mal.

Mian Fazal Karim Bakhsh.

Malik Fateh Sher Khan.

Rai Hari Chand.

Chaudhri Jahangir Khan.

The Honourable Nawabzada Major
Khizar Hyat Khan Tiwana.

Khan Bahadur Raja Muhammad
Akram Khan.

Bhagat Hans Raj.

Khan Bahadur Nawab Chaudhri
Fazl Ali.

Rai Faiz Muhammad Khan.

Khan Sahib Muhammad Shafi Ali
Khan.

Sardar Sahib Sardar Santokh Singh

Sardar Dasaundha Singh.

M. Muhammad Yusuf Khan.

Chaudhri Nasir-ud-Din.

Khan Sahib Nawab Muhammad
Saadat Ali Khan.

Chaudhri Abdul Rahim.

Khan Sahib Chaudhri Riasat Ali.

Nawab Khan Shah Nawaz Khan.

Chaudhri Ali Akbar.

Pir Nasir-ud-Din Shah.

Chaudhri Sumer Singh.

Major Sardar Muhammad Nawaz
Khan.

Sardar Pritam Singh Sidhu.

Khan Sahib Chaudhri Pir Muham-
mad.

Sardar Jogindar Singh Man.

Subedar-Major Farman Ali Khan.

Sardar Sahib Sardar Gur-
bachan Singh.

Rai Bahadur Sardar Basakha
Singh.

Sardar Muzaffar Ali Khan.

Chaudhri Ranpat.

Chaudhri Anant Ram.

Rai Sahib Chaudhri Het Ram.

Mian Sultan Mahmood Hat-
iana.

Rana Nasrullah Khan.

Khan Bahadur Sardar Mu-
hammad Hassan Khan,
Gurchani.

Raja Ghazanfar Ali Khan.

Seth Kishen Das.

Sardar Gopal Singh.

Mian Fateh Muhammad.

Khan Sabib Rai Shahadat
Khan.

Lala Harnam Das.

Lieutenant Sodhi Harnam
Singh.

Rai Bahadur Mr. Mukand
Lal, Puri.

Chaudhri Jalal-ud-Din Amber.

Chaudhri Abdul Rahim.

Chaudhri Muhammad Yasin
Khan.

Mian Abdul Rab.

Mian Badar-Mohy-ud-Din
Qadri.

Mian Nurullah.

Mahant Girdhari Dass.

Chaudhri Faqir Husain Khan.

Chandhri Jugal Kishore.

Chaudhri Ram Sarup.

Sardar Tara Singh.

Muhammad Husain.

Khan Talib Hussain Khan.

Raja Fateh Khan.

[D. B. Raja Narendra Nath.]

The following nominations have been received in favour of Dr. Saif-ud-Din Kitchlew :—

Proposed by—

Malik Barkat Ali.

Dr. Gopi Chand Bhargava.

Seconded by—

Dr. Shaikh Muhammad Alam.

Pandit Bhagat Ram Sharma.

As more than one member has been nominated the Assembly shall now proceed to elect a Speaker by ballot.

Ballot papers with the names of candidates nominated printed on them will be distributed to members. Their attention is invited to the brief instructions regarding marking which appear on the ballot papers.

If a member spoils a ballot paper by any mark which will reveal his identity he can return it to the Secretary and get another instead to record his vote.

After recording the vote, members should fold the ballot paper and deposit the same in the box on the table of the House.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): You must have been pleased to read rule 5 of the Legislative Assembly Rules. Clause 4 of that rule, provides :

“—If more than one member has been so nominated the Assembly shall proceed to elect a Speaker by ballot.”

The word “ballot,” is nowhere defined in the Legislative Assembly Rules. But there can be no room for doubt that the word “ballot” necessarily implies secret voting. The Ballot Act which is the authority on the subject lays down the essential requisites of vote by ballot. I draw your attention to section 2 of the Ballot Act, 35 and 36 Vict., Chapter 33. The section provides—

“In the case of a poll at an election the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil,”

“and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote ”

These are very important words :

“shall place it in a closed box in the presence of the officer presiding at the polling station after having shown to him the official mark at the back.”

This provision in the Act has been supplemented by the rules contained in Schedule I to the Ballot Act, these rules having the same force as the Sections of the Act. Section 28 of the Ballot Act provides :—

“The schedules to this Act and the notes thereto, and directions therein, shall be construed and have effect as part of this Act.”

Now, Sir, I draw your attention to Rule 16. Rule 16 in Schedule I to the Ballot Act says :—

“ Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes *screened from observation*, as the returning officer thinks necessary—”

The Honourable Major Sir Sikander Hyat-Khan : May I ask if the honourable member is referring to general elections ?

Malik Barkat Ali : No, I am referring to voting by ballot. I am explaining what ballot voting means, whether for the purpose of general election or for the purpose of election of the Speaker.

Diwan Bahadur Raja Narendra Nath (from the chair) : The honourable member is referring to the spirit underlying election by ballot.

Malik Barkat Ali : Yes, Sir.

Khan Sahib Chaudhri Riasat Ali : May I ask if this Act is in force in this province or in India at all ?

Malik Barkat Ali : Rule 25 says—

“The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.”

Now, the Ballot Act does not apply to India (*Hear, hear, from the Treasury Benches*), but the principle of secrecy necessarily implied in and underlying ballot voting does apply to India, and has been crystallised in the shape of an enactment. If the honourable members on the other side of the House will kindly have the patience to hear me, they will have ample time to cheer themselves later if they find it necessary. I was submitting that the spirit of the Ballot Act has been introduced in India and I will draw presently your attention to the Act and directions in India which lay down (1) that ballot necessarily implies secrecy, and (2) that although the right to vote is a privilege, it being open to everybody to vote or not to vote, no member being compellable to cast his vote but once he exercises his privilege, he shall exercise it rigorously in accordance with the spirit of ballot. It is not open to any member in this Chamber to disclose his ballot vote to anybody. It is not open to any member to go to another member and ask him to display the ballot paper to him. (*Interruption.*) I shall be presently quoting these rules. Before I come to India, I want to draw your attention to rule 4.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Is the honourable member making a speech ?

Malik Barkat Ali : I have the permission of the Chair to draw his attention to this important aspect of secret voting.

Rai Bahadur Mr. Mukand Lal Puri : Why do you assume that there will not be secrecy in voting ?

Malik Barkat Ali : I draw your attention to rule 4, because this provision of the rule has been crystallised in an Indian enactment.

Rule 4 says—

“Every Officer, clerk, and agent in attendance at a polling station shall maintain, and aid in maintaining the secrecy of the voting in such station.”

Further on it says—

“and no person, whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted.”

[Malik Barkat Ali.]

Further on—

“No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.”

“Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour. (*Laughter*).

I shall now draw your attention to the provisions of Indian law on the matter.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I rise to a point of order.

Diwan Bahadur Raja Narendra Nath (from the Chair) : I do not allow the honourable member to raise a point of order when another member is raising a point of order.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Rule 21 lays down that any member may at any time raise a point of order. I wanted to point out to you that this lengthy speech is not admissible.

Diwan Bahadur Raja Narendra Nath (from the Chair) : Let the honourable member finish his speech and then I will give a ruling. (*Laughter*.)

Malik Barkat Ali : I draw your attention to Act XXXIX of 1920, The Indian Election Offences and Inquiries Act. Section 14 of the Act says—

“Every Officer, clerk, agent or other person who performs any duties in connection with the recording or counting of votes of an election shall maintain and aid in maintaining”....

These are the very words of the Ballot Act—

“The secrecy of the voting and shall not (except for some purpose authorised by or under any law) communicate to any person any information calculated to violate such secrecy.

“(2) Any person who wilfully acts in contravention of the provisions of this section shall be punished with imprisonment of either description for a term not exceeding three months or with fine or with both.”

In this connection I may draw your attention to a ruling reported in the Punjab Landholders case in Hammond's Election Petitions at page 218 where objection was taken that because the expression ballot has nowhere been defined in any Act of the Indian legislature therefore it is not necessary that voting should be secret.

“It was finally urged that the electoral rules simply say that the voting shall be by ballot and do not specifically lay down that the voting shall be secret. But the system of voting by ballot in itself implies secrecy. A reference to regulations 12, 15, 16 and 17 will leave no doubt that secrecy is intended to be as essential in India as in England.”

And there are reported cases where persons managed to be present in the compartment provided for the voter to mark his ballot paper and objection was taken on the ground that the secrecy of the ballot had not been maintained and the objection was upheld. I draw your attention to one of these authorities where it was laid down that the presiding officer certainly violated the law in allowing other persons to be present in the room where the elector was to mark his ballot paper. In this connection I draw your attention to the case reported at page 248 of Election Petitions (Hammond's), Volume I—

“Deben Babu has admitted that the marking of the ballot paper was done in such a way that it could be seen by other people if they wanted to see....”

Further it says—

“These two men were neither candidates nor clerks nor agents appointed in writing by either the petitioner or the respondent.”

Now voting for the election of the Speaker has to be by ballot and it necessarily implies secret voting. My respectful submission, therefore, is that you may provide a secret compartment for this purpose if it is possible, and I respectfully submit that it is possible. There is another room adjoining, where members of the House may go and record their ballot paper. The ballot paper may be delivered to the members at the table of the Secretary in front of you and if you find that no room is available at the present moment, my submission is that the ballot box may be placed in front or behind the throne and after the ballot paper has been obtained by the member the member may proceed to the place where the ballot box is and secretly mark the paper and put it in the ballot box. It may be said, and it will be said perhaps, that the right of voting is a privilege given to members and it is open to every member to forego and forswear this privilege (“*hear, hear*” by the Leader of the House). I am thankful to the Leader of the House for the support that he gives to this submission of mine. It has been held that the right to vote is a privilege and it is open to a member to vote or not to vote but beyond that the privilege shall not go. If he chooses to vote then the vote must be kept secret.

An honourable member : It is the will of the member to keep it secret or not.

Malik Barkat Ali : I will quote an authority on the point. (*Laughter.*) This very question arose and this very contention was raised in the Punjab Landholders' case (Volume II of Reports of the Indian Election Petitions, 1925, page 214). I will read out to you the words of that judgment—

“It was argued that the above interpretation would mean great hardship and that in the case of university elections the practice is to open envelopes which are not accompanied by covering letters. As regards the former, this is not the only case where non-compliance with regulations results in a heavy penalty. What may appear to be comparatively trifling errors, would make a vote invalid under regulation 37. The right of voting is a privilege—as distinguished from a duty—and when a statute lays down regulations and formalities for the exercise of a privilege, a rigorous observance of the same is taken to be intended by the Legislature and is considered essential.”

Therefore, my respectful submission is that the right of voting being a privilege simply means that it is open to a member to vote or not to vote, and that he cannot be compelled to exercise the right of vote. But once he chooses the right of vote, he cannot say that he will vote by displaying his ballot paper to the whole House. He must exercise that privilege strictly in accordance with the spirit of ballot voting. My submission, therefore, is that if it is contended by any member of the House that it is open to a member of the House, who chooses to exercise this privilege, to show his ballot paper, I would submit that it cannot be done. I beg to point out that the Ballot Act says that the display of the ballot paper cannot be made by a member in any form whatsoever. (*Interruption.*) I request you to see that the ballot papers are distributed singly to the members as each comes to the table of the Secretary and after he has obtained the ballot paper to see that he proceeds to another place where he should mark it secretly

[Malik Barkat Ali.]

I submit that this procedure is observed in the central legislature. I do not know what is the custom of this House. If the custom of this House has been that the papers are distributed at the seats of members I take objection to that practice. That practice cannot be allowed to continue. It has no sanction and it is calculated to violate the secrecy of ballot. We have been told that on every table which is occupied by four or five members, there are members of the Unionist Party who will see how the voting has been recorded. Then, possibly the Leader of the House has laid it down in his party meeting—

Diwan Bahadur Raja Narendra Nath (from the Chair): The honourable member cannot refer to any matter of which he has no definite knowledge and which is based on rumours.

Malik Barkat Ali: I would welcome any statement as to procedure laid down by the Leader of the House.

Diwan Chaman Lall: I, as one of the many ignorant people in this House, enquire from you the procedure that you intend to adopt in regard to the voting. We have been told that there is going to be a certain kind of procedure adopted which may violate the secrecy of the ballot. Many members of this House and I would like to know what instructions have been issued by you or by the office in regard to the ballot voting that is going to take place.

Diwan Bahadur Raja Narendra Nath (from the Chair): This has been the method for ballot for some time past. I hope the House will be kind enough to listen to me on the subject and discuss the whole question with me afterwards. I have taken the precaution of recording the orders that I will give. I will read out that order, but I may have to amplify it by certain remarks.

Diwan Chaman Lall: On a point of order. Before you give your ruling as to the method to be adopted for the purpose of recording these ballot votes, may I request you to hear other members of this House who are equally interested in giving their opinion before you come to a final decision on a point of order raised by my learned friend.

Diwan Bahadur Raja Narendra Nath (from the Chair): I do not think that it is necessary. I think the honourable member who has just finished his speech, Malik Barkat Ali, has exhaustively dealt with the subject and I do not think any addition to it is necessary.

Diwan Chaman Lall: May I make a further request. It is within the right of every member of this legislature to offer his opinion regarding a very important point of order raised by a member of this House and the question is not whether it has been exhaustively dealt with or not but whether you are robbing other members of their right to express their opinion.

Dr. Shaikh Muhammad Alam: On a point of order. You say you have discussed the question with certain members. Did you discuss it with the honourable member who raised this point?

Diwan Bahadur Raja Narendra Nath (from the Chair): Yes. In regard to the present elections I have followed the procedure which had been adopted for the election of the President and Deputy President of the Punjab Legislative Council before the present reforms. In fact there was

an instruction describing the method of holding ballot for the election of the Deputy President of the Council according to which blank cards were distributed to members and members wrote the name of the candidate for whom they voted. In order to ensure the secrecy of the vote at the elections on this occasion I have, however, directed the Secretary to print the names of the candidates on the ballot papers so that no voter can be identified from the hand writing on the voting paper. Again, a member recording his vote is not required to mark the ballot papers from his seat in the presence of other members but is free to come to the table of the Assembly and mark the paper there in such a way that no other member may be able to see for whom the vote is being given. Honourable members will realise that for the purpose of ballot necessary facilities could only be afforded to the voters to record their votes in secrecy but members who choose, for instance, to disclose the name of the candidate for whom they vote or who desire to record their vote in the presence of others regardless of the facilities offered for secret voting cannot be restrained in their freedom of action. In the circumstances I hold that the procedure I have adopted in the conduct of the election is not open to objection and I rule the point that has been raised as out of order. Every house is at liberty to adopt its own procedure and I cannot compel every member to come to the table of the House and record his vote here. Supposing a man refuses to record his vote in that manner, I cannot compel him to come. I give him the option to record his vote where he is sitting or come to the table of the House and record his vote here. There is no necessity of prescribing any particular method of secrecy being observed. My honourable friend has a privilege but if a member does not want to utilise that privilege, I cannot compel him to do so.

Dr. Sheikh Muhammad Alam: Mr. Speaker, you have been pleased to remark yourself that you are prepared to amplify this order by certain remarks. Do we understand that this is your final order and that you are not prepared to listen to any irregularities?

Diwan Chaman Lall : Under Standing Order 28, may I ask for an explanation? A point of order was raised by my learned friend here this morning. How does it happen that that point of order has been referred to by you in a written statement which was printed probably last night?

Diwan Bahadur Raja Narendra Nath (from the Chair): This point of order has been engaging my attention for several days past, because some of my honourable friends on this side (*pointing to the benches on his left*) had given me previous notice of this point of order. The ballot papers will now be distributed.

(When the votes were being counted by Secretary.)

Dr. Gopi Chand Bhargava : Sir, when the ballot was about to proceed an honourable member raised a point of order in regard to secrecy of voting. Now we find that on the ballot paper which has been supplied to us the number of our seat is written and not only that, but in some cases the number of the seat is written even on the envelope in which the ballot paper is closed and handed over to us. Therefore, I beg to submit that we on this side of the House feel that the secrecy has not been kept and therefore we have decided not to take part

[Dr. Gopi Chand Bhargava.]

to-day in the further proceedings of the House and we walk out of the Chamber accordingly.

Diwan Bahadur Raja Narendra Nath (from the Chair): The result of the voting is as follows:—

| | | |
|--------------------------------|----|--------|
| For Chaudhri Sir Shahab-ud-Din | .. | .. 118 |
| For Dr. Saif-ud-Din Kitchlew | .. | .. 52 |

(Loud cheers.)

I declare Chaudhri Sir Shahab-ud-Din duly elected. I now request Chaudhri Sir Shahab-ud-Din to take his seat as Speaker. I must now vacate the Chair. But before I do so, I shall deal with two points. *Firstly*, certain notices of motions for adjournment have been received. One was received yesterday and two have been received to-day. I think I have been appointed simply to conduct the election of the Speaker. It is the duty of the permanent Speaker to deal with these notices of motions for adjournment.

Secondly, I notice with regret that some of our friends have walked out. They think that no secrecy has been kept with regard to the ballot, as the number given on voting papers accidentally coincided with the number of seats, therefore it was open to anybody to see the voting paper and find out who voted which way. Well, the origin of these numbers is this. They simply represent serial numbers of voting papers which is unavoidable. They might have coincided with the number of seats in certain cases. In order to observe secrecy I propose that voting papers shall be kept in an envelope and sealed by me. (Cheers from the Treasury Benches.) The secrecy being secured, I hope my friends will abandon their suspicions and will walk in.

(The Honourable Chaudhri Sir Shahab-ud-Din then occupied the Chair.)

✓ **Mr. Speaker** (The Honourable Chaudhri Sir Shahab-ud-Din): Before occupying this exalted Chair, I deem it my duty to acknowledge most thankfully the great honour the House has been pleased to confer upon me by electing me its Speaker. For about 8 months I had to serve the province as a Minister. In that capacity I was a party man, but I need hardly add that so long as I shall have the honour of serving as Speaker, I shall not be a party man or have anything to do with party politics. (Hear, hear.) I shall do my best to discharge the onerous duties of the Speaker's office as an independent and impartial judge. I need hardly add that as occupant of this throne I shall be "the mouth" of the whole House, that is to say, not only of those who have voted for me but also of those who have opposed my election and have walked out of the House. I shall always endeavour to do justice not only between member and member but also between party and party when party questions are waged on the floor of the House. Assuring you once more of my humble and devoted service I occupy the Chair of the great honour to which you have been pleased to elevate me. (Loud cheers.)

✓ **The Honourable Major Sir Sikander Hyat-Khan** (Chief Minister): Sir, it is my privilege to congratulate you once again on your being elected to the exalted position of the Speaker of this new Assembly. This is the fourth time that you have been elected by this House to that exalted Chair. I believe I am voicing the feelings of all of us when I say that we should not only congratulate you but also congratulate ourselves for securing the

services of such an eminent Speaker whose vast experience and knowledge of Parliamentary practice would be a valuable asset to the House and of immense help and use during the deliberations of this new Assembly.

You have yourself made it clear that from to-day you will become a non-party man. May I remind you that, even before you were nominated, I gave you an assurance that as soon as you were elected to the Chair again, I would be the first to relieve you of your allegiance and commitments to the party. I am glad to repeat that assurance to the House. I am confident that in your hands the dignity, privileges and prestige of this House and its members will be safe and will be scrupulously and jealously safeguarded.

I deeply regret that my honourable friends of the opposition are not here to join us in offering their felicitations to you. I much regret that they should have walked out on a pretext which appears to us on these benches and will perhaps also to those who will read these proceedings in cold print to-morrow to be somewhat flimsy. It is significant that they staged the walk out after they had marked and deposited their voting papers in the ballot box. The Chairman, who conducted the proceedings to-day has made it quite clear that it was a mere accident that in some cases the numbers of the ballot papers and of the seats coincided, and he has further assured the House that with a view to secure perfect secrecy he will seal the ballot papers with his own seal and deposit them with the Secretary of the Assembly. That has been done. I hope that when your assurance and message reaches my honourable colleagues of the opposition, they will come back and occupy their seats.

On behalf of the House it is my privilege, as the Leader of the House, to assure you of our loyalty and support. You may rest assured that you will always receive our unstinted and whole-hearted support in upholding the prestige and dignity of this House in keeping with the past traditions of the Punjab Legislature and the added importance of this august assembly under the new constitution. It will equally be our duty and privilege to jealously uphold and safeguard the dignity of the Chair. Sir, I congratulate you once more.

ELECTION OF DEPUTY SPEAKER.

Mr. Speaker : I have received the following note from the honourable Maulvi Mazhar Ali Azhar :—

“In view of what has already happened about the method of voting or secrecy of ballot and withdrawal of a section of the House I withdraw from the contest of Deputy Speakership.”

If the honourable member wishes to withdraw his candidature unconditionally he is welcome to do so.

Mian Abdul Haya (Minister for Education) : Sir, I find in the rules that there is no provision for withdrawal. If there is no provision for withdrawal, in view of what has happened this morning, I would request you not to allow the withdrawal but carry on the election.

Mr. Speaker : I am inclined to take a different view. Strictly speaking every nomination paper, proposing and seconding a member for election as Speaker or Deputy Speaker, is a motion made with the consent of the member nominated for election. Therefore, it is open to the candidate

[Mr. Speaker.]

to withdraw his consent before election and thus go out of the contest with the leave of the House. May I know if the honourable member is prepared to withdraw his candidature unconditionally, that is to say, without assigning any reason ?

Maulvi Mazhar Ali Azhar : Yes, Sir.

Mr. Speaker : Is it your pleasure that he may withdraw his candidature.

(Voices : Yes, yes.)

Mr. Speaker : Sardar Dasaundha Singh, being now the only candidate for Deputy Speakership, he is declared duly elected. (Cheers.)

Sardar Dasaundha Singh (Deputy Speaker) : Mr. Speaker, with your permission I beg to say a few words. I thank the members most heartily for the honour done to me. I am new to this office and not having the advantage of experience that you, Mr. Speaker, have, it may be that at times I may have to crave for the indulgence of the House for my shortcomings, but I assure the House that I shall always try to be absolutely just and fair in the discharge of my duties whenever the discharge of the onerous duties falls upon me. I again thank the House for the kindness done to me. (Cheers.)

The Honourable Major Sir Sikander Hyat Khan (Chief Minister) : May I, Sir, congratulate our colleague, Sardar Dasaundha Singh, on his being elected unanimously and without opposition as the Deputy Speaker of this House. I am certain that he will fill that distinguished office creditably and successfully.

Mr. Speaker : To-morrow the members of the Assembly will attend to hear the address of His Excellency the Governor. They are expected to be in their seats at 10-55 A. M. His Excellency will address the House at 11 A. M. Day-after-to-morrow the Assembly shall meet at 11 A. M.

The Assembly then adjourned till 11 a. m. on Thursday, 8th April, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

Wednesday, 7th April, 1937.

His Excellency the Governor arrived in procession with the officers of the Assembly and his personal staff at 11 A.M., and took his seat on the throne.

His Excellency then addressed the Assembly as follows :—

Mr. Speaker and members of the Punjab Legislative Assembly :—

My first words are of congratulation to all members of the Punjab Legislative Assembly. Congratulation, because each member is the chosen representative of a large number of voters who, reposing their confidence in him, look to him to promote the interests of the people. Congratulation, because, whether he is a supporter of the Government or is in opposition or is independent, he has the opportunity of taking an increasing interest in the affairs of the province and of influencing its progress. Congratulation, because he succeeds to the traditions of parliamentary practice which the Punjab Legislative Council established. I particularly congratulate the lady members of this body and the representatives of those classes that have previously been without adequate representation. I am confident that they will faithfully serve the interests they represent. The processes ancillary to the creation of this Assembly have been many. They have involved a large increase in the Legislature itself, a wide extension of the franchise, the careful delimitation of constituencies and, on the executive side, electoral arrangements on a scale never previously attempted. We should remember with gratitude the work of all those, extending in some cases over many years, who have contributed to the final result, and we should have a special word of thanks for those responsible for the carrying out of the elections in the Punjab. (*Cheers.*) The work was well done and, although it took away many officers of Government from their normal work for some days, the dislocation of business was less serious than was anticipated. I am very pleased that there has been an almost complete absence of complaints against the servants of Government for using improper influence, and I believe, that in this respect the instructions of Government were faithfully observed. There was no disorder. This is the more gratifying because contests in many constituencies were keen and partisan feelings sometimes ran high. While there is naturally much ignorance among the electorate and a long time may elapse before that body as a whole fully appreciates the responsibility and implications of the vote, there is no doubt that the village, as never before, has been brought into intimate touch with political life, that with the broadening of the franchise new forces have come into play, and that governments, will not only be responsible in the constitutional sense, but will have to interpret constitutional theory in terms of practical programmes.

I congratulate you, Sir, on your election to the honourable and responsible office of speaker. (*Applause.*) Your task will be the more onerous because you have high traditions to maintain, and because there are many members who are new to parliamentary procedure and conduct. But you will

be assisted in it by a natural instinct among the people of this country, almost unsuspected before the Reforms of 1921, in favour of parliamentary forms, and also I hope by universal acceptance of the principle that the honour of the House is the honour of each member of it, and that the jealous preservation of its rights, privileges and traditions is the duty not of any one party but of all. (*Cheers.*) Your own intimate knowledge of Parliamentary precedent and practice and your long experience as President of Punjab Legislative Council are guarantees that you will maintain the dignity and the honour of the Assembly. (*Applause.*)

It would be contrary to the theory and fatal to the practice of democratic government if the members of a popular Assembly were all of one mind. Among men who are honestly concerned with the well-being of the people, there must be differences of opinion regarding methods and programmes. A live opposition ensures that the proposals put forward by the government of the day are brought under the searchlight of criticism, that every point of view is represented, and that proposals opposed to the public interest are not allowed to proceed without challenge. We wish to see this House become a forum of criticism and a focus of outside opinion. It has been said of the British constitutions that the function of the opposition is almost as important as that of the Government, and if there were no opposition, there would be no democracy. (*Hear, hear.*) It is not without significance that in England the opposition is known as His Majesty's opposition. Irresponsibility is thus tempered by the knowledge that under a system of party government what is one day the opposition may at some future time be called upon to provide the ministry. A healthy opposition is not therefore merely destructive in its attitude. In the course of debate, hard blows will be given and taken on the floor of the House, but let them be given and taken in the spirit of fair play on both sides. (*Hear, hear.*) Let there be continued the sound practice that political differences should not be allowed to impair social and friendly relations between men holding contrary views. (*Cheers.*) For myself, it has been my custom in the past to make it convenient to see any member of the Legislature who may wish to see me, and I propose to continue that practice in the future.

The change from the old to the new constitution is so great that it will take some time before the implications are fully realized. It may help towards the understanding of some of them if we regard the smooth working of the constitution as dependent on the twin principles of confidence and responsibility. Each member owes his seat to the confidence of his electorate. The stability of the Ministry depends on the confidence of the Legislature. So long as it has that confidence, it is entitled within constitutional limits, to the confidence and support of the Governor, and let me make it clear beyond all doubt whatever that my Ministers will receive my confidence and support in the fullest measure possible. (*Hear, hear.*) Similarly, the Governor under the constitution is entitled to their confidence, and I am certain that I shall receive the confidence of my Ministers. If we all fix our eyes on the way in which the thread of confidence runs through the warp of the constitution, we shall none of us go far wrong in interpreting it in practice.

The second principle is that of responsibility—the responsibility of each member to his electorate, the responsibility of the Council of Ministers

to the Legislature and, within the Council, the responsibility of each Minister to all ; their grave responsibility on the executive side in a country where it has been said that nowhere in the world is there such frequent need for courage and prompt action, and that nowhere is the penalty for hesitation and weakness greater ; the responsibilities of the Governor imposed upon him by Act of Parliament and by the Instrument of Instructions given by His Majesty the King-Emperor, responsibilities, of which he cannot divest himself. Finally, there is inherent in the constitution the principle of the continuous growth of responsibility. A Governor consistent with his own responsibilities must act on the advice of his Ministers, and far from assuming to himself responsibilities, which are not his, or exercising those which are imposed on him without the most cogent reasons, it is the instruction of His Majesty the King that the Governor shall be studious so to exercise his powers as not to enable his Ministers to rely upon his personal responsibilities to relieve them of responsibilities which are properly their own. It will be the primary duty of the Governor to foster and develop the responsibility of his Ministers. It is this duty which I shall consistently strive to perform, and in the performance of which I shall act in harmony with the intention of my Ministers who are resolutely determined to shoulder their burdens. None can give indefinite guarantees for the future. At some time or other, circumstances may arise which may compel the Governor to assume responsibilities which the Government of the day are unwilling or unable to bear, or which may require the Governor to give to particular interests or classes the protection to which they are entitled under the law and which is denied to them. But I do know this, that during the short time that is left to me, it will be my constant endeavour and that of my Ministers to prevent such circumstances arising. (*Cheers.*) For the rest, my support and such knowledge and experience of administrative matters that I possess will be entirely at the service of my Ministers, who will have my confidence and whose confidence I shall enjoy. I feel that we are all bound together in a common task, that the good name of the province and of each and all of us is at stake, and that any departure from the goal on which we are set will be a reflection on all of us. Feeling as I do, you may be certain that within human limits I shall do all that is possible to assist my Ministers in the spirit of sympathy, co-operation and understanding. (*Hear, hear.*) A year hence when the time comes for me to lay down my office, there is nothing which will give me greater pleasure or in which I shall take greater pride than to know that the Punjab has progressed safely and well along the first stage of the road of responsible government and is firmly set towards its ultimate goal. I am sure that this pleasure will not be denied to me.

The Legislature has been summoned to enable my Ministers to place before it certain business which it is desirable should be transacted at the beginning of the constitution. The House will be asked to consider and to pass three Bills, the first, to fix the pay of Ministers ; the second, to fix the pay of the Speaker and Deputy Speaker, and the third to remove the disqualification in respect of certain offices which under section 69 of the Government of India Act would otherwise operate against future candidates for election to this House and, so far as present members are concerned, would prevent the grant by the House of any remuneration to Parliamentary Secretaries when appointed. I would ask the Assembly to give their careful

consideration to these measures. The House will also be asked to elect members to serve on the Committee of Public Accounts. I may also remind the House that under sub-section 3 of section 84 of the Government of India Act the rules at present governing its procedure are those that were in force for the Punjab Legislative Council with such modifications and adaptations as I have found it necessary to make. This is a temporary expedient intended to bridge the period until the Assembly has made its own rules of procedure. To this end you will be asked to choose a committee which will draft rules for submission to, and for the consideration of, the House, in a subsequent session. A committee will also be appointed to consider under section 72 of the Government of India Act the allowances to be granted to members of the Legislative Assembly. My Ministers have already made known their intention of taking up without delay two matters of great importance to the people. The first is the question of unemployment. The second relates to an examination of financial resources so as to devise means by which relief may be given to the poorer classes, and, at the same time, the beneficent activities of Government may be extended and intensified for the benefit of the province. My Ministers propose to set up committees for these purposes, and it is my profound wish that their deliberations may be fruitful of early results. It is my present intention to summon a session of the Assembly at Simla, about the third week of June next, when my Ministers will be in a position to submit their financial proposals for the year. In the meantime, under the temporary powers conferred on me I shall authorise the expenditure necessary to carry on the administration, but in doing so I shall, in agreement, with my Ministers, avoid the authorization of such expenditure as can properly be postponed for submission to the Legislature.

The present session is necessarily concerned with business of an urgent or of a formal character. Nonetheless, it completes the transition from the old to the new constitution. We in this province believe that the constitution can and will be successfully worked. But let us all remember that the ultimate test of success is the happiness of the people (*applause*), and that we shall merit praise or censure as we achieve or fail in this purpose. In my Instrument of Instructions I am enjoined to do all that in me lies to maintain standards of good administration; to promote all measures making for the moral, social and economic welfare or tending to fit all classes of the population to take their due share in the public life and government of the province, and to secure among all classes and creeds co-operation, goodwill and mutual respect for religious beliefs and sentiments. These are the fundamental principles of good government and worthy of universal acceptance. I and my Ministers will spare no effort to give practical effect to them. I would ask that, irrespective of party, you should also keep these essential aims steadfastly in view, so that under Providence we may bring to the people of the Punjab, whom it is our duty and our privilege to serve, unity, prosperity and contentment. (*Loud applause.*)

His Excellency then left the Chamber and the proceedings terminated.

PUNJAB LEGISLATIVE ASSEMBLY

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 3th April 1937.

The Assembly met at the Council Chamber at 11 A.M. of the clock. Mr. Speaker in the chair.

OATH OF OFFICE.

Nawab Sir Malik Muhammad Hayat Khan Noon (Punjab Landholders) was sworn in.

MOTION FOR ADJOURNMENT RE FIRING AT PANIPAT.

Malik Barkat Ali (Eastern Towns, Muhamadan, Urban): I ask for leave to make a motion for the purpose of discussing a definite matter of urgent public importance, namely, the utterly unwarranted and actually murderous action of the police in opening fire on the 27th March, 1937, at about 7-30 A. M. without any kind of previous warning and without authority of any magistrate on unarmed and peaceful Muslims of Panipat resulting in the death of seven persons and in serious injuries to at least 50.

(At this stage Mr. Speaker stood up, but the honourable member kept standing).

Mr. Speaker : When the Speaker rises all members standing are expected to resume their seats.

Notices of adjournment motions have been given by several honourable members to discuss a number of matters of urgent public importance. One of these notices was given by the Honourable Malik Barkat Ali, one by Khawaja Ghulam Samad, one by Khawaja Ghulam Husain and one by Maulvi Mazhar Ali Azhar. All these four motions or notices relate to one and the same subject, that is to say, discussion on the recent firing at Panipat. These notices were given, no doubt, on different dates, but all of them relate to the same subject though they are differently drafted. Therefore, I propose to treat these four motions as one for the purposes of their being allowed or disallowed by the House. I received notice of another adjournment motion from Lala Duni Chand of Ambala with regard to the alleged misconduct or atrocity of a sub-inspector of police. Besides, there is another motion, notice of which I received this morning. It relates to some recent happenings at Kot Bhai Than Singh in the Attock district.

Thus, strictly speaking, I have got three independent motions, but according to Rule 18 (i) only one motion can be made at the same sitting of the House. Therefore, under Standing Order 23 I propose to read to the Assembly only Malik Barkat Ali's motion.

The Honourable Major Sir Sikander Hyat-Khan Chief Minister : Before you call upon the honourable mover of this motion I should like, with your permission, to make a very brief statement which I hope might make it unnecessary for the honourable movers to move the motions which they have tabled. My view is that although we know that there is considerable feeling both inside this House and outside over the unfortunate incident which recently happened at Panipat, I think it would be premature to discuss it at the present juncture because instead of helping the Government or the people concerned it might impose a serious handicap upon us and prejudice the enquiry which is now being held.

As you are aware, the root cause of the trouble in Panipat, whatever the immediate cause may have been, is communal bitterness born of long standing differences, which every one of us will agree is unfortunate, and all of us, I have not the slightest doubt, wish to eradicate at the earliest possible opportunity. I submit that if we discuss this motion in the House to-day we might further exacerbate these feelings (*hear, hear*) which would not be conducive to the growth of goodwill and amity which we are anxious to bring about in this province. Besides, as I have already stated, it might hamper Government in taking requisite action against those who as a result of the enquiry might be found guilty of dereliction of duty or delinquency. I, therefore, appeal to the honourable members who have tabled these motions not to press these motions. Government has so far seen only the press reports and certain necessarily incomplete reports of officials who proceeded to Panipat immediately after the trouble. My honourable friend, Khwaja Ghulam Samad, who represents that constituency, with his usual public spirited activity, went there soon after the firing and, I understand, studied things at first hand and made certain enquiries at Panipat. He has communicated to me what he learnt there. I am not at liberty to disclose the result of his enquiries because there again I would be anticipating the report of the official enquiry which has not yet been completed. Several sensational statements have appeared in the press about this unfortunate incident, but at best we can, at the moment, treat them as no more than mere allegations until they are corroborated or contradicted by the impartial enquiry now proceeding at Panipat.

Let me briefly relate to the House in chronological order the action so far taken by Government in regard to this unfortunate affair. You will remember that it was on the 27th March that this unfortunate incident took place. The firing took place between 7 A. M. and 9 A. M. The Commissioner of Ambala division on learning of this incident immediately conveyed the news to the Chief Secretary on the telephone. The time of his message was 11-30 A. M. He informed the Chief Secretary that the police had to open fire at Panipat but he could not say what the number of casualties was. The Commissioner and the Deputy Inspector-General proceeded at once to Panipat and arrived there at 3 P. M. At 6 P. M. the same day a telegram was received from the Commissioner reporting 7 dead, 4 seriously injured and between 10 and 20 less serious injuries as a result of the firing. At 9 P. M. the Commissioner again got in touch with the Chief Secretary on the phone and asked for two doctors and for a strong independent magistrate to hold an enquiry into the affair. He reported that casualties from firing were 7 killed : he had not fully ascertained the number

of wounded because all of them had not been brought to hospital or even to the private houses where some of the wounded were subsequently lodged. The Inspector-General, Civil Hospitals, was directed at once to send two good doctors to Panipat and Mr. Askwith, the Home Secretary, was at the same time instructed to proceed at once to Panipat to hold an enquiry into the events leading up to, attendant upon and following after the firing by the police. I hope I have made it clear that we took prompt action and gave comprehensive instructions to Mr. Askwith with regard to the scope of his enquiry, which will not be confined to the actual firing but will also include a survey of the events leading up to and following the firing. Therefore, when this enquiry is completed we should be in a position to have all available information and facts with regard to the firing, as also the omissions and commissions of the various officials and the resulting reactions and events after the firing.

Dr. Shaikh Muhammad Alam : May I ask if the local officers who ordered this firing are still stationed there or have been transferred from there ?

The Honourable Major Sir Sikander Hyat-Khan : I will come to that point. To enable him to make this enquiry and to facilitate that enquiry we invested Mr. Askwith with the powers of magistrate, first class, straightaway. Mr. Askwith left at 5 A. M. on the morning of the 28th and arrived at Panipat at noon that day. After studying the situation at Panipat Mr. Askwith asked for assistance of two magistrates for holding an inquest and for other purposes. He was informed that there was no objection to formal inquest proceedings being conducted by other magistrates in order to enable him to proceed with the general inquiry himself without delay, but Government gave explicit instructions that evidence should be recorded before him and not before anybody else, that is to say, that the actual inquiry with regard to the firing was to be made by him and not by any other magistrate.

On the 29th of March we issued a *communiqué* which the honourable members must have seen in the press and this is the gist of the *communiqué*—up to the evening of the 28th, 17 persons had been admitted into hospital of whom 2 only were suffering from gunshot wounds. On the 31st March a further *communiqué* was issued stating that 22 persons suffering from gunshot wounds had by then been treated at the hospital and 35 suffering from other injuries. Of the 75 policemen, 25 had received bruises or cuts, presumably from stones or brickbats. The Punjab Government have received no subsequent report about additional casualties but it is quite possible that quite a number of persons suffering either from gunshot wounds or from other injuries never went to hospital for treatment, but it is hardly likely that any case of serious injury would not have been reported.

Mr. Askwith's inquiry is still continuing and my information is that he will be able to complete his inquiry within the next two or three days. It is quite possible that he may return on the 11th or 12th morning. If the House is in session then it may be possible for me to make a more comprehensive statement at that time, but in case the report is not ready in time or if we have not had time to examine it properly before the House

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adjourns, I should like, with your permission to inform the House that I would be glad to take the Leader of the Opposition into my confidence and the mover of the adjournment motion also if he so desires. I shall be delighted to inform them of the gist of the inquiry and take them into my confidence (*hear, hear*). I shall also, if needs be, issue in due course another statement for the information of the public and I can assure you that if after examination of the report Government comes to the conclusion that any of the officials have trespassed beyond their legitimate duties or have been guilty of any delinquency or dereliction of duty, we will not hesitate to take such disciplinary action as may be necessary. But, as I submitted at the beginning, it would be unfair, unjust and inequitable to prejudge the case. I would once more appeal to the House that in view of the present unfortunate communal tension in the province it would not be fair either to the province or to this House or even to those who may have suffered from this unfortunate incident to start a debate which might further aggravate communal tension and bitterness. If, as a result of the inquiry we come to the conclusion that it would help in removing the root cause of the trouble, which of course is the objective of all of us, I would ask not only those honourable members who sit on my side of the House but also the public spirited gentlemen opposite to lend their support, in every possible way and, if necessary, I would request the Leader of the Opposition to accompany me to Panipat and help me in eradicating the real cause of the trouble. If we can secure a lasting understanding between the communities we would have achieved a great deal. It would be a real gain to the province and every one concerned. With these words I appeal to the honourable members who have given notice of this adjournment motion, not to precipitate matters or anticipate the result of the enquiry by pressing it.

Dr. Shaikh Muhammad Alam : The Honourable Leader of the House has not given me the information which I asked. I wanted to know whether in the interest of proper conduct of the inquiry, the Government is prepared to remove the officials from there who had ordered the firing and who actually did fire.

The Honourable Major Sir Sikander Hyat-Khan : We are not aware yet who ordered the firing.

Dr. Shaikh Muhammad Alam : A magistrate must have ordered.

Malik Barkat Ali : I am aware that there was no magistrate there.

The Honourable Major Sir Sikander Hyat-Khan : My honourable friend's information is in conflict with that of the other honourable members. That further illustrates my point that it would be premature and unwise to discuss the matter at this moment. As for the officers who are found guilty of high handedness, you may be sure that Government will not hesitate to take due action against them, which may be even more drastic than suggested by my honourable friend opposite.

Malik Barkat Ali : If it is the wish of the Honourable Leader of the House that the discussion of the motion of adjournment should not take place today but should take place a day or two later when he is in a better position to speak, I shall not object. But I am not prepared to accept the

position that the discussion will not take place at all as we do not know how long the inquiry will take.

Secondly, the official benches may be justified in saying that the official agency will conduct an impartial and unbiassed inquiry. But there is the popular point of view, that unless with the inquiry are associated persons who represent the popular point of view, it would be open to anybody to say that an inquiry conducted by officials without the association of the representatives of the public is not an impartial and unbiassed inquiry. Therefore, if I can have an undertaking from the Honourable Leader of the House that this motion will be discussed to-morrow or on the 10th or on a day when this House is sitting, I will not object, but if the position is that we are to disperse and the House is to adjourn and the motion is not to be discussed, then I regret my inability to accept that situation. In the absence of any guarantees and any satisfactory answer that this motion will be discussed, I cannot accept the situation.

I fully appreciate the point of view of the Leader that communal feelings should not be accentuated. I fully reciprocate his feelings in this respect, but I can assure him that my motion is by no manner a communal one as I only seek to discuss the action of the police in firing. I have not introduced any communal question and I hope none of the speakers on this motion will introduce any communal considerations. If the passive resisters were Hindus and the processionists were Muslims, passing over their bodies, I would condemn the action of the processionists, and if the police without any provocation had opened fire on the Hindu passive resisters, I would condemn their act just as I condemn the act of the present police firing on the Muslim passive resisters. My submission is that it is not a communal motion. It is true that there was communal bitterness at Panipat but we know very well that communal bitterness can be manipulated.

Mr. Speaker : The honourable member is discussing the motion for adjournment which is not yet before the House.

Malik Barkat Ali : My simple answer is that if I can have the guarantee that this motion will be discussed while this House is sitting, then I will not object.

The Honourable Major Sir Sikander Hyat-Khan : I have already informed the House that it is not possible for me to give any definite undertaking. My present information is that Mr. Askwith will probably be back in another two or three days, very likely on the 11th. It is not within my power to keep this House in session. If the House is in session when we receive the report and have had time to examine it, then, as I have already stated, I will give every possible facility to the honourable member to discuss the matter as I would then be in a position to give the House the true facts relating to the incident. I think that that should be a sufficient assurance. I have also promised that if it is considered necessary we will issue a further press communiqué for the information of the public. I trust that this will satisfy the honourable member.

With regard to the suggestion that Government should arrange for an enquiry through an impartial agency, we have already acted on it. If by an impartial agency my honourable friend means non-official agency,

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then, I confess that in the present state of communal relations it is impossible to constitute a committee of the kind suggested by him which would command confidence of all parties concerned. We must admit to our sorrow—and I would say, our shame also—that a committee consisting of Muslims or Hindus alone will not be acceptable to one or the other community. If we select non-officials of both the communities, then there is, unfortunately in the prevailing atmosphere, every likelihood of two separate reports being written. It would merely result in accentuating differences if each party pulls a different way. It was due to this difficulty that Government had to depute a senior European officer, an officer who has twenty-three years' experience and is now the Home Secretary to conduct the enquiry heedless of the inconvenience to Government and dislocation of work on account of his absence. We despatched him within twelve hours of the report of this incident. I am assured that my honourable friend Mr. Ghulam Samad and the other gentlemen who have been to Panipat are thoroughly satisfied with the manner in which the enquiry is being conducted. There would have been some justification for demanding a non-official enquiry if there was dissatisfaction with the method or doubt about the impartiality of the enquiring officer.

Malik Barkat Ali : I have no objection to the motion being taken up, if not to-day or to-morrow, the day after that, if that will satisfy the Leader of the House. But so far as the motion itself is concerned, I am not prepared to withdraw it.

Lala Duni Chand : I should very much like to suggest that in view of the two statements that have been made by the Honourable Leader of the House, this motion should not be pressed (*Hear, hear*). It is my desire that a peaceful atmosphere should prevail in Panipat and at the same time the people who are to blame for this tragedy should be adequately punished.

Khwaja Ghulam Samad : As one who has tabled a motion on this subject, in view of the assurance given by the Leader of the House I do not consider it necessary to press my motion. I would, however, make one request to him and that is that the officers who are considered to be responsible for this affair should be removed from that place so that they may not be in a position to influence the enquiry.

Dr. Saif-ud-Din Kitchlew : As the Honourable Leader of the House has assured us that the enquiry is being conducted by a senior officer, I think we may await the result of that enquiry. I am not, therefore, anxious that the motion should be discussed to-day. But I must have the privilege of putting the motion again if I am not satisfied with the result of the enquiry.

Maulvi Mazhar Ali Azhar : I do not press my motion.

Mr. Speaker : Does the honourable member for the Eastern Townships, Muhammadan, Urban (Malik Barkat Ali) wish that the sense of the House may be taken whether he has its leave to move his adjournment motion?

Malik Barkat Ali : Yes, Sir, I do.

Mr. Speaker : The honourable member has given notice of his intention to ask for leave to move a motion for adjournment of the business of the

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then, I confess that in the present state of communal relations it is impossible to constitute a committee of the kind suggested by him which would command confidence of all parties concerned. We must admit to our sorrow—and I would say, our shame also—that a committee consisting of Muslims or Hindus alone will not be acceptable to one or the other community. If we select non-officials of both the communities, then there is, unfortunately in the prevailing atmosphere, every likelihood of two separate reports being written. It would merely result in accentuating differences if each party pulls a different way. It was due to this difficulty that Government had to depute a senior European officer, an officer who has twenty-three years' experience and is now the Home Secretary to conduct the enquiry heedless of the inconvenience to Government and dislocation of work on account of his absence. We despatched him within twelve hours of the report of this incident. I am assured that my honourable friend Mr. Ghulam Samad and the other gentlemen who have been to Panipat are thoroughly satisfied with the manner in which the enquiry is being conducted. There would have been some justification for demanding a non-official enquiry if there was dissatisfaction with the method or doubt about the impartiality of the enquiring officer.

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On page 30 of the Debates, *substitute* the following for the speeches of Khwaja Ghulam Samad and Dr. Saif-ud-Din Kitchlew :—

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“ Khwaja Ghulam Samad : As one who has tabled a motion on this subject, in view of the assurance given by the Leader of the House and in view of the fact that an enquiry is being conducted by a Senior Officer, I think we may await the result of that enquiry. I am not therefore, anxious that the motion should be discussed to-day. I would, however, make one request to him—that is this, that the officers who are considered to be responsible for this affair should be removed from their place so that they may not be in a position to influence the enquiry. I also wish to add that I must have the privilege of putting the motion again if I am not satisfied with the result of the enquiry.”

Malik Barkat Ali : Yes, Sir, I do.

Mr. Speaker : The honourable member has given notice of his intention to ask for leave to move a motion for adjournment of the business of the

House for the purpose of discussing a definite matter of urgent public importance, namely, the utterly unwarranted and actually murderous action of the police in opening fire on the 27th March, 1937, at about 7-30 A.M., without any kind of previous warning and without authority of any magistrate on unarmed and peaceful Muslims of Panipat resulting in the death of seven persons and in serious injuries to at least 50.

Does any member object to the leave being granted ?

The Honourable Major Sir Sikander Hyat-Khan : I object.

Mr. Speaker : Those who are in favour of the leave being given will please rise in their places.

Only one member rose and so the leave was not granted.

POINT OF ORDER *re* ADJOURNMENT MOTION TO DISCUSS COMPOSITION
OF THE PUBLIC SERVICES COMMISSION.

Dr. Shaikh Muhammad Alam (Rawalpindi Division Towns, Muhammadans, Urban) : On a point of order. I gave notice of an adjournment motion to discuss a definite matter of urgent public importance, namely, the composition of the Public Services Commission and I have received to-day a letter from you referring me to Rule 18 of the Rules and Standing Order 23 and saying that His Excellency the Governor in his discretion has not allowed the adjournment motion. As I read Rule 18 (vi), it only says :

Where the motion deals with a matter on which a resolution could be moved only with the consent of the Governor in his discretion, the motion shall not be allowed except with such consent.

Then proviso to Standing Order No. 23 reads :

Provided that if the matter proposed to be discussed cannot be discussed without the consent of the Governor in his discretion such consent shall be obtained before the leave of the Assembly is asked for.

My submission is that these provisions only apply where the consent of the Governor is necessary and essential. But while under sections 264 and 265 of the Government of India Act His Excellency the Governor is given the power and discretion to appoint a public service commission, there is no power preventing the members of the House from criticising the personnel or the composition of the commission. Therefore, my submission is that my adjournment motion was in order and no consent of His Excellency the Governor was required for that adjournment motion to be moved.

Mr. Speaker : May I invite the attention of the honourable member to Rule 34 (3) ?

Dr. Shaikh Muhammad Alam : My submission was whether it was a correct procedure to have my motion sent to His Excellency the Governor.

Mr. Speaker : Perhaps it was not ; but will the honourable member please point out the rule under which this could not be done ?

Dr. Shaikh Muhammad Alam : My submission is that unless there is a rule under which the Speaker is to send a resolution to His Excellency the Governor, ordinarily a resolution or a motion for adjournment should not be sent to him.

Diwan Chaman Lall (East Punjab Non-Union Labour): The point raised by my learned friend, Dr. Alam, is of very great importance because for the first time under the new constitution, it has been sought to limit the powers of this Assembly by a fiat issued by the Governor. The adjournment motion, notice of which has been given by Dr. Alam, has been disallowed by His Excellency the Governor according, it is said, to the rules. I submit there is no such rule which empowers His Excellency the Governor to disallow a motion which is outside the ambit of the authority given to him under the provisions of the Government of India Act. The action that the Governor can take is only within the ambit of that Statute; outside that you are the custodian of the rights and privileges of the members of this Assembly. One of the main provisions governing the rights of the members of this Assembly relates to their authority and privilege and right to move motions or resolutions regarding matters upon which they are fully empowered to do so. The motion for adjournment does not seek to question the authority of the Governor to appoint a public service commission. Had the adjournment motion been one questioning the legality of the Governor's action appointing the public service commission, the Governor would have been perfectly within his right in exercising according to the Statute his authority not to allow the motion. He may not have been within his rights from the moral point of view not to allow such a motion but he would have been within his rights to disallow that motion. But what is it that Dr. Alam's motion seeks to present before the members of this Assembly? He is seeking to question the character of the public service commission, the personnel of the commission. That I submit we are perfectly within our rights in questioning in this House and there is no rule that I know of, no rule that has to be followed in the rules that are before me, neither Rule 18 nor Standing Order 23, nor is there anything in the Government of India Act which prevents us from doing this and if there is anything in the rules which is inconsistent with the provisions of the Government of India Act that must be considered by you to be *ultra vires*. The Government of India Act provides in section 264 that—

“There shall be a Public Service Commission for the Federation and a Public Service Commission for each province.”

It says that—

“Two or more provinces may agree that—

- (a) there shall be one Public Service Commission for that group of provinces; or
 - (b) that the Public Service Commission for one of the provinces shall serve the needs of all the provinces, and any such agreement may contain such incidental and consequential provisions as may appear necessary or desirable for giving effect to the purposes of the agreement and shall, in the case of an agreement that there shall be one Commission for a group of provinces, specify by what Governor or Governors the functions which are under this part of the Act to be discharged by the Governor of a Province are to be discharged.
- (3) The Public Service Commission for the Federation, if requested to do so by the Governor of a Province may, with the approval of the Governor-General, agree to serve all or any of the needs of the province.
- (4) References in this Act to the Federal Public Service Commission or a Provincial Public Service Commission shall, unless the context otherwise requires, be construed as references to the Commission serving the needs of the Federation or, as the case may be, the province as respects the particular matter in question.”

POINT OF ORDER ~~72~~ ADJOURNMENT MOTION TO DISCUSS THE COMPOSITION ~~88~~
OF THE PUBLIC SERVICE COMMISSION.

Section 265 (2) of the Government of India Act provides that in the case of the Federal Commission, the Governor-General in his discretion—
(Premier: Hear, hear). My learned friend says "Hear, hear." So do I. Section 265 is explicit on the point that he shall appoint the members in his discretion. Where does the Statute say that the character of the personnel cannot be questioned? We are not questioning the appointment of the personnel. We are questioning the character of the personnel. If the Leader of the House can point out any section of the Government of India Act according to which we are not within our rights in questioning the character of the personnel, I should be inclined to add my "Hear, hear" to his approbation. (Hear, hear).

The Honourable Major Sir Sikander Hyat-Khan: May I draw your attention to Rule 34 (3) which says—

"The Governor acting in his discretion may at any time before the resolution is moved, inform the Speaker that he disallows any resolution or any part of a resolution on the ground that it relates to or affects the discharge of any of the functions of the Governor—"

Dr. Shaikh Muhammad Alam: Do I understand that you have allowed the speech?

The Honourable Major Sir Sikander Hyat-Khan: I am reading Rule 34 (3) of the Punjab Legislative Assembly Rules.

".....in so far as he is by or under the Act, required to act, in his discretion or exercise his individual judgment, and if he does so, the resolution or part of the resolution shall not be placed on the list of business or, if it has been placed on the list of business, it shall not be moved."

I hope that will make the position quite clear to the honourable member.

Malik Barkat Ali: Will you allow any discussion on the point of order that has been raised?

Mr. Speaker: No further discussion please. The motion, as drafted by Dr. Muhammad Alam, is 'I give notice to make a motion for adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the "composition" of the joint Punjab and North-West Frontier Province Public Service Commission.' It is clear that the motion related to the "composition", and not to the "character" of the Commission, and that the Governor could disallow it under Rule 34 (3).

Dr. Shaikh Muhammad Alam: Just for the purpose of amplification of your ruling. Do I understand now that your ruling means—

Mr. Speaker: My ruling means what it means. It is not parliamentary on the part of the honourable member to explain the ruling of the Chair.

Dr. Shaikh Muhammad Alam: I am not giving any explanation.

Mr. Speaker: The honourable member should resume his seat when I am standing. I have given my ruling, and I disallow any further discussion. Therefore, the matter ends.

Malik Barkat Ali: I rise to a point of order—the point of order being that the rule that you have been pleased to refer to, is *ultra vires*.

Mr. Speaker : It may be that the whole of the Government of India Act is *ultra vires* and the honourable member may question the validity or legality of the whole Act, but here I have to interpret the rules as they stand.

Malik Barkat Ali : It is not my point that the Government of India Act is *ultra vires*. I rely on the Government of India Act for the contention that I propose to submit to you in the shape of a point of order.

Sardar Sampuran Singh : Are we to understand —

Mr. Speaker : The honourable member may understand as he likes. I have given my ruling.

Malik Barkat Ali : As the custodian of the privileges and the rights of this House, would you not like to look at the section of the Act which specifies matters, the discussion of which can be prohibited by the Governor? With regard to other matters not specified no discussion can be prohibited by the Governor. With your permission, I would refer you to section 84(d) and section 86 of the Government of India Act which specify the matter in regard to which discussion can be prohibited by the Governor in his discretion. This is a matter which does not fall within those categories.

Mr. Speaker : The point raised by the honourable member to-day was raised on the 6th instant and decided by the Speaker who occupied the Chair on that date. I do not think it is desirable or proper to raise it again to-day.

According to Parliamentary practice of which some members may not be aware, it is the custom for members to give the Speaker private notice of questions on important points of order so that he may have time to consider them. (See the Pageant of Parliament by Michael MacDonagh Volume I, page 131). The point of order raised by Dr. Muhammad Alam, that the Governor could not disallow his motion for adjournment, is an important one and though my ruling is probably correct yet, I intend to further consider the matter and communicate my final opinion to the House at an early date.

Dr. Shaikh Muhammad Alam : The order from the Speaker was given to me when I came to the Assembly just a few minutes before and notwithstanding the fact that I had knowledge of Parliamentary practice I could not inform you of this important point of order before the Assembly could meet. I am thankful to you for saying that the decision you have given is not final and now I again communicate it to you.

Mr. Speaker : The honourable member will please discuss the matter with me in my room.

INSTRUCTIONS BY THE SPEAKER.

Mr. Speaker : I have to inform the honourable members that some rules and standing orders of the Assembly provide for the issue of instructions by the Speaker. Pending further examination, I have instructed that the instructions in force during the time of the Punjab Legislative Council shall remain in force with a few verbal modifications and adaptations. Copies of these instructions will be made available as soon as possible.

THE PUNJAB MINISTERS' SALARIES BILL.

The Honourable Major Sir Sikander Hyat-Khan (Chief Minister) : Sir, I introduce the Punjab Ministers' Salaries Bill. I also move—

That the Punjab Ministers' Salaries Bill be taken into consideration at once.

Dr. Shaikh Muhammad Alam (Rawalpindi Division Towns, Muhammadan, Urban) : I rise to move—

Mr. Speaker : The honourable member's motion is not quite in order. It is—

“ That the consideration of the Bill be postponed till the presentation of Annual Budget and in the meantime the Bill be circulated for eliciting public opinion by the 31st May, 1937 ”

If the words ‘ the consideration of the Bill be postponed till the presentation of Annual Budget and in the meantime, ’ are omitted it will be in order.

Dr. Shaikh Muhammad Alam : I accept that suggestion and move my amendment as follows :—

That the Bill be circulated for the purpose of eliciting public opinion thereon by the 31st May, 1937.

In moving this amendment I cannot hide that I have in mind twofold objects. One is that by the time the opinion is taken the Government benches may be in a position to prepare their budget and also we should know really where we stand. Because unless the budget comes before us we cannot know what will be our future income and we cannot adjust our expenditure according to that income. Really what the Treasury benches should have done in my opinion is that they should have first told us what is their income, that is, the income of the province. You should tell us what you are going to take from the province before we say what we are prepared to give you. That is exactly what they say, you should cut the coat according to the cloth. But here the Cabinet is demanding, “ cloth or no cloth give us the coat. We demand this from you and you must give us something. You have no concern with other things.” Certainly this is not fair in my opinion to the members of this Assembly. Nor is it fair to the members of the Treasury benches themselves. I appeal to them to keep up their own popularity in the province and in this House also as they claim to have a stable and solid majority and they might not get nervous over it. Before the budget comes in, before other salary Acts are put in, before it is known what is going to be the income of the province, for them to come forward and say ‘ give us this much, ’ is not fair. It is not only a question of budget. They are here first as members and then as Ministers and they should have been more anxious to protect the rights of the members than so to say be open to the charge of greediness in trying to protect their own salary and their own emoluments. Section 72 of the Government of India Act says:—

“ Members of Provincial Legislative Assemblies and Legislative Councils shall be entitled to receive such salaries and allowances as may from time to time be determined by Act of the Provincial Legislature.”

Now as representing the majority party and therefore representing the majority members of this House, I consider it their paramount duty first to come forward with a legislative enactment for the salaries and allowances of the members of this House. Before they think of anybody else they come

[Dr. Shaikh Muhammad Alam.]

and ask us 'give us money, we want the money. Whatever happens to you, whatever is to be the future income of the province, we do not care for that. Whatever is going to be the expenditure of this province, we have got no concern with that. The only thing we are concerned with is our own salary. Give us money from whatever source in your possession or outside your possession.' This is what they say. I say the budget ought to have been before us. The salaries of the members and the allowances of members belonging to the so-called Unionist party which in my humble opinion contains neither unionists nor the constituted party but contains disunionist individuals as was clearly shown by their own acts—we all know, certainly there was a ruling from the chair and we have to obey it—but the incident of ballot which took place day before yesterday is before us. The point was whether members were free to show their ballot papers or not. We all know that they were shown. As a matter of fact something like that happened. There was more or less a sentinel on every bench to watch the action of the members.

The Honourable Dr. Sir Sundar Singh Majithia : Mr. Speaker, is the honourable member in order in referring to an incident which happened day before yesterday and to reflect on the decision of the House.

Dr. Shaikh Muhammad Alam : There was no reflection.

Mr. Speaker : Not only should there be no reflection but no reference, if possible, should be made to proceedings of the House in the present session.

Dr. Shaikh Muhammad Alam : Whether that reference constitutes a reflection or not no reference should be made to the previous proceedings; is that so?

Mr. Speaker : Yes.

Dr. Shaikh Muhammad Alam : I bow to your ruling. Anyhow what is being done now? Are you afraid of your members that they will leave you and later on they might oppose the Salaries Bill? Trust your members. They are honourable members of this House and you have got to do so many things with your hands. The announcement of the personnel of the Parliamentary Secretariat is yet to be made and there are various other things to be done. We must deal with the salary bill carefully. I would ask the Treasury benches not to be in a hurry over that. Do not be hasty over that. Your own members may leave you and the members of the Opposition side might prove to be more generous than yourself, (*Hear, hear from the Treasury Benches*) provided that something good is done for them, provided that some interest is taken in the poverty-stricken people. Put before them the budget of the province and let them know what is going to be the income of the province. Then certainly we will give you perhaps more than you want or more than it is desirable. We are generous. Do not look at this with the point of view that we are going to give you nothing here. Why then are you following this procedure about the Salaries Act? It does not reflect on the solidarity and majority of the party of which the Government is now composed. My submission is to circulate the Bill for eliciting public opinion thereon by the 31st May, 1937, and in the meantime, of course, to

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give the Government time to prepare the budget also. Now the eliciting of public opinion is also important, taking into consideration the prevailing atmosphere in the country. If my honourable friends are prepared to believe me, I will say that the circulation of the Bill will be more in their interest than in my interest. If they want a full, stable and solid Government here, they have to be popular and if they have to be popular they should not be greedy, and even if they are greedy they should not be over greedy, if they have to be over greedy they should not be hasty, and if they have to be hasty they should not be over hasty. Therefore, take into consideration the atmosphere that is prevailing in the country to-day. The prevailing feeling in other provinces where the majority of members are Congress people, who are devoting themselves to the service of the Congress and of the country, is that they want to fix the pay of ministers at the rate of Rs. 500 per mensem.

The Honourable Mian Abdul Haye : Is the honourable member discussing the merits of the motion before the House? It is a dilatory motion and he must confine himself to that.

Mr. Speaker : The motion before the House is that the Bill be circulated for eliciting public opinion thereon and when that motion is under discussion, the principle of the Bill and its general provisions may be discussed, but the details of the Bill cannot be discussed further than is necessary to explain its principle.

Dr. Sheikh Muharamad Alam : I am bringing to your notice that when I say that the Bill should be circulated for eliciting public opinion thereon, I am within my right to submit that public opinion is necessary to be elicited on it and that is what I am saying that in my opinion and according to my estimation public opinion has to be elicited for such and such reasons or such and such facts. Therefore, I am enumerating the reasons why it is necessary to have public opinion on this Bill, and in support of them that I cite the case of the Congress ministers who want to fix their pay at Rs. 500, while the pay now demanded by the ministers in this Bill is certainly most exorbitant. There is no doubt about that that for the sake of service or for the love of power there are people who would be really prepared to accept this work—capable men—I am not going to make any comparison—but there are members even in this House who will, for the love of power or for the sake of service to the country, will accept these jobs at a much lower pay. So far as the love of power is concerned, we can get instances of honorary magistrates who are working whole day long and will be prepared even to pay something from their own pockets when you give them these jobs. They work for the country there is no doubt. There are men who can go to jails, who can go to gallows for their service to the country. They should come forward and be prepared to serve their own country. That is really what I was saying for the benefit of the other side. They may or may not take my suggestion or may not listen to me at all. They may not understand at all what is to their good, just as a poet has said—

یا رب وہ کہ سمجھو ہیں نہ سمجھیں گے مہرے ہاتھ
 سے اور دل اراکے مہرے سے سمجھو زمان اور

[Dr. Shaikh Muhammad Alam.]

I submit that instead of getting the couplet by heart, if the honourable members would act up to it, it would be more advantageous to them, to the country and to the House also. Just compare what you are demanding here, with what is going on in other provinces, even where the Congress ministry is not formed and interim ministries are being formed. There the income, population and areas are much larger than those of this province. Take for instance, the example of Bombay. There the annual budget shows an income of over 14 crores, the population is over 23 crores, and there the ministers' salary is fixed at Rs. 2,500 a month and we have read in the press, that Mr. Jamnadas Mehta has promised to give the whole of his salary over to charities. There are certain Honourable Ministers in this House who can perhaps afford to give away their amount of salary as charity to somebody, but no one has come forward with that promise so far. Are they not rich enough? Where lies the justification for their fixing such a high salary at the present moment? There should be no emoluments for the occupants of those benches, but the attraction should be the service of the country. I have given you the instance of Bombay. Now, in Bengal we have only over 13 crores as income and there 4 ministers are getting Rs. 2,000 each and 6 are getting Rs. 2,500 each. In the United Provinces the population is 15 crores and the salary of the ministers is Rs. 2,500 each per month. In Madras the income is over 18 crores and in the Punjab, where we have got an income, according to the last budget, a little over 10 crores, there you demand Rs. 39,000 for a Minister and Rs. 48,000 for the Chief Minister. We also know and we have read in one of the announcements made by the Leader of the House, as Chief Minister, that the Government are going to lighten the burden on the peasantry and that they are going to tackle the question of unemployment. If they have to lighten the burden of the peasantry and they have to tackle the question of unemployment also, certainly then the income of the Punjab is going to be reduced, unless they consider that income is expenditure and expenditure is income. And when the income is going to be reduced, how are we going to afford to give such high salaries to the ministers on the other side. Take the instance of other countries, if you please. We know in Japan, where the average daily income per head is six times more than in India, there the Premier is getting Rs. 1,250 per month and even the greatest Fascist in this world, I mean Mussolini, is getting 10 thousand liras a month, which comes to £195 or Rs. 2,198 per month.

An Honourable Member : Is Mussolini the greatest Fascist?

Dr. Shaikh Muhammad Alam : Certainly, he is. Our leader may in time become a greater Mussolini and a greater Fascist, but we are not prepared to-day to accept that position. And if he is raised to that power and becomes a greater Mussolini, even then he would be entitled, in the case of the Punjab to a much lower salary, because here the average income daily per head is Re. 0-1-9. In Italy it is about 15 or 16 times more. We cannot afford to pay such salaries to these ministers. As I was referring to the announcement of the learned Chief Minister, we can provide here more capable members with better qualifications as compared with the members selected by him as ministers and on much lower salaries. One

of the qualifications of the ministers, as mentioned in one of the announcements was that the gentleman looked very well after his own or his father's estate and was of young age also. Certainly I can provide him with men who are better able to look after their estates and who are also young and who can accept lower salaries, perhaps one-fourth less. It is not a case where we need go out for an advertisement in the press, when thousands and thousands would come on much lower pay. Some capable members are on those benches to-day and some have gone out of the Government benches. They can very well accept that job. By comparison they are better and not worse than those who are demanding such heavy salaries.

Then again after all what is the criterion, and if there is any academic qualification for ministers, this House could have provided even Matriculates. (*Laughter.*)

Mr. Speaker : May I ask the honourable member for the information of the House, which principle of the Bill he is now discussing ?

Dr. Shaikh Muhammad Alam : I am discussing this principle of the Bill that the public should be consulted as to how much should be the salaries of these ministers in the present case. I am discussing the facts which form the reasons or the chain of reasons for the circulation of the Bill for eliciting public opinion thereon.

Mr. Speaker : I may read out to the honourable member and the whole House the rule on the point. It reads :

"The principles of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle."

Dr. Shaikh Muhammad Alam : I am much obliged to the Chair particularly for the language in which he has conveyed his ruling. But so far as this Bill is concerned, the only principle is the amount of pay of the ministers and it can be said that there is no other principle underlying this Bill. As a matter of fact I may point out that except this demand of a very heavy amount there is no other principle in the Bill and that is the only principle which should go for circulation to elicit public opinion thereon. Certainly in obedience to what you have said, I will not go into too minute and minor details of the Bill, otherwise there are various other things that could be said on the principle of this Bill. My submission is that in these circumstances this House has been kept ignorant of the whole affair, kept ignorant of what is going to come, kept in utter darkness as regards our future income, kept in darkness again as to what is the detail of that programme which sounded so high and which was announced by the Honourable Leader of the House to lighten the burden of the peasantry and to tackle the problem of unemployment. Certainly the start itself is a wrong one and if this is how the burden of the peasantry is to be lightened, then we can certainly increase the amount of salaries demanded by the ministers. For these reasons my submission is, let us have a little more light, let us have a little more of public opinion on the question, let us know a little more of details of the way in which the Government of this province is to be run, for then we shall be better able to say whether we can give you what you demand, or whether we cannot give you what you demand, and we can say, "No, we cannot give what you demand" or we can say, that "We can be generous to you and give

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you more than what you demand." Let them in the meantime trust our generosity and trust the loyalty of those members whom they are to-day keeping in their grip and let the Bill be circulated to elicit public opinion thereon.

Mr. Speaker : Motion moved—

That the Bill be circulated for the purpose of eliciting public opinion thereon by the 31st May, 1937.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): It is with much reluctance that I rise to oppose the motion which has just been made by my honourable friend the mover of this amendment. He has in his speech displayed oratory and expansion of lungs which I could well have copied had I not been a patient of asthma. (*Honourable members :* Sorry for you) (*Another honourable member :* You should not do that). But I feel that so far as the tone and the healthy standard of debate is concerned the honourable members on both sides of the House should, and I hope, would do well not to attempt imitation of the hollow play to galleries of the honourable member who has just sat down. It is our duty by a frank and constructive expression of our views to make a healthy contribution to the discussions in this House (*hear, hear*). My honourable friend also made some uncalled for references to the alleged disunity of the Unionist Party. I can afford to treat his references to my party with indifference and leave recent votings on the floor of this House to speak for the solidarity of my party. I will leave this portion of his speech with the remark that we on this side wish his friends and his party success in their endeavours to maintain unity in their ranks so that united the Opposition and we may offer our best for the service of the province. (*Hear, hear.*) Coming to the amendment before the House, my honourable friend has suggested that the Bill be circulated for eliciting public opinion. What would be the effect of that? In one word it means that the power which the Government of India Act gives to this legislature to fix the salary of the ministers, may not be exercised by the House and that we should rely on the salaries of ministers fixed by His Excellency the Governor under the special powers vested in him. This is a preposterous suggestion coming from the Congress benches. We on this side of the House would like to take a leaf out of the political bible of the party of my honourable friend opposite and say that as far as possible we mean to exercise the powers given in the Act to the people's representatives. We shall not abdicate nor leave this important matter to be fixed by the special powers of the Governor. (*Hear, hear.*) One pertinent argument raised by the honourable mover of the amendment was that if you fix the salaries to-day and find to-morrow when the budget is framed that you have a deficit, you will not be able to reduce the ministers' salaries. My answer is simple and I submit that the Honourable Ministers who have had the courage and patriotism to fix their salaries at less than 88 per cent. of those of their predecessors may be trusted if the budget—God forbid—should suggest the necessity of retrenchment to offer as they did in the past a large cut in their own salaries than they would impose on others. (*Hear, hear.*) The question of fixation of salaries is always a difficult one. No special magic attaches to any particular

figure. The question must be faced in the light of the main principle involved which was ably enunciated by a responsible Congress leader in a discussion of the Legislative Assembly at Delhi when the question of the President's salary was discussed. The principle involved is this that we should fix the salaries on a basis which may not limit the free choice of the House in the selection of ministers. If you reduce the salary to a figure of Rs. 500 or so per mensem on which either moneyed or capitalist persons only can serve or only such people who live a very low standard of living you would unjustifiably hamper the choice of the electorate through this House. That would be undemocratic. Next my honourable friend, the mover of the amendment, suggested that the Bill should be circulated for public opinion. I submit that we sitting in this House are the public opinion of the constituencies which we have the honour to represent. We owe responsibility not only to our constituencies but also to the province and as such we may be trusted to exercise our vote in this House with the fullest deliberation and after due consideration of the pros and cons involved. We will not shirk the responsibility which the Act and our constituencies have placed on our shoulders. There is one other point which I wish to submit at this stage. My honourable friend the mover in the course of his speech made some ungraceful references to certain individuals on the Treasury benches. I will not allow myself to go down to that level of debate. I will content myself with the remark that the principle of democracy provides that the highest qualifications for ministry is the following one commands and which the party in majority claims.

Dr. Shaikh Muhammad Alam : Salaries ought to be in accordance with the intelligence.

Mir Magbool Mahmood : Yes, intelligence in selecting the right party and in having and retaining the confidence of the Leader and the House. The salaries that we have fixed are such as may not restrict our choice in the selection of our minister.

The various specific figures of salaries proposed in the Bill or as amendments would be discussed on merits. The question before the House at this stage is whether we shall accept the salaries allowed by His Excellency the Governor and deny to ourselves the exercise of the powers vested in us under the Act or we should adopt such figures as the Assembly may pass—they may be the figures provided in the Bill or they may be the figures which may be passed as a result of the discussion on the amendments of this House. I do not wish at this stage to go into further details. I wish only to appeal to the honourable members on both sides of the House that we should discuss matters in this House in the spirit of being the first national government and the first national opposition. With these words I beg to oppose the motion.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Before I make any observations on the amendment I would like you, and through you the House to excuse me if I speak in a broken language because English is not my mother tongue and yet I am forced to speak in that foreign language because the law does not help those who know English but not enough to express their views in an august House like this. I had no intention to speak on this amendment when I came to this House, but the points which have been raised and the reply which has been given to the amendment

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force me to stand up and make a few observations in favour of the amendment. It has been argued that when we are discussing this Bill for the purpose of fixing the salaries of the ministers, we are really exercising the right which is given to the people or their representatives in this House and we are really doing away with the power of the Governor. The Governor was pleased on the 1st of April to fix certain salaries for the ministers. The ministerial party relied on the argument that they brought forward this Act to show that they were to exercise the right which has been conferred on this House by the British Parliament. Could not I say relying on the same argument that the Leader of the House should have put the budget before the House immediately? When the elections were over, and it is long since they were over, the majority party knew that they were about to come into power and run the Government of this province. Therefore, they must have prepared their budget. It was in the fitness of things that the budget should have been discussed in this session of the House rather than that it should have been postponed till June or July. But I do not think that the argument that we are exercising our right holds good in this case. It is said that we represent our constituencies in this House and therefore it is not at all necessary to find out the public opinion on this important matter. My submission is that the Government of India Act was before us long ago. We knew that we had a right to fix the salaries of the ministers and we had certain other rights too. We are not concerned with those other rights — we are concerned with the rights of fixing salaries of the ministers only at this stage. But does it mean that we should not consult our constituencies for whatever we do in this House? I think we shall not be true representatives of our people if we do not take the people into our confidence especially with regard to expenses, because it is expenditure which affects the people and nothing else. Therefore, I beg to submit that if not in all matters at least in this matter — the matter of expenditure — we should consult our constituencies and the people at large. I no doubt admit that so far as the individual opinion or the opinion of those who belong to the Congress, is concerned, they have already formed their opinion, but we cannot say what the opinion of their constituencies is. In the Congress we have decided that no officer of the Government shall draw more than Rs. 500 a month in any case. Therefore, the limit for us is fixed, but it is our duty to consult our voters and even those who are not our voters, we have to consult the people at large because it is out of the taxes of various sorts levied upon all people that we are going to pay these allowances and salaries to the ministers. Then, it was argued that those who form the majority, have got the right to form a ministry and, therefore, those who are the leaders of that majority are entitled to hold the offices and run this system of Government in this province. I admit that is the law, but whether the law holds good or not in other provinces I do not know. In six provinces out of eleven in this country this practice has not been observed. The minorities have been called upon to form interim ministries. May I ask whether that law holds good there also or the law does not hold good in six provinces out of eleven?

Mr. Speaker : May I request the honourable member to confine his speech to the amendment now before the House?

Dr. Gopi Chand Bhargava : The reply given against the mover of the amendment was that the majorities formed the ministries and, therefore, they were entitled to draw as much pay as they liked. I would read out a portion of the statement made by the Leader of the House on the day he assumed charge of his office. It was—

“However, with courage and determination to move forward, the Cabinet has made up its mind to appoint two committees, one to advise and report on the best means of coping with the problem of unemployment and other to suggest practicable devices of effecting economy and retrenchment as well as to explore fresh sources of revenue without affecting the poorer classes, with a view to enabling the new Government to enter upon a programme of providing a suitable relief to the peasantry and intensifying the nation building activities.

The Leader of the House promised through this statement that he was going to appoint a committee to find out fresh sources of revenue as well as methods of retrenchment in the expenses. When we are waiting for the appointment of that committee and are anxiously waiting for the methods of retrenchment as well as for fresh sources of revenue, what do we find? We find that the first Bill which is brought forward before us is a Bill inflicting very heavy expenses. I would say that it will be in the fitness of things if we wait till that committee is appointed and it puts some suggestions before us.

✓ **The Honourable Major Sir Sikander Hyat-Khan (Chief Minister) :** I have not very much to say on the motion before the House because my honourable friend who preceded me has replied to almost all the points raised by the honourable mover of the amendment. I should, however, like with your permission to make a few observations with regard to one or two points raised by the honourable mover and the honourable Leader of the Opposition. The honourable mover asked, why was it that the Government wanted to bring this legislation before the House in a hurry at the very first session? As my honourable friend, Mir Maqbool Mahmood, pointed out it is because we do not want to depend upon the stipend fixed by the Governor. We wish to abide by the wishes of the House and accept its verdict in this matter. It is for this reason that we have taken the first possible opportunity of introducing this measure with a view to obtain the views and verdict of the House on the question of our salaries. If you decide to reduce our salaries to Rs. 500 we would bow to your decision and will gladly accept it. I am surprised that instead of congratulating the Government for taking the first opportunity to seek the verdict of this representative and popular Assembly, on whose suffrage we depend for continuing in office, my honourable friend, the mover of the amendment, has for some obscure reason thought it fit to criticise us. We could have, if we desired, continued to draw the salaries fixed by His Excellency the Governor, but it would have been unfair to us and to the House to do so. I need not dilate on this point any further. ✓

With regard to this motion for circulation, the honourable mover had said “why should the Government or the supporters of the Government object to this matter being referred to the people or their constituents?” Well, we are here as representatives of the people. We have been returned by them. And in matters of policy and in other important matters no doubt we will from time to

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time consult them and keep in touch with our constituents, but that does not mean that every item or matter brought before this House should be referred to them and action deferred—may be for months at times. If that is his idea of carrying on the business of the House then, I must say that it will be impracticable to do any work in this House. This is only a small item, an item of a few thousands of rupees. We will have to sanction in the budget items involving lakhs and even crores of rupees. Does the honourable member mean that when each item is put to the House, we should cry halt and refer it to our constituents? These were briefly the arguments advanced by the honourable mover of this amendment. He of course is an adept at hurling cheap jibes, and he has as usual tried to ridicule the Unionists and the government party. I am now accustomed to the sort of cheap jibes, which the honourable mover has thought fit to indulge in not only from him but also from a certain section of the press in this province. We have been hearing for months now of the disintegration of the Unionists and the ministers' party. But it is no more than a question of wish being father to the thought. They are welcome to console themselves with such thoughts. They have been crying themselves hoarse by repeating that the Unionist party is going to be scattered, that the Unionist party is divided. Let me tell them that they are living in a fool's paradise. The Unionist party is gaining strength from day to day and is solid as a rock (*hear, hear*). The honourable mover may rest assured that his cheap jibes and the criticism of the cheap press is not likely to affect in the slightest the solidarity and cohesion of the party.

The honourable mover referred to the scales fixed in other provinces. He knows as well as I do what the position is in those provinces. There are only two or three other provinces, where they have got a stable majority government. One of them is Bengal and there, the honourable member conveniently forgot to mention, they have created no less than 33 appointments:—11 Ministers, 11 Secretaries, and 11 Under-Secretaries and who knows that there may be further additions by the time the Salaries Bill comes before the House. He should have totalled the amount of the salaries which they propose to pay to the ministers and secretaries. But he has carefully avoided mentioning this fact, since in the aggregate the total bill for salaries in Bengal is much heavier than ours. I do not wish to speak on the merits of the motion. As I have already stated we will abide by the decision of the House and accept whatever amount is fixed by this House (*Voices from the Opposition benches*: The Leader of the House should give freedom of vote to the Unionist party). If the honourable member knows anything about democratic government he should know that there is no such thing as freedom of vote in matters of policy. These are threshed out beforehand in the party meetings.

The honourable mover said that he was all for securing efficient people for this important work. How are we going to secure them if we do not fix their salaries at a reasonable figure? If the honourable mover had been a businessman—but he is an experienced lawyer—he would have known that it pays not only in the long run but always to have efficient men to look after a concern.

Dr. Shaikh Muhammad Alam : Did the Honourable member set any criterion?

The Honourable Major Sir Sikander Hyat-Khan : I am going to deal with that point. I am one of those poor people who do not possess any degree: the only degree which I have received is an honorary degree conferred by the university of my own province (*hear, hear*). It cannot of course be compared with a degree which is obtained by paying fees. But I value more than anything else the confidence which I enjoy of my countrymen. (*Hear, hear*) (*Voices from the Opposition benches:* But you have been the Governor of the province.) Yes, I was Governor of the province and I, even then, had the privilege of enjoying the confidence of my countrymen both Hindus and Muslims, and others. (*Hear, hear*).

He also made an undignified and wholly unjustified personal attack on one of my colleagues on the score that his only qualification was his aptitude and skill in managing the estate of his father well. Is it a crime or disqualification to be able to manage an estate efficiently?

Dr. Shaikh Muhammad Alam : Was it undignified language?

The Honourable Major Sir Sikander Hyat-Khan : Well, Sir, it is for you and the House to judge. In any case my honourable friend would have been well advised to keep in view, when he was making unprovoked attacks, the well-known adage that 'those who live in glass houses should not throw bricks at others'. His argument was to the effect that since he was managing a vast estate, one of the biggest in the province, he was not qualified to be a Minister. I fail to see any sense or reason in that argument. If he can manage his estate well, he should be able to manage a public concern also equally well.

There is one point to which I should like to refer before I sit down. He mentioned that we on this side should keep in view one objective and one objective alone, namely service of the country; there I entirely agree with him. I can assure him that we are here not for the sake of power. It is not the lust of power which has brought us here, nor is it greed for money which has actuated us to take office, we have taken office for the sake of service to our countrymen and our province and it is the spirit of service which has knit us on these benches together. You may be sure that this spirit of service will continue to actuate us in the work which we have before us so long as we remain in this House.

During the course of discussion of the question of salary informally with my party one of my friends humorously remarked that if we called for tenders instead of paying a salary we might get offers of premiums from candidates who would be willing to accept the office for the sake of—

Malik Barkat Ali : What bearing has it on the motion before the House?

The Honourable Major Sir Sikander Hyat-Khan : I am trying to meet one of the arguments put forward by the honourable mover of the motion.

Malik Barkat Ali : The fact that it is an answer to an irrelevant remark does not make the answer relevant.

The Honourable Major Sir Sikander Hyat-Khan : As I was saying it is not the lust for power or money which has brought us together here, but the urge to do service to the province. If we do not do our duty by our province, by our constituencies—and we have got to go back to them—we will be judged accordingly ; and it is their verdict which matters. We are not like those persons who when they go to their constituents say one thing and after they are returned say something quite different. There is not a single individual among our party who is not true to his creed or who could change colour like some political chameleons who are green one day and turn red the next. We adhere to the promises and we stand by the undertakings which we gave to our constituents. We do not belong to the category of those political turn-coats who go to a constituency and seek their suffrage on a particular ticket and as soon as they are elected seek admission to a party whose creed may be diametrically opposed to their former professions. But, I will say no more about it.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : We have heard some very able speeches this morning and the last one laid great stress upon the fact that the present Government were doing their duty and making great sacrifices for the benefit of the province and the country. I am afraid these remarks would have had some meaning and weight if the motion before the House were not about the salaries of the ministers who have been so eloquent on these points. It has been said that this item is very small. It is this mentality of Government which I want to attack. They think that this item is very small. They should know that there should be some proportion between the salaries and the income of those who govern and the salaries or income of those whom they have to govern. If they think that Rs. 4,000 or Rs. 5,000 or Rs. 3,000 is a very small item, I am afraid they are ignorant or unaware of the condition of the poverty-stricken population of this province. I want them to be conscious of that, before they say that Rs. 3,000 or Rs. 4,000 is a small item in the coming budget of this province. Moreover, it is not only that which I object to. The real thing is this that to-day, by passing or by rejecting this Bill we are really laying the foundation of the coming budget. If you deal liberally with the ministers there is no doubt that you cannot behave differently with the other services in the province or other items in the coming budget. You have to continue as you begin. Therefore, this is not a small item, but it is a question of the whole budget which is to come before this House in a few months' time. You have to consider the budget and spend your money and utilize your resources according as you start to-day. Therefore, I would submit before Government that it is not only a question that this sum is small or that item is big, so far as the coming budget is concerned, it is laying the foundation of that budget and we must be extremely careful as to what we do to-day. (*A voice* : Forty per cent. reduction.) Yes, 40 per cent. reduction, but my learned friends forget that this sacrifice which they are making is not for the benefit of the province but with a view to keep the cohesion and adhesion of the members of their party. I think the Leader of the House pointed out that in Bengal there are 33 persons who sit on the ministerial benches and that is why they have kept their pay so low. If little changes take place in his ranks, perhaps he will have to bring in not only 33 but 40 or 50 men on the

ministerial benches. By reducing their pay they are not reducing the expenses of the province but they are distributing the loot—that word I am just withholding—I may say the privileges or benefits amongst their supporters, who otherwise would have separated from them; consequently they are not making any saving by reducing their pay so far as the budget of the province is concerned.

There is only one more point which I want to make before I sit down and that is this that this House is not yet fully aware of the conditions of the province and its finances. So it is only meet for the Government not to take the people while they are asleep. The figures on which they have to base their views on the subject are not yet before them. The budget is still in the making and so many changes have taken place in the province during the process of settlement in several districts, and I think it is not only proper but wise for us to cut our coat according to the cloth we have. Therefore, it is absolutely necessary that this House should not be taken unawares and forced to pass a measure until the facts and figures of the budget are before us.

Mir Maqbool Mahmood : I move—

That the question be now put.

I P.M.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Dr. Shaikh Muhammad Alam : Will you allow me the right of reply ?

Mr. Speaker : As the motion of the honourable member is only an amendment to a substantive motion, he has no right of reply. The question is—

That the Punjab Ministers' Salaries Bill be circulated for the purpose of eliciting opinion thereon by the 31st May, 1937.

The motion was lost.

Mr. Speaker : The question is—

That the Punjab Ministers' Salaries Bill be taken into consideration at once.

The motion was carried.

The Assembly then adjourned for one hour.

The Assembly re-assembled at 2 P. M. of the clock. Mr. Speaker in the chair.

LANGUAGE OF THE ASSEMBLY.

Lala Duni Chand (Ambala and Simla, General, Rural) : Before we proceed to the business, I should like to raise a very important question in connection with the language of our debates. Section 85 of the Government of India Act lays down that all members who know English must speak in English and exemption is made only in the case of members who are unacquainted or not sufficiently acquainted with English. But there is a large number of honourable members in this House who either do not know English or who are not sufficiently acquainted with the English

[L. Duni Chand.]

language. It is the right of every such member to understand and intelligently follow the debates. I submit, therefore, that a ruling may be given by you to the effect that every speech in English should be rendered into vernacular as soon as it is delivered so that every honourable member may intelligently follow the proceedings of the House.

The Honourable Major Sir Sikander Hyat-Khan (Leader of the House): I think the point raised by the honourable member is quite reasonable. Every member of this House has got a right to know what other speakers are saying. Unfortunately, as already pointed out, the wording of the Act as it stands is such that it is not permissible for those honourable members who know English to speak in any other language. There is a proposal to approach the Parliament through the Government of India with a view to get the Act amended, but it will take time and I am afraid there is nothing we can do now to get over this difficulty. In the meanwhile it would be convenient if some such device as suggested by the honourable member could be adopted. But here again, I am afraid it would not be possible to make any arrangement for the present session, because we would require fluent and efficient interpreters and they are not at the present moment available. We might try, if you agree, Mr. Speaker, to do something in time for the budget session.

Lala Duni Chand : I should like to make one suggestion. Honourable members should be given option to speak either in English or in any vernacular.

The Honourable Major Sir Sikander Hyat-Khan : I shall be only too glad if what the honourable member suggests can be achieved without amending the Act. But that is not possible as it will be contrary to the provision in the Act.

Lala Duni Chand : I submit that section 85 of the Act should be read together with the interpretation to be put upon the inherent right of every member to follow what other honourable members have got to say. If you take these two things together, then you will concede that every member, whether he knows English or not, has got a right to speak in the vernacular.

Lala Shiv Dyal : Till we get the services of an interpreter I would suggest that every member who speaks in English should be given the right to translate the same into a vernacular in order that he may make himself understood by all the members of the House.

Malik Barkat Ali : Section 85 of the Government of India Act is clear. Only those members who are not acquainted or not sufficiently acquainted with the English language can speak in a vernacular of the province and not anybody else. There is therefore no option for a member who knows English to speak in any other language. Until the Act is amended there is no help for us, neither you, Mr. Speaker, can help us nor can we help ourselves.

Mr. Speaker : Section 85 is quite clear and unambiguous, that the language of the Assembly shall be English. Exception is made only in the case of members who are not acquainted at all or are not sufficiently

acquainted with English. In connection with this provision the Governor has made the following rule :—

All proceedings of the Assembly shall be conducted in the English language, but any member who is unacquainted or is not sufficiently acquainted with the English language may address the Assembly in any recognised language of the province.

Explanation.—For purpose of this rule recognised language shall mean any one of the following languages, namely, Urdu and Punjabi.

Thus it is clear that so far as the right to speak goes, those who can speak English must speak in English and only those who cannot speak English or who are not sufficiently acquainted with English can speak in one of the aforesaid two vernaculars.

As to whether those who do not understand English at all have a right to get a speech, made in English, translated for them in a vernacular, I am afraid that if we have to get every English speech translated into Urdu, we shall not be able to finish our business even in twelve months.

Standing Order 33 lays down—

At the Speaker's discretion any speech may immediately after its delivery be translated in abstract from English into Urdu or *vice versa* by an official translator.

It is clear that the translation of speech is left entirely to the discretion of the Speaker. During the past 11 or 12 years, for which I have occupied this chair, only about half a dozen times I have felt it necessary to have a speech translated from English into Urdu. There is no provision for the translation of an English speech into Punjabi or *vice versa*. It is clear that right of making a speech is one thing and the right to have a speech translated is another thing. There is no provision, other than the standing order just read out by me, which relates to the translation of speeches. So I do not think that any honourable member can claim to have a speech made in English translated into Urdu as of right. It will not be necessary to have vernacular speeches translated into English, as the two English members of the House have been sufficiently long in this province and can understand the vernacular speeches well. It must be remembered that if those, who are acquainted with the English language, speak in Urdu or Panjabi to-day, it will be my sad duty not to allow them to speak in English to-morrow.

Dr. Shaikh Muhammad Alam: What will be the criterion of sufficient English ?

Mr. Speaker : The question will be decided when it arises.

Lala Bhim Sen Sachar (Urdu) : If a member thinks he can express himself better in Urdu than in English—.....

Honourable Members : Please speak in English.

Mr. Speaker : The honourable member is a Barrister. He appears in the High Court. What language does he use there ?

Lala Bhagat Ram Choda (Urdu) : I would like to submit that a member who asks a question in Urdu, must be answered in Urdu, so that, he may have no difficulty in putting any supplementary question.

Mr. Speaker : This cannot be done under the law as it stands.

THE PUNJAB MINISTERS' SALARIES BILL.

Mr. Speaker : The Assembly will now take up the Bill clause by clause.

Clause 1.

Mr. Speaker : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Mr. Speaker : The honourable member Mir Maqbool Mahmood has given notice of two amendments. I cannot allow both amendments to be moved together. Let us first confine ourselves to line 2.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): I will first move:

That in clause 2, line 2, the word 'Premier' be substituted for the word 'Chief Minister.'

This amendment is not merely verbal. It has a constitutional significance. It is not uncustomary for the constitutional pandits inside and outside the Empire to draw a distinction between the constitutional status of the various governments by the nomenclature that is applied to the heads of the executive. In this connection a practice has been evolved even with relation to Indian States, wherein comparatively smaller states with a few exceptions are allowed the use of 'Chief Minister' for the head of the ministry, whereas the word 'Prime Minister' is reserved for the more important states. Similarly we find in Dr. Keith's "Responsible Government" on pages 238 and 242 that in practically all the provinces of Canada and in all the states of Australia the word 'Prime Minister' is reserved for the head of the ministry of the Federal Government, while the heads of the provincial or the state ministries are called premiers and not chief ministers. Those of us who are anxious that within our limitations and in spite of our limitations we should try to approximate the nomenclatures, the status, and the functions of our house to those of the provinces of the self-governing dominions are anxious that as far as possible our nomenclature on this point should also correspond with theirs. In this connection this Bill is perhaps the only statutory measure we will be called upon to undertake to express our opinion on the name we desire to give to the head of our ministry. It is for these reasons that I venture to suggest the amendment that stands in my name. It is a happy augury that I understand that all progressive parties in the province are agreed that so far as the head of the provincial Government is concerned, he should be styled the "premier" and the name 'prime minister' should be reserved for the head of the Federal Ministry. In moving this amendment I speak with confidence because I am sure that in the head of our present ministry we have a distinguished statesman and a great gentleman who may safely be entrusted to keep the best traditions, dignity and prestige of the premier of the first National Government of the Punjab. (*Hear, hear.*)

Mr. Speaker : Clause under consideration, amendment moved :

That in clause 2, line 2, the word "Premier" be substituted for the word "Chief Minister."

Mr. K. L. Gauba (Inner Lahore, Muhammadan, Urban) : There is an amendment that stands in my name to the effect that in line 2 for the words 'Chief Minister' the words 'Prime Minister' be substituted. But in view of the amendment moved by my friend, Mr. Maqbool Mahmood, which practically covers the same ground as my amendment, I do not propose to move my amendment. It will be enough if I support the amendment moved by Mr. Maqbool Mahmood, particularly for the reason that this matter is not really a party question. To-day we may have Sir Sikander as Premier or Prime Minister; to-morrow we may have Dr. Gopi Chand or Dr. Alam as the Prime Minister. Therefore, this question is really not a party issue. We have in the dominions, and in the various parts of the dominions, the head of the Government described as the Premier or the Prime Minister. I do not see any reason why we should not adopt a similar nomenclature so far as the head of the Punjab Government is concerned—a nomenclature which has already been adopted in the case of bigger states, the term 'Chief Minister' being used so far I know for the head of the administration of the smaller states. Accordingly I entirely support the amendment moved and would appeal to all sections of the House to support it.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural) : Although there is not very much to be said for the word 'Premier' or 'Prime Minister' to my mind it appears that it is merely grandiose. When we call him Premier it will be assumed that under this constitution our Premier will have the same powers, the same prestige in international world as other Premiers. But actually he will not have the same powers as the Premier of France for example. He will not have the same powers as the Premier of Great Britain. And yet it would be made to appear to the world outside that our constitution is on all fours with the constitution of other countries which I think is not true. Therefore, I submit that the expression in the Act 'Chief Minister' is very properly used.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : I feel tempted to give my whole-hearted support to the amendment moved by Mir Maqbool Mahmood on the assumption as has been suggested, that to-morrow our own Leader, Dr. Gopi Chand, may be the Chief Minister—not under the present circumstances of course, but in a freer atmosphere. I quite agree with the honourable member that the word 'Chief Minister' does not sound as much dignified from a constitutional point of view as the expression 'Prime Minister' or 'Premier' does. But I have objection to the use of the word 'Prime Minister' because that should be used for the federal or central legislature and the word 'Premier' should be used for the provincial minister. I had discussed this point with some members of the House during the interval and I found that some members felt that the word 'Chief Minister' was deliberately put in the Constitution by its framers. I feel it is not always right to think that there is nothing in nomenclature. "What is in a name, that which we call rose will smell as sweet if by any other name were it called" I believe is too sentimental. I feel that in constitution-making we have to use certain formal

{Ch. Krishna Gopal Dutt.]

words which may appeal to the people. To-day if it is Sir Sikander, as the honourable member stated, to-morrow it might be another. Therefore, on these grounds I think we on this side should support the amendment and I believe it will be accepted without any objection.

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban): The word "Chief Minister" is so closely connected with the states that it savours that atmosphere. Therefore, I would support strongly that the word "Premier" should be used consistently with the dignity of the House.

Mr. Speaker : The question is—

That in clause 2, line 2, the word "Premier" be substituted for the word 'Chief Minister.'

The motion was carried.

Chaudhri Krishna Gopal Dutt : As my amendment is the same as is being moved by the honourable Leader of the Opposition, Dr. Gopi Chand Bhargava, I would like to speak on that amendment instead of moving my own.

Dr. Gopi Chand Bhargava : I have to make a request and that is this that as you will find there is no other amendment in line 2 and the amendments in lines 3 and 4 are to follow, I would request you to permit me to move both my amendments together.

Mr. Speaker : I am afraid they shall have to be moved separately.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : I beg to move—

That in clause 2, line 2, after the word "Premier" the words "and to each of the other Ministers" be added.

My object, as you realise, is this that I want that the Chief Minister and all the other Ministers get the same salary and that is why I want that the words "and to each of the other Ministers" be added to it, so that the clause may be intelligibly formed. I do not think I need say much for this addition because this addition does not matter much. What I have to say about the point that the Chief Minister and the other Ministers should get an equal salary, I will say when I am permitted by you to move my amendment in lines 3 and 4. With these words I commend my amendment to the House.

Mr. Speaker : Clause under consideration, amendment moved is—

That in clause 2, line 2, after the word "Premier" the words "and to each of the other Ministers" be added.

Mr. K. L. Gauba : May I ask, Mr. Speaker, what procedure you are adopting as regards other amendments? Will each amendment be discussed separately or will they be discussed together?

Mr. Speaker : All amendments relating to the salary of the Premier will be discussed together, but they will be put to the vote of the House separately, if necessary.

Mr. K. L. Gauba : I do not understand clearly. Is it your desire that these amendments should be formally moved or discussion will take place first and the amendments will be put to the House later.

Mr. Speaker : When one amendment, relating to the salary of the Premier is moved, all other amendments relating to the same salary shall be discussed. But they will not be moved before discussion.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rura): **Mr. Speaker**, it is my painful duty to oppose the amendment proposed by the honourable Leader of the Opposition. The object of the amendment proposed is that the salaries of the Ministers and the Premier should be the same. Now, with regard to that I am sure that so far as the Honourable Premier is concerned, he would welcome his other colleagues drawing the same salary as he may be allowed by the House. But so far as we on this side are concerned—and I hope I am speaking for the other Ministers also—we feel strongly that, apart from the very great sacrifice of our first Premier, the salary of the Premier should be higher than that of his colleagues. According to the practice of most democratic countries, some line of demarcation is kept between the salaries of the Premier and that of the other ministers. Moreover the duties of the Premier are more onerous and the official and non-official taxes on his salary are much more exacting than on his colleagues. As such we must oppose the motion that has been moved.

Mr. Speaker : The question is—

That in clause 2, line 2, after the word 'Premier' the words "and to each of the other Ministers" be added.

The motion was lost.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): I beg to move—

That in clause 2, lines 3-4 for the words "forty-two thousand" the words "six thousand" be substituted.

It is both a painful and pleasant duty to move this amendment. It is painful because I have to move such an amendment, which would, if adopted by this House, affect the ideals and if I may say so, tax on those who want to make the best and the most out of this constitution, and out of this Government. We believe that you know that this new constitution is not acceptable to us. But there are some friends here who believe that though it is not an acceptable constitution, because they want Dominion Status for this country and this constitution does not give us Dominion Status or anything near it, still they want to work it out, and make the best of it, and they are going to make the best of it, it may be for the country or may be for themselves. (*At this stage an honourable member crossed the floor of the House.*)

Mr. Speaker : No honourable member should cross the line between the member who is speaking and the Chair.

Dr. Gopi Chand Bhargava : I was saying, that those who want to make the best of the present constitution, do want to make the best of it and it is my painful duty to stand in their way and propose a cut in the salary which is very considerable. But it is not my painful duty because I feel that there is no justification for the Ministers drawing a higher salary than Rs. 500 per month under the conditions we live in. When it was announced that the elections would take place and that the new constitution would come into force on the 1st of April, 1937, several parties

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were organized in our province to run these elections and nominate their candidates. In this House I see there are members who belong to different parties, though, the Leader of the House informed us this morning that either there is a Congress Party or there may be other groups on the Government side, but there is one party called the Unionist Party. (*Voices: No, no.*) I speak subject to correction, but I feel that there are parties who have joined the Government benches though they have got their own programme of work. I have not been able to get the party programme of the Sikh National Party, but I have got with me, the programme of the Nationalist Progressive Party as well as that of the Unionist Party. If one were to study them, one would find that there are items in the programme where they say that they shall try to remove unemployment from the province and also help the poor, but what do we find, when the question of expenditure arises? We find that we are called upon to give our sanction to a salary of Rs. 42,000, Rs. 45,000 and Rs. 48,000 for the Chief Minister. I know that His Excellency the Governor announced that he would give Rs. 50,000 a year.

The Honourable Major Sir Sikander Hyat-Khan : No, no.

Dr. Gopi Chand Bhargava : That is what was published in the Press.

The Honourable Major Sir Sikander Hyat-Khan : Exactly the same as in the Bill.

Dr. Gopi Chand Bhargava : Well, if it is the same as it is in the Bill, I cannot congratulate the Chief Minister. I thought that the Leader of the House was making a sacrifice of Rs. 2,000 a year, but now I find that he is not making any sacrifice. He wants us to sanction the same pay as the Governor was pleased to fix. But, we feel that the income of this province is so poor that we cannot afford to pay such high salaries to Ministers. It is always said, and I know that it will be said now that if the Ministers do not draw a salary higher than other officers in the province, excepting the Governor, they would not be able to maintain their prestige. And I know that it will be said that it is not in the power of this Assembly, to make a cut in the salary of the heaven-born service or the Imperial Service people, and because we cannot cut their pay, therefore, the Ministers must draw pay more than those services are getting in order to keep up their dignity. But, we on this side believe that the prestige of a man does not lie in the pay or in the income he makes or he earns. The prestige of the man lies in the service or the love for the country. Again, I know comparisons are odious, but I can cite examples where people working honorarily or drawing only Rs. 75 or Rs. 50 a month, do, if not better, at least as good work as Ministers will be called upon to do and command prestige. Therefore, we believe that the prestige does not lie in the income, but in the spirit of service with which a man works for his country. Therefore, we believe, that our Ministers should set an example for other Indians who hold some posts in this province under the Government, other than Indian Civil Service or Members of the Imperial Services, and expect them also to come forward for a cut in their pay. The Government may come forward and say that our Ministers are drawing less pay and therefore the others should also draw less pay. If they want to serve the people, if they really feel that

there is poverty in the province, it is their duty to make sacrifice. We should do away with this false notion of dignity. We must add to the dignity of labour. We should not prove that dignity lies in the money drawn as pay and not in work. In my opinion, we should prove that the man who works with his own hands, is as honourable and dignified as the man who draws Rs. 5,000, Rs. 4,000 or Rs. 3,000 a month.

It was said in the manifesto issued by the Chief Minister, on the 1st of April that he would try to remove unemployment as well as make retrenchment and find out fresh avenues of income. Unless he does this, unless he increases the income and decreases the expenditure, he shall have no money left to spend on any of the beneficent departments. We have come here to do something for our poor brethren. It is the poor people who have sent us. It is therefore our duty to see that no money is wasted and that most of this money is spent on departments which are called beneficent departments. I know that something must be spent on salaries, otherwise no work can be done. But if you spend the whole money or the greater part of the money you get in salaries nothing will be left with you to be spent on beneficent departments. What money are you going to spend to remove unemployment from this province? The question of unemployment is not the unemployment of those who have no work, but it is the question of unemployment of those who toil from morning till evening and from night till morning, I mean the poor peasant (*Hear, hear*). They are the poor people who need the greatest attention. They work for the whole of the day and in some cases the whole of the night. Unemployment in their case has become chronic and they cannot make both ends meet. When this is the condition of our peasantry in this province, how are you going to help them? How are you going to reduce the land revenue and water cesses which are very excessive? How are you going to relieve indebtedness in this province, unless you find money for it. You reduce your income by reducing the land revenue and water cesses or giving relief to the indebted, but how are you going to get the money to meet expenses? Either you must impose fresh taxation or you must reduce your expenditure. You are not prepared to reduce expenditure. If the Bill is passed as it is, it would be difficult for the Ministers to make any reduction in the salaries of higher officers in this province. It may be said that they will make a cut in the salaries of Government servants, but that axe will fall on the poor Government servants. How are you going to increase your income? It is said, by fresh taxation. But do you feel that our province is in a condition fit to bear more taxation? I believe that our country cannot bear any more taxation. We are already very heavily taxed. The only people who can be further taxed are the rich people (*"hear, hear" from Government benches*). The only people that can pay further taxes are rich people, they may be rich peasants, rich landlords or rich jagirdars or rich people living in towns. (*"Hear, hear" from Government benches*). You can tax them more. But I am afraid you will not be able to do this because the Ministers themselves want higher pay and when it becomes a question of vested interests, who shall tax the rich when they are themselves trying to become rich? (*"Hear, hear" from Opposition benches*). If you want to tax the rich people, you must yourselves remain poor and live like poor men. Then we have to see how the money which we pay to the ministers

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is going to be spent. I do not want to go into the details or into the private expenses of the ministers. I have no right to do that, but one thing I can say and that is this. If you want to remove unemployment from the province, you can only do so if you begin to use home-made products, things manufactured in your own province or your own country. But those who have been crying from house tops that they are contesting elections in order to help the poor, now ask for such high salaries. Do they realise that the money which we shall pay them shall be spent on either foreign articles or articles prepared or manufactured by the capitalists of this province or this country? Not a single pie which they will spend will go to the poor people of this province. They do not help us, they cannot help us if they live in the way they are living and in the way they patronise foreign or mill-made articles. I do not oppose the existence of mills, in fact I would like that more mills should come into existence but they should be nationalized and if the mills are nationalized, they would not be mills run by the capitalists, but by the Government and therefore by the people. They will be mills for the people run by the people. Therefore I beg to submit that all talks of helping the poor and removing unemployment are not justified by the actions of these people as is manifest from the Bill that has been put before us. It might be said that in order to secure efficiency we must pay our servants what they are worth. Well, if that is the point then I would say that the Ministers are not here to serve the people but to serve themselves and they get what they think is their worth. My submission is that it may be that they are worth much more than they want us to give them or it may be that they are worth much less than they require us to pay them, but again I would submit that we come here to serve the people. We do not come here to earn money. It is our duty to serve the people and it is in the spirit of service that we should assume these offices of ministers, and not in the hope of making money or getting reward for services which we render to the poor people of India (*"hear, hear" from Opposition benches*). Then let us compare our province with others. We read in the papers, I do not know how far it is correct, that the ministers in the United Provinces, the neighbouring province are going to draw only Rs. 2,500 per mensem and here in our province what is proposed is Rs. 3,000 per mensem.

The Honourable Major Sir Sikander Hyat-Khan : Is there any Government in the United Provinces?

Dr. Gopi Chand Bhargava : I believe there is a Government in the United Provinces and I think the Leader of the House does believe that there is a Government in the United Provinces though I think there is no good Government either in the United Provinces or in any other part of the country. I shall be glad if the Leader of the House, the Honourable Premier of the province were to express his opinion and send it to the Government of India and the Parliament that there exists no Government in that province and in the provinces where the minorities have been called upon to form *interim* ministries.

The Honourable Major Sir Sikander Hyat-Khan : I only wanted your opinion.

Dr. Gopi Chand Bhargava : My opinion is that we have been able to prove that this new constitution is a camouflage at least in the six provinces, but it does not mean that no Government exists there. I wish we had the power to say that no Government exists in any of the provinces in this country, but I cannot say so because our friends think that they have got something nearing Dominion Status and are keen to work it out. Time will show whether it is workable or not. I was submitting that in the United Provinces under a much richer province than the Punjab, ministers are going to draw salaries to the extent of only Rs. 2,500 a month. I say United Provinces is richer than the Punjab from the point of administration. The aggregate income of that province is much more than ours and I do not say richer as far as the people of the province go. The Governor of that province has said that they shall be paid only Rs. 2,500. Whether the Assembly of that province meets or not, or whether if it meets there will be any salary or not or what shall be the fate of the Ministers' Salary Bill, I do not know. It may be that no Ministers Salary Bill may come up. There may be no ministry on the very first day and a resolution may be moved expressing no confidence in the Ministry and the cabinet may be dissolved. But if a Salary Bill were to be passed in the neighbouring province, the United Provinces, I can assure the honourable members that the amount of salary sanctioned there will not be more than Rs. 500 a month.

Therefore, from the points of view of the condition of our peasantry, unemployment prevailing in the province, and the condition of the people living in towns and villages, I feel that we are not justified in giving the Ministers more than Rs. 500 a month. It might be said that it will not be enough for them because they have to entertain members of the Assembly, give them tea parties, they have to entertain His Excellency the Governor and they have to entertain other people. Well, we cannot afford to pay our ministers anything more than what I have proposed. It might be said that they will not be able to run the Government of this province because they will have no prestige. I have already submitted that the prestige lies in service and not in money. I do not think there is any man in this country or even in the whole world bigger than Mahatama Gandhi who lives only on 6 pies a day and does not draw a fat salary. (*Loud applause.*) He commands more prestige. He commands more respect even from the Imperialist British Government. If you look to the other people who would be running this system of Government, if they liked to, in other provinces, you cannot say that people there will not command that prestige and honour if they were to take the ministerships in provinces which are bigger than ours. If the members of the Congress party—the majority party—were to take up ministerships, they would be drawing Rs. 500 a month and no one can say that they will not be able to carry on the business in the same way as will be carried on in this province. I beg to submit, therefore, that we should look to the condition prevailing in the country and not think that because a certain party is in power, therefore they can afford to pass anything which they like because they have a majority behind them. We have to see to the interests of the province and not only to judge it from the party point of view. I do not move this amendment simply because I am in the opposition benches. It has been suggested that a time

[Dr. Gopi Chand Bhargava.]

may come when I may be called upon to take charge of the minister-ship. I feel flattered by this statement, but I may assure you that I do not think I shall ever accept it because I know that my place is not here but elsewhere. I am a servant of the nation—of the poor—and as such I believe I have got no place to work as a Chief Minister, but supposing one day I were to get into my head to accept it and I had the majority behind me, I can assure you that I shall be more than satisfied with this small pay and I can assure you that I shall do my best to discharge my duties faithfully (*Hear, hear*). Therefore, from all points of view I believe that we have not got the right which has been given to us by our people, by electing us to this House, to give our assent to any salary higher than Rs. 500 a month. With these few words I beg to commend this amendment through you to the House. (*Cheers*).

Mr. Speaker : Clause under consideration, amendment moved is :

That in clause 2, lines 3-4, for the words "forty-two thousand" the words "six thousand" be substituted.

There are other amendments also which cover the same aspect of the question. I mean item No. 8 (i). Item No. 10 (i) also relates to the same subject but Malik Barkat Ali has made this mistake that instead of "lines 3-4" he has written "lines 2-3." Again, the same subject is covered by item No. 11 (i). Further on, the same subject is dealt with in item No. 13 (i). Item No. 14 also is to the same effect ; but Mr. K. L. Gauba also has written lines 2-3" instead of "lines 3-4." So, all these items will be discussed together and if necessary, put to the vote of the House separately.

Shaikh Faiz Muhammad (Dera Ghazi Khan Central, Muhammadan, Rural) : The question of fixing the salaries of the ministers is very important and I submit equally complicated and difficult to decide. The difficult and complicated nature of the question is amply demonstrated by the fact that even the Opposition is not in a position to take up determined and definite attitude in regard to it. If you will kindly look at the various amendments which have been tabled by the members of the Opposition, you will see that the salaries proposed vary from Rs. 500 a month to about Rs. 4,000 a month because my honourable friend, Mr. K. L. Gauba, has proposed a very decent salary for the Chief Minister. (*Mr. K. L. Gauba :* I have already pointed out that that was a mistake). In any case one thing remains that different salaries have been proposed by different members of the opposition. This indicates that the Opposition is not in a position to take a determined and definite attitude. If you will kindly follow the trend of various amendments that have been proposed, you will see that the spirit that is conspicuous in all these amendments is that they have not been made with a view to put forward constructive suggestions but they have been made with the avowed object of defeating the constitution. We, sitting on this side of the House cannot see eye to eye with the honourable members of the opposition in this respect. In order to arrive at a just decision on this important question, it is necessary that we should consider all the details of the matter.

It is necessary that we should dispassionately consider all the details of the matter and then decide it in a thoroughly businesslike way. We should not allow ourselves

to be influenced by sentimental appeals or by specious arguments. Of course anything brought forward can be supported by all sorts of arguments but we should decide the question in a thoroughly businesslike manner. I agree with Dr. Gopi Chand Bhargava that in determining the salary of the Ministers we should have every regard for the finances of the province and the salary fixed must correspond with the finances of the province. In other words the salary we fix should not be so high as to involve the province in any very heavy expenditure on that account alone or should not necessitate fresh taxation for that purpose. I entirely agree with him. Again, I hope my honourable friend will also agree with me that we should not fix the salary at so low a level as to make the whole thing look ridiculous and farcical. Under the Montague-Chelmsford reforms Ministers used to draw five thousand a month. Those honourable members who had the privilege of serving on those Councils will remember how desperately and tenaciously the then Ministers fought whenever the question of the revision of their salary came up for discussion. Now, in the Bill which has been placed before the House there is a cut in that salary, so far as the Chief Minister is concerned of one thousand a month and in the case of other Ministers of Rs. 1,700 a month. I think the Ministers should be praised for the sacrifice which they have voluntarily made. They are entitled to our appreciation in this respect.

Next, we have to see what should be the proper amount. I think we should be guided by certain principles and should not be carried away by appeals made from this point of view or that point of view. We should be guided by some principle. We should first of all take into consideration the work which the Ministers will be called upon to do; secondly, the responsibility which will devolve upon the shoulders of a Minister; and thirdly, we must take into consideration the position which a Minister as such will be expected to maintain. Now taking into consideration first the work, I submit that it is not necessary for me to impress on the House that the Ministers will be wholtime servants and will not be 6 hours' servants according to our conception. Ministers will work day and night. They will be completely weaned off from other business whatever it may be and however lucrative it may be. I submit it is wrong in principle to expect so much public service from anybody without properly paying him. We are not expected to treat Government in the same way as we treat a charitable institution like a 'gowshala.' If you expect so much work then properly pay them. I maintain that it is undemocratic to expect so much work from any one without properly paying him because it presupposes that cabinet appointments are meant to be filled only by men of means and leisure and such men are not always desirable for political leadership.

As regards the quality of work I may submit that the work will be very onerous and responsible. The Ministers will be made responsible for dealing with questions which concern not only individuals but communities and taking into consideration the state of affairs I think it is necessary that we should pay the Ministers sufficiently so that they may be able to carry on their work independently, honestly and diligently.

Further, I want to submit the last point for the consideration of the House, although that point would be contested by the opposition, and it is this, that we must take into consideration the position that a Minister

[Ch. Faiz Muhammad]

of Government as such will be expected to maintain. Of course it is possible for a man to live on two rupees a month : it is possible for a man to live on five hundred a month and it is possible for a man to live on five thousand rupees a month. But we have to take into consideration the surroundings and for the circumstances in which the Minister will be expected to live. We have to take into consideration the fact that a Minister as such will be required to maintain his position and to maintain a certain standard of living because of the very nature of his position. We have to take into consideration the fact that a Minister of Government as such will be expected to incur certain expenditure, not particularly because he is fond of incurring that expenditure but because his position as Minister of Government requires that he should bear those expenses and this would be particularly the case so far as the Chief Minister is concerned, because he is leader of the party, he is leader of the House and as he will be holding the topmost position he will be expected to bear certain expenses not because he likes but because his position requires that he should do so. In determining the salary of Ministers we must take into consideration all these things instead of indulging in sentiments. Therefore taking into consideration all these things I think that the salary proposed by my honourable friend is very low and I oppose the amendment.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : With your permission I rise to support the amendment moved by the leader of the Congress Party. At the very outset, I would like to observe that the comparatively low figure mentioned in the amendment should not in any way be construed to reflect on the ability of the present ministry. In fact I may observe in passing that some of the Ministers are men of outstanding ability and wide administrative experience (*hear, hear*). When honourable members say 'hear, hear' they should not forget that the correct indicator to assess the worth of a Minister is not ability, but the sympathetic outlook with which he runs the chariot of the administration.

The motive to action on the part of the Ministers should be, as my Leader has pointed out, service and not emoluments. I therefore confess that I was disagreeably surprised to learn that our Council of Ministers have agreed to rate their salaries at such high figures as are mentioned in the Bill under discussion. I recall the statement made by the Secretary of the Unionist Party in the course of an article published in the hospitable columns of the Mall Road Oracle to the effect that the programme of the Unionist Party is the programme of the Socialist. If that is their programme, I would ask in all sincerity and with all the earnestness that I can command, whether any socialist in the world would be a party to such high salaries as are provided in the Bill under discussion. If it is a fact that there are socialists in the Unionist Party or if their programme is socialistic or has a socialistic tinge, then let those of the Unionist Party whose hearts are lacerated on account of the appalling economic condition of the masses of this province, give expression to their feelings by voting in favour of the amendment moved by the Congress Leader.

On the day the new regime was inaugurated, on April 1st—may be a Fool day, I do not care—the Honourable the Premier, in the course of an appeal to the Punjabis, observed that out of the new constitution we should

draw as much as possible. Here is an opportunity for him to-day to give the lie to the impression which has been created in certain circles that he wants to draw as much as possible for himself and his friends and not for the hungry people of the province. What should be the criterion by which the salary of a Minister should be fixed? I know there are various schools of thought on the subject but I find, that they differ in details only. It is however, acknowledged on all hands that the salary of a Minister should bear some reasonable proportion to the *per capita* income and the taxable capacity of the people who have ultimately to bear the burden of the salary. I submit, for the consideration of the House, that the figure of salary provided in the Bill is out of all proportion to the *per capita* income in this province or in this country. If we make a comparative study of the salaries of the Ministers in all the countries of the world, then I have no hesitation in saying—and I say it without fear of contradiction—that we shall realise that no country in the world gives such fat salaries to their Ministers as we are being asked to give to ours.

Let us make comparative study. Let us take one or two instances. Let us first take the instance of England. In England the Ministers get £ 5,000 a year (*An honourable member*: £10,000). The figure that is being mentioned is only in the form of a Bill before the House of Commons. I do not care about the future, but the Minister there gets £ 5,000 although even if it is £ 10,000, my argument stands. And the *per capita* income in England, according to the British economists and also according to the Simon Commission Report, is about £95. The Honourable Leader has nodded dissent, but I am open to correction and I again say without fear of contradiction that the salary of a British Minister is £ 5,000 and according to the Simon Commission Report the *per capita* income in England is about £95. According to simple mathematical calculation this salary of the Minister is 53 times the *per capita* income in England. Let us compare this salary and the *per capita* income with the salary which is being asked from us in this Bill—we take the figure of Rs. 36,000 leaving aside the salary asked for the Chief Minister which is Rs. 42,000,—and the *per capita* income in our country. What is the *per capita* income in India? I do recognise that there is a difference of opinion on this subject. Some economists believe that it is £ 4 a year, others say it is £ 8, some believe it is Rs. 50, others believe it is Rs. 100. But taking even the most optimistic reports of Findlay Shirras or even according to the Simon Commission Report it comes to £8 which is about Rs. 106. The salary is Rs. 36,000 and *per capita* income Rs. 106 in India! It comes to this that the salary which we are being asked for is 343 times the *per capita* income in this country. The Unionist Party may have a comfortable majority, I do not care. I put these facts before them, so that they may realise the position. If they care for the other constitutions of the world, if they care to follow their principles, if they care to follow their policies they should also care to know what those countries are paying to their ministers.

Now let us take the instance of Canada also. In Canada the salary of a Federal Minister is 7,000 dollars and the *per capita* income is 579 dollars. If you calculate, the salary of a minister comes to only 12 times the *per capita* income in Canada. If such is the state of affairs in other countries, if in England and Canada the proportion of the salary

{Ch. Krishna Gopal Dutt.}

to the *per capita* income is 58 times and 12 times respectively, why on earth, in all seriousness I ask, should it be 343 times the *per capita* income in this province? Is it because we are down-trodden? Is it because the masses of the people in this province and in this country are wallowing in the mire of poverty? Is it because we have not got the force to enforce the will of the people? I submit, that if the Honourable the Leader of the House is sincere in his statements and professions—and I have no reason to doubt his sincerity—I would call his attention to one statement which he made in his appeal to the Punjabis to which a reference has already been made by me. That was that the people should not forget that the votable charges in the new constitution are not many. If the votable charges are not many, if he has got no control over the Governor's salary, if he has got no control over the salaries of the High Court Judges, if he has got no control over the salaries of other public services, surely he has got a big say in the matter of his own salary and the salary of his colleagues. There is a very great opportunity before him to-day to effect economy in the administration. To-day he should take courage in both hands and set an example for the other servants of the State. If he really feels for the staggering poverty of the people, he should know that with such high salaries the new administration is going to be very costly, and it is likely that the new constitution may break on the rock of Finance if not on the rock of the Congress. In that case, he should realise that it is with his own hands that the new constitution is going to fall as under, is going to be shattered to pieces. So I appeal to the Chief Minister that he should not be intoxicated with power, he should not be intoxicated with the knowledge that he has got an over-whelming majority at his back and treat us with contempt and disrespect, but that he should take into account the mass opinion that is prevalent in the province and in the country. There are other arguments already put before the House by the Leader of my party and I do not consider it reasonable to repeat all those arguments. I will only appeal to the Chief Minister that when he goes home this evening he may give a little bit of thought to the idea which is contained in the expression 'tyranny of the majority.' We do feel that we are in a minority; we do feel that the other party has got an over-whelming majority. We also feel that if we had decided to contest all the seats in the province we might have been in the majority. (*Hear, hear*). But I may assure him—and Mir Maqbool Mahmood wanted the assurance—that we would treat that party with courtesy and gentlemanliness. I reciprocate the feeling on behalf of my party. We do not want to create any unpleasant scenes in this House, but we do want that the other party which is in a majority should take into serious consideration what we say in this House. It will probably be said that we appeal to sentiments and emotions, that we are not practical people but only idealists and visionaries. But I may tell the Chief Minister that we do really feel for the poverty of the people and we appeal to him to feel for the poverty of the people as much as we do. If he has got any feeling for their poverty, he should accept the amendment which has been moved by the Leader of my party, who has himself given up his lucrative practice of medicine in order to serve the cause of the poor. It is well known that the Congress party stands as much for the improvement of the rural areas and for the uplift of the rural population as the

Unionist Party claims to do (An honourable member : Much more) if not much more. I do not want to make a statement that may be considered hyperbolic or exaggerating. I only talk facts. I have not tried to appeal to sentiments. There may be something in my tone which may give the impression that I am appealing to sentiments. But I may assure the House that I have given practical facts. Look at other countries like England and Canada. A salary of Rs. 500 per mensem proposed in this amendment is the nearest approach to the proportion which the salaries of Ministers in England and Canada bear to the *per capita* income of the people. The salary proposed in the amendment is 57 times the *per capita* income of the province whereas the salaries of ministers in England is 53 times the *per capita* income of that country'. (Cheers).

Mr. Speaker : I notice that almost all honourable members, who have spoken so far on the amendment under consideration, have not kept out of the discussion the salaries of ministers, which are dealt with separately in the Bill. The salary of the Chief Minister and the salaries of the other ministers have been discussed together. I, therefore, suggest that in order to save time and avoid repetition of arguments, the salaries of all ministers, including the Premier, may be discussed at this very stage. They will, of course, be moved and voted upon separately.

Dr. Saif-ud-Din Kitchlew : May I suggest that all the amendments be allowed to be moved in the first instance and the honourable members then allowed to speak on any one of the amendments or all of them together.

Mr. Speaker : That will not be regular, as more than one motion cannot be before the House at the same time.

Dr. Saif-ud-Din Kitchlew : Then, the course suggested by you will amount to raising a discussion in anticipation.

Mr. K. L. Gauba : May I point out, with due respect to you, Mr. Speaker, that the procedure adopted in the Central Legislature is that all the amendments are moved at the same time and then discussion takes place?

Mr. Speaker : I may just read from page 191 of Campions book

“ When the question is proposed on an amendment, the debate should, strictly, be relevant to that amendment and not refer to other amendments, but the Chairman sometimes for the convenience and with the assent of the committee, allows debate to range over several amendments, which raise different aspects of the question raised by the amendment actually under consideration on the understanding usually that when these latter amendments are called, they may be divided on if desired, but not discussed.”

Malik Barkat Ali : Will those who have tabled other amendments be allowed to speak on this amendment?

Mr. Speaker : Of course.

Mr. Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural) Leaving aside the display of heat and passion now and then in the speeches of my honourable friends, I am grateful for the standard of debate they have maintained in their speeches, I mean the honourable Leader of the Opposition and the honourable member who spoke after him. I need not say that we value very much the assurance and the good wishes they have

[M. Ghulam Mohy-ud-Din.]

expressed for the province, as well as taking them in their own words for the Unionist Party. In fact, we welcome the enthusiasm from the opposition whenever it is on right lines as we believe in the words of an Urdu poet who has said—

فیضِ قیوب تھا کہ ملی و طرد کی عشق
 ہے جانِ زندگی ہے جو کدلی عدو نہ ہو

In fact, it is in the strength of the opposition that the strength of the Government lies. But I must say that this is not a matter to be taken in the light in which my honourable friends have taken. Let me take the matter in dispute in a businesslike manner and then look at the amendments. We find the amendments very amusing. The more we think over them, the more we come to the conclusion that the honourable members who have given notice of them, every time they gave thoughts over them have been rising towards higher salaries step by step, so much so, that I am sure if my honourable friend, Malik Barkat Ali, who has gone from Rs. 500 to Rs. 2,500, had a few moments' more leisure, would have come to the same conclusion at which the proposers of the Bill have arrived, I mean Rs. 3,000 per month for other Ministers and Rs. 42,000 per annum for the Chief Minister.

It has been suggested that we ought to think of economy. Certainly we ought to think of economy. But at the same time we ought to keep in mind, what is true economy and what is false economy. False economy may appear very good on the face of it but when you probe into it further you will find that it is more expensive in the long run, as the Punjabi proverb says so well :

پہنگاروے ک بار سسنا وے بار ہار

Let us take this proposition as I said in a businesslike attitude and see for ourselves whom we are going to appoint, who is the Premier and what he was drawing before he came to the Punjab.

Lala Bhim Sen Sachar : On a point of order. We are not dealing with persons. This is not a cut to indicate a want of confidence in the person of the Prime Minister. This is a question of principle and therefore personalities should not be introduced.

M. Ghulam Mohy-ud-Din : I was only going to explain that in fixing the salary we should adopt true economy. I submit that to a premier who we know was drawing Rs. 5,500 with a free house in cities like Bombay and Calcutta, who would have by this time been drawing Rs. 7,500 and who would in the near future have been drawing something between Rs. 9,000 and 10,000 a month, what do we propose to such a man now? Rs. 42,000 a year. Is it not based on economy? Over and above that I submit. Let us see what sort of men we require for the posts of ministers. My honourable friends would agree with me that the men we require should be men of honesty, integrity, men who have made their mark in their previous careers, men in whom we can implicitly rely. Therefore, if we agree on that point, we should see in a businesslike way, how best to persuade such men to come

to our service., how to ask them, and what would be the means, what would be the salary we offer them. It is said that they should come with an idea of service. Very noble of them, very good of them to say so. But what does history tell us? Do we not know that in France, the post of a councillor or the member of a judicial Parliament was supposed to be the highest post of honour and people refused to come there for a salary, so much so that those were bought at the highest price, with the result, that the fees began to be levied on judicial proceedings to be distributed amongst those councillors? Do we wish to see that in the Punjab too? I would submit, not, and my honourable friend will agree with me there. Therefore I would say that when you want such men you shall have to keep in mind the difficulties of the gentlemen whom you ask to come at the helm of the Punjab administration. Again you should not also forget the following facts. Firstly, your ministers have no pension. You want them to give the best of their life to your service and after that, you want to treat them as cast off horses. We have also to remember that there is no security. To-day one man may be a minister and to-morrow he may not be, still you want him to break off his previous career. If he is managing his estate or if he is shining in his profession, if he is doing very well in his business, you want him to break off from his career and come to your service. It should be therefore our duty to provide him with a decent salary, not exorbitant, because we do not want to burden our revenues more than we can possibly afford to do? Nor very low, because we want to attract the best men. We do not want to induce political adventurers to come at the helm. Again we have to keep in mind the penalties of greatness too. By greatness I do not mean possession of riches in plenty, but the position of a minister. There will be a demand on his purse in the form of donations to charitable institutions; donations to his party, and demands in many other ways, in the form of election expenses and so on. (*Interruption*) Sometimes leaders have to come in aeroplanes to safeguard their followers. Let us see what is being done in other countries. My honourable friend, Chaudhri Krishna Gopal Dutt, asked us to look at other countries. Let us see what is being done in England. We cannot deny that patriotism runs high there. We cannot deny that service of the country is the very breath of their nostrils. We cannot deny that we have learnt the lessons of freedom and liberty from them. But are they reducing their salaries? No! In fact as my honourable friend has stated, they have brought in a Bill there for increasing the salary of the Premier from £5,000 to £ 10,000.

Chaudhri Krishna Gopal Dutt : That would be only 106 times the *per capita* income.

M. Ghulam Mohy-ud-Din : My learned friend was saying that they were not giving so much, and no country is giving as much as we want to give. I would say that in fact that country is thinking of providing even the Leader of the Opposition because they know that no man can live on sentiment alone. Are we exceeding the budget in proposing this salary? I say, no! We have increased the number of Ministers but we are still within the last budget. Instead of five Ministers we have six but instead of spending Rs. 25,000 on them we will be spending only between Rs. 19,000

[M. Ghulam Moby-ud-Din.]

and 20,000 a month. We have taken a leaf out of the suggestion of the opposition in 1927. I remember the debate on the Ministers' salary when it was very vigorously urged by the opposition that the salary of a Minister should be Rs. 3,000 a month. We have accepted that suggestion, and now it is contended; "No! it is not right." If that is to be the case, I have nothing to say but to remind you of that Frenchman who used to say that he never met anybody but himself who was always in the right.

Maulvi Mazhar Ali Azhar (North-Eastern Towns, Muhammadan, Urban):

(The honourable member began his speech in Urdu.)

Raja Ghazanfar Ali Khan: On a point of order. The honourable member is a graduate of the Government College and has been my class-fellow. He can speak English.

Maulvi Mazhar Ali Azhar: I have not followed the honourable member.

Mr. Speaker: Is the honourable member acquainted with English or not?

Maulvi Mazhar Ali Azhar: I am acquainted.

Mr. Speaker: Then I cannot allow the honourable member to speak in Urdu.

Maulvi Mazhar Ali Azhar: I would submit at the very outset that some speakers on the Government side have referred to the fact that several amendments ranging from six thousand rupees per annum to thirty-thousand rupees per annum have been moved and that shows that there is no definiteness or clearness in the minds of the Opposition as to what they are about. I want to submit that two amendments stand in my name. In the first amendment it is substitution of Rs. 6,000 for Rs. 42,000. My other amendment goes up to the limit of Rs. 30,000. Now, it is not that I had no definite idea in my mind when I was proposing all these amendments. So far as my personal considered opinion is concerned I would say that in the interest of the country and in the interest of the poor people of this country I do consider that Rs. 500 per month is a good salary and it should be accepted. *(Cheers from the Opposition benches.)* If I propose Rs. 1,000 per month or Rs. 2,000 per month, I say, after placing my conviction before you, that Rs. 500 a month would be quite sufficient and that amount should be accepted and that if the party in power is not agreeable to that proposal then I place another proposal before them. Let it be Rs. 1,000. That is not my conviction. But in order to test what regard and love my honourable friends on the other side have for the welfare of the people of this country, I propose as a second alternative, even a higher sum of Rs. 2,500 a month. I bring it higher up but still lower than it was before. According to the last argument that was advanced by my honourable friend Mian Ghulam Moby-ud-Din that in 1927 we proposed Rs. 3,000 a month and it is the same amount that is proposed now, I want to tell him and his comrades through you "You are wiser after 10 years. I say you ought to have been wiser earlier. If you had been agreeable 10 years ago and if you had accepted Rs. 3,000 then the position may not have been as bad as it is to-day. You are not agreeable to

Rs. 500 now. But 10 or 20 years later you will be agreeable to five hundred rupees a month, but the people may not be agreeable even to that amount and propose Rs. 300 or even Rs. 200 a month."

I want to bring to the notice of the House the fact that all our troubles are due to the fact that we are in the grip of two different civilisations. We are governed from London on the standards of England and the people who pay for the Government are tillers of the soil of this country and the workers in this country. They have to pay to the Governors the contribution which is proposed from London. The poor masses of this country had to contribute and will have to contribute towards the fat salaries that were received by people earlier and salaries proposed even to-day. The honourable member who preceded me put forward the argument that in England also the salaries to a certain extent correspond with the salaries here. I would tell him that Britain is far richer than India and the people of that country can afford to pay higher salaries. Considering the comparative richness of England, we cannot compare Britain with India. We cannot compare poverty of India with the riches of Great Britain. If the salaries there are not comparatively as great as the salaries in this country, we have to consider what should be done in the interest of the people of this country.

We have got only this occasion and for a long time this occasion will not recur. It was said in this House that if the financial condition did not allow such salaries, later on the salaries would be reduced. I want to point out to this House that once the salaries have been fixed, so long as the present Ministry continues, the salaries under the Government of India Act, cannot be reduced. So long as the present Ministers continue in office, you cannot change their salaries. You will have to change the personnel before you can amend this Bill.

Another point has been made that the salary bill of the ministers is less than what it amounted to previously. But how many Under-Secretaries are going to be appointed and what will be their emoluments? This is not known as yet, and when at this stage we do not know the condition of the budget—neither the Government nor the opposition have the facts and figures before them—it cannot be said that even this amount can be at all justified. No doubt people may have had previously better standards of income before they came to occupy the Ministerial benches, but the question of questions is that when you are here considering what salaries ought to be given to the Premier or to the Ministers, you ought to bear in mind that there are people in this country who are really the pay-masters. It is those people who are tilling the soil and working in factories and at other places. It is the labourers and workers who have to pay the salaries of the Premier and the Ministers, and it is they who would pay for all other expenses that have to be incurred by the Government. When you consider the position of those people, about whose salaries we are discussing to-day, is it not our duty to consider that there are people, unemployed graduates, educated unemployed and uneducated unemployed in hundreds and thousands? They go about in the country from door to door and office to office but they are unable to get any employment. Now and then we hear of suicides, some one taking poison, some one going to place his head before a running train. Sometimes other methods are adopted. It is this unemployment in the country that is responsible in some cases for acts of terrorism that

[**Maulvi Mazhar Ali Azhar.**]

spring up every now and then. When we deal with this matter we have to deal with the poverty of the peasantry, we have to deal with unemployment, we have to deal with suicide and we have to deal with terrorism and also see that in future the condition of the province does not become worse. Therefore, we must see what is the proper amount that may be allotted to the Ministers who are to run the Government in this province.

I would submit, that in spite of all the efforts that we have made during the last 15 or 16 years, rural indebtedness has not been removed, much of it has not been touched. Conditions have not become better; sanitation has not been improved. We are not able as yet to teach our electors, those who vote for us, how to place a cross mark on the ballot paper. This is the position of our country and our electors, that those electors, who are responsible for sending us to this august Assembly and who are responsible for sending those members on the opposite benches who are forming the majority, and holding ministry, are unable to put a cross mark on the ballot papers. We have to do much in this country in order to make conditions more civilised and I would submit that with all that poverty in the country, with illiteracy and unemployment, it is not justifiable that the party in power should wish to have salaries which may be called fat salaries.

Another point that I would place before this House is that we have been complaining that the salaries of the Indian Civil Service and other Indian services are not in our hands, and that their salaries are being fixed from above. What argument are you going to give to those in higher quarters for reducing the salaries of these services unless your own leaders are prepared to accept smaller salaries. You cannot argue you cannot say that those people who are appointed from above should get lower salaries. When it is in our power to fix smaller salaries for the Ministers, if we fail to do so, how can we say with fairness to the Secretary of State for India, the Prime Minister of England, the Parliament of England, to reduce the salaries of those services?

I would submit, before I close, that in 1927 or earlier a reduction of salaries was proposed and the arguments that have been advanced to-day were advanced then. It was then also said that they have to maintain their status and dignity. It was said that they could not do without such a high salary. But to-day they themselves can reduce the salary to Rs. 3,000 or Rs. 4,000 without injuring the same status and the same dignity but when we propose a further reduction, they are not agreeable. Again, the same old arguments are advanced. In conclusion, I submit that the poverty of the peasantry and the present condition of the country require that the salary should not be more than Rs. 500 a month.

Sardar Sabib Sardar Ujjal Singh (Western Towns, Sikh, Urban): I agree with the Honourable the Leader of the Opposition and I think there can be no two opinions on this point that ours is a very poor country, and that the problem of unemployment stares us in the face and it has to be tackled. For this reason we can ill-afford to pay fat salaries varying from two to six thousand rupees per mensem. But I join issue with him when he says that poverty can be removed or unemployment problem can be solved if we were to pay our

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officials including the ministers, salaries not exceeding Rs. 500 per mensem. This question of unemployment is a question of worldwide importance. It prevails practically in every country of the world and at the same time many of us know that there have been huge deficits in many other countries amounting to millions of pounds, but no country has ever thought of solving the question of unemployment or of balancing the budget by reducing the salaries of officials to ridiculously low amounts. As a matter of fact I believe and I think rightly that if you reduce the salaries of officials, permanent officials and others to an absurd amount, you will lower the efficiency of your administration and on that account you will not be able to tackle the most important questions deserving consideration at the hands of Government. It is true that a man can live on six annas a day, but how many of us are living on six annas a day. There is one Mahatama Gandhi who is exhibiting that spirit of service who living on six pies a day is doing such tremendous work for the country. In human affairs money is a potent factor as a means to an end. Certainly one must do everything possible in the spirit of service and sacrifice, but every one has got to make both ends meet, and you cannot expect everybody to live on nothing. He must be paid as he has got to maintain a certain standard of living. In discussing the salary of the Ministers an analogy was drawn from England, that in England Ministers are paid five thousand pounds, that is 53 times *per capita* income, whereas in this province we are proposing to pay 360 times *per capita* income. This argument if carried to its logical conclusion is a very fallacious one. If it is proposed that we should pay according to *per capita* income to all our officers and labourers and the skilled workmen, you will find that our wage earners would not be able to earn more than one pie per day.

Chaudhri Krishna Gopal Dutt : They are doing it in England.

Sardar Sahib Sardar Ujjal Singh : This sort of argument cannot hold good. On the other hand it must be taken into consideration that in England there are 20 cabinet ministers and 23 others including under-secretaries drawing £2,500 to £10,000 per annum.

Lala Duni Chand : That is the big British Empire.

Sardar Sahib Sardar Ujjal Singh : Most certainly. I do not deny that. Comparing the *per capita* income you must take into consideration the number of Ministers, etc.

Chaudhri Krishna Gopal Dutt : But you are out of touch with the people.

An Honourable Member : Do you know them ?

Chaudhri Krishna Gopal Dutt : Yes. I am working for them. I have made many sacrifices for them. What have you done for them ?

Sardar Sahib Sardar Ujjal Singh : In determining the salaries of the Ministers the points to be taken into consideration are, that the salaries should be such as to attract able men to take up the burden of responsibility of the ministerial office. I know that in the profession of law and in the medical profession people are making much more than you are proposing, and even my honourable friend sitting opposite will bear me out that some managing directors of insurance companies are drawing more than what you are proposing for the Ministers (*hear, hear*). Another point that must be

[S. S. S. Ujjal Singh.]

borne in mind is that what you are going to pay to the Ministers will be paid back by them to some extent in the way of taxes. A minister getting three thousand per mensem will have to pay about Rs. 700 per mensem towards income tax and the Chief Minister will have to pay near about one thousand rupees per mensem and that point has not been sufficiently borne in mind.

Dr. Gopi Chand Bhargava : Let it then be income-tax free.

The Honourable Major Sir Sikander Hyat-Khan : If it is income-tax free, then let it be even Rs. 2,500 per mensem. I am game.

Sardar Sahib Sardar Ujjal Singh : The second point which I wish to place before this House is that the Ministers should be paid a sufficient amount to enable them to maintain a standard of living in keeping with the dignity of their office. If a man has no other means of income it is impossible for him to maintain any decent standard of living on Rs. 500 a month.

Lala Duni Chand : Question.

Sardar Sahib Sardar Ujjal Singh : My friend the labour leader representing the labour constituency who proposed a salary of Rs. 450, will bear me out that he himself will be paying towards his house rent and towards the expenses of his conveyance more than Rs. 450 per mensem. Is it possible for any man....

Chaudhri Krishna Gopal Dutt : He is not aspiring for ministership.

Sardar Sahib Sardar Ujjal Singh : What I am pointing out is this, that it is impossible for any man to maintain a decent standard of living on this low salary of Rs. 500 per mensem, far less to maintain a living in keeping with the dignity of the ministerial office. The third point which I wish to place before this House is this. Other appointments carry with them some pension and the security of tenure is attached to them, but in the case of ministers there is no pension. With regard to security of tenure, it depends on the wish of this House. You might turn the ministers out to-morrow or a day after. There is absolutely no security of tenure, and yet some of you are trying to reduce the salary that is proposed in this Bill. Even the other day the Senate had the free choice of voting a salary for the Vice-Chancellor—a whole time paid officer and the Senate proposed a salary of Rs. 8,000 per mensem. If an educational institution can afford to pay Rs. 8,000 for a whole time officer, I am sure this House will not grudge a salary of Rs. 8,000 per mensem to the ministers who have got to work from morning till evening and particularly the Chief Minister on whom will fall the greatest burden of carrying on the administration. I have to point out with regret that one of the members said that the Chief Minister did not make any sacrifice. If any man has made a sacrifice in accepting this onerous office of Chief Minister, it was Sir Sikander Hyat Khan (*Hear, hear*). It is a matter of common knowledge that as Deputy Governor of the Reserve Bank he was drawing Rs. 5,500 per mensem and in the very near future he would have been drawing nearly Rs. 7,500 per mensem were he promoted to Governorship of the Bank and yet all of us know very well that he might have accepted the same salary as the other ministers, but his party and the ministers probably did not like him to accept as low a salary as Rs. 8,000. He has made a tremendous sacrifice which ought to be appreciated by the honourable members of this House. I need not dilate much on this question, except to point out that

you cannot isolate the ministers from their permanent staff and the officials who have got to work under them. I admit that we are not in a position to reduce the salaries of those permanent members of the civil service. These permanent members of the civil service have got to work under the ministers and the salary of a person carries with it the status and the prestige that he might command. If you fix much lower salaries than the members of the permanent services who have got to work under a minister, you will certainly be lowering his position and his prestige in the eyes of the officials under him and the public outside. With these few remarks I would commend to the House to throw out the amendment and vote for the amount proposed in the Bill.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): We all know that there are at the present moment eleven provinces in which autonomous ministers will be set up or are going to be set up under the new constitution. In six out of these eleven provinces the Congress party is in the majority and the leaders of that Congress party have declared in the clearest terms that they are prepared to accept Rs. 500 a month salary for the members of their ministries. May I ask the occupants of the Treasury benches in what respect they are better? Are they more able, are they more efficient? Is their standard of living much higher than the standard of living of some of those who in the spirit of sacrifice are going to accept the ministries in their respective provinces? It has been said that lawyers "make much better incomes," doctors and managers of insurance companies also make much better incomes, why should the ministers then take Rs. 500 when other people are earning higher wages? That consideration will be relevant if it were a question of finding employment for our Ministers. Our Ministers are not candidates for employment (*Cheers*). Our Ministers will be men who will, in view of their spirit of sacrifice, not be hankering after jobs carrying several thousands a month. I give instances of six provinces which are going to be served by men of the highest calibre that this country can ever produce. I do not cast any aspersions on the occupants of the Treasury benches. I want them to place before their eyes all these facts. I can name the men whom this country reveres, men of whom this country is proud and to whom can apply all these considerations that have been advanced on the other side, namely considerations of prestige, considerations of livelihood, considerations of standard of life and so on and so forth. This is not all. There are other provinces—five of them—which are going to work this constitution on very much the same lines on which the occupants of the Treasury benches opposite mean to work the constitution in this province. What are the salaries that they are going to draw? I had expected that the occupants of the Treasury benches would at least place before this House the various scales of salaries that had been adopted in those five provinces which are going to work the constitution and if those facts and figures had been placed before the House and if the occupants of the Treasury benches or those speaking in their support, giving us the rates of salaries of ministers in those provinces, had said that they would draw salaries less than those drawn by ministers in those provinces, I would certainly have congratulated them and would have appreciated the spirit of sacrifice behind the announcement. We find that in this province, which is comparatively a poor province, the proposal is that the Chief Minister,

[**Malik Barkat Ali.**]

whoever he may be is going to have Rs. 42,000. I am not considering personalities nor am I referring to the personality of the present Chief Minister. I am speaking purely on principle when I am speaking on this amendment. As a matter of fact the present Chief Minister is in a position to accept nothing for this office in the spirit of sacrifice. (*Hear, hear*). He does not want Rs. 42,000. He has enough of money with him. I hope other members of the ministry have enough money too in their pockets so as not to care for salary. They would be setting up an example which posterity will remember, if they were to announce that whatever be the vote of this House—they would serve this province free. I leave this aspect of the matter aside. My point is that in five provinces as also in this province people are going to work this constitution on certain lines announced to the world. We know that recently the Premier of the United Provinces, the Nawab of Chhattari—a big man who does not care for money and who is in the same position as the Chief Minister of this province, is willing to accept Rs. 2,500 or Rs. 3,000, for himself and Rs. 2,500 for his colleagues of the ministry. We have offered a chance to our present ministers. We would in the first instance ask them to work at Rs. 500. If they are not prepared to work on Rs. 500, then I would take the proposal of a member of the opposition who suggested Rs. 1,000 a month.

Chaudhri Krishna Gopal Dutt : In Bihar and Orissa it is Rs. 1,000.

Malik Barkat Ali : While some members have suggested a salary of Rs. 500 and others have suggested Rs. 1,000, people like myself have gone higher with an offer of Rs. 2,500 for the Chief Minister and Rs. 2,000 for his colleagues. Do I understand that Rs. 2,000 a month, so far as the members of this Ministry are concerned, is too small—a sum for them to keep the prestige that they want to carry with them and to keep? Do I understand that Rs. 2,500 a month is too low an amount for this province to maintain the dignity of the Chief Minister? I submit, in this province, where autonomy is going to be tried with a great fanfare and with a great deal of praise and thankfulness to those who have inflicted this Government of India Act on this country, if the ministers are true to their professions and if they are anxious that they should serve this province in any spirit of sacrifice, I would then beg them not to fix a standard of salary which would be higher than the standard of salary adopted in those provinces which are going to work this constitution on very much the same lines as it will be worked in this province. I am fully conscious of the fact that in this House there is a very solid and very reliable majority (*hear, hear*), behind the proposals of the Ministry and if we are at the present moment making these speeches we know for certain that our speeches can not produce any effect to-day. It is really for the members of the Ministry to set an example and to accept a standard of salary which will certainly be reduced to their reputation and will not give the impression that in this poor province of the Punjab a standard of salary is being fixed by the treasury benches with the help of the majority behind them which is much higher than the standard of salary adopted in other provinces.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : Judging from the two speeches made on this Bill, one by my honourable friend, Maulvi Mazhar Ali, and the other by Malik Barkat Ali,

it appears that to-day's debate is merely a test debate. Maulvi Mazhar Ali has said that he gave notice of certain amendments not with any genuine desire to move the amendments but merely to test as to what honourable members were going to do. Similarly my honourable friend Malik Barkat Ali said that the sending in of amendments fixing the Ministers' salary at two thousand was merely in the form of a test. Well, I was under the impression that responsible legislators when they send a motion before the House do it after a great deal of consideration and when they genuinely feel that the amendment ought to be made. Where democratic institutions have certain advantages they have got certain disadvantages too. I notice that the Opposition party, i.e., the Congress party find their hands absolutely tied. Neither Malik Barkat Ali nor Maulvi Mazhar Ali nor anybody else for the matter of that, could convince the party that the salary should be fixed at an amount not higher than Rs. 500. If the opposition were an autonomous body and if they were free men to listen to the arguments advanced in favour of the Bill and thus come to a reasonable decision, those who supported this Bill would have spoken with some encouragement, but their orders entirely come from the headquarters and they are merely to carry them out and that is why they say that the salary of a Minister should be fixed at Rs. 500, throughout India. (*Honourable members*: What is your figure?) My figure is what is contained in the Bill. I will presently prove that that is the only sensible figure.

It was a strange coincidence that while the Convention at Delhi were discussing the criterion of fixing the salary for Ministers, a Bill was before the House of Commons fixing the salary of Ministers there. If we are to brush aside all the sentimental arguments used in the course of the debate I think the real important point comes to what should be the criterion of fixing the salary of Ministers. Only one practical suggestion has been made by my honourable friend from the Congress party. I think he represents the Sialkot urban constituency. He said that *per capita* income should be the criterion for fixing the salary of Ministers and when somebody made a mention of the salary of Ministers in England he at once said there was such a difference between the *per capita* income in England and the *per capita* income here. But I would just invite his attention to an editorial note of the *Hindustan Times* dated the 27th March, 1937, the date when the Convention met at Delhi to discuss this point. The object of introducing the Bill to raise the salary of Ministers in England was not that their *per capita* income had increased but it was merely to remove certain serious disadvantages under which the Labour Government had been working. The low salaries of Ministers in England were due to old ideas when only wealthy people who had no concern whatever for salary, high or low they got, took up ministerships, but when the Labour party came into power they found that they were faced with factors which were a source of great inconvenience to them. It is an admitted fact that their Prime Minister had to accept the gift from a friend of a motor car to take him quickly to do his duty. In another case the offer of Colonial Governorship was refused by one of the most competent labour men because he honestly believed that he could not make both ends meet with the salary fixed for the job. Therefore, it is not the *per capita* income which is the criterion for fixing the salary of Ministers.

Chaudhri Krishna Gopal Dutt : We do not propose to give them Rs. 10, they cannot make both ends meet with Rs. 10. After all there must be some criterion.

Raja Ghazanfar Ali Khan : I would readily answer that point. What I was discussing was whether *per capita* income is the only standard for fixing the salary. This is the reason why they thought it necessary to bring forward a Bill to raise the salaries of Ministers in England. I would just quote a few lines from the *Hindustan Times* wherein it was stated :—

A sensitiveness to possible criticism of trying to benefit themselves at the cost of the tax-payer stood in the way of this necessary reform for long and Mr. Baldwin deserves to be congratulated on having the courage to bring it up.

It evidently shows that though it was considered necessary that the salaries of Ministers should be increased they were afraid of the press and the platform. It requires always courage to bring forward what one feels his duty to bring.

Coming back to the subject of what criterion should be taken for fixing the salary I would draw the attention of my honourable friends on the opposite benches to another editorial note published by the *Tribune*, dated the 24th March, 1937. As we are all aware, the *Tribune* is a nationalist-paper and the views of the *Tribune* except for occasional lapses, are always considered to be reasonable, moderate and sound. The *Tribune* naturally has not the courage entirely to disagree with the proposals adopted by the Congress of fixing the salary at Rs. 500. It says that this fixing of Rs. 500, as Minister's salary should be considered merely as a temporary thing; it is only one of the many other things by which the Congress is trying to make a demonstration. It is not a question of seriously laying down what should or should not be the salary of a Minister. The *Tribune* says that this should be considered merely as a passing phase: the real criterion of fixing the salary should be four according to the *Tribune*. It says—

The whole question will have to be gone into scientifically and the salaries of Ministers will have to be fixed with due regard (1) to their responsibilities, (2) to the salaries drawn by the members of the various services under their control, (3) to the average income of successful members of learned professions who are drawn from the same classes as they and have the same intellectual and moral calibre, and last but not least, (4) to the cost of the process of education, both academic and other, through which the Ministers have had to pass in order to equip themselves for the responsibilities of their office.

These are the criteria laid down by the *Tribune*. Now the question is whether it is only the *Tribune* which lays down these criteria and, whether these criteria are of a recent growth or whether they have the support of the Congress too. I will presently show that these criteria were fully endorsed at one time by the Congress itself. I cannot advance a more convincing argument than to quote the opinion of one whose sacrifices in the cause of the country, whose outstanding ability and whose towering personality have not been so far exceeded by any Indian in this country—I mean the late Pandit Moti Lal, Nehru. I just happened to come across the proceedings of the Legislative Assembly for 1925 when the Salary Bill fixing the salary of the first non-official President of the Assembly was brought forward. Pandit Moti Lal Nehru was the Leader of the Swaraj Party in the Assembly

then. Naturally, as we find to-day, notice of about half a dozen amendments was given. One amendment tried to reduce the salary from Rs. 4,000 to Rs. 3,000, another intended to reduce it to Rs. 2,000 and so on. But no one suggested the Rs. 500 salary. (*An honourable member*: I may inform the honourable member that Rs. 500 was decided upon in Karachi in 1931). This would be a very convincing argument for those who are blind followers of the Congress. (*An honourable member*: Or of the Unionist Party). I am referring to the year 1925, when the President's Salary Bill was brought forward before the Assembly. Since that time the salary of the President has been fixed at Rs. 4,000, and in spite of the fact that the Congress in the Assembly at the present day are in great strength and the item regarding the salary of the President is a votable item they have never even moved a cut with regard to the President's salary. Karachi has passed, the Convention has passed, but the salary of the President (Rs. 4,000), is still there. I, personally think the Congress was perfectly justified in fixing the salary of the President at Rs. 4,000. In the Congress Convention not a word was uttered against the salary of the President. Why?

Dr. Gopi Chand Bhargava: I may inform the honourable members that at Karachi the maximum pay even for the Viceroy was fixed at not more than Rs. 500.

Raja Ghazanfar Ali Khan: Was it given effect to?

Dr. Gopi Chand Bhargava: Let us have the power of voting his salary and we will do it.

Diwan Chaman Lall: Does the honourable member know that no resolution regarding the Governor-General's salary can be moved in the Assembly?

Raja Ghazanfar Ali Khan: I did not catch the honourable member.

Diwan Chaman Lall: My learned friend was asking whether any resolution had been passed or moved in the Assembly by the Congress regarding the salary paid to the Governor-General. I wanted to draw attention to the fact that no such resolution can be moved.

Raja Ghazanfar Ali Khan: I was only talking about the Speaker's salary.

Dr. Gopi Chand Bhargava: If he is referring to the salary of the President, I may point out that when the Congress did put a Congress President into the Assembly, the major portion of his salary was paid to Mahatama Gandhi.

Raja Ghazanfar Ali Khan: I do hope that the Honourable Ministers here in the Punjab will also make very liberal contributions, not necessarily to Mahatama Gandhi but to some other mahatama (*Ministerial cheers*). I may assure my honourable friends on the opposite benches that I have no intention of merely debating a point that I am in the right. I would ask you to seriously and sincerely consider whether that opinion expressed by the late Pandit Moti Lal Nehru can be easily brushed aside. I would inform my friends Diwan Chaman Lall and Mr. Ahmad Bakhsh that the great leader of labour in India, Mr. Joshi also supported the salary bill and opposed the cuts which wanted to reduce the Speaker's salary from Rs. 4,000 to Rs. 3,000. (*An honourable member*: Mr. Joshi is a labour bourgeois.). The Congress says that we should fix the salaries at Rs. 500. The idea of

[Raja Gbazanfar Ali Khan.]

fixing of Rs. 500 is just to create another political stunt in the country. I must pay the greatest compliments to the Congress brains. They have got some of the best brains in India in their ranks. They knew exactly what the Governors were going to do with regard to the matter of interference and they could see ahead and they knew it was all a farce. It was a device which was meant merely to bring the two schools of thought together, I mean the pro-acceptance school and the anti-acceptance school. They did not care in the least for the assurance. It was merely a political stunt and any decision taken in that spirit should not be taken as a serious decision, which should guide the honourable members in such an august House as this Legislature. I shall quote just four lines, with your permission, from the opinion of the late Pandit Moti Lal Nehru. He said: "I differ from the proposition that it should be a tempting salary." Here, Sir, I would whole-heartedly endorse the remarks made by the Honourable Leader of the House when he said that we are not here for getting high salaries, we are here to serve our people. Therefore, whatever salary may be passed by the House, the Ministers would readily accept and work on those salaries. Pandit Moti Lal Nehru said:—

The temptation for the President should lie in the service he is called upon to render and not in the salary which he is likely to get. But I recognise that the President, like all other human beings, has got to live. He has got to maintain a position; if you like to call it dignity you may.

Even if the Pandit had left these words there, the interpreters of the modern times would have interpreted them in the same light too, but he went further—

But I think that, if the salary is put at anything between Rs. 2,000 and Rs. 3,000, it ought to be quite enough for all the purposes which we have in contemplation.

(An honourable member: Are you prepared to accept Rs. 2,000)? No, I am not. (An honourable member: The honourable member is quoting past history. Much water has flown under the bridge since then). I would expect my honourable friends to have a little patience. The post of the President was only for the session. Out of session he could go to Bombay and he did use to go to Bombay. My honourable friend Diwan Chaman Lal cannot deny that. I will now face him with another debate which took place seven days later when the question was moved that the President should be debarred from taking part in any other business involving remuneration. It was the late Pandit Moti Lal Nehru who said that the President, though he may not preside over the joint stock companies should be allowed to preside over such institutions as banking committees when the Assembly was not in session and be allowed to draw remuneration for the same. The President had the double advantage of not being a whole-time Government servant and not being compelled to remain at Government headquarters when the Assembly was not in session. It was even in those circumstances that Pandit Moti Lal Nehru said that anything between Rs. 2,000 and Rs. 3,000 was good enough as a salary for the President of the Assembly. I would ask the honourable member from Sialkot to tell me honestly whether the *per capita* income of India has decreased since 1925. Those were the days when the provincial governments were demanding the remission of

provincial contributions. (*Interruption*). It will give me great pleasure to reply to my honourable friend Diwan Chaman Lall, if I had time to do so.

Mr. Speaker : If an honourable member makes a statement which is considered to be incorrect by another honourable member, the latter may correct the former immediately.

Raja Ghazanfar Ali Khan : If my honourable friend wants to divert me into questions of finance and ratios, I must admit that I do not know much about them. I must, therefore, confine myself to the simple question which is now before the House. In order to satisfy Diwan Chaman Lall I should like to quote a few lines from a speech of Mr. Joshi, because I know that Mr. Joshi's opinion always carries weight with the labour representatives. (*An honourable member : No, Sir*). He says—

I differ from the proposition that it should be a tempting salary.

He further says—

I am the last person to say that while we are engaged on a public duty we should not make a sacrifice. But I hold that any sacrifice which a man may be called upon to make should be a perfectly voluntary sacrifice and not a compulsory sacrifice. If any President whom we may choose finds that the salary of Rs. 4,000 is too much for him, I shall give him a helping hand in reducing the burden of the salary.

I am sure my friends here in the Unionist Party will also be prepared to do the same. I would, therefore, appeal to the honourable members and particularly those who believe that this constitution should be worked for what it is worth. There is none of us who believes that this constitution gives us all that we wanted. There is none of us who believes that the financial condition of the masses is not such as to require remedies. There is none of us who believes that we should try our level best to reduce the burden of taxation particularly on the rural classes. We do believe that the salaries are very high. We want to reduce them. But that does not mean that the salaries of Ministers should be fixed at a figure which will not attract the best brains. You cannot always find people to fill the post of Ministers always endowed with a self-sacrificing spirit.

I am very grateful to honourable members for giving such a patient hearing to what I have said. I am sorry to note that the hands and feet of my honourable friends opposite are tied by the Congress mandate. Otherwise I am sure they would have supported our view. However, I would request them to take a more practical view of the whole question and support the Bill as it is.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : My learned friend, Raja Ghazanfar Ali Khan has done a great service to the opposition in raising matters which are of great moment. I think it is necessary for the opposition to give a considered reply to his very able speech. But, before I deal with my learned friend's speech, let me say this that in this debate it is absolutely essential that no personal factor should enter into any remarks that may be made by any member. (*Hear, hear*). Let me also say this that no matter who occupies the Treasury benches, each one of us on the Opposition benches is convinced that every member of the Treasury bench must be treated with the respect that he deserves, that respect with which the Treasury benches should treat the Opposition benches. Therefore, eliminating all personal factors, let us look at the main proposition. The Leader

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of the House stated, and it is a very important remark which must be emphasised, that as far as he was concerned he would leave it to the discretion and decision of the House whether the salary shall be fixed at Rs. 500 or more. I take it that that was the statement of the Leader of the House. My friend Raja Ghazanfar Ali Khan twitted us by saying that we were not free to vote as we pleased. That statement of his needs a reply and that reply is this: Are the Leader of the House and my friend, Raja Ghazanfar Ali, prepared to leave this matter to the free vote of the House? (*Hear, hear*). It is no good saying 'yes' when a whip has been issued. When a question was put to Raja Ghazanfar Ali, bound by the mandate of the Unionist Party, as to what salary he would suggest, he said, 'my opinion is what is contained in the Bill.' He is not himself free to vote as he likes. He is bound by the mandate of the Unionist Party.

Raja Ghazanfar Ali Khan: I hope my honourable friend will give me permission to point out one thing to him. There is a difference between the two parties. The Unionist Party has got power to convene a meeting in two minutes and revise its decision, whereas the honourable members of the Congress Party have to wire to Allahabad for revising its attitude.

Diwan Chaman Lall: The Unionist Party sprang up only yesterday and it is confined to this particular chamber. But the Congress is a nationwide party. It is not a party confined to this chamber only. (*Cheers*). My learned friend referred to the debates in the Legislative Assembly and to what Pandit Moti Lal Nehru said in fact in the year 1925. But what a great difference between 1925 and 1937! There is no similarity between these two situations. You might just as well have asked: What Pandit Moti Lal Nehru's opinions were in 1914. During this period many empires have fallen. During this period there have been two waves of civil disobedience in this country. The conditions have changed enormously. Further, it is true that the late Pandit Moti Lal Nehru stated that he was prepared to accept a salary between Rs. 2,000 and Rs. 3,000 which he considered to be adequate for the President of the Legislative Assembly. Yet, as I pointed out to my learned friend, the late Mr. V. J. Patel, when he became President of the Assembly took only Rs. 500 a month for his expenses and the rest of the salary was utilised for national purposes (*Cheers*). He put into actual practice what we want the Ministers to do by means of our amendment (*Cheers*). That is the reply to my learned friend, Raja Ghazanfar Ali Khan.

There is one other little matter my learned friend raised a little while ago. That matter relates to the question, whether the *per capita* income of the people of India has actually decreased or increased.

It is very pertinent to raise the question of *per capita* income. I am indebted to my honourable friend Chaudhri Krishna Gopal Dutt for having raised this matter. Why was it raised? Because the disparity between the poverty stricken people on the one side and those who are in the highest grade is greater in India than in any other country in the world.

The Honourable Major Sir Sikander Hyat-Khan: Question. Between the poorest and the richest?

Diwan Chaman Lall : Let me give him a few facts. The disparity between the two in Denmark is 1—12 ; in Sweden 1—22 ; In Japan 1—22 ; in India 1—500.

The Honourable Major Sir Sikander Hyat-Khan : The honourable member has not understood me. I said the disparity between the richest and the poorest. You will not find many people in this country dying of cold or for want of shelter as in the streets of London or Paris.

Diwan Chaman Lall : I wish my honourable friend the Leader of the House had not made that remark. My honourable friend does not look at even newspapers which periodically report about people actually dying of starvation every day. He seems to be completely divorced from realities and the economic and financial situation of the country. I have shown the disparity between the salaries, the lower and the higher salaries. The reason why this amendment has been moved is in order to draw vividly the attention of the people of this province to the disparity of the salaries that exist between the highest and the lowest in this country. My honourable friend Chaudhri Krishna Gopal Dutt referred to the question of *per capita* income. I am afraid that although there are many economists on the Treasury benches, and one a famous economist, nevertheless, the rank and file of the party opposite apparently are not aware of the actual situation as it prevails in the Punjab. There has been a decrease in the income of the people of this province. From the year 1928-29 to 1931-32 there has been a drop in the prices of the staple commodities of this province of 51 per cent. and the average peasant who lives upon the prices he can get of the staple commodities, therefore, has had a decrease in income by 51 per cent. Professor Brij Narain who is an acknowledged authority on these matters has stated publicly that a census taken of ten districts in the Punjab has shown that between those periods the average *per capita* income has gone down from Rs. 34, odd annas and odd pies to Rs. 7, odd annas and odd pies. Is that a fact worth considering or not ? Is it a fact on which my learned friend ought to place some reliance or not ?

The Honourable Major Sir Sikander Hyat-Khan : That is merely an opinion. But there are facts in possession of Government and I believe the honourable member is right when he says that it has gone down by nearly 40 to 50 per cent.

Diwan Chaman Lall : If that is so, I take it that my honourable friend, the Leader of the House, entirely agrees with the contention of my friends. Let me give him the actual facts from Government sources. In 1918 taking the price of staple commodities to be 100, in 1928 it was 145 ; in 1933 it came down to 88. This is exactly a 51·2 per cent. drop in the price of staple commodities in the Punjab. If that is a fact and it is not challenged, it is accepted by the Leader of the House I take it, it is a matter which Treasury benches should regard with great care and due circumspection. I do think that the position being what it is the question should be viewed not from the narrow point of view of what is necessary for a particular member of the Treasury benches to uphold his dignity and prestige but it should be looked at with the picture of the poverty stricken masses of the Punjab on the one side and the amount that it is possible to give to the Ministers on the other. What is the position of the peasant ?

The Honourable Major Sir Sikander Hyat-Khan : Poverty stricken representative of Labour.

Diwan Chaman Lall : I started by saying that I would not refer to personalities. I am quite ready to retrofit. I intended to leave out all personalities. But if my honourable friend is anxious that I should take up personal matters—

The Honourable Major Sir Sikander Hyat-Khan : Not a personal matter.

Diwan Chaman Lall : Then I will ignore his interruption. I take it that the position is that in the Punjab to-day the great mass of the people are poverty stricken. I take it that these salaries which are going to be paid to the members of the Treasury benches are to be drawn mainly from the pockets of the poverty stricken peasantry of the Punjab (*Hear, hear*). Out of a budget of nearly 10 crores—my honourable friend will challenge me if I am wrong—nearly 9 crores come directly out of the pockets of the peasantry. If this is correct, then let us have a look at the condition of the peasantry out of whose pockets my learned friends over there wish to give themselves salaries at the rate of Rs. 42,000 and Rs. 36,000 a year. Is it true that the condition of the peasantry which is going to be the paymaster of my learned friends over there does not warrant that such high salaries should be paid to them? Does it warrant that a single pie should be drawn out of the poverty stricken peasantry of this province? There are two points, therefore, one in regard to the actual condition of the peasantry which I shall deal with in a minute and the other is this: it has been said by one of the speakers on the Government benches that there has been really an economy in regard to the Salary Bill that has been presented before this House; what was paid before is not paid now but something less is being paid now. There are two ways of looking at it. One is certainly that the honourable Leader of the House has undoubtedly done the right thing in drawing less than what he was drawing before. There is no doubt about that. It is a fact. But looking at the total bill, the amount to be paid by the peasantry to the Treasury benches, is that Bill less to-day or more than before the reforms were introduced?

The Honourable Major Sir Sikander Hyat-Khan : Less.

Diwan Chaman Lall : Let us see. Before this there were 5 Ministers, members and Ministers, who were drawing Rs. 5,000, I take it, a month each. That is a sum of 3 lakhs a year. They had their secretaries whom I am leaving out of account for the moment. To-day the Ministers will be drawing at the rates which they are demanding under the Bill, a sum of Rs. 3,18,000. (*Interruption*). This includes the salaries of their secretaries that are going to be appointed which I take will be Rs. 1,000 a month. (*Interruption*). Let us not hide facts. If this is the amount they are going to draw it comes to more than 3 lakhs. Then we have got to consider not only whether there is individual economy but whether the actual total expenditure is not going to be more. If we add the salaries of the Secretaries it will increase by a sum of Rs. 72,000 and the total will come to about Rs. 3,18,000. This is the actual reduction!

The Honourable Major Sir Sikander Hyat-Khan : How?

Diwan Chaman Lall : I will work out the figure for my learned friend. If it is his wish that I should give it in black and white I shall do so. Rupees 42,000 is one figure. Add to it Rs. 36,000 multiplied by 5 that is, Rs. 1,80,000. The total comes to Rs. 2,22,000. Add Rs. 24,000 for rentals. Add Rs. 72,000 for their Secretaries. (*An honourable member :* How do you assume that ?) We assume that. We will be presented with another Bill.

The Honourable Major Sir Sikander Hyat-Khan : The Secretaries were there before.

Diwan Chaman Lall : Those Secretaries still remain there in the Secretariat. Some of the members are still in the Secretariat drawing those enormous salaries. I am not reckoning them at all. The total Bill comes, with the allowances which the honourable members opposite are demanding, to Rs. 2,46,000 including the rentals that they are demanding in lieu of furnished houses, plus Rs. 72,000 for their Secretaries.

The Honourable Major Sir Sikander Hyat-Khan : If the honourable member is assuming the salaries of the Secretaries he may also assume that we have also to pay to the honourable members who come here and, therefore, the Bill will go up much higher.

Diwan Chaman Lall : Members are not going to be paid more than what they were paid before.

The Honourable Major Sir Sikander Hyat-Khan : Their number has increased.

Diwan Chaman Lall : Certainly. You claim that it was economy to bring in salaries of this nature and I am proving that far from there resulting an economy, Rs. 2,46,000 is what the Ministers will get and Rs. 72,000 is what their Secretaries will get. Where is the economy ? Either I am a very poor mathematician or my learned friends have forgotten their arithmetic. This enormous sum is going out of the pockets of the peasantry of this province. One member was saying, we have produced an economy budget. He must have strange notions of what economy means.

I do submit, Sir, that these facts and figures go to prove only one thing, that is, as far as the people of this province are concerned, they are not, in this matter, the real arbiters of what is going to happen. Well, your proposition was never put before the electorate. You never told the electorate that those were the high salaries that you are going to demand. As a matter of fact, the only party which put this matter before the electorate was the Congress Party. What Dr. Gopi Chand Bhargava desired and wanted was this. Although his own party has put this matter before the electorate, the other party also should have gone to the electorate and placed the matter before it. (*Cheers.*)

Raja Ghazanfar Ali Khan : Do I understand that the Congress Party put this matter before the electorates before their elections ? Did they decide that they were going to accept offices before their elections ? (*Honourable members :* Yes, yes.)

Diwan Chaman Lall : My learned friend must realise that I have not opened a school to teach him politics. But he should be aware of the fact that long ago the Congress passed a resolution that offices will be held by

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Congress nominees on a salary of not more than five hundred rupees a month and specifically placed this matter before the electorate.

Now the second item upon which the gaze of the members should be fixed is the actual position of the peasantry, and this is a very serious matter. It is now granted that every burden is going to fall on the backs of the peasantry. Let us see whether the peasantry is in a position to pay these salaries or not. The budget shows that nine out of ten crores directly come out of the pocket of the peasantry. I believe Sir John Maynard was once a very important official of the Government and, I believe, of this House. (*An honourable member* : He was the Finance Member.) Yes, he was the Finance Member. Well, in his place we have got an elected member as the Finance Member. Let us see what he has to say about the condition of the peasantry. Sir John Maynard said that 60 per cent. of the population of the Punjab is suffering from malnutrition and another 30 per cent. from actual poverty, which means starvation. This is the opinion of no less an authority with an extensive experience as a civilian than Sir John Maynard, meaning that 90 per cent. of the population of this province is living upon the starvation line. Sir Thomas Holderness said that 5 acres of good irrigated land will keep a family just out of starvation. I do not know that my honourable friends opposite know this but they will become aware of it in a few days, when they look into their files—I do not know whether they are aware yet—that practically 72 per cent. of the population of this province comes within that category. That means that even according to British authorities—unimpeachable authorities—the condition of the peasantry is almost beyond redemption. But my learned friends over there want to put an extra burden upon the breaking backs of the poor of this province. Does my learned friend opposite know that apart from this fact that 72 per cent. of the holdings of this province are uneconomic and, therefore, unable to provide sufficiently for the people of this province from whom this taxation, this money is to be levied? Is he aware that whereas Europe, for the sake of feeding the population, over and above the acreage for food, imports large quantities of food and yet the average acreage for food purposes per head is $2\frac{1}{2}$ acres in Europe and that in this great agricultural province of the Punjab with marvellous irrigation works, the total acreage per head is $\frac{2}{3}$ th of an acre for food purposes? The result, as a great economist has said, is malnutrition in every village in the Punjab. My honourable friend who has just sat down mentioned the fact that there has been an increase in the income of the peasantry. Far from there being an increase in the income of the peasantry, as my learned friend Raja Ghazanfar Ali Khan suggested—

Raja Ghazanfar Ali Khan : I never suggested that there has been an increase in the income of the peasantry. What I probably said was that there has been no particular change in *per capita* income during the last 5 years.

Diwan Chaman Lall : You say no change. Well, there has been a terrible change for the worse. Take the question of indebtedness. My friend has got eminent authorities here in the Punjab—Government servants—who can go into this matter and publish their report. It will show that the indebtedness of the peasantry of the Punjab has increased. Between 1921 and 1930, that is 9 years it increased from 90 crores to 140 crores.

Does that show that there has been an increase in the income of the population of the province? It shows a gradual emasculation of this element in the nationhood of India, namely, the Punjab peasantry.

The Honourable Major Sir Sikander Hyat-Khan : The honourable member would, I think, make it clear in terms of production.

Diwan Chaman Lall : Whether it is in terms of production or cash, the position has deteriorated.

The Honourable Major Sir Sikander Hyat-Khan : Certainly, remedy it.

Diwan Chaman Lall : That is just what I am driving at. The deterioration of the peasant has been of a most desperate nature and, therefore, requires desperate remedies. You want to place burdens, which are extraordinary burdens, upon the breaking backs of the peasantry. Let us look at it from another point of view. I have not the slightest doubt in my mind that the Punjab to-day is being governed by about a hundred families, some of which are represented on the Treasury benches with the assistance of half a dozen banks. They are wanting to draw high salaries. Do they know what it represents? The total amount of their salaries is equal to the earnings of 50 thousand peasants. Do they know that 50 thousand peasant families will have to starve on account of these high salaries?

The Honourable Major Sir Sikander Hyat-Khan : Question.

Diwan Chaman Lall : My friend opposite says 'question.' But what do the facts prove?

The Honourable Major Sir Sikander Hyat-Khan : Expenditure *per capita* according to the figures of my honourable friend opposite would come to one-seventh of a pie per head.

Diwan Chaman Lall : I know all about *per capita* incomes and expenditure. There was the original estimate of Lord Curzon about our *per capita* income which my learned friend over there ought to know about. William Digby estimated the income *per capita* at one anna a day. There was an estimate by Findlay Shirras regarding the *per capita* income.

The Honourable Major Sir Sikander Hyat-Khan : I was not talking of *per capita* income at all but of expenditure *per capita*.

Diwan Chaman Lall : When the *per capita* income is one anna I would like to know what the expenditure would be?

The Honourable Major Sir Sikander Hyat-Khan : It is more.

Diwan Chaman Lall : It is more. I can say it is certainly more than one anna. The progressive indebtedness of the peasantry of the Punjab proves that it is so. I was looking at the expenditure when I was referring to the gradual increase of indebtedness from 90 crores to 140 crores. Now I state that my learned friends over there will be guilty of starving 50 thousand peasant families in the Punjab by drawing the salaries they intend to draw.

The Honourable Major Sir Sikander Hyat-Khan : Question.

Diwan Chaman Lall : I will prove that fact because the honourable the Leader of the House questions it. Everything he says must certainly, in my opinion, be regarded with due respect and care, but that does

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not mean that he is correct. In 10 districts of the Punjab recently the net income fell from, from 1928-29-31, Rs. 32-8-3 to Rs. 7-13-4, that being the net income. If we divide the figures that I have given, of the total salary and allowances to be drawn by the Treasury benches among 50 thousand individuals it will represent Rs. 7 per head net income. Fifty thousand families will starve to pay these salaries.

The Honourable Major Sir Sikander Hyat-Khan : What a fallacious argument.

Diwan Chaman Lall : It is not a *fallacy* for the poor peasant to be robbed of his food. It is a stark naked *reality*.

The Honourable Major Sir Sikander Hyat-Khan : If he was paying Rs. 5, he will pay Rs. 4-8-0 or Rs. 4-12-0.

Diwan Chaman Lall : True. You are distributing it over the whole and entire population. I was attempting to show you in a picturesque manner what the result of your action is going to be in order to soften your hardened hearts, in order to pierce your hearts. Fifty thousand human beings will starve as a result of this very Bill. My honourable friend over there says that they will consider this matter with care. There is one honourable member on those Benches, who has announced, as I understand from the papers, but I do not know how far it is true, that he will not touch this salary. Amongst the gentlemen who desire to draw that salary, there is certainly one on those benches, who does not need this salary. I take it that other members will fall in with the view that we have expressed and work in the service of Punjab nation and work for not more than Rs. 500 a month, which we are offering them. If they intend to serve, let them serve without looking to the job, but rather to the service of the country. I want by this amendment to change the mentality of the Treasury benches. I want to ask them to accept this salary, not looking at it as a job, but in service of the country; and not for payment as is known in commercial circles, but because you are called upon to serve the people and the province to the best of your ability without looking towards the commercial gain. There is no other principle and the question, therefore, becomes one of two aspects. The idea to serve for the sake of service and the idea to acquire a position—no matter what happens—and of finding a job. It is not going to be an easy job. It is going to be a very arduous job. Let us look at it from another point of view. Any honest member of the opposition who takes his duty seriously, an equally arduous duty, will be engaged in the business of law making day after day in this Chamber in the same manner as the honourable members opposite. With an experience of 8 years in the Central Legislature, my honourable friend Raja Ghazanfar Ali will bear me out, we took our duty seriously in the service of our motherland. Inside the Chamber we devoted our time to work and devoted our full time—16 hours a day sometimes—in the service of our motherland, and if we, on this side of the House are entitled to Rs. 15 as maximum daily allowance, on what other grounds are the honourable members opposite demanding anything more? Why should they demand anything more? (*Cheers.*) Now, they are at present demanding extras as monthly rental to the maximum extent of Rs. 500 per mensem.

(*Laughter.*) This is not a laughing matter. This is a serious matter, a very serious matter. It is contended that on the opposite benches there are professional men, men who have other jobs to do, but who are quite willing to give up their jobs for the service of their motherland. They can be content with a maximum allowance of Rs. 15. Why should not the honourable members opposite be content with a similar allowance. I cannot see where the argument for keeping up their prestige and dignity comes in. The Honourable premier of this province is going to be paid Rs. 42,000 a year, and I believe he is going to be paid another Rs. 6,000 a year for rent. That is what the Bill provides. And I take it that the majority party of this House will accept it. I may tell him that I believe, the President of the greatest democratic country in the world and the richest democratic country in the world, I mean the United States of America used to receive Rs. 45,000 per annum as his allowance.

The Honourable Major Sir Sikander Hyat-Khan : Are you quite sure? He lives in White House. He is provided free service, free conveyance and many other amenities and facilities. This should not be left out.

Chaudhri Krishna Gopal Dutt : The White House is a small house; smaller than the house in which you are living. I have seen that myself and I have seen yours also.

Diwan Chaman Lall : After this very interesting dialogue between the Leader of the House and my learned friend, I may be permitted to continue my argument. It is perfectly true, he is given a free house known as the White House, but in reckoning the sum of Rs. 48,000 I am also reckoning rupees six thousand to be paid in lieu of a free furnished house, and as far as my knowledge goes there is not a single house in Lahore worth that much.

The Honourable Major Sir Sikander Hyat-Khan : Or in Simla?

Diwan Chaman Lall : I include a free furnished house. But look at the other side of the picture.

The Honourable Major Sir Sikander Hyat-Khan : Not including.

Diwan Chaman Lall : Perfectly so. No cooks, no khansama, no bearer (*laughter*). But look to the colossal difference. A population of 23 million people, poverty stricken, producing the corn which they cannot themselves eat, producing cloth which they are not allowed to wear, building magnificent buildings but themselves living in mud-huts, twenty-three million people in the Punjab, on the other side is the richest and the greatest democracy of 130 million people, the financial centre of the world today (London used to be). One cent drop in the price of wheat in New York affects the peasantry here. So powerful is that democracy financially that one little drop in the futures of cotton in New York affects the life of every peasant in the Punjab. So powerful is their commercial and financial system, so great are these people economically and financially! and my learned friend wishes to compare himself with President Roosevelt (*laughter*), compare his own position with the position of the leader of the

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greatest democracy in the world and he wishes to compare the position of the poverty stricken people of the Punjab with the American nation resilient now after all their troubles of a few years ago! But why go so far away as to consider the position of President Roosevelt? What is the salary of the Prime Minister of Japan? It comes to Rs. 7,488 per annum. My learned friend here has helped me in working out figures from yen to rupees. Does my learned friend wish to compare his own position with that of Prime Minister of Japan?

The Honourable Major Sir Sikander Hyat-Khan : No. (*Laughter.*)

Diwan Chaman Lall : I wish he did. If he did compare his position with the Prime Minister of Japan what would be the result? The result would be that he would accept Rs. 7,488, as the salary instead of what he demands. Let me go round the question once more. Let me look at another country. My learned friend will admit there is one great advantage that we have in the present Premier that he is always upto date, that he always reads up to date literature particularly economic literature. Therefore I draw his attention to what is happening in other countries. Take Russia. Stalin, the leader of the Russian nation, the virtual dictator of Russia with a population of over 160 million people. What is the salary that Stalin is drawing? Only about five hundred rupees a month (*Cheers*). That is the salary that Stalin and other Russian Ministers are drawing today.

The Honourable Major Sir Sikander Hyat-Khan : But the honourable member must remember that in Russia every poor labourer and everybody like the honourable member himself go and take a coupon for getting their food supply.

Diwan Chaman Lall : I am very sorry that I was premature in the compliment that I paid to my learned friend the Leader of the House (*Cheers*). It appears that he has lost the habit of keeping in touch with international affairs, because if he had not lost that habit, he would know that the position of the Russian nation is today that of the second greatest industrial nation in the world, America being the first. And he must know how this happened. How has Russia from being an illiterate nation, a fifth rate nation, we are probably the ninth rate nation, become one of the greatest nations of the world today? It is only because of the sacrifices of its leaders (*Cheers*). They refused to continue the traditions of the Czars and take salaries paid to the Ministers under the Czars. This is exactly what I am advising my learned friends on the Treasury benches to do, to be humble. They must not get swollen-headed or puffed up with the pride with the idea that they have a majority of 118 at their back. They must consider that there is a watching electorate outside ("*hear, hear*" from *Opposition benches*) and that electorate is going to judge them not by what they say but by what they do. What they are doing today is not in the interests of the electorate. They must consider that the time for reckoning is bound to come and they will know that it will come in more ways than my learned friends are aware of and they must provide for that and in every act of theirs and particularly this act of theirs they must not forget that naked starving figure of the Punjab peasant (*Loud cheers*).

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*): We had been feeling that the Punjab was suffering from serious ailments and that we should try and secure the aid of efficient and expert doctors to cure our patient.

Chaudhri Krishna Gopal Dutt: On a point of order. May I know if the honourable member who is speaking over there has no knowledge of English or whether the rule applies only to those who sit on these benches and not to those sitting on other benches?

Khan Bahadur Mian Mushtaq Ahmad Gurmani: No one knows better than myself as to whether I am sufficiently acquainted with the English language or not. My honourable friend would have been justified in raising this objection if he had had in his possession any degree or diploma of my English examination, or had been my examiner in any examination. I do not know the English language sufficiently to express my views in that language.

Mr. Speaker: May I know if the honourable member has passed no examination?

Khan Bahadur Mian Mushtaq Ahmad Gurmani (*Urdu*): No University examination, Sir.

Mr. Speaker: Not even the middle school examination?

Khan Bahadur Mian Mushtaq Ahmad Gurmani (*Urdu*): I have been a member of the Punjab Legislative Council for the past six years and you may remember I have always been speaking in Urdu. The picture which has been painted by my honourable friends of the opposition reveals that our patient is suffering from complicated and acute diseases and is almost incurable. The result of their diagnosis is most alarming. Now the question is whether we should secure efficient medical aid by spending a reasonable amount of money in order to get the best treatment for our patient or content ourselves by sending our patient to a charity hospital or leaving him in the hands of quacks and amateurs, in order to save money. My own view is that the life of our patient is too precious to be played with and that we should not grudge a reasonable amount of expense for securing expert advice and efficient treatment.

Let me point out at the very outset that democratic government is not the cheapest form of Government and if we are keen to have a system of responsible democratic government we should be prepared to pay the legitimate expenses which it entails. If the object of my friends is to have the cheapest form of government alone they should better revive the obsolete form of administration which used to exist in the province in pre-reforms days when a Lieutenant-Governor, with the aid of Chief Secretary, a "Mir Munshi" and one Financial Commissioner used to administer the whole province. Under a democratic system of government there is bound to be a certain amount of duplication of work and hence an increase in the cost of administration. My friends cannot have their bread buttered on both sides. They cannot have the cheapest form of administration and responsible democratic government at the same time. The opposition has proposed a salary of Rs. 500 per month for a Minister. In support of this view they have suggested that the income *per capita* should form the basis for fixing the salaries of Ministers. I am afraid, I do not agree with

[K. B. Mian Mushtaq Ahmad Gurmani.]

this fallacious view. If this theory is accepted no worker would get a living wage and the wages calculated on this basis will be ridiculous and impracticable. It was suggested by one of the honourable members that the dignity and the status of a person does not depend on the amount of salary he gets. He suggested that Mahatma Gandhi, who enjoys the greatest respect from amongst Indians, lives only on six pice a day. I have great respect and admiration for that great national leader, but let me point out with due deference that Mahatama Gandhi's 6 pice seem to be equivalent to £6 in value. He may be spending only 6 pice on himself from his own pockets, but the nation pays heavily for his fasts and sicknesses. Whenever he is ill he is provided with the best available medical advice and free treatment. I remember his convalescence stay at Poona cost his hostess several thousand rupees. His fruit diet alone, I am sure, far exceeds the limit of 6 pice a day. Mahatmaji's six pice a day do not, I am sure, cover his travelling expenses and other necessities of life. It is therefore clear that his expenses are several times over the income *per capita* in India but also his own earnings per day. Six pice a day cannot buy even the quantity of fruit, pure honey and goat milk, which is consumed by the great leader, not to say of other necessities of life for himself and his family, but if it does, I think, his holy coins must be valued at their weight in gold. Do my friends of the Congress Party expect our Ministers to be treated by the people as Mahatmaji is treated? I am sure, our Ministers would welcome a pocket money of Rs. 500 a month supplemented with all the requirements for themselves and their families, but I am afraid this arrangement will be far more expensive than the pay that has been suggested in the Bill under consideration. If we keep the salaries of Ministers low, the choice of Ministers will be restricted either to the capitalists and rich members of the aristocracy who enter politics merely as a hobby, or people of inferior intellect and capacity and political adventurers. In my humble opinion this would be an unwise policy. If we wish to secure the services of efficient, able and honest persons who enjoy the confidence of the people and possess administrative experience, capacity, courage and independence, we shall have to pay them a salary which may be commensurate with the requirements of their every day life, having regard to their environments and the standard of living which they will be expected to maintain. It would not be correct to engage a low paid engineer in a factory, because the labourers in the factory get low wages. It would be more profitable to have an expert engineer to run the factory efficiently and thus increase the profits and save the machinery from break down. If the profits are increased, the labourers will get better wages and the share-holders will get a better return on their investments. It would be false economy to engage a low paid engineer who may not have the capacity to manage or control the factory.

We and the Congress have different ways of doing things. The Congress and we both claim to work for the uplift of the masses and the rural population. The remedy which the Congress has suggested for ameliorating the peasants from their sufferings is by seizing their lands and relieving them from this source of trouble and worry. It reminds me of an anecdote. Once a person who was suffering from headache for a long time went

to a quack and asked for a remedy for his unbearable malady. The physician suggested chopping off his head in order to remove the root cause of the pain saying "there would be no pain, when there is no head." (*laughter*).

Our Congress friends seem to follow this method, but we on the other hand wish to relieve the peasants of their trouble, without depriving them of their lands and possessions. We do not propose to run the administrative machinery of the province on a charitable basis. We wish to run the administration in a businesslike manner. Our object is to ensure full value to the share-holders of this great business concern on their investments and to secure for the taxpayer increased facilities and amenities of life. It has been truly remarked that the poor cultivator contributes to the extent of nine-tenths of the total revenue of the province, while he does not get even a one-tenth share of the beneficent activities of the Government. All the big colleges, hospitals, good roads and other amenities of life are centered in towns for the benefit of people who contribute not even one-tenth of the taxes. The Unionist Party have been trying in the past to get an equitable distribution of these facilities in the rural areas and it is our declared policy that we shall strive to remove this anomaly. We wish to distribute the profits equitably to each of the share-holders in this business concern, according to the value of his share and we shall endeavour to declare increased dividend on their investments. We do not wish to hoodwink the people by playing on their sentiments and showing them that we have reduced a few thousand rupees a month from the salary bills of our Ministers. I am sure they would not be satisfied by this kind of false economy. What they expect us to do is to equalize the burden of taxation, give them better and increased facilities for education, public health and medical relief, better roads and better amenities of life. We are determined to raise their standard of living by increasing their income. We propose to develop cottage industries, provide better facilities for marketing, improve our agriculture, introduce crop planning on scientific basis, check wastage in Government Departments and enforce rigid economy in the cost of administration as far as it is consistent with efficiency. For a task of such gigantic nature we naturally require the services of efficient and honest people. We do not grudge spending a reasonable amount of money for securing their services. It would be false economy to curtail this expenditure at the cost of efficiency. We should not forget another important point which is of great significance. The Congress has declared that by entering the legislature they propose to wreck the new constitution, while the Unionist Party's policy is out to work the new constitution in spite of its limitation, to the best advantage of the country and the people. So it is clear that the work of the Congress is of a destructive nature and that of the Unionist Party is of a constructive nature. The Congress has proposed a salary of Rs. 500 for their Ministers to pull down the structure of reforms, while we are engaging our Ministers to build the edifice on the foundations of the Reforms Act. There is bound to be a difference in the wages of a labourer who is engaged in pulling down a building and a mason who is engaged in construction. The electorate in the Punjab has given a verdict in favour of the Unionist's point of view and it should be our duty to respect that verdict and let the Unionist Party proceed with

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its constructive programme. The Congress and the Unionist Parties have of course the same object in view, though the methods for achieving it are different. The Congress leaders think that we can achieve our object by wrecking the present constitution, while we believe that we can attain our purpose by constructive work and constitutional progress. The former method is risky and uncertain, while the latter course is steady and sure. In six provinces of India the Congress is enforcing its own plan. It is only fair that in the Punjab they should let us have our own way. The experience will show which is the better and more successful method and then either we in the Punjab will follow their line of action or they may adopt our course. It has been pointed out by one honourable member from the opposition that our income has received a serious set back since 1925 on account of the fall in the prices of agricultural produce. The Unionist Party has not lost sight of this fact in determining the scale of salaries for our Ministers. We have proportionately reduced their salaries from the level of 1925 and after paying a higher rate of income tax and surcharge, they will get half the amount as salary as compared with that which their predecessors used to get in 1925. If we are able to secure a comparative decrease in the scale of salaries of other services, it would not be a mean achievement for our party. We do not think, we can go any further under the existing circumstances, but a time might come when we may succeed in further reducing the cost of administration. We should face the realities as they are like practical men, and should not take an idealistic view of things. I would appeal to the House to co-operate with us and give us an opportunity to work our programme and achieve the best results from the new constitution. We would welcome constructive criticism, but criticism of destructive and misleading nature, will neither help us nor our opponents.

(At this stage there was a demand for closure of debate.)

Chaudhri Krishna Gopal Dutt : As the principle involved in the amendment is of vital importance not only to this House but to a large number of people in the province, I would request you not to close the discussion on the subject but to accord opportunities to some other members on this side who want to speak.

Dr. Gopi Chand Bhargava : There is another argument for continuing the debate. The debate on the salary of Ministers will cover also the debate on the Speaker's and Deputy Speaker's Salary Bill. We shall practically be repeating the same arguments. No member out of the groups other than the Congress on this side have expressed their views, therefore I would request you to allow us to place the case more fully and thoroughly before the House.

Mr. Speaker : The Standing Order on the point is :

" 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 Speaker that the motion is an abuse of the rules or these standing orders, or an infringement of the right of reasonable debate, the Speaker shall then put the motion that the question be now put."

I do not know the exact number of members who have spoken up till now ; but almost all arguments have been exhausted, nay, arguments have

been repeated by certain speakers. If I am assured, however, that the proposed motion is intended to infringe the right of reasonable debate, I will not allow it. But the subject has been discussed *in extenso* and there is hardly any argument left which can be advanced against the motion and has not been advanced. So, under these circumstances, I wish to be satisfied if the motion is really intended to infringe the right of reasonable debate.

Chaudhri Krishna Gopal Dutt : I beg to bring this point to your notice that there are groups here on the Opposition benches out of whom not a single member has so far spoken. Therefore I would request you to give chance at least to one member from each group to speak.

The Honourable Major Sir Sikander Hyat-Khan : May I draw your attention to the fact that when the last speaker stood up there was nobody else to speak in this House.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, if it is your intention to finish the discussion this evening, then I would request you to get the speech of Diwan Chaman Lall translated because it is an important speech. This matter is left to your discretion. You just now stated that all the arguments have been exhausted, probably you were referring to the speech of Diwan Chaman Lall. Therefore I would request you to get that speech translated for the benefit of those who are not conversant with the English language.

Mr. Speaker : I am afraid that cannot be done.

Chaudhri Krishna Gopal Dutt : In that case would it be possible for you to let some other member speak in the vernacular ?

Mr. Speaker : I shall give Sardar Sohan Singh Josh an opportunity to speak.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : The House has listened to the speeches made by the Nawabs and Khan Bahadurs and must have appreciated the point of view of the aristocracy of the province. Now please listen to the doleful tale of the poor peasantry of the Punjab. I am one of them. Unlike other honourable members who had to spend thousands of rupees to achieve success in the elections, I was elected by my voters of their own accord and free will in as much as they did not only record their votes in my favour but also offered some money as a token of their confidence in me. (*Hear, hear.*) Thus I claim to be a real representative of the poor peasants. By way of comparison, I would cite the case of three other honourable members who fought the election campaign from the same district.

Mr. Speaker : The honourable member is requested to speak to the motion.

Sardar Sohan Singh Josh : I was about to say that when the election was going on, we held out a pledge to the electorate that we would not allow a Minister's salary to exceed Rs. 500 a month in any case. Now the salary of a Minister is being fixed at Rs. 3,000 a month and we are in duty-bound to oppose such a proposal because it violates our pledge.

It has been said by some honourable members of the Unionist Party, that they are out to protect the agricultural lands and improve the miserable

[S. Sohan Singh Josh]

lot of the peasants. This is a strange method of protecting their interests and a queer way of rural " uplift ". On the other hand, it will most surely deprive the peasants of whatever small or large tracts of land which they already possess. Is it not a fact that the high salaries of the Ministers will be paid out of the pockets of the poverty-stricken peasants of the province? In this way, the Government is going to squeeze out the last drop of blood from the body of the zamindars. Far from protecting the agricultural interests, the policy on which the Unionist Party has just embarked, will compel the zamindars to dispose of their lands in order to pay the heavy taxes imposed on them. My honourable friends, Dr. Gopi Chand Bhargava and Diwan Chaman Lall have already advanced the main arguments against this Bill and I would have liked to dilate upon them but I do not wish to be guilty of repetition. I would like to invite the attention of the House to the salaries drawn by ministers in other countries of the world, and compare them with the *per capita* income in those countries. But, as relevant facts and figures have already been given by honourable members of my party in this respect, I do not propose to repeat them. I am at a loss to understand how these fat salaries can be granted without adversely affecting the poor peasants, who are already groaning under the heavy taxes, and any fresh tax would prove the last straw that breaks the camel's back. By the present attitude of the party in power, it appears that they have not come forward to serve the country but to make money out of it.

Shrimati Raghbir Kaur (Amritsar, Sikh Women) (*Punjabi*): This land of five rivers is inhabited by poor people who have been reduced to such abject poverty that, far from being able to get warm clothes to protect themselves against the biting cold of the winter season, they cannot even afford to buy ' khadar ' to cover their naked bodies. Even a cursory glance at these miserable people will reveal the dreadful fact that in winter, their innocent children are exposed to the tortures of the biting cold against which they keep crying helplessly. Do you know who pays these fat salaries to the Ministers? England will not finance this budget and the Britishers will not contribute a single pie towards this item. The hard fact is that the poverty-stricken peasants will be made to pay these large sums out of their pockets. During the course of the recent elections, we had to move from village to village and thus we came face to face with the pitiable condition of the poor peasants. We saw with our own eyes how they live in dilapidated houses of mud and straw. We saw them clothed in rags, nay, the fact is, that their own skin serves the purpose of clothes. The children of these helpless people die slowly of hunger and want. It is not an uncommon occurrence that young men are driven by unemployment and pangs of hunger to throw themselves in front of moving railway trains so that this cruel form of suicide should put an end to their miserable existence, the burden of which they can carry no longer. The news of such tragedies should set the Honourable Ministers atinking. They should try to discover the real causes of such unfortunate incidents. During the course of the elections, we gave a pledge to the peasants that their burden of land revenue would be lightened. But the Ministers are demanding high salaries instead. After all how will the funds be raised? The poor peasants

can ill-afford to pay fat salaries of Rs. 5,000 a month to the Ministers. An honourable member from the Treasury benches said that the Ministers will not be able to make both ends meet within the meagre pay of Rs. 500 per mensem. I would like to point out to him that he should take an opportunity of seeing for himself how the poor peasants are eking out a miserable existence. How on earth, I ask, will they be able to pay such high salaries? Just pause for a while and consider how they toil from morning till evening and what a miserable life they are leading. These poor people will never be able to finance this costly machinery while they themselves are in the grips of starvation. In view of this I would urge that the salary of a minister should not exceed Rs. 500 even by a single pie.

Mr. Speaker : The question is—

That in lines 3-4 for the words 'forty-two thousand' the words 'six thousand' be substituted.

The Assembly divided : Ayes 35 : Noes 95.

AYES.

Ajit Singh, Sardar.
Barkat Ali, Malik.
Bhagat Ram Choda, Lala.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Ghulam Hussain, Khawaja.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Sardar.
K. L. Gauba, Mr.
Krishana Gopal Dutt, Chaudhri.
Lal Singh, Sardar.

Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Mr.
Muni Lal Kalia, Pandit.
Narotam Singh, Sardar.
Parbati Devi, Bibi.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Ram Narain Arora, Seth.
Rur Singh, Sardar.
Saif-ud-Din Kitchlew, Dr.
Sant Ram Seth, Dr.
Shri Ram Sharma, Mr.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Rab, Mian.
Abdul Rahim, Chaudhri Gurdas-
pur.
Afzaalali Hasnie, Sayad.
Ahmad Bakhsh Khan, Mr.
Ahmad Yar Khan, Chaudhri.
Ahmad Yar Khan Daultana, Khan
Bahadur Mian.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Baha-
dur Nawab Malik.

Amjad Ali Shah, Sayad.
Anant Ram, Chaudhri.
Ashiq Hussain, Captain.
Atma Ram, Rai Sahib Lala.
Badar-Mohy-ud-Din, Mian.
Balbir Singh, Rao Bahadur Cap-
tain Rao.
Basakha Singh, Rai Bahadur Sar-
dar.
Bhagwant Singh, Rai.
Binda Saran, Rai Bahadur.
Dasaundha Singh, Sardar.

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| Dina Nath, Captain. | Muhammad Hayat Khan Noon, Nawab Sir Malik. |
| Faiz Muhammad Khan, Rai. | Muhammad Hussain, Sardar. |
| Faiz Muhammad, Shaikh. | Muhammad Hussain, Chaudhri. |
| Faqir Chand, Chaudhri. | Muhammad Nawaz Khan, Major Sardar. |
| Faqir Hussain Khan, Chaudhri. | Muhammad Saadat Ali Khan, Khan Sahib Nawab. |
| Farman Ali Khan, Subedar Major. | Muhammad Sarfraz Khan, Chau- dhri. |
| Fateh Khan, Raja. | Muhammad Shafi Ali Khan, Khan Sahib. |
| Fateh Muhammad, Mian. | Muhammad Yasin Khan, Chaudhri. |
| Fateh Sher Khan, Malik. | Muhammad Yusuf Khan, M. |
| Fazal Ali, Khan Bahadur Nawab Chaudhri. | Mushtaq Ahmad Gurmani, Khan Bahadur Mian. |
| Fazal Din, Khan Sahib. | Muzaffar Khan, Khan Bahadur Nawab. |
| Fazal Karim Bakhsh, Mian. | Nasir-ud-Din Shah, Pir. |
| Few, Mr. E. | Nasrullah Khan, Rana. |
| Ghazanfar Ali Khan, Raja. | Nawazish Ali Shah, Sayad. |
| Ghulam Mohy-ud-Din, M. | Nurullah, Mian. |
| Ghulam Qadar Khan, Khan Sahib. | Pir Muhammad, Khan Sahib Chaudhri. |
| Ghulam Rasul, Chaudhri. | Prem Singh, Chaudhri. |
| Girdhari Das, Mahant. | Pritam Singh Siddhu, Sardar. |
| Gopal Singh, Sardar. | Ram Sarup, Chaudhri. |
| Gurbachan Singh, Sardar Sahib Sardar. | Ranpat, Chaudhri. |
| Haibat Khan Daba, Khan. | Rashida Latif, Mrs. |
| Hans Raj, Bhagat. | Ripudaman Singh, Thakur. |
| Hari Chand, Rai. | Roberts, Mr. William. |
| Harnam Das, Lala. | Shahadat Khan, Khan Sahib Rai. |
| Harnam Singh, Lieutenant Sodhi. | Shah Nawaz Khan, Nawab Khan. |
| Het Ram, Rai Sahib Chaudhri. | Singha, Mr. S. P. |
| Jagjit Singh, Tikka. | Sita Ram, Lala. |
| Jahan Ara Shah Nawaz, Mrs. | Sultan Mahmood Hotiana, Mian. |
| Jahangir Khan, Chaudhri. | Sumer Singh, Chaudhri. |
| Jalal-ud-Din Amber, Chaudhri. | Suraj Mal, Chaudhri. |
| Jugal Kishore, Mr. | Tara Singh, Sardar. |
| Karamat Ali, Shaikh. | Tikka Ram, Chaudhri. |
| Kishan Das, Seth. | Ujjal Singh, Sardar Sahib Sardar. |
| Maqbool Mahmood, Mir. | Umar Hayat Khan, Chaudhri. |
| Mohy-ud-Din Lal Badshah, Pir. | Uttam Singh Dugal, Sardar. |
| Mubarik Ali Shah, Sayad. | Wali Muhammad Sayyal, Hiraj Sardar. |
| Muhammad Akram Khan, Khan Bahadur, Raja. | |
| Muhammad Ashraf, Chaudhri. | |
| Muhammad Faiyaz Ali Khan, Nawabzada. | |
| Muhammad Hassan Khan Gur- chani, Khan Bahadur Sardar. | |

Lala Bhagat Ram Choda : Sir, I beg to move—

That in clause 2, lines 3-4 for the words "forty-two thousand" the words "fifteen thousand" be substituted.

The motion was put and lost.

Malik Barkat Ali : I beg formally to move—

That in clause 2, lines 2-3, for the words "forty-two thousand" the words "thirty thousand" be substituted.

The motion was put and lost.

Khawaja Ghulam Hussain : Sir, I formally move—

That in clause 2, line 6, for the words "thirty-six thousand" the words "six thousand" be substituted.

The motion was put and lost.

Lala Bhagat Ram Choda : I beg to move—

That in clause 2, line 6 for the words "thirty-six thousand" the words "twelve thousand" be substituted.

The motion was put and lost.

Malik Barkat Ali : I beg formally to move—

That in clause 2, line 6, for the words "thirty-six thousand" the words "twenty four thousand" be substituted.

The motion was put and lost.

Mr. Speaker : Now we come to Item No. 6 (iii) by Dr. Gopi Chand Bhargava. I think if this amendment¹ is carried it will make the clause meaningless. Therefore it is out of order.

Dr. Gopi Chand Bhargava : In view of what has been decided by the Chair I do not wish to move my amendment.

Mr. K. L. Gauba : Sir, I beg to move—

That in clause 2, lines 7-14, the words "and there shall be further provided..... or each of the other Ministers" be omitted.

The motion was put and lost.

Mir Maqbool Mahmood : I beg to move—

That in clause 2, line 11, the word "Premier" be substituted for the word "Chief Minister".

The motion was put and carried.

Mr. Speaker : The question is—

That clause 2 as amended stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is :

That this be the Preamble of the Bill.

The motion was carried.

The Honourable Major Sir Sikander Hyat-Khan : I beg to move—

That the Punjab Ministers' Salary Bill be passed.

The motion was put and carried.

¹That in lines 4 to 14 after the words "forty-two thousand rupees a year" be omitted.

PANEL OF CHAIRMEN.

Mr. Speaker : I have to announce that under Rule 3 (1) I have nominated the following four honourable members as members of the Panel of Chairmen :—

Diwan Bahadur Raja Narendra Nath,

Nawab Shah Nawaz Khan of Mamdot,

Professor W. Roberts, and

Sardar Sampuran Singh.

Mr. Speaker : It has been brought to my notice that certain notices were placed this morning on the tables of the members without permission or knowledge of the Secretary of the Assembly. I wish to request the honourable members of the House, as well as outsiders that in future private advertisements or notices of any kind should not be brought in the House and placed on the tables of the honourable members.

After making these announcements I have to congratulate the honourable members of this House for the exceptionally high tone of debate on an exceptionally controversial subject. I wish and hope that they will continue that high tone and will not permit it to be lowered (*Hear, hear*).

The Assembly then adjourned till 10-30 A. M. on Friday, 9th April, 1987

PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 9th April, 1937.

The Assembly met at the Council Chamber at 10-30 A.M. of the clock. Mr. Speaker in the chair.

MOTIONS FOR ADJOURNMENT.

RE CONSTITUTION OF PUBLIC SERVICE COMMISSION.

Diwan Chaman Lall (East Punjab, Non-Union Labour): You were pleased to announce yesterday that you would consider the matter of the adjournment motion moved by my honourable friend Dr. Muhammad Alam. I do not know if you are going to give your decision to-day or to-morrow regarding the admissibility of that motion.

Mr. Speaker: The honourable member might remember that I desired Dr. Alam and Malik Barkat Ali to discuss the matter with me personally in my room and promised that after giving my further consideration I will give my final decision; but neither of them has seen me.

Diwan Chaman Lall: The honourable member authorised me to see you this morning, but unfortunately time was very short and there was no possibility of discussing it in your room, but I shall convey your message.

Mr. Speaker: Thanks.

Diwan Chaman Lall: Unfortunately, I was to see you this morning, but you were not in your room this morning.

Mr. Speaker: I came at 10-15.

RE ALLEGED MISCONDUCT OF A POLICE OFFICER OF AMBALA.

Lala Duni Chand (Ambala and Simla, General, Rural): I beg leave to move the adjournment motion standing in my name.

Mr. Speaker: Is the honourable member aware that the aggrieved party has lodged a complaint in a court of law?

Lala Duni Chand: I know this much that a complaint had been filed and that the Magistrate had issued no processes to the accused.

Mr. Speaker: Is not the matter *sub-judice*?

Lala Duni Chand: I submit that the matter cannot be considered to be *sub-judice*.

Mr. Speaker: Does not a matter become *sub-judice* as soon as a complaint is lodged before a Magistrate, whether any process is issued or not?

Lala Duni Chand: So far as I have been able to consult the rules and standing orders there is no bar to the motion being put forward even if the matter is *sub-judice*.

Mr. Speaker : Will you please point out the rule and standing order on which you rely ?

Lala Duni Chand : I have not been able to find any rule or standing order prohibiting the putting forward of a motion if the case is *sub-judice*. With regard to questions and resolutions there is a provision but so far as motions of adjournments are concerned, there is no such rule or standing order.

Mr. Speaker : An adjournment motion must not deal with a matter on which a resolution cannot be moved. Therefore, if a resolution cannot be moved, a motion for adjournment also cannot be moved.

Lala Duni Chand : There is no specific provision regarding the adjournment motion. This is what I am submitting.

Mr. Speaker : Will the honourable member please read Rules 18 (v) and 34 (2) ?

Lala Duni Chand : I submit to your ruling but you will kindly hear me with regard to another point, namely that a case in which a process has not been issued and the accused has not appeared the case cannot be said to be *sub-judice*.

Mr. Speaker : Can the honourable member say that up to this moment no process has been issued ?

Lala Duni Chand : I am not aware of this at the moment.

Mr. Speaker : Whether a process has or has not been issued, is not the matter pending before a court of law ?

Lala Duni Chand : A matter is *sub-judice* only if an accused has been called to the court.

Mr. Speaker : But I hold that as soon as a complaint is filed in a court of law the subject matter of the complaint comes under adjudication whether any process is issued or not by the court.

RE. INCIDENT AT KOT BHAI THAN SINGH.

Sardar Uttam Singh Dugal (North-West Punjab, Sikh, Rural) : I beg leave to move the motion for adjournment that stands in my name.

Mr. Speaker : S. Uttam Singh has given notice of a motion for the adjournment of the House for the purpose of discussing a matter of urgent public importance, namely, the recent regrettable and unfortunate incident at Kot Bhai Than Singh which resulted in the death of one and serious injury to a number of persons (Sewadars) and to request Government to explore ways and means to bring about an amicable and lasting solution of the matters connected with that sacred Gurdwara.

Is there any objection to leave being granted ?

The Honourable Major Sir Sikander Hyat-Khan : I cannot but repeat my request that I made yesterday in respect of the motion on Panipat firing. The honourable member who has given notice of this adjournment motion would be well advised not to press it for the simple reason that the firing which took place during that regrettable incident or riot, if I may describe it by that word, fortunately did not result in any loss of life. Our information hitherto is that there was no loss of life on account of firing

by the Police. The incident, as the honourable member has himself pointed out, is regrettable and I am sure every honourable member of this House will join with me in expressing his regret over this unfortunate incident. But enquiries are proceeding and investigation is going on and I feel that any premature statement or expression of opinion at this moment might seriously hamper the ends of justice. So far as our information goes, there was only one death in the hospital and the other injured persons are making satisfactory progress. Injuries were caused on both sides and the House is, I believe, aware that the situation there has been giving cause for anxiety for some considerable time now. If as a result of the enquiry we come to the conclusion that firing was unjustified, we will take due action. Meanwhile the two factions that fought, are not unnaturally, putting forward their versions of the fight and until we know the result of the enquiry—very likely the case will go to court—it would be unfair to prejudice the issue. I would, therefore, request the mover not to press his motion but allow the enquiry to take its normal course. At the same time let me assure the House that nothing will please me and the Government more than that we could bring about amicable and lasting settlement between the parties so that this trouble should end once for all. I am sure everyone of us would be prepared to help in this. So far as the Government is concerned, if any such proposal is put before us, we would be only too glad to help in bringing about a permanent and lasting understanding.

Sardar Uttam Singh Dugal : In view of the assurance of the Leader of the House, I beg to withdraw my motion.

Sardar Lal Singh : I would like to say something in reply.

Mr. Speaker : The honourable member has no right of reply.

Sardar Lal Singh : I want to elicit further information from the Leader of the House on this very question. The Leader of the House has said that no loss of life was caused as a result of firing by the Police. That is not the question. The question is that there was loss of life by the delinquency of the Police.

Mr. Speaker : May I know what the honourable member is driving at ?

Sardar Lal Singh : My object is to ask the Leader of the House whether the Police took any action previous to the incident to prevent loss of life. The Leader of the House has said—

Mr. Speaker : The honourable member will please not make a speech. Is the Honourable Leader of the House in a position to supply the required information ?

The Honourable Major Sir Sikander Hyat-Khan : If I was in a position to give that information, I would not have asked my honourable friend the mover to withdraw his adjournment motion. The investigation is going on. If we are satisfied as a result of the enquiry that disciplinary action should be taken we would not hesitate to take it. But it is premature to suggest action at this stage and it would be unfair to prejudice the case.

(Sardar Sampuran Singh rose to speak).

Mr. Speaker : The motion of Sardar Sampuran Singh is identical with that of Sardar Uttam Singh. So, he may like to withdraw it.

Sardar Sampuran Singh : I do not wish to withdraw the motion.

Mr. Speaker : Sardar Sampuran Singh has given notice of his intention to ask for leave to make a motion for adjournment of the business of the House for the purpose of discussing a matter of urgent public importance, namely, "Government have shown their incapacity in protecting the life of the Sikhs of Kot Bhai Than Singh and to show that their lives in that part of the country are in great danger unless Government give up their policy of vacillation and weakness."

The Honourable Major Sir Sikander Hyat-Khan : I beg to submit that this motion is out of order because it proposes to censure the Government. As a matter of fact it amounts more or less to a vote of no-confidence against Government for which special procedure is provided for in the rules. You will notice that the honourable member has specifically mentioned that the Government has shown its incapacity for not protecting the life of Sikhs. May I ask the honourable member whether he is referring to the present Government or the past Government? If he is referring to the past Government, I do not think it is fair to make this motion because that Government is no longer in existence. If he wishes to censure the present Government, may I point out to him that this riot took place on the evening of the 1st of April, 1987, the very day this Government took office and, therefore, his criticism of the present Government would be wholly unjustified.

Sardar Sampuran Singh : That is a matter to be raised in the course of discussion on the motion.

The Honourable Major Sir Sikander Hyat-Khan : My point is that the motion is not in order.

Mr. Speaker : Why?

The Honourable Major Sir Sikander Hyat-Khan : Because it is a censure motion against Government.

Raja Ghazanfar Ali Khan : May I draw your attention to the fact that we have not been supplied with the copies of the adjournment motions while we expect that whenever an adjournment motion is moved copies should invariably be supplied to the honourable members of this House.

Mr. Speaker : Is not the motion intended to criticise the administrative responsibility of Government?

The Honourable Major Sir Sikander Hyat-Khan : Which Government, Sir?

Mr. Speaker : The Government to which the present Government has succeeded.

The Honourable Major Sir Sikander Hyat-Khan : Then I think it is unfair on the part of the honourable member to move a motion knowing full well that that Government is no longer in power.

Sardar Sampuran Singh : On the 1st April this Government was in power, so the criticism would be against the present Government.

The Honourable Major Sir Sikander Hyat-Khan : I have pointed out already that the riot took place on the evening of the 1st of April. How could the honourable member expect us to forestall a riot that took place on the 1st of April.

Sardar Sampuran Singh : That is a question which has to be discussed at the proper time, i.e., how far you are liable and how far you are not.

Mr. Speaker : The motion does not appear to be out of order.

The Honourable Major Sir Sikander Hyat-Khan : Very well, but I object to the motion all the same.

Mr. Speaker : Its object may be to criticise the Government.

An adjournment motion, even if carried, cannot necessarily be taken as a censure upon Government (*Hear, hear*). There is a separate rule for a censure motion against Government. Under Rule 19 leave to move a censure motion is given if at least 50 members rise in support of it, and the motion can be discussed within 10 days: while under Standing Order 23, leave to move an adjournment motion is given if not less than 30 members rise in support of it. Besides, the latter motion has to be discussed the same day or on the next day on which the Assembly meets.

The Honourable Major Sir Sikander Hyat-Khan : I bow to your ruling.

Mr. Speaker : Has the honourable member the leave of the House to move the motion?

(34 members stood up.)

Mr. Speaker : As more than 30 members have risen, the honourable member has the leave of the House to move the motion.

Mian Muhammad Iftikhar-ud-Din : We are sorry we misunderstood you. We thought you were taking the sense of the House with regard to another motion. Will you please again take the sense of the House on the present motion?

Mr. Speaker : Was there really a misunderstanding?

Dr. Gopi Chand Bhargava : I thought that the adjournment motion under consideration was the one of which notice has been given by Chaudhri Kartar Singh.

Mr. Speaker : It was Sardar Sampuran Singh's motion.

Now the honourable members understand that the motion in support of which I requested them to rise was that of Sardar Sampuran Singh about Kot Bhai Than Singh affair. Those who are in favour of leave being given to the honourable member may rise in their places.

Sardar Sampuran Singh : When once a decision has been given, will it be correct to take votes again?

Mr. Speaker : I think a mistake can be corrected. Those who are in favour of the leave being given, may rise in their places.

(Eleven members stood up.)

Mr. Speaker : As the number of members who have risen is only 11, the honourable member has not the leave of the House to move his motion. *(Cheers).*

RE POSITION OF AGRICULTURISTS DUE TO HAILSTORMS.

Mr. Speaker : The next is Chaudhri Kartar Singh's motion for adjournment 'that the business of the Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the position of the agriculturists of the province as a result of the recent disastrous hailstorm'.

The Honourable Major Sir Sikander Hyat-Khan : There is a short notice question on that subject which the Honourable Revenue Minister agreed to answer, and perhaps it might help the mover of the adjournment motion if the reply to that question is read in the form of a statement before the motion is put to the House.

The Honourable Sardar Sir Sunder Singh Majithia : May I make my statement?

Chaudhri Kartar Singh raised a point of order in Urdu.

Mr. Speaker : According to section 85 of the Government of India Act all proceedings of the Assembly shall be in English. The only exception made is that members who are not acquainted or are not sufficiently acquainted with the English language may speak in one of the languages of the province. The section clearly means that those, who can speak in English, whether others can understand them or not, must speak in English; they cannot speak in Urdu or Punjabi. As regards the request made yesterday that I may have a speech translated into Urdu, to accede to such a request would mean that instead of making an English-knowing member speak in English, I will be allowing him to make two speeches: one in English by himself and the other in Urdu through a translator. In my opinion the section, as worded, not only debar members, who can speak in English, from speaking in Urdu; but also prohibits the translation of their speeches, made in English, into vernacular. Therefore, the honourable members, who can speak in English, must speak in that language and not in Urdu, either personally or through translators, whether other members of the House understand them or not. Such members as do not know English at all or do not know it sufficiently can speak in vernacular; but they have no right to claim that they should be spoken to in vernacular.

Lala Duni Chand : The statement by the Government member is to be made in English but we find that the motion has been made by a member who does not know English. Does it not become your duty to see that what is stated by the Government is translated?

Mr. Speaker : If the honourable member and others who are of his opinion will carefully read the section and interpret it judicially, they will agree that it is not within my competence to have two speeches made, viz., one in English by a member and the other in Urdu by a translator. The language of the Assembly must be English. Therefore, I cannot allow speeches to be translated into vernacular.

Dr. Shaikh Muhammad Alam : I bow to your ruling, Sir. It is an absolutely correct ruling. But here a different proposition is put and you may consider it in that light. A statement is going to be made from the other side on behalf of the Government and if I understood the Leader of the House correctly the object of this statement is to reply to a short notice question. After knowing the statement the honourable mover of the adjournment motion may feel disposed to withdraw that adjournment motion. Therefore, Sir, this is a special proposition. Two courses would be open to us ; either the meaning of the statement may be conveyed to the honourable mover of the adjournment motion so that he may be in a position to know whether it will be fair to withdraw his motion or not, or, if that is not done, then the statement may not be allowed to be made before leave for the motion is granted.

Mr. Speaker : I may once more state that in the face of section 85 I am unable to follow the honourable member's suggestion. Even during the time of the old Council, notices of some questions were given in Urdu, but they were answered in English.

(At this stage Dr. Mohammad Alam stood up to speak.)

I am unable to allow the honourable member to speak again and again.

Dr. Shaikh Muhammad Alam : On a point of order. I was not making a speech.

Lala Bhim Sen Sachar : The statement might be read in English and conform with the rules, but as the honourable member does not understand English and as the statement—

Mr. Speaker : The honourable member may help him quietly if he feels so advised.

Lala Bhim Sen Sachar : It may be for the benefit of other honourable members.

Mr. Speaker : That cannot be done. If the honourable member has something fresh to say he is welcome.

Lala Bhim Sen Sachar : I feel encouraged to submit my point of view before the House by reason of the assurance given by you that any omission can be rectified. May I be permitted to draw your attention to Standing Order 89, clause IV. You have discretion to say that certain speeches shall be translated into Urdu for the benefit of the House. May I request you on behalf of the House that you may be pleased to exercise your discretion in all such cases when an important statement has been made and you feel that the time of the House will be saved and some gentlemen may be enlightened. Taking into consideration the entire circumstances of the case it is just a request to you to exercise your discretion so as to enable things to be done as well as they can be.

Mr. Speaker : That was my opinion till yesterday. On further consideration I have come to the conclusion that that part of the Standing Order, upon which the honourable member relies, is *ultra vires*, as it is clearly opposed to the provisions of section 85 of the Government of India

[Mr. Speaker.]

Act; and it will not be denied that all rules and standing orders, which are opposed to or inconsistent with the Government of India Act are *ultra vires*.

To-day's discussion has made it clear that section 85 of the Government of India Act requires to be amended at the earliest possible opportunity. It not only deprives members, who do not know English, of understanding the speeches made by members in English; but also makes it practically impossible for the Speakers of Assemblies and Presidents of Councils to discharge their functions effectively. For example, if a member, who does not know English, violates any of the limitations on debate, imposed by Standing Order No. 29, or persists in irrelevance or repetition, in violation of Rule 22, and the Speaker or the President wishes to check such irregularities, he must speak in English, but the member concerned, who *ex hypothesi* is ignorant of English, will not understand him and, therefore, might go on speaking irrelevant or repeating arguments. The Speaker or President cannot have his orders or remarks translated into Urdu for the guidance of such vernacular knowing member, as, if he did so, he himself will be violating the express provisions of the section. *Prima facie* there is no reason why for the facility of members, who do not know English, the speeches made in English should not be translated into vernacular; but this will be against the express provisions of section 85.

I may mention *en passant* that while the legalisation of translation from English into vernacular shall be of immense help to the vernacular knowing members, it shall considerably prolong the duration of sittings of Assemblies and Councils — an aspect which deserves very careful consideration.

I hope the Honourable Leader of the House will take early steps to invite the attention of authorities to the *pros* and *cons* of the problem which deserves an early solution.

The Honourable Sardar Sir Sunder Singh Majithia : Before I make the statement, I would like to say just this much, that I requested my friend Chaudhri Kartar Singh yesterday to come and see me in my room. He met me outside in the garden but did not come to my room. I shall be delighted to meet him and talk over matters with him in my room if he comes to me after I have made the statement.

Statement.

The Government heard with very great concern and regret the sad incident that has happened and the calamity that has fallen on a great part of the province by the hailstorm during the last few days of March 1937. The Government were concerned with the state of affairs which this calamity has brought about in the country and they at once took action in the matter. The first thing that His Excellency the Governor did was to provide a sum of Rs. 1,00,000 from the Famine Relief Fund for the relief of the people who had suffered from this calamity.

Immediately after the hailstorm swept over the province generally on 22nd March 1937 and did considerable damage in the Multan division

in particular, the local authorities—Revenue and Irrigation—of that division and also of the other divisions took up the question of determining the extent of the damage done with a view to afford relief to the area damaged.

An Honourable Member : Can the honourable member read his statement ?

Mr. Speaker : Yes, a statement can be read but not a speech.

The Honourable Sardar Sir Sunder Singh Majithia :
2. The Commissioner, Multan division, reports that all the Deputy Commissioners were very prompt in personally inspecting the damaged area and that the Irrigation Branch was also co-operating. The Commissioner immediately issued instructions to the Deputy Commissioners concerned to—

- (a) make arrangements for lifting, without delay, of crops which had been so damaged as not to be worth harvesting for grain but could be used as fodder,
- (b) suspend the active collection of revenue at their discretion in villages which had lost the whole crop.

3. Complete information about the damage done is not yet available. However the following information has so far been received by the Irrigation Branch :—

I. Northern Administration.

(1) *Lower Chenab Canal East Circle.*—Probable damage is estimated at 13,500 acres ; principal area damaged lies along the Bhalah Branch distributary of the Burala Branch. Some damage has also been reported near Kamalia. The area damaged has been completely inspected and a report is expected shortly. Complete remission in abiana may amount to about Rs. 50,000. Figures for the remission of land revenue are not yet available.

(2) *Lower Chenab Canal Western Circle.*—No damage has been reported from this area so far.

(3) *Lower Bari Doab Canal.*—(a) *Khanewal division.*—Extensive damage has been reported and special arrangements for inspection and for the diversion of special staff for this purpose have already been made. The final report is expected shortly.

(b) *Montgomery division.*—Here the damage is less than in Khanewal division, but nevertheless considerable. It is anticipated that remission may range between Rs. 3 and 4 lakhs in abiana for the whole circle.

According to the rough estimate made by the Deputy Commissioner, Montgomery, the total damaged area amounts to 80,000 acres as detailed below :—

| | | | Acres. |
|------------------------|----|----|--------|
| Balloki division .. | .. | .. | 95,000 |
| Montgomery division .. | .. | .. | 15,000 |
| Khanewal division .. | .. | .. | 80,000 |

[Hon. Sir Sundar Singh Majithia.]

His rough estimate on account of the remission of land revenue and malikana amounts to Rs. 2½ lakhs. Government have already allowed full water supply from the 6th April 1937 onwards until September, 20-25, 1937.

II. Southern Administration.

Hailstorms in Baghwanpura near Kasur have already been reported. Superintending Engineer, Upper Bari Doab Canal, has been telegraphically instructed to carry out immediate steps where necessary and submit a report.

Western Jumna Canal.—A little damage is reported from this canal.

III.—Western Administration.

Damage has also been reported from the Mailsi Canals as also from Multan and Muzaffargarh inundation canals. Detailed reports have been asked for by wire and instructions issued to ensure that the machinery for the kharaba inspection is put into action promptly and effectively.

Information regarding the kharaba to be allowed in the Multan and Muzaffargarh inundation canals is being collected by the local revenue officers. Their report is expected shortly. Telegraphic instructions have also been issued to all the Superintending Engineers of the Punjab Canals that wherever hailstorm has caused damage they should see that the affected area is inspected by the Canal Officers and the machinery for the kharaba inspection works promptly and efficiently.

4. Now I turn to the action taken by the Revenue Department—

(1) Rs. 1 lakh have been placed at the disposal of the Commissioner, Multan division, from the Provincial Famine Relief Fund for distribution of relief at his discretion in the afflicted areas of his division.

(2) Proposals to allow special kharaba remission on fodder and mixed crops which are not governed by the ordinary kharaba rules issued under the Northern India Canal and Drainage Act are also under consideration.

(3) Deputy Commissioners of the afflicted areas in the Multan division have been asked by the Commissioners to examine the question of taccavi and to frame their demands accordingly.

(4) The question of provision and distribution of seed has not been lost sight of by the local officers.

Government will sympathetically consider all these proposals when received.

Instructions have also been given to the Deputy Commissioners through Commissioners of divisions in the Punjab to impress on the local officers concerned that they should lose no time in investigating the damaged areas, if any, in their charge, so that they may be able to inspect the damage done while it is fresh and indisputable. To save time copy of the instruction has been sent direct to the Deputy Commissioners. I myself hope to visit some of the affected areas as soon as my duties at headquarters permit. His Excellency who was deeply touched by this extraordinary calamity was pleased to convey his message of sympathy to the people through the Commissioner of Multan division and the present

Premier who was then the Revenue Member also associated himself with His Excellency in conveying that message of sympathy. It was transmitted by the Commissioner to the Deputy Commissioner who gave wide publicity to the same. These facts, I am sure, will satisfy the House and will undoubtedly lead to the conclusion that Government through the officers of the Irrigation and Revenue Departments is fully alive to the situation and has done and is doing all that is possible. Further reports are anxiously awaited which the House should rest assured will receive immediate and sympathetic attention of Government. (*cheers*).

Chaudhri Kartar Singh : I sympathise with the tone of the Honourable Minister, but as I have not been able to follow him, I regret I cannot withdraw my adjournment motion.

Mr. Speaker : Those who are in favour of leave being granted may please rise in their places.

More than thirty members rose in their seats and accordingly leave to move the motion was given. After consulting the convenience of the House, Mr. Speaker fixed 2-30 P. M. for the discussion of the motion.

SPEAKER'S AND DEPUTY SPEAKERS'S SALARIES BILL.

The Honourable Major Sir Sikander Hyat-Khan : I beg to introduce the Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Bill.

I move :

That the Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Bill be taken into consideration at once.

The motion was put and carried.

Mr. Speaker : The Assembly will now proceed to consider the Bill clause by clause.

Clause 1.

Mr. Speaker : Question is that clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Mr. Speaker : All amendments to clause 2 may be discussed together, but, if necessary, they will be moved and put to vote separately.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : Sir, I beg to move—

That in Clause 2, lines 4-5, for the words "thirty-six thousand" the words "six thousand" be substituted.

In moving this amendment I would like to make a few general observations, because the principle involved in this amendment is the same as that involved in the amendment which this side of the House moved yesterday, although it does not mean thereby that the principle involved in this amendment is not of any importance. I would submit for the consideration of this House that the principle involved in this amendment is of urgent and extreme importance to the suffering people of the province who have ultimately to bear the burden of the salary. And what is the principle

[Ch. Krishna Gopal Dutt.]

which is involved in the amendment? That principle is the principle of salary reform which, I very much regret to say, has not received proper consideration and attention at the hands of our new administrators. My honourable friend, Diwan Chaman Lall, and myself gave full expression to our susceptibilities on the subject, although ultimately that expression of feeling fell flat on the honourable members on the other side of the House. I have no mind to repeat the arguments which we advanced yesterday, but I would like to draw the attention of the House and particularly the other side of the House to the fact that the most important argument which I adduced yesterday in this House was not replied to in any cogent manner by any honourable member on the other side of the House. I do not want to waste your time by expatiating on that argument. I would simply mention that argument once again and that was the fixing of the salary of public servants in some reasonable proportion to the *per capita* income which obtains in a particular country and that argument I repeat to-day although I have no mind to expatiate upon it. I do not want to develop it or dwell upon it, but I would again draw attention of the House to the fact that that argument was not replied to by the other side of the House. The only gentlemen who made a reference to it was Raja Ghazanfar Ali who said that in England the salary of the ministers was being attempted to be increased. I submit, Sir, for his consideration and for the consideration of his colleagues that even if the British Parliament enacts that the salary of British ministers be ten thousand pounds, it means that instead of 53 it would be 106 times the *per capita* income of England. But as we proved here yesterday, the salary which we are paying and which we are being asked to vote for the Speaker or for other public servants at the rate of Rs. 86,000 a year comes to 343 times the *per capita* income in our country and even that was only according to the optimistic reports of the average income in India which are given by Findlay Shirras and the Simon Commission Report, although I do not accept that. Later on my honourable friend Diwan Chaman Lall according to the figures quoted by him calculated that it was not 343 times, but it was 500 times the *per capita* income of our country. I was saying that the question of salary reform in our province was of particular importance. I submit that various factors have combined to make this question so much important as we find it to-day. The most important factor is the financial situation in which our province finds itself to-day. I think the provincial rural debt in the Punjab is 200 crores. Roughly speaking round about that. Just imagine, Sir, 200 crores. I would presently show that it has risen from a small figure. The preceding Government has been trying to throw dust in the eyes of the people by balancing the budget on the paper. Our outgoing Governments asserted that although the two budgets preceding the last one were deficit budgets, the deficit was only a nominal one and when the Neimyer Committee accepted these declarations of the Punjab Government at their face value and reported that no subvention be given to the Punjab by the central or the Federal Government, the Punjab Government lodged a protest against it. On the one hand they declared that the budget was not a deficit budget, and on the other when it came to the question of the Neimyer award, these people raised a hue and cry that injustice was done to the Punjab. But who is responsible

for that injustice? Surely the Punjab Government themselves. They bamboozled the people into the belief that this province was not a deficit province. Had they not created that impression the Neimyer Report would have been a different one. I was mentioning the question of provincial debt. I would submit for the consideration of the House that in 1926 the Provincial debt stood at 99 crores, in 1929 it was 135 crores and to-day, as I have already mentioned, it is 200 crores. With an ever increasing provincial debt and with no financial succour from the Central Government, and with such high salaries, how will the present Government be able to balance its budget? I want to know from the Honourable the Leader of the House, how is he going to balance the budget under these conditions, how on earth is he going to alleviate distress, disease and destitution which are staring the people in their face? I know that they do not care for our arguments. This was proved yesterday. They have got a comfortable majority here, but I would again remind them of the fact that when they went to the electorate they urged, the Unionist Party urged, that they were the party of the poor, the friend of the indigent and the helper of the needy, but they say one thing to their electors and when they come here before this House they say another thing. I am reminded of an Urdu couplet:

شام کو خوب سے پی صبح کو تڑپ کر لی
رند کے رند رہے ہاتھ سے جنت نہ گئی

We were given to understand that with the advent of the new regime, with the inauguration of the new constitution, there would be a new heaven on this earth, but we find that we are going to meet the same heavy expenses as we used to do before. Where is the difference between the old and the new administration, where is the difference between the old and the new regime when we are going to vote for the same amount of salaries and the consequential deficit budgets, as we used to do before this administration, came into being. I think this is abundant proof of the fact that the white bureaucracy in India is being replaced by a brown bureaucracy.

Khan Bahadur Nawab Muzaffar Khan: There is the difference of two thousand rupees.

Chaudhri Krishna Gopal Dutt: I would submit for their consideration that metaphorically speaking we are going to be murdered and butchered at the hands of our own people, our own brethren. The poor peasants now feel that they are going to be killed, they are going to be squeezed and perhaps swindled by their own kith and kin. We could cut down the salary of the Europeans only if our brethren had also agreed to accept lower salaries. But when they are themselves taking high salaries, with what face can we say that we shall cut down the salaries of the Europeans. I have not much complaint against the Europeans now. It is against my own brethren and my own blood that I complain. I am reminded again of a Persian couplet:

من از بیگانگان هرگز نہ نالم کہ با من هرچه کرد آن آشنا کرد

[Ch. Krishna Gopal Dutt.]

For the benefit of those honourable members of the House who do not know Persian I would translate it by quoting another couplet in Urdu :

دل کے پہپہولے چل آئے سینے کے داغ سے
اس مہر کو آگ لگ گئی مہر کے چاغ سے

I do not want to waste the time of the House by repeating arguments and I have also to realise that there are a quite a number of other honourable friends who are expected to speak on this amendment. But I would like to mention one thing before concluding my speech. Before I entered this House, before I was a member of this House formally that is to say before I took the oath of allegiance, I had an open mind so far as the views of the Unionist Party were concerned. I would draw your attention to the statement that I issued to the Press on the day the new Ministry was announced. I said I would judge this Ministry not by any prejudice or preconceived notions but by their actions. And now, Sir, I am in a position to say from what I saw yesterday that the Unionist Party has gone back on its pledges. My honourable friend, Chaudhri Chhotu Ram, nods his head. If he is the author of certain articles which are being written on behalf of his Party in the columns of the *Civil and Military Gazette*, I would draw his attention to the fact that many noble principles, many idealistic views, had been put before the voters on behalf of his Party, which to-day he finds it difficult to give effect to. Take the question of these salaries. I feel that those on the other side of the House are sucking the blood of the poor people of this province. The *per capita* income is so small that the poor people cannot afford to pay that much. They know that the public rural debt is at a high figure and that, Sir, I submit, in spite of the exports of large quantities of distress gold which the poor people have to part with in order to pay the salaries of these public servants who are fiddling while the Province is burning. According to a statement issued by the Secretary of Unionist Party, we are told that their caravan will march on. Yes, their caravan will march on, but to what place? I warn them that their caravan will march on towards economic disaster, towards financial crisis. They are heading towards virtual bankruptcy.

One thing more. Please do not teach the people that they should have no faith left in constitutional methods. By their present methods the Government members, knowingly or unknowingly, are sowing the seeds of revolution, the character of which I shudder to imagine. With these words, Sir, I move my amendment for the consideration of the House.

Mr. Speaker : Clause under consideration, amendment moved is—

That in clause 2, lines 4-5, for the words "thirty-six thousand" the words "six thousand" be substituted.

Professor W. Roberts (European) : I rise to oppose the amendment that has been moved by the honourable member Mr. Dutt. I feel, Sir, that this debate is being carried on in an atmosphere of unreality. In the first place my Congress friends are pledged to defeat not only this Government but all Governments and to prevent provinces being governed. They may come with proper conviction that their duty is to do that but they

cannot expect us, on this side of the House, to take them seriously so long as they aim at destroying all Governments.

I am going to charge the Opposition with participating in increasing the expenditure. The daily allowance alone of the Assembly Members costs the province about 2 thousand rupees a day. I maintain that the eloquence of my honourable friends opposite is partly responsible for increasing the number of days we will have to sit and for increasing the work of our worthy Speaker. To meet that extra expenditure, at any rate, you are responsible for robbing the poor cultivator and the poor people of this province.

Then, Sir, the oldest Parliament in the world, that is, the Parliament of Great Britain, have fixed the salary of the Speaker at 6 thousand pounds a year, with a pension of 4 thousand pounds. In addition to his salary he gets a free house and other allowances. He is free from all rates and taxes and generally he gets peerage at the end of his term of office. You may think these provisions wise or unwise. At any rate they have fixed them after a long experience. It must be realised that first of all we must get a man of mature age to guide the functions and deliberations of the Assembly. It is the best way of wasting money to have an inefficient and inexperienced man in the chair. If you are trying to cut down the salary of the Speaker, it means that you will get an inefficient Speaker and that will be waste of the money of this province, not only of the salary of the Speaker but a hundred times more than the salary of the Speaker. If we get an inefficient Speaker in this House the Government of the country would suffer. The main work of the Ministers after all, is to carry on the administration. I admit that deliberations and criticisms of the House are extremely important. I do not deny it for a moment. So far as the bulk of the work of the Ministers is concerned, it is outside this House and the more time they have to spend here the less time they have for ordinary work. By wasting the time of the House and preventing them from doing their duty, you are increasing the expenditure of administration of the province and you are increasing inefficiency as well.

Take again, the proposal of my friends to fix the salary of the Speaker at five hundred rupees per month. Is the Honourable Speaker supposed to walk to the Assembly chamber and to live in a house costing about Rs. 20 a month? If your honourable Leader of the Congress Party Mr. Gandhi or Pandit Jawahar Lal Nehru were to come to Lahore, I will be willing, and honoured if I can, to lend them a car, to put them in the very best house I can afford and see that they would be able to spend their time in Lahore with dignity, which, I consider, is due to them. But that cannot be done on five hundred rupees a month.

Dr. Shaikh Muhammad Alam : Demolish all those big houses. We are prepared to live in huts.

Professor W. Roberts : I do not think that many honourable members on that side are willing to do so. As I said before, this debate is being carried on in an atmosphere of unreality. I submit that the salary proposed for the Speaker is reasonable. I may also point out that as compared

[Prof. W. Roberts.]

with the previous Assembly we have nearly three times the number of members. Besides that, now the responsibility for carrying on the Government rests on the elected members. For that reason there is far more work and far more responsibility attached to the office of the Speaker. I hope very much that you will take a reasonable view of the matter and give up this amendment.

Pandit Shri Ram Sharma (Southern Towns, General, urban) (*Urdu*) : Fortunately my knowledge of English is so limited that I cannot adequately express myself in it. I will, therefore, speak in Urdu so that I may easily be understood by all honourable members.

Chaudhri Tikka Ram : On a point of order. My honourable friend is an undergraduate of the Delhi University. He has read up to the B.A. standard and knows English very well.

Dr. Shaikh Muhammad Alam : Undergraduates on this side do not know sufficient English, but the matriculates on those benches know sufficient English.

Pandit Shri Ram Sharma : I would like to say that although I joined a college, I left it under the behest of Mahatma Gandhi. Afterwards I started living in the company of zamindars, with the result that I have forgotten whatever little English I had learnt.

Mr. Speaker : According to his own admission the honourable member has read up to B.A.

Chaudhri Tikka Ram : Sir, he left the college when he was about to appear in the B. A. examination.

Mr. Speaker : I hope the honourable members will realize my difficulty in deciding whether a certain honourable member is well qualified in and well equipped with English and can speak in that language. No academic qualifications are laid down. Some intermediate pass persons can speak English more fluently and correctly than many graduates. If an honourable member states that he cannot make a speech in English, how can I say that he can ?

Raja Ghazanfar Ali Khan : If I remember aright, yesterday you remarked that matriculation will be the standard.

Mr. Speaker : I did not.

Raja Ghazanfar Ali Khan : You were pleased to ask Mian Mushtaq Ahmad Gurmani, whether he has passed the matriculation examination or even the middle examination, and we understood that matriculation was the standard.

Mr. Speaker : Sorry, I was misunderstood. I did not say that the matriculation examination was sufficient. If any honourable member can prove that the honourable Mr. Shri Ram Sharma had made speeches in English outside this House, I will certainly ask him to speak here also in English.

The Honourable Major Sir Sikander Hyat-Khan : I accept the honourable member's words.

Dr. Shaikh Muhammad Alam : The Leader of the House is more reasonable than the other members.

Pandit Shri Ram Sharma (Urdu) : After all I have been granted permission to speak in Urdu. The Government members object to Urdu speeches because they wish that one-third or one-fourth of the honourable members who do not know English very well may not understand them and that the members of their party should always say ditto to the honourable Ministers without any demur.

The Honourable Major Sir Sikander Hyat-Khan : I think the honourable member is very uncharitable in his attack. He is not justified in saying so. I shall be only too glad if any honourable member is allowed to speak in Urdu. Unfortunately the Act does not give the Speaker powers in this matter. We will be only too glad if an honourable member addresses the House in Urdu.

Dr. Shaikh Muhammad Alam : But he does not understand you, because he does not know sufficient English.

Mrs. Rashida Latif (Urdu) : You know that in this House all the honourable members can speak in Urdu because our mother tongue is Hindustani. In this new Assembly there are some lady members and I would like to point out that they refuse to be reduced to the position of mere statues. There should be a law permitting us to deliver speeches in Urdu. If we do not understand the speeches of the honourable members, how shall we be able to give a reply to them? In the course of yesterday's proceedings of the House I found that I could very well give an answer to the arguments advanced by certain honourable members but I was afraid that I might not have understood the meaning of speeches delivered by English speaking members and so I kept quiet.

I think that most probably all the honourable members of this House keenly desire, and in fact all of us should endeavour, to frame rules permitting the use of Hindustani in the course of our speeches. We have come to the Assembly to make new rules and we are not bound by old ones.

You know that in this country there is a large number of young men who possess B.A. and M.A. degrees of western universities, but their hearts do not throb with sympathy for their motherland. Out of four elected lady members three cannot understand English very well. One of our sisters possesses command over the English language. She took part in the deliberations of the Round Table Conference. Apart from Muslim ladies there are Hindu ladies who possess higher western educational qualifications. But it is not essential that only highly qualified ladies should be sent as representatives in the Assembly. The representatives of the masses should have intense love for their community and country. Their hearts should be full of patriotism and devotion to their motherland. I am also one of them. I have been given an opportunity to represent the people because I love my country intensely and I want to serve it to the best of my ability. I, therefore, request that whosoever in this House wishes to speak in Urdu should be permitted to do so.

Pandit Shri Ram Sharma (Urdu) : I was submitting that at present the motion before the House is that the Speaker should receive a salary of Rs. 3,000 per mensem but my honourable friend Chaudhri Krishna Gopal Dutt has tabled an amendment by which he wishes to limit the salary at Rs. 500 a month. I wholeheartedly support the amendment. In my opinion the question of honour and prestige is not involved in the proposal put forward by Government. The honour and prestige of office, we believe, depends upon service and selfless devotion to duty. At present Mahatma Gandhi, the greatest national leader of India, is living with the utmost frugality and still his honour and prestige remain intact. By bringing forward this amendment the Congress Party do not mean that they have no regard or respect for the Speaker. The fact is that the Congress has all along been demanding that the fixing of fat salaries should be commensurate with the financial position of the public at large and the poverty of the country. It is an admitted fact that India is the poorest country on the face of the earth, where the daily income of a person is six or seven pice. In view of this the proposal of paying a salary of Rs. 100 per diem to the Speaker is simply intolerable. Before I was elected to the Assembly, I used to hear about the Unionist Party in this House. I wondered as to what was the nature of this union or unity. On arriving here I learnt that this union or unity existed amongst a set of moneyed people, rich landlords, persons drawing fat salaries and vested interests, who during their election campaigns professed to have every sympathy with the poor zamindars but the very first thing they accomplished in the Assembly was to fix salaries at Rs. 100 or Rs. 125 per day for some of their proteges.

Recently the crops of the poor zamindars have been totally destroyed owing to hailstorms, but these people who consider themselves the custodians of the rights of zamindars, have not the courage to take up this question in hand. The Congress Party, therefore, is forced to regard this union as not in the interest of the poor. You will be surprised to hear that certain members of the Unionist Party personally told me that their heart was with the Congress but for some reasons they were compelled to side with their party. Now the Unionist Party is at liberty to pass measures by sheer force of numbers. But will time indicate that this union cannot last for any length of time.

My second submission is, we have often been told by government members that we should take the maximum advantage out of the new constitution. Our view point is that nothing good can accrue from it. But the maximum benefit has appeared in the form of granting the maximum amount of salaries to Ministers and the Speaker. From this point of view the Unionist Party has really been a great success.

The Unionist Party has been proclaiming in no uncertain terms that peasants and petty proprietors stand to gain by the inauguration of the new constitution. But I can say without any fear of contradiction that as compared with them, we the congressmen have done more useful work in rural areas. We are fully conversant with the difficulties of the zamindars. We can be of greater use to the zamindars than the Unionist Party. I can say on the strength of my personal experience that in spite of my being an urban representative I served the rural areas of Rohtak in the capacity of a

Congress volunteer. I have witnessed how the zamindar earns his livelihood with the sweat of his brow. But the pity of it is, the sum of nine crores of rupees which comes out of his pocket, is squandered in paying fat salaries to highly placed government officers. In this way the big zamindars only stand to gain while the peasants and small proprietors are losers all along the line. Before this we used to complain about the fat salaries paid to Englishmen. But now when the new constitution has been inaugurated we are face to face with the same difficulty. The only difference is that a brown bureaucracy has stepped into the shoes of the white bureaucracy.

The first item in the programme of the Unionist Party is to lighten the burden of the zamindars, to save the property of the poor and to extend as far as possible a helping hand to those who are in need of it but it is a pity that the members of the Unionist Party have mistaken their calling. They seem to be under the impression that it is high time for them to make a parade of their powers and show to the world that they are all powerful Ministers. The Unionist Party might well be likened to those able-bodied beggars generally to be found on railway stations and in railway carriages with small wooden boxes in their hand asking the travelling public to contribute something towards the maintenance of Gau Shala. Just as these Gau Shala walas go about saying "*Dan do, Gau Mata ko dan do,*" the Unionist Party claims to champion the cause of the zamindars. Probably you are aware of the fact that these people who go about asking for "dan" enter into an agreement with the managers of the *Gau Shalas* that whatever they realize in the form of "dan" will be distributed in the ratio of $\frac{1}{3}$ for themselves, $\frac{1}{3}$ for the managers and $\frac{1}{3}$ for the *Gau shalas*. Do the Unionist Party propose to act like these *Gau shala wallas* by fixing fat salaries for their proteges? It is a thousand pities that nobody on the opposite benches cares anything for the poverty-stricken, downtrodden, wretched zamindars. These people have taken no steps for ameliorating the condition of the poor. The position of those officials who say "we are serving the country" is just like that of the big bellied people who are working in the *Gau shalas*.

Woe betide the zamindars whom nobody even cares to listen, whereas these people say, where should we get money from to purchase our motor cars? I would certainly have supported this Bill if its object had been to maintain the dignity of the Chair. : but this question is not concerned with his personality. It is a question which is directly connected with the inadequate income and heavy expenditure of the province. These officials, however, are slaves of prestige and money, want a motor and house allowance. I would earnestly request the Honourable Speaker to preside over this House by accepting the minimum amount of salary because from our, that is, the Congress point of view in it lies the greatest dignity and the greatest splendour.

Khan Bahadur Nawab Chaudhri Fazal Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): It is a matter of gratification that some voices have risen also from the opposite benches in favour of the zamindars and we are glad to hear them. May these demonstrations of sympathy be true and if the members sitting on the opposite benches remain constant in showing their sympathy in this way, the zamindars would gain a lot and we would be

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

much obliged. Several measures for the betterment of zamindars have from time to time been placed before the House, but none from those benches has ever shown a genuine sympathy for them. Perhaps it is not forgotten that when the Relief of Indebtedness Bill was before the Council, our brethren on the opposite benches opposed it tooth and nail. (*Mr. Krishna Gopal Dutt*: Who opposed it?) I am not referring to anybody.

Mr. Speaker: When an honourable member wishes to ask a question, he should do so through the Chair.

Chaudhri Krishna Gopal Dutt: The honourable member is referring to certain statements which have never been made in the speech of the honourable member who has just preceded him.

The Honourable Major Sir Sikander Hyat-Khan: The honourable member should give an opportunity to members on this side of the House also to speak.

Dr. Shaikh Muhammad Alam: I may point out to the honourable Leader of the House that when the honourable member is making references he may point out to the members on his own side who are opposing the amendment.

Mr. Speaker: It is not a point of order. It is a speech.

The Honourable Major Sir Sikander Hyat-Khan: May I request the honourable member through you, Sir, that he should show some courtesy by allowing a member on this side of the House also to speak? Such interruptions are not likely to improve the tone of the House.

Mr. Speaker: The honourable member will proceed with his speech. I shall see that other members do not interfere.

Chaudhri Krishna Gopal Dutt: Again on a point of order, Sir. I want to speak in vernacular so that the other members may understand what I am saying. I would like you to correct the anomaly in the rules. I want to draw the attention of the honourable member to a fact but he does not understand the English language.

Mr. Speaker: I am entirely at one with the honourable member. I have already remarked that so far as our province is concerned, section 85 of the Government of India Act requires to be amended immediately, and hope that the Leader of the House, as already requested, will do his best to have the needful done as early as possible.

Khan Bahadur Nawab Chaudhri Fazal Ali (Urdu): I have neither referred to any honourable member in particular nor am I casting a reflection upon any particular member. It is bad manners to interrupt me again and again. I was saying that the proper time for showing sympathy for the zamindars was when resolutions for lightening the burden of zamindars were being moved in the House and occasions like that would rise again. (*Pandit Shri Ram Sharma*: The honourable member is irrelevant).

Chaudhri Krishna Gopal Dutt: I would again like to draw your attention to the fact that the honourable member on the other side of the House is giving expression to certain ideas which are altogether irrelevant to the amendment before the House.

Khan Bahadur Nawab Chaudhri Fazal Ali (Urdu) : The salaries of the Honourable Ministers have been fixed but the question of Speaker's salary still remains undecided. When so much has been done and only a little is left, I feel that it is tantamount to swallowing a camel and straining at a gnat. I do not think it is necessary to stress this point. Nothing good will be achieved by it. If the difficulties of zamindars can be solved by reducing the salary of the Honourable Speaker, we would request him to perform his duties in an honorary capacity and similarly we can request the Honourable Ministers to follow suit and to accept lower salaries or work in an honorary capacity. By the grace of God they are all well off and we hope they would agree to this proposal. The question is, whether our difficulties would be solved in this way and whether it is likely to redound to our benefit? In my opinion the condition of the zamindars is best described in the following couplet :—

انگر کفچے کنی ہر عامیان بخش رسد مر ہو کدوائے را ہوا ہے

In the first instance you must reduce the salaries of all Government servants in the province and then reduce the salaries of the Speaker and the Ministers in the same proportion.

An honourable member has just said that the total amount of the revenue of the province is nine crores and the total debt of the zamindars one hundred and forty crores. When this is the condition of our province, I am afraid, any reduction in the salaries of the Speaker and the Ministers would not be beneficial for the zamindars unless some other measures for ameliorating their condition are taken in hand. I have already said that the Opposition made no end of trouble in this House when a proposal for reducing the rate of interest came under discussion. (*An honourable member* : The honourable member is irrelevant.) I am quite relevant. What I mean to say is that we should agree to the principle of *damdapat*, i.e., the principal plus interest should not exceed double the amount lent. I make this suggestion to the opposite benches in all seriousness inasmuch as this proposal would prove a great boon for the zamindars. I have never indulged in Hindu-Muslim disputes and shall never do so in future. This request is addressed to those Muslims also who have just begun charging interest on loans. I know that the Congress party is inclined to show its sympathy towards the zamindars but this is a mere pretence. There is a well known maxim by an eminent Englishman that our tongue is not meant to express our thoughts but to conceal them and similar is the case here.

Lala Bhim Sen Sachar : Is not the honourable member making reflections on this honourable House.

Honourable the Premier : The honourable member did not refer to any honourable member particularly.

Chaudhri Krishna Gopal Dutt : By saying tongue (language) was he referring to the language of anybody outside?

Mr. Speaker : Will the honourable member please repeat what he said?

Khan Bahadur Nawab Chaudhri Fazal Ali : It is an English quotation which means that our tongue is not meant to express our thoughts but its function is to conceal them.

Mr. Speaker : That is not a reflection on anybody. It is a general remark.

Khan Bahadur Nawab Chaudhri Fazal Ali : I have made a general remark that is applicable to everybody, applicable to us also. I did not mean to reflect on anybody particularly but if the cap fits anybody he is welcome to don it.

At the time of fixing somebody's salary it is necessary to see whether it would suffice to meet his needs and if not, the person concerned will not be inclined to work for a mere pittance and if he does so it will not be for long. We should not let our Speaker and Ministers go abegging from door to door to make both ends meet. Our Ministers and our Speaker should be sufficiently well off so as to perform their duties efficiently.

خداوند، کتب بحق مشغول پروا کندہ روزی پروا کندہ دل

These officers can work satisfactorily only if they have no monetary worries. The Congress has decided that the salary of every office-holder should not in any case exceed Rs. 500 per mensem, i.e., the Speaker should not get more than Rs. 500, the Deputy Speaker's salary should not exceed Rs. 500 and similarly the Ministers and the Governor should not be paid more than Rs. 500 a month.

It is an apt illustration of the well-known maxim :—

تکے سہو بھاجی تکے - پیر کھاجا اندھیر نگری بیدان راجا

The Congress decision is highly undesirable. A person who deserves Rs. 400 must be given Rs. 400, a person deserving Rs. 500 must be given Rs. 500, and a person deserving Rs. 600 must be given Rs. 600 and so on. When fixing salaries due regard must be paid to the position, ability and nature of the work to be performed by the incumbent of the post. The man who fixes salaries should see to it whether the employee can conveniently live on the salary granted to him. The saying پروا کندہ روزی پروا کندہ دل should not apply to any holder of office. A man cannot work satisfactorily unless he is free from all monetary worries. If a labourer who deserves 4 annas per diem as his daily wages is paid only two annas he will not be able to work for long. His wages would hardly suffice him to keep body and soul together and the poor fellow will not be able to carry on for long. In order to benefit the zamindars, we should bring about relief of indebtedness which is pressing so heavily upon them. It is common knowledge that the masses, especially the zamindars, are constantly involved in petty quarrels and that litigation is ruining them. So the proper way in which the lawyers can give a practical demonstration of their solicitude for the zamindars is to reduce their fees and if the doctors too were to charge less for medical attendance, the peasantry will soon be better off. Further relief can be secured if the Directors of various companies are prepared to accept lower salaries.

It is then and then only that any reduction in the salaries of the Ministers and the Speakers can be accounted as a real saving which will benefit the masses.

You cannot bring about an economic regeneration of the province by whittling down the Speaker's salary alone. He is, by the grace of God, a man of substance and can rely upon his personal resources: but I want to submit, Sir, that it is a fallacy to suggest that this sum of Rs. 3,000 would suffice to solve the difficulties of the zamindars. Their lot can be improved only by lightening the burden of nine crores of rupees which they have to pay.

Let us enhance the public revenues to ten crores as required and devote some of it to develop roads in the rural areas so as to counterbalance, howsoever partially, the advantages which the urban people derive from motor cars, aeroplanes and the mall roads. The zamindars should be called upon to pay one half of this sum, i.e., five crores, and thus enjoy a concession of four crores. The remaining five crores should be charged to the non-agricultural classes. If the capitalistic businessmen are willing to share this burden equally, it will undoubtedly bring prosperity to the zamindar. It is not fair, Sir, that he should starve, while others are leading a life of luxury and ease. The attitude of the Opposition towards the poverty and destitution of the zamindars may be described in the words of the poet:—

— باد ہوا میں ہمہ آوردہ توست

You must not forget that these Councils are the result of the services rendered by the zamindars during the Great War. Those who are indulging in tall talk now, were then sitting tight in their homes, while the zamindars were laying down their lives in the open battelfield, and their sons and brothers were cheerfully receiving bullets in their chests. These Councils, I repeat, are the reward of those sacrifices.

In future too, if need be, the zamindars would not fail to risk their lives in the defence of their country. The reins of the Government are now in our own hands. Let us, therefore, do something practical to cure our troubles. You are anxious for the welfare of the masses. Are you then prepared to share one-half of the zamindar's burden? Pay five out of the ten crores and we are ready to pay the rest.

Those who wish to wreck the Government, are out to mislead the people by their fiery speeches. It has been said that the policy of the Unionists would benefit only the big zamindars. But I submit Sir, that the interests of all land-holders, big and small, are identical. If the land-revenue is reduced by two annas per bigha, a small land-holder owning say ten bighas would save Rs. 1-4-0, and a landlord with 2,000 bighas, would save Rs. 250. My point is that we are all in the same boat and as the poet has said:—

اگر نای تو بیکی سے

By way of cheap propaganda you are at liberty to say anything you like. But the zamindar's prosperity is not dependent upon this sum of Rs. 3,000. Some honourable member from the Opposition has said:—

من از بیگانگان هرگز فنامم که با من هر چه کرد آن آشنا کرد

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

Just think over it and see whether it applies to us or to you. Your professions of sympathy with the zamindars will be given a fair trial when practical legislation for their welfare is undertaken. You are aware, Sir, that communal riots are occurring everywhere. The good of the zamindars and the country lies in our trying to eradicate this curse of communalism. Additional police would then become superfluous and a lot of money can be saved by reducing the police force.

I appeal to the Opposition benches that they should learn to do some practical good to the country and the masses. Let them come forward and join hands with me. I am willing to accompany them if they are ready to go about the country-side with a view to ameliorate the condition of the peasantry, and, if necessary, I will even renounce my present occupations. Let us start this campaign as soon as the present session ends.

It is undoubtedly true that the zamindar's lot is deplorable, but it is wrong to suggest that whatever is being done in the Assembly is done for the benefit of the big zamindars and that the interests of the peasant proprietors are being altogether ignored. The big zamindars are related to small ones by ties of blood. They are uncles, cousins, brothers or brothers-in-law of the small-holders. So nobody can claim to be a greater well-wisher of the peasantry than ourselves. All your clamour of sympathy for the zamindar resolves to the simple truth contained in the Punjabi saying:—

مان نالوں ہجلی پھایر کئی

We can understand their needs better than yourself. Yours is sheer propaganda, but I am sure it would not affect the Unionist Party in the least. The more you criticise us and bring allegations against us, the greater will be our cohesion and strength. If we relax in our activities the rebukes of our brethren outside will lash us into active solicitude again.

In view of the arduous nature of the Speaker's work, Rs. 3,000 is not at all an excessive remuneration. My submission is that to pay fantastically low salaries is an unsound policy.

For some time past I have been connected with a Central Co-operative Bank. Some of my friends and myself worked there, one by one, in an honorary capacity. I always tried to pay the staff as meagrely as possible, and for a number of years, our capital did not exceed two lakhs. A friend told me that so long as the office staff was poorly paid, the bank would not flourish. According to his advice I employed efficient men at Rs. 100 and even Rs. 150 per mensem. The result was that the Bank made an amazing progress. Its capital has now reached 22 lakhs and we have been able to dispense with Government aid. How true is the Persian maxim:—

د— کو مزدور خوشدل کند کار بیش

Adequate remuneration is indispensable. A country that does not make reasonable provision for the maintenance of its workers, can make no advancement. It is a wrong policy to keep the workers in want of the barest necessities of life. Will this Assembly never be dissolved? Will it not comprise different men at different times? If today Sir Sikander Hyat-Khan and other

dignitaries constitute the Ministry, tomorrow some poor persons will step into their shoes. It is true that the members of the present Cabinet can live upon their private fortunes, but their poor successors will have no such resources. So it will be necessary to pay them adequate salaries, otherwise they will not be able to discharge their duties efficiently, do you want to deprive the talented poor of their due remuneration, so that they should not even think of forming Ministries. The following verse properly applies to this view of yours:—

در محنت که یاران شوب مدام کردند

چو نرہیے گاند آتش بجام کردند

We have in mind not only Sir Sikander and other eminent men, but their poor successors as well.

Only just now the Congress members were insisting upon their right to speak in Urdu. I too agree with this demand. But the Speaker cannot help it. The Act says that those who know English must speak in English. What we should try to do is to get the law on the subject altered.

Diwan Chaman Lall : Is the honourable member in order in addressing the members direct and not the Chair?

Khan Bahadur Nawab Chaudhri Fazal Ali : I am about to finish. I had no intention of attacking anybody. I wanted only to lay simple facts before the House, so that my party is not taken in by what the Opposition has been saying.

1 P. M.

The House then adjourned for lunch.

The Assembly re-assembled at 2-30 p.m., of the clock. Mr. Speaker in the Chair.

MOTION FOR ADJOURNMENT.

POSITION OF AGRICULTURISTS DUE TO HAILSTORMS.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural), (Urdu) : I beg to move—

That the Assembly do now adjourn.

During the last two months different districts of the Punjab have experienced heavy rainfall and hailstorms, in particular, the villages in the Multan division have been hard hit. The kisans of Cheechawatni have nothing left to live upon, and Janglis of the ilaqa spent three days and three nights without any food; and to add to their misery the money lenders of that area taking refuge behind the Relief of Indebtedness Act refused to lend the sufferers ready money for buying flour and other necessities of life. (*shame, shame*): I have no sympathy with those money lenders but I am constrained to say that the rich zamindars of that ilaqa, who draw huge pensions from the Government Treasury, also failed to come to their aid. Then again an area 150 by 7 miles in the Montgomery district experienced the worst of hailstorms and heavy rainfall has seriously damaged the crops. If the Honourable Member for Revenue takes the trouble of visiting that area

[Ch. Kartar Singh.]

he will be convinced of the truth of the statement that areas, where hailstorm has played havoc with the wheat crop, look as if no wheat has been sown there. The kisans of this part of the country have been completely ruined and in some districts land revenue and water rates have not been paid up for the last two years.

Mr. Speaker : The general condition of kisans is not under consideration.

Chaudhri Kartar Singh : I am sorry I do not understand you.

Chaudhri Krishna Gopal Dut : The honourable member is bringing home to the members of this House the appalling condition of the peasants which has been aggravated by this act of nature. I think the honourable member is quite in order. What he is saying has a great bearing on the subject under discussion.

Mr. Speaker : It is clear from the wording of the motion that the matter under discussion is the position of the agriculturists of the province as a result of the recent hailstorms. That, therefore, is the only issue before the House.

Chaudhri Kartar Singh : Now I would like to state a few facts about the extensive damage done by the hailstorms in different districts of the Punjab. In the Ferozepore ilaqa about 2,000 acres have been seriously damaged. About 300 villages have been destroyed in Tahsil Okara. I have heard that the Commissioner of the Multan Division has sanctioned rupees one lakh for the relief of the hail stricken areas. This report has been corroborated by today's papers as well. At this time of financial stringency, when the result of the poor peasants' hard labour for six months has been reduced to nothing by the unkind hand of nature, the sum of rupees one lakh is much too small as compared with their distress caused by this visitation from the heavens. At the most each one of them will not receive more than Rs. 10. In view of such widespread and appalling distress this sum is quite inadequate and insufficient for relief disbursements. In addition to this it is also worthy of note that at such a time of misery and distress the Government has decided to realise the revenue rates for the fodder crop. I have been told by my friends that the Government is bent upon realising its dues. When the kisans have failed to pay up the land revenue and water rates for the last two years how would they be able to meet this demand of the Government, and at a time when they have been deprived of the barest necessities of life? I have drawn the attention of the honourable members to this bolt from the blue which has taken the people unawares and I hope that all of us who claim to represent the electorate are in duty bound to help them in their dire necessity. I appeal to the Treasury Benches to visit the scene of calamity themselves and to give a substantial part of their salaries towards the relief of the sufferers. (*An honourable member :* Let us raise a subscription.) I would also request the honourable members to visit these areas and see for themselves the real state of affairs. What the Government does in such cases is that a Tahsildar is sent to such places, who makes a report after he has toured the countryside. Then that report is published in some of the papers. This is merely an official inquiry but it is productive of nothing tangible. (*An honourable member :* I have also visited that

area.) I too have visited these areas and in Khanewal I discovered that the people were dying of hunger. Till now neither the Deputy Commissioner nor any other Government officer has made any inquiry.

The Honourable Major Sir Sikander Hyat-Khan : Which villages in the Montgomery district has the honourable member visited ?

Chaudhri Kartar Singh : I visited two places at Khanewal, the first being Cheechawatni and the second an area of two miles round about the station of Khanewal. Moreover I myself live at Okara and I can assure you that serious damage has been done to the villages lying near about it, and I have seen poor villagers actually crying. Further Khanewal itself has twice been visited by this hailstorm havoc.

The Honourable Major Sir Sikander Hyat-Khan : I have learnt that 200 villages have been completely destroyed.

Chaudhri Kartar Singh : In Amritsar district in addition to the wheat crop serious damage has been done to mangoe groves. In view of these circumstances when serious damage to crops has been caused in different districts of the Punjab and especially in the Multan division it is not difficult to imagine the plight of the poor kisans. Will you be content with expressing mere lip sympathy or will you do something substantial for ameliorating the condition of these poor people ? The situation warrants the distribution of at least rupees 50 lakhs as taccavi loans without interest. I think the sum of one lakh is quite inadequate for purposes of relief and it would be spent in Khanewal Tahsil alone where the distress has been especially severe. I appeal to the first zamindara Government, which claims to champion the cause of the poor peasants, to consider the case of these poor people sympathetically, to regard their woes as their own and to take pity on them. Before I finish my speech I once again appeal to the Treasury benches to give a substantial part of their salaries towards the relief of the sufferers.

Mr. Speaker : The motion is—

That the Assembly do now adjourn.

The Honourable Major Sir Sikander Hyat-Khan (Premier): I do not want to take part in the debate as such because my honourable colleague on my left will reply on behalf of the Government. I merely wish to point out some mis-statements and fallacies in the arguments advanced by my honourable friend opposite who has brought this motion. He has mentioned that the Commissioner of Multan had sanctioned one lakh of rupees for the whole of that ilaqa. The honourable member is probably not aware that that one lakh of rupees was sanctioned out of the famine relief fund to be distributed among the sufferers who have no food, and for providing fodder to their cattle. It was not a loan. Nothing of the sort. It is intended to be free gift to the people in the area which has been devastated by this unfortunate calamity. If more money is needed for relief you may rest assured that Government will not be found wanting in providing more funds for the purpose, apart from the remissions and other concessions to which they are entitled. I want to make that point clear. Again my honourable friend said that he has visited two villages. The report which I have received mentions more than 300 villages, that have been affected.

[Hon. Sir Sikandar Hayat-Khan.]

and some of them have been seriously affected both in Montgomery and in Multan districts. I am afraid that in at least 100 villages there has been complete devastation and the standing crops have been totally destroyed. You may rest assured that these villages will not only get necessary relief but they will also get remission full and complete remission in all cases where crops have been totally destroyed. Similarly in some parts of the Multan district and Muzaffargarh and Dera Ghazi Khan districts there has been considerable damage. There has been some damage in Lyallpur, Lahore and Jhang districts also and their case will receive similar sympathetic consideration from the Government. As soon as the reports of the calamity were received the Commissioner sent out detailed instructions for appraising the damage at once, and asked the local officers to treat with greatest sympathy the people who had suffered and to afford every possible relief to them. Government also conveyed through the Commissioner to the people in the affected areas their fullest and deep sympathy and an assurance that they may expect every possible help from Government within its resources. *(Applause.)*

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) : The assurance given by the Honourable Premier on the other side that the Government will take the matter into consideration and as far as possible remissions will be given with regard to revenue in those districts should be welcomed. I may inform the House that I have also received a letter from some of the villages in the Ferozepore district, and about 14 villages in another Thana have also suffered from the recent attack. On Saturday night when I was at Ludhiana I also witnessed a mild attack in different areas of my district. Later on I have been receiving reports from other villages that the hailstorm has done havoc there. I have to submit that in such cases when the crops were just ripe for the harvest the hailstorm was most untimely and there was already dearth of fodder and other things. Therefore, it is all the more important that honourable members on the other side should take into consideration the points that are involved. It is not a matter on which party questions should come up as they come up in other matters. It is a matter that concerns the agriculturists, the poor peasant of the province. In my own area unfortunately the peasants have very small holdings. An area of more than 80,000 bighas has suffered and I may also mention for the information of the Honourable Premier that the villages such as Budni Kalan, Budni Ranka, Rania, Khote and several other villages have suffered. A question will be asked again by the Honourable Premier whether I have visited those villages. I have submitted in the beginning that I have in my possession a letter from the people of those areas. I believe that that letter has not been written to me for the purpose of my making a speech on the floor of this House. As a matter of fact the condition is unfortunate there and I may also say that they cannot meet the revenue demands if the Government does not favourably consider their case. I, therefore, submit that in this case the Unionist benches should take this matter into their careful consideration so that the peasantry will not suffer simply because their case is being now advocated from the Congress benches. I represent the rural population of those two districts and therefore as representing the rural population I can claim that some remission

should be made in spite of the fact that unfortunately from their view point and fortunately from my own view point I have the privilege to sit on the benches, the chief aim of which is to help the peasantry of the province and to see that their grievances are remedied at an early date and at all cost, even though those who advocate their cause in this House have to suffer for the service of those whom they represent.

Khan Bahadur Nawab Muzaffar Khan began speaking in Urdu.

Diwan Chaman Lall : Is the honourable member not in a position to make a speech in English ?

Khan Bahadur Nawab Muzaffar Khan : I thought the criterion fixed on the other side was that Matrics could perhaps speak in Urdu and I am a poor Matric only.

Mr. Speaker : An Examination is not a criterion in every case.

Khan Bahadur Nawab Muzaffar Khan : Mr. Speaker, there is a Persian couplet :—

ہو بلائے نر آسمان آید گرچہ بود یگوان قضا باشد
 ہو زمین نا رسید، مے ہر سد خانہ زمیندار کجا باشد

(*Interruption.*) I have purposely used the word 'zamindar' because every calamity that comes from heaven falls on the head of poor zamindars. (*An honourable member :* Big salaries too.) The zamindar has been very hard hit by the recent hailstorm. I am a tenant-at-will in the vicinity of the area which is affected, having a small holding in the Okara tahsil. I quite agree with my honourable friend opposite that the condition of some of the villages is really terrible. I think this year has not been very auspicious not only for the poor zamindars but also for some of the old Ministers. For example, people like myself had to go out of office and have also suffered terribly on account of hailstorm. Sir Jogendra Singh has suffered heavy loss and he has my entire sympathy. All of his area is gone. But I am glad to find that everything possible is being done by Government. I happened to go to Multan recently and see the Commissioner. I think the House will be very pleased to know that we have got a very sympathetic officer in Mr. Garbett who is now in charge of the Multan Division. He was thoroughly in touch with the whole situation and has already taken the necessary steps. My honourable friend was talking of relief of one lakh. That was only temporary relief for those people who suffered. But that is not the extent of the remission. A rough estimate of the remission that was given to me by Mr. Garbett in the matter of land revenue alone comes out about 6 lakhs. He has sent orders to Deputy Commissioners to go out at once and report the extent of the damage. Not only that ; he also asked the officials of the Agricultural Department to go to the spot. The officials have been alive to the calamity and danger that has occurred and any zamindar from that area will bear me out. Whatever possible is being done. The condition of the crop generally throughout the province was most satisfactory. But suddenly this calamity has come in. The Leader of the House has stated that every possible step has been taken for relief and remission.

[K. B. Nawab Muzaffar Khan.]

I further understand that besides one lakh of rupees the Financial Commissioner, Revenue, has asked for further sum of 80 thousand rupees. I hope the Government will sanction the extra sum.

I would further appeal to the members opposite to give practical proof of their sympathy by subscribing for the relief of the poor.

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban): In view of the attitude taken by the Treasury benches and the assurance given by the Honourable Leader of the House, it is absolutely useless, in my humble opinion, to go on with this question. I hope Government will take sympathetic attitude towards the matter.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur North, Muhammadan, Rural) (*Urdu*): I am very glad to note that our Government too have expressed their sympathy with the motion under consideration and that they too are at one with us in so far as the grant of compensation to zamindars is concerned and that they are conscious of the losses the zamindars have suffered through the recent hailstorms. But mere lip-sympathy will not do, as the repetition of the word "sugar" can never sweeten the mouth. In order to give a practical shape to this expression of sympathy, it is necessary to appoint an inquiry committee which should thoroughly examine the position and suggest ways and means for ameliorating the condition of the poor zamindars. I am obliged to make this suggestion because ordinarily Government officials are accustomed to take action on paper only without doing anything practically. Consequently it will be essential to make special arrangements for this purpose. I am afraid, the Government will do nothing beyond compiling a report after the routine procedure is carried out. My first and foremost proposal in this behalf is, that the Honourable Revenue Minister and the Premier should immediately proceed to the scene of disaster after the Assembly session is over. My second proposal is that a committee consisting of some of the most competent and independent members of the Assembly should be appointed to inquire into the matter and submit a detailed report. This committee should be called upon to examine the steps which the local officers have taken for redressing the grievances of the zamindars. There is yet another point which I wish to stress and it is this, that on occasions like this there is the danger of corruption taking place among the petty revenue officers. The persons offering some gratification to the patwaris will receive all possible concessions and remissions but the man who would rely on the sense of justice and sympathy of the government, will have to go without any such concessions. I am not talking of things which exist only in my mind and imagination. I have made this statement on the strength of my personal experience. Such things do happen very frequently.

Moreover, when we consider that the zamindars cannot make both ends meet even when their harvests are good, how will they fare after their crops have altogether been destroyed by the hailstorms? It is, therefore, essential that steps should be taken for doing the fullest justice to the claims of the zamindars. A committee consisting of suitable persons may be appointed thoroughly to examine the case and to suggest ways and means for redressing the grievances of the poor peasants. We should also guard against

the appointment of pro-government members who in order to please their masters would be inclined to sacrifice the interests of the agriculturists.

Khan Sahib Chaudhri Fazal Din (Ajnala, Muhammadan, Rural) (*Urdu*): I am glad to be able to welcome the proposal put forward by my honourable friend Chaudhri Muhammad Abdul Rahman Khan but it will be quite in the fitness of things to say that it is not fair to mistrust Government officials on such occasions, because the rules regarding the grant of remissions necessitated by natural calamities are too clear to admit of any doubt. I have served in the Revenue and Canal Departments for about 30 years and I have also worked as a Deputy Collector for some time. Consequently, on the strength of my personal experience, I can say without any fear of contradiction that in the Canal Department, at least, efforts are made to do full justice to the legitimate grievances of the zamindars. The matter is not left to the patwaris alone. In the case of a natural calamity like hail-storm, responsible officers visit the scene of disaster and generally the whole affected area is checked by these officers themselves. Remission is granted afterwards. But this is not considered sufficient to meet the situation. Something else is also done in this connection and it is this. In order that the work of agriculture should go on smoothly, taccavi is granted to the zamindars and they are enabled to buy seed. Similarly the zamindars who have lost their bullocks are granted taccavi to buy the bullocks they need. In short all possible facilities are provided for the agriculturists in distress. In cases of canal irrigated areas where the loss amounts to three-fourths of the whole crop, full remission is granted, and in the barani area too, investigation is made to ascertain the amount to be remitted. In view of all this, I am obliged to say that if we ourselves undertake the duty of inspection and investigation, I am afraid, laymen as we are, we will fail to form a correct estimate of the actual losses and the amount of remissions to be granted to the zamindars. We had better, therefore, leave this complicated work to expert officers of the Canal and Revenue Departments who are fully qualified to do full justice to the case.

Master Kabul Singh (Jullundur East, Sikh, Rural) (*Punjabi*): The views expressed by the honourable member who has just sat down, have my full sympathy. But the real point, as put by the ex-Minister for Education, Sir Firoz Khan Noon, is that in view of the miserable plight of the poor peasant of the country, it is very difficult to say whether he should continue the profession of agriculture or he should take to beggary instead. The Government benches have held out various pledges to help the poor peasants, but I am obliged to ask whether the poor peasants, whom the lack of food has compelled to fast, are observing these fasts under some religious commandments or is it in obedience to some ordinances issued by the Government? I do not wish to go into the details of the case. The truth is that the big landlords are out to exploit the smaller landholders. The Government is only an assumed garb to conceal this act of exploitation. I remember how His Excellency the Viceroy once happened to fix his tour in the Jullundur district and was pleased to halt at Phillaur for some time. Wide publicity was given to the view that the present Viceroy was a staunch supporter of the zamindars and that he was the veritable king of the peasants. Elaborate arrangements were made to welcome His Excellency but what

[Master Kabul Singh.]

happened? Let the doleful tale of the poor peasants be untold. They own nothing which they can dispose of in order to pay off the heavy Government dues. Things have come to such a pass that the poor peasants cannot even make both ends meet. Many a time the newspapers have voiced this grievance of the agriculturists but to no purpose. The Government has taken no steps to provide even a crust of bread to those peasants whose crops have altogether been destroyed by the recent hailstorms.

The Honourable Major Sir Sikander Hyat-Khan: The Government had taken the necessary steps long before you became conscious of the damage done by the hailstorms, and food was promptly provided to those who were in need of it.

Master Kabul Singh: I want to say, with all the emphasis at my command, that the condition of the peasants is generally very bad, and the mere act of providing food to the residents of hailstorms-stricken area, can hardly suffice to better the lot of the poor peasants. It is high time that steps should be taken generally to ameliorate the condition of the agriculturists. (*An honourable member: Irrelevant*). If a discussion of the general condition of the peasants is not allowed, I have to say no more about the recent hailstorms. I, therefore, resume my seat.

Sardar Rur Singh (Ferozepore East, Sikh, Rural) (*Urdu*): I have no desire to waste the time of the House. I will state my object briefly. There is a thana Nihal Singh in the ilaqa, the poor zamindars of which have sent me here as their representative. The crops of fourteen villages under the jurisdiction of that thana have been totally destroyed. As it is my duty that I should place their difficulties before you, I request the House to ask the Government to take immediate steps to remove the hardships of the poor zamindars and rid them of the consequences following the calamity. With these words I resume my seat.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): I rise to oppose the motion for adjournment of the House. I wish to state, at the very outset, that we on this side of the House are second to none in practical and active sympathy for our brethren, the poor peasants of the Punjab, who are suffering to-day under the infliction. More than that by our constructive service to the peasantry of the Punjab, we wish to be judged by God and men, and if we fail to give active help and sympathy to the afflicted peasantry at this juncture, we will not be worthy of our seats on the Treasury benches. In the same spirit I will appeal to my learned friends of the Opposition that they should appreciate that we have now got a fully non-official House. As such, they should, in accordance with the conventions of a responsible Opposition, maintain in their attack the outlook of an alternative Government. They should avoid the temptation of an empty play to the gallery. We have to tackle a difficult question, involving misery to many due to an act of nature beyond our control. The attitude of my honourable friends of the Opposition in such matters should be, I submit, to offer suggestions, practical and constructive, and if they find that the Treasury benches are not sympathetic then only they would be justified to bring such motions.

Speaking not only for myself, but also for others on these benches, I wish to declare—in all sincerity—that we have felt this misfortune of hailstorm as a personal shock. Moreover, we cannot and shall not be content with mere lip loyalty or lip sympathy. The infliction is an economic problem and it cannot be solved by verbal jugglery. We mean to do everything possible to alleviate the suffering of our brethren in distress. We have already started actively. The Honourable the Revenue Minister in his preliminary remarks gave some indication. He said that immediately after the hailstorm fell, the Commissioners concerned not only issued instructions, but went to the spot personally. The Commissioner of Multan particularly, who is entitled to the appreciation of the whole House, issued immediate instructions for relief work and forthwith proposed suspension of all land revenue collections in the affected area. The deputy commissioners also went to the spot. One lakh out of the famine fund has already been allotted—not as a loan but as a free gift. A statement has been issued by the Honourable the Revenue Minister showing the figures received up to date. The figure of 6 to 7 lakhs for remission and assistance in various forms has been estimated so far for the relief of the areas concerned. This is not all. Further statistics are being collected, and I am sure, I am speaking with the full concurrence of the members of this side of the House that they will help in the fullest possible manner those who suffered from this infliction. I was particularly happy to listen to the statement of the Honourable the Minister when he said that in certain cases, where the existing *Kharaba* rules do not permit of help being given, he was revising those rules so that full assistance may be given to zamindars. Instructions have been issued to all the deputy commissioners that they should have the fullest possible statistics collected, of all persons entitled to relief, under their personal supervision. Taccavi, liberal remission of revenue, distribution of seed and all possible help is contemplated forthwith. It is already being given. We are mainly the first Zamindara Government of the Province. The woes of the zamindars are our woes. Their joys are our joys and we wish them to know and feel as such. We on this side of the House are determined that so far as the economic improvement of this province is concerned, and so far as the betterment of agricultural conditions of this province are concerned, and so far as the tackling of the unemployment problem is concerned, we will be second to none in our efforts to achieve constructive results. We are pledged to it. We shall not fail.

One word more and I have done. It is most unfortunate that in the very beginning of its constructive programme the Government of the province stands face to face with a serious public affliction. Our duty is to give to the Government our fullest support and sympathy and not to unjustifiably embarrass it. If the Opposition has any constructive suggestions let them offer those and they may be sure of a most sympathetic consideration. I would, therefore, appeal that in the circumstances explained by the Honourable Leader of the House, the motion of adjournment should not be pressed.

Diwan Chaman Lall (East Punjab Non-Union Labour): I think the matter need not have brought forth the sort of pyrotechnics and fireworks as was done by the last speaker. It is not necessary to make party capital

[Diwan Chaman Lal.]

out of the woes and miseries of a large number of peasantry in this province. But, I do not intend to make a speech. I want merely to ask the Leader of the House whether he is prepared to state in the House that wherever the damage has been done to the province as a result of the hailstorm he would order that no land revenue is to be collected and further that he will do everything in his power to offer pecuniary or other assistance to the peasantry of the affected areas.

The Honourable Sardar Sir Sundar Singh Majithia (Revenue Minister): We have already issued instructions that wherever damage has been done full relief ought to be given.

Sardar Sampuran Singh: Does it mean full remission of revenue?

The Honourable Major Sir Sikander Hyat-Khan: It means that where the crops have been totally destroyed, full remission, and where they have been affected partially, proportionate relief.

Diwan Chaman Lal: May I draw the attention of the Leader of the House to the second portion of my request? It is a simple one and I do not think he will have any difficulty in acceding to the request and that is in relation to the relief to be offered to the peasant in the affected areas. Will the Leader of the House see to it that everything is done to give relief, pecuniary or otherwise? If that is done I have not the slightest doubt we will be prepared to agree to the withdrawal of this motion.

The Honourable Major Sir Sikander Hyat-Khan: I can assure the honourable member opposite that the machinery was set in motion at once when we got information to assess without delay the damage done by the hailstorm and he may be sure that in urgent cases relief has already reached the people. (*Applause*).

The motion was by leave withdrawn.

SPEAKER'S AND DEPUTY SPEAKER'S SALARIES BILL.

Mr. Speaker: The Assembly will now resume discussion on the Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Bill.

Raja Ghazanfar Ali Khan: I want to know whether after an adjournment motion had been taken up and discussed we can resume the normal business of the day.

Mr. Speaker: Is there anything against it? Our practice has been that after a motion for adjournment of the House has been carried, we have continued the business of the day. But to-day's case is distinguishable inasmuch as the adjournment motion has been withdrawn. Therefore we are at liberty to proceed.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur North, Muhammadan, Rural) (*Urdu*): This is a new Council under the new reforms and before I begin my speech I would like to give you an instance of a quarrel that arose between a blind man and a one-eyed man. The blind man being clever began to beat the one-eyed man who was comparatively weak. The latter cried out "Give me a few more blows for the eye-

sight of my closed eye is restored." The blind man was much surprised and asked the one-eyed man to beat him more severely so that his eye-sight may also be restored. Thereupon the one-eyed man beat the blind man to his heart's content. Our case is similar to that of the blind man. We have been severely beaten and yet our eyes have not been opened. We thought that these new reforms would do away with all our difficulties, but we are much surprised to see new difficulties cropping up and barring our way to progress. We have been speaking in Urdu for many years past in this Chamber, but now we are prohibited from doing so. I am sorry to find that uncalled for attacks have been made on certain esteemable personalities in this Assembly. We want to go by hard facts and wish to reduce the salaries of the Ministers and the Speaker. The Honourable Major Sir Sikander Hyat-Khan is a man of great ability. He has sacrificed seven thousand rupees a month and has accepted a post carrying only Rs. four thousands. If Mr. Abdul Haye had continued his practice he would be earning something like ten to fifteen thousand rupees a month. Chaudhri Chhotu Ram is a man of substance and I need hardly say anything about him. What I mean to say is that we should not question their *bonâ fides*. We have to see whether our pockets can bear the burden of such fat salaries, whether the zamindar who will have to shoulder this burden can afford to bear the strain.

Syed Afzaal Ali Hasnie : Is the honourable member speaking to the motion ?

Chaudhri Muhammad Abdul Rahman Khan : All creatures have individual instincts of their own. For example, some animals are by their nature fit to watch at night and if they are given a heavy meal they would be sleeping all the night. In my opinion these salaries should be reduced lest these gentlemen should neglect their duties and have an easy time of it.

Syed Afzaal Ali Hasnie : I am afraid the member is irrelevant again.

Mr. Speaker : The honourable member is not speaking to the motion.

Chaudhri Muhammad Abdul Rahman Khan : The second reason why we are inclined to reduce their salaries is this: If these salaries are not reduced we shall have to request the European officers to reduce theirs and they would say "Who are you to ask us when your own brethren are getting fat salaries themselves."

In our country the income per head is not the same as it is in Europe. The income per head in our country is 6 piece a day. A labourer in our country does not get enough to keep body and soul together nor has he got sufficient clothing to hide his nakedness. It is very bad indeed to waste this money which the labourer has earned by the sweat of his brow. When there has been no increase in the provincial revenues, and no reduction has been made in the taxes, how can you expect the poor zamindar to shoulder this heavy burden of fat salaries.

Mr. Speaker : The honourable member is repeating the arguments advanced by other speakers.

Chaudhri Muhammad Abdul Rahman Khan : If the average income of a labourer comes to Rs. 2 per day, we would not at all hesitate to give rupees ten thousand a month to the Ministers and the Speaker. Under the existing circumstances and keeping in view the facts I have mentioned I would request that the salaries of our Ministers and Speaker should be reduced.

Have you ever thought of that orderly of yours, who remains at attention all the day long? Have you ever cared to know how these poor people manage to keep body and soul together?

One man gets thousands of rupees whereas the other gets sixteen annas only. Can the latter not live in a bungalow, can he not sit in a motor car? If you can increase our income up to Rs. 50 per diem, we are ready to accede to your demands.

I am obliged to say that the Ministers have unnecessarily increased their wants, they have become much too fashionable. They go to clubs and the honourable members know what these clubs are. I think, you are fully aware of the evils of these clubs. If you do not curb your desires, your desires will get the better of you. If you do not exercise control over yourself you will fall a victim to your desires and passions.

I would request the Ministers to reduce their wants, for instance do not go to pictures, do not use scents, etc. My friend Nawab Sahib attacked these benches when speaking about the rate of interest. I would like to tell him that the money grubbers are sitting near him. We are afraid that when these money grubbers and these highly paid officers join hands we are done for.

All the reformers and philanthropists that came to this world were able to reform others because they first reformed themselves. The Prophet of Islam, we are told, led a life of extreme poverty. If our leaders are genuine reformers, they should first undertake self-improvement. They are not satisfied with Rs. 500, whereas we are prepared to accept even Rs. 250. A great deal has been said about the zamindar. He is indeed destitute and famished. Those who get Rs. 5,000 will not be able to swallow a morsel of the food that he has to eat. Things are produced by him, while those who possess money consume them outright. Milk is his property but the butter must go to the rich. Justice demands that he who produces wealth by the sweat of his brow should be allowed to own it as well, and he should distribute it as he pleases. The situation in our country is rather comic, in so far as our public servants are better off than their masters. The poor zamindar has nothing beyond dry bread and a loin-cloth, while the salaried administrators enjoy teas, drinks, cinemas and motor-cars. In view of the deplorable condition of the peasantry, I urge that salaries should be considerably reduced. Rs. 500 is quite a reasonable remuneration. Have it and leave us alone.

Mr. Speaker : With the exception of perhaps some very able speakers every one has been repeating arguments already given by others. Therefore, I am inclined to accept the closure motion unless the honourable members wish to enlighten us and say things which are quite new.

Lala Duni Chand (Ambala and Simla General, Rural) : I have observed in the course of the last two or three days that no sound or logical

arguments and no facts and figures and no references to other countries and provinces appeal to the members of the Government benches. Therefore I am not going that way and I am going to adopt a different line of argument.

Yesterday it was claimed by the Honourable the Leader of the House that he is there in order to serve the country. I concede that to him. In return I request him and the honourable members of the Government benches to concede one thing to us. We of the Congress party are here with the deepest and the most cherished convictions as to the requirements of the country. We believe that the programme that the Congress has put forward before the country is the only programme that can bring about the salvation of this country. I beg to submit that this programme has not been placed before the country by small and humble men like myself. It has been placed before the country by the most eminent men that you can find in this country. I would like to give the honourable members some idea regarding the proposals and as to how they are initiated by the Congress.

The Honourable Rao Bahadur Chaudhri Chhotu Ram : Is that relevant to the motion before the House ?

Lala Duni Chand : I was going to place for the consideration of the House a proposition after the consideration of which I hope the honourable members of the Government benches would agree to the reduction of the salary. I was submitting before this honourable House that the most eminent men, not only eminent but also men who were making as much income as Rs. 50,000 a month, as members of the Working Committee laid down that the maximum salary payable to any Government member—

Syed Afzaal Ali Hasnie : Which salary is the honourable member referring to ?

Lala Duni Chand : I am talking about the salary of the Speaker and the Deputy Speaker. I was going to submit that this figure of 500 upon which we have been laying stress has been fixed by the best of brains available in this country and therefore you should not ridicule and I have seen the spirit of ridicule exhibited by the members of the Government benches, saying "look here, these fellows are making impractical suggestions." An honourable member said that these people are living in the realm of unreality. I am inclined to disabuse these gentlemen of that wrong idea. The figure, I say, is fixed after fullest consideration. I may ask honourable members on the Government benches whether they are going to give due consideration to this fact.

The second argument and quite a new argument that I am going to submit before this House is this that you must accept that the leadership of the Congress all over India has been accepted and the programme that the Congress has prepared for the country has also been accepted. It is a mere matter of accident that the members of the Unionist Party have got a majority in the Punjab, but it is not the majority in the Punjab alone that you have to take into consideration, it is the majority in the entire country that we have to take into consideration, I therefore submit that from this point of view the learned members of the Government benches must accept that it is the leadership of the Congress that holds the ground to-day in India and it is not the leadership of the Unionist Party.

The Honourable Major Sir Sikander Hyat-Khan : In other words the tyranny of the majority.

Lala Duni Chand : Take it any way you like. Chaudhri Krishna Gopal Dutt and Diwan Chaman Lall made the ablest speeches in connection with the amendments. They moved the amendments but they could not move your hearts, they could not move you. I, therefore, submit that whenever any suggestion is made from this side of the House or any amendment is put forward on behalf of this side then you should take into consideration the position of the Congress as a whole in India and not only in the Punjab. That is the most important point that I want to impress upon your attention. If you want to carry out everything by sheer force of numbers, I know there are numbers on your side. But the question is whether it is the proper thing for you not to listen to any of the amendments that have been put forward by this side of the House.

The Honourable Major Sir Sikander Hyat-Khan : That is exactly the position of the Congress to-day.

Lala Duni Chand : I know you are entrenched behind impregnable fortress of numbers. (*An honourable member :* Please address the chair). In this House I wish you not to deceive yourselves.

Mr. Speaker : May I request the honourable member not to address any one personally.

Lala Duni Chand : I beg to submit that the Unionist Party members should not deceive themselves by the fact that to-day they have got a large number of followers on their side. If they want to keep this majority intact, they can do so only if they listen to what we say from time to time. If you insist upon your own way of doing things, I am sure your majority will not last long. You claim that you are the best friends of the masses. We also claim that we are their best friends. There is that issue, that is the issue of issues between you and ourselves.

Mr. Speaker : The honourable member is again using the word 'you.'

The Honourable Major Sir Sikander Hyat-Khan : May I remind him that that issue was decided at the elections. There were several straight fights.

Chaudhri Krishna Gopal Dutt : It is a most irrelevant question.

The Honourable Rao Bahadur Chaudhri Chhotu Ram : The speech is very irrelevant.

Lala Duni Chand : What the masses want is a new order of things. If you are going in your old ways, as it appears you are going, you will not be able to render any service to the masses or make any impression upon them. If the Honourable Ministers had agreed to the reduction.....

Mr. Speaker : The honourable member is irrelevant. Just now the House is discussing the salary of the Speaker and the Deputy Speaker. There is no other item before the House.

Lala Duni Chand : I am placing certain considerations before this House.

Mr. Speaker : The honourable member is entitled to speak only to the motion before the House.

Lala Duni Chand : What I was going to submit was that if you cannot listen to one kind of argument, you can listen to another kind of argument. I am putting forward quite a different kind of argument.

Mr. Speaker : The honourable member is welcome to do so, but his arguments must relate to the salaries of the Speaker and the Deputy Speaker.

Lala Duni Chand : The reasons that I have given and the reasons that I am about to give should be enough for the other side to agree to the reduction of the Speaker and the Deputy Speaker's salary. The general position of the country that I am trying to place before this House is an argument in favour of the reduction of the salaries of the Speaker and the Deputy Speaker.

Mr. Speaker : That argument has been advanced by many previous speakers.

Lala Duni Chand : I was submitting that these are general principles and general considerations which you will be pleased to take into consideration.

The last point that I was putting forward was that the masses must be made to believe and they must be convinced that a new order of things has come. Up to this time I have not seen any indication of any intention to bring about any change in the old order of things. I beg you to consider this argument of mine. In every action that you take you should not be prompted by the old policies or by the old considerations. You should take into consideration the expectations of the masses, namely that you should make them believe that there is a new paradise that you want to bring about.

Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural) : We were promised that we would be given new arguments so far as the discussion on this motion was concerned. (*A voice :* I hope we will have them now). But I am as much disappointed as I am disappointed on the introduction of the subject itself. Sir, we are not concerned with the Congress programme here. The question is what should be the pay of the Speaker and the Deputy Speaker. The arguments might have been new, but they were irrelevant in my opinion. I should assure the Opposition, through you, Sir, that ours is the programme which is nearest to the programme of the Congress.

Lala Duni Chand : It is a part of the programme of the Congress that the Speaker should get Rs. 500.

Khan Sahib Chaudhri Riasat Ali : I myself should not take up the time of the Assembly in going over the details of the programme of our party. Suffice it to say that we are pledged to work the constitution while our friends there are pledged to wreck it. We are pledged to put our shoulder to the wheel while they are putting a cog on the wheel of the constitution. We are poles asunder and miles apart.

I listened with more than ordinary interest to the debate in this House to-day. It seems that the object underlying is a genuine desire for retrenchment and economy. So far as that is concerned we go a step further than the gentlemen over there. I admit that taking into consideration the financial

[K. S. Ch. Riasat Ali.]

position of our province we should cut our coat according to our cloth. I may assure them that I myself have felt a keen desire for it and I have always longed for it. I have always striven for it, but unfortunately like themselves my cry in those days was a cry in the wilderness. My music failed to create that harmony which might have attracted the ears of my listeners. I would advise them as I advised myself that they should be believers in Urfi who says—

نوارا تلخ تو ميون چو ذوق نغمه کم يابی

حدی را تیز تو میخوان چو محمل را کوان بیفی

But there is one point which should not be ignored. In our zeal for economy we should not lose sight of the sense of proportion and propriety. To imagine a Speaker with a salary of Rs. 500 a month is simply ridiculous. There is a wrong impression in the minds of certain honourable members that pay does not decide the status of a person. The impression in the minds of the outside public is that a person who draws higher salary is surely greater in status than a person who draws a lower salary. Taking this fact into consideration I must say that the salary proposed in the amendment is totally inadequate.

Again, it has been said that it is the public spirit, a desire to serve the country, which should attract people to these offices. I grant that. But there too there is the question of degree. We have to take into consideration the standard of living, the various attacks on the purse of our Assembly officers and so on. If we do consider these factors we cannot but come to the conclusion that the pay suggested is quite inadequate. Take the case of people who are managing insurance companies. Take the case of Pandit Santanam himself who is drawing Rs. 3,000 a month. He is a Congressman. Take the case of Lala Sham Lal who was engaged in a big political case. He was given Rs. 120 as retainer in addition to other fees.

Lala Duni Chand : May I correct one mis-statement of the honourable member? Lala Sham Lal was getting only Rs. 60 a day and that too only for the working days and not Rs. 120 as mentioned by the honourable member.

Khan Sahib Chaudhri Riasat Ali : That does not make much difference for my purpose. I should like to refer to a speech of Sir Stanley Jackson, late Governor of Bengal. He said—I am not quoting him exactly, for want of time—he said that we must take into consideration the services rendered by our political leaders. He referred to the services of Mr. Baldwin and Mr. Ramsay Macdonald. If these gentlemen had devoted their time to other professions which they devoted for the service of the country, they would have earned thousand times more than they actually got for their services to the country. The reward for these people is the work that they do and not pay they receive.

It was pointed out that in different provinces there were different scales of pay which were far less than those prevailing in our province. My answer to that is that conditions vary from country to country, from province to province, from district to district, from tahsil to tahsil and even from village

to village. Look at the programme of work under provincial autonomy in the various provinces. We are fortunate here in having a Government with an overwhelming majority. But in other provinces you see the constitution being wrecked. So, taking into consideration the various itmes of expenditure and the various attacks on his purse, I submit that not a penny less than Rs. 36,000 per annum will be adequate for the Speaker.

Some speakers have referred to the cases of those who are serving in the Assembly. May I ask them one question? Is it fair that the axe of retrenchment should fall only on the shoulders of the Speaker and the Deputy Speaker when you cannot touch the pay of the imperial officers, when you cannot touch the pay of district and sessions judges, commissioners and financial commissioners? Where is the reason for reducing this pay? After all what is the proportion of this amount to the total budget of the province which goes up to 11 crores of rupees? It is absolutely insignificant. The scales of pay have only recently been revised so far as the Provincial Civil Service is concerned and there does not seem to be any prospect of their pay being reduced in the near future. Why then should the Speaker alone be singled out for this attack?

Reference was made to other provinces. I shall take the case of the central legislature. There the Congress members are in a majority. Why then have they not arranged to have their travelling and daily allowances reduced? So far as the travelling allowances of the members of the Council of State is concerned, not a pie has been reduced and no attempt has been made even by way of a cut motion to get the scales reduced.

Next, it was contended that the figure provided in the Bill was being thrust on the House by an accidental majority. I submit that a majority of 135 as against a minority of 85 members, who are committed to a definite programme cannot by any twist of language be said to be an accidental majority. Coming again to the question of comparison with other provinces, I must submit that the conditions differ in various provinces. We know that in Madras even the Judges of the High Court go to courts with dhoti on and walk barefooted to the thrones of their office. But here the conditions differ. Here our cost of living is higher. In addition to our ordinary cost of living we have to make so many contributions for various public activities. Entertaining our guests is a normal feature of our province. None of us can deny that we can afford to refuse hospitality to our guests. Even the peasants in the countryside, however poor they are, whatever starvation they undergo, must receive the guests and show them hospitality.

Now, Sir, another aspect of the question is that we should not allow that a person who is sitting on the throne before us should get a lower salary than a section 30 Magistrate or an Extra Assistant Commissioner. We must do justice between man and man and must make some difference between the man who is sitting on our throne and others. His dignity and honour must be kept up and we must make allowance for him by which he can adequately and fairly make both ends meet. With these words I oppose the amendment.

4 P. M.

Lala Deshbandhu Gupta : I want to put a question to the Honourable Leader of the House and that is whether he has taken into consideration the salary of the Deputy President of the Central Legislative Assembly in proposing the salary of the Deputy Speaker here? If so, will he please enlighten the House what has led him to raise the salary of the Deputy Speaker from Rs. 3,000 to Rs. 6,000—(An honourable member : From 5,000)—even then. Does he believe that the work of the Deputy Speaker in this House will be more onerous than the work of the Deputy President of the Legislative Assembly at the centre?

The Honourable Major Sir Sikander Hyat-Khan : I will answer that question and satisfy the honourable member. The Deputy President of this House hitherto had no work at all to do because under the previous rules he could only officiate for the President in the House during the President's absence. He could not transact any other work or business. That had to be done by the President himself. But under the new constitution the Deputy Speaker will be in a position to do a portion of the work of the Speaker if it is delegated to him; and since the size of this House has considerably increased, the actual work connected with questions and resolutions will also increase proportionately and the Speaker may find it necessary to delegate some of his functions and powers to the Deputy Speaker. Therefore the Deputy Speaker will be required to stay at Lahore for a longer period than hitherto. In view of that consideration, and in consultation with several members of this House I came to the conclusion that it would be only fair to slightly increase the salary of the Deputy Speaker and make it more commensurate with the extra responsibilities and duties which he may have to perform under the new constitution. That is the reason why it has been raised from Rs. 5,000 to Rs. 6,000 per annum.

Lala Deshbandhu Gupta : My point was this. The salary the Deputy Speaker of the Assembly at the centre is getting is Rs. 3,000.

Pandit Muni Lal Kalia : The salary of the Speaker in Bengal fixed by Gazette Extraordinary is Rs. 2,000 and that of the Deputy Speaker Rs. 200 per month.

Lala Duni Chand : Will the Deputy Speaker be a whole time officer or will he be allowed to engage himself in any other occupation?

The Honourable Major Sir Sikander Hyat-Khan : It largely depends on the Honourable Speaker. If he gives much work to the Deputy Speaker it may not be possible for the latter to do any other work.

Sardar Sampuran Singh : We know that the Honourable Speaker is a very capable man. Not only can he do his work but he is capable of doing more. Was he consulted whether he requires any assistance?

The Honourable Major Sir Sikander Hyat-Khan : I did not, because I could not anticipate the choice of the House regarding its Speaker. But I thought that it would be necessary for him to get some assistance from his deputy to cope with the volume of work under the new dispensation.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (Urdu) : I have listened to the speeches on both sides. The question before the House is that of salaries of the Speaker and the Deputy Speaker, but the

Congress has started its own propaganda. I ask them whether in rural areas they act upon what they profess. It is a well-known saying—

ہاتھی کے دانت کھانے کے اور دکھانے کے اور

We admit that the condition of zamindars is hopelessly bad. Yesterday a member remarked that zamindars are on the verge of starvation. It is quite true. We know the drawbacks of the old administration. We are also aware of the fact that unemployment is growing very acute. The new constitution has been inaugurated solely with a view to bringing about reforms, social, economic, etc., but the Congressites do not let us understand matters in their true perspective and place obstacles in our way.

A zamindar possesses eight acres of land. After tilling it and paying off all the dues connected therewith, he finds that hardly an anna or two is left with him. When the crop is ready, the sahuکار reaches the spot with his ledger under his armpit and carries away the whole of it by loading it on the donkeys. When his wife enquires from the zamindar as to where the grain went, he replies that the Sahukars took it away. The wife tells him that she was contemplating the marriage of her son but he expresses his helplessness. The result is that the grief-stricken wife does not cook the meals, with the result that neither he nor the children take a morsel of food and go to bed with empty stomachs.

The real fact is that the Congress does not allow us to do anything. We the zamindars have to spend a lot of money on the education of our children and what is worse, they are unable to enter Government service on the completion of their studies. What I mean to say is that the most pressing need of the hour is that we should set right the machinery of Government, but the Congress raises a hue and cry at an inopportune moment and proves a stumbling block in the way of bettering the condition of the poor. I request them that they should kindly place no impediments in our way. They should let us live and allow us to effect improvements in the lot of the teeming millions of our population.

If you are able to save one or two thousand rupees out of the salary of the Deputy Speaker, the whole of this money would be appropriated by others, perhaps you do not know that we are surrounded on all sides by vampires, ready to swallow us at any time. It is very regrettable to confer wide powers on people who cannot carry on even a trifling task. We gave our words to the electorate that we will help the poor. If the fat salaries of the Indian Civil Service are reduced, we would be able to save thousands of rupees. It has been said from the Congress benches that these reforms are mere toys which have been given us to play with. In 1920 also, a similar toy was given us and at that time too the same criticism was made against the reforms. As far as the new constitution is concerned it is a lifeless entity or toy and it is for us to put life into it and we should perform the operation in such a way as to make the present constitution quite different from the one preceding it.

Chaudhri Krishna Gopal Dutt: I wonder if you think whether the speech which is being delivered by the honourable member is relevant?

Mr. Speaker : May I request the honourable member to speak to the motion ?

Lala Duni Chand : Is the speech merely intended to amuse the House ?

Chaudhri Ali Akbar (Urdu) : Let me first finish my answer to an honourable member who has just said that zamindars should be saved from the high-handedness of the money-lenders but my contention is that the members opposite have taken the sahkars under their wing. I know of a village containing about 200 houses with which these sahkars have played havoc. The inhabitants of the village are now dying of starvation. The fact is that the proposed reduction of five or six thousand rupees would not be of any help to the people at large.

In my opinion these persons who are to make the constitution run smoothly and are, after all, to hold the reins of the Government, should be given salaries in accordance with their wishes.

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban) : The subject of the Bills has been so exhaustively dealt with and so thoroughly discussed that there is hardly any scope left for giving new arguments. I must frankly admit that I cannot disclose any fresh stock of arguments to this honourable House. I rise to offer my justification for tabling these amendments. The impression appears to have gone out that the members on this side have tabled amendments to this Bill with a view to produce some spectacular effect or to win approbation or gratitude of some party or some members. Nothing can be far from truth. I may also point out that there is not the slightest intention to convey any discredit or any disrespect to the gentleman whose salary is in question. We greatly esteem our honourable Speaker and other members on the Treasury benches. In moving these amendments, the object is to bring into prominence the extreme poverty of the masses in general and of the peasantry in particular. It is admitted, by the honourable Leader of the House as well as by the Treasury benches that the plight of the zamindar is miserable. It is equally certain that they are committed to a programme of affording relief to the agriculturists of this province and augmenting the nation-building activities and expanding all those resources that are conducive to the betterment of the conditions of zamindars. I may point out that, whether we may be on this side of the House or that side of the House, we are supposed to deal with all questions in an intelligent and reasonable manner, holding any views whatever. It is conceded by the honourable members of the Unionist Party that the conditions prevalent in the province are such that they must find out fresh avenues, they must explore fresh sources of income in order to meet the expenditure that is bound to be incurred as a result of the present Assembly. (*An honourable member :* For the purposes of expansion and development.) Certainly, for the purposes of expansion. Now, I wish to point out that the very idea of exploration of fresh avenues is abhorrent to the masses. I do not know whether, with all their claims for affording relief to the peasantry, the members of the Unionist Party feel the subject lightly or not, but I expect that they will honour the pledges, which the

Honourable Leader of the House and other members of the Unionist Party have given to the public as well as to the electorates whom they represent in this House. I hope that these pledges will be honoured. That, as a matter of fact, is the object with which we have tabled these amendments. It is claimed by the members of the Unionist Party that they are here to afford practical help and assistance to the zamindars and that they would not be worthy of their seats if they do not keep in view that object of theirs. I may submit, Sir, that our sole object and only justification for tabling these amendments is to bring into view this object. We know that they are in a majority and that they can throw away these amendments. But our object is that they should always remember that peasants and poor people of this province stand in need of help. Our suggestions in this respect are not at all intended to annoy them or to convey any disrespect to any of the gentlemen whose salaries are in question.

Honourable members : The question may now be put.

Mr. Speaker : As the last speaker has expressly stated that no fresh arguments can be given against the motion and as he has further admitted frankly that these amendments have been proposed simply to invite the attention of the party in majority to help the poor, I think the time has come when I should allow the closure motion. The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : The question is—

That in clause 2, lines 4-5, for the words "thirty-six thousand" the words "six thousand" be substituted.

The motion was lost.

Lala Bhagat Ram Choda (Jullundur, General, Rural) : I beg to move—

That in clause 2, lines 4-5, for the words "thirty-six thousand" the words "nine thousand" be substituted.

The motion was put and lost.

Mr. Speaker : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Clause 8.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : I beg to move—

That in clause 3, lines 4-5, for the words "six thousand" the words "one thousand and two hundred" be substituted.

Mr. Speaker : The question is—

That in clause 3, lines 4-5, for the words "six thousand" the words "one thousand and two hundred" be substituted.

The Assembly divided : Ayes 85 ; Noes 110.

AYES.

Ajit Singh, Sardar.
Baldev Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Ghulam Hussain, Khawaja.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.

Lal Singh, Sardar.
Muhammad Hassan, Mr.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Mr.
Muni Lal Kalia, Pandit.
Narotam Singh, Sardar.
Parbati Devi, Bibi.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Ram Narayan Arora, Seth.
Rur Singh, Sardar.
Saif-ud-Din Kitchlew, Dr.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Mr.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Aziz, Mian.
Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri, Gurdaspur.
Abdul Rahim, Chaudhri.
Afzalali Hasnie, Syed.
Ahmad Yar Khan, Chaudhri.
Ahmad Yar Khan Daultana, Khan Bahadur Mian.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur Nawab Malik.
Amjad Ali Shah, Sayad.
Anant Ram, Chaudhri.
Ashiq Hussain, Captain.
Atma Ram, Rai Sahib, Lala.
Badar Mohy-ud-Din, Mian.
Balbir Singh, Rao Bahadur Captain Rao.
Balwant Singh, Sardar.
Basakha Singh, Rai Bahadur Sardar.
Bhagwant Singh Rai.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable Rao Bahadur Chaudhri.

Dina Nath, Captain.
Faiz Muhammad Khan, Rai.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
Faqir Hussain Khan, Chaudhri.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazal Ali, Khan Bahadur Nawab Chaudhri.
Fazal Din, Khan Sahib.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Ghulam Mohy-ud-Din, M.
Ghulam Qadar Khan, Khan Sahib.
Ghulam Rasul, Chaudhri.
Ghulam Samad, Khawaja.
Girdhari Das, Mahant.
Gopal Singh, Sardar.
Gurbachan Singh, Sardar Sahib Sardar.
Habib Ullah Khan, Malik.
Haibat Khan Daha, Khan.
Hans Raj, Bhagat.
Harnam Das, Lala.
Harnam Singh, Lieutenant Sodhi.

NOES—CONCLD.

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| Het Ram, Rai Sahib Chaudhri. | Muhammad Yusuf Khan, M. |
| Indar Singh, Sardar. | Mushtaq Ahmad Gurmani, Khan Bahadur Mian. |
| Jagjit Singh, Sardar. | Muzaffar Ali Khan, Sardar. |
| Jagjit Singh, Tikka. | Muzaffar Khan, Khan Bahadur Captain Malik. |
| Jahan Ara Shah Nawaz, Mrs. | Muzaffar Khan, Khan Bahadur Nawab. |
| Jahangir Khan, Chaudhri. | Narendra Nath, Diwan Bahadur Raja. |
| Jalal-ud-Din Amber, Chaudhri. | Naunihal Singh, Lieutenant Sardar. |
| Jogindar Singh Man, Sardar. | Nawazish Ali Shah, Sayad. |
| Karamat Ali, Shaikh. | Nurullah, Mian. |
| Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major. | Pir Muhammad, Khan Sahib Chaudhri. |
| Kishan Das, Seth. | Prem Singh, Chaudhri. |
| Manohar Lal, The Honourable Mr. | Pritam Singh Siddhu, Sardar. |
| Maqbool Mahmood, Mir. | Ram Serup, Chaudhri. |
| Mohy-ud-Din Lal Badshah, Pir. | Ranpat, Chaudhri. |
| Mubarik Ali Shah, Sayad. | Rashida Latif, Mrs. |
| Muhammad Akram Khan, Khan Bahadur Raja. | Riasat Ali, Khan Sahib Chaudhri. |
| Muhammad Ashraf, Chaudhri. | Ripudaman Singh, Thakur. |
| Muhammad Faiyaz Ali Khan, Nawabzada. | Roberts, Mr. William. |
| Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar. | Sahib Dad Khan, Chaudhri. |
| Muhammad Hassan, Khan Bahadur Makhdum Sayad. | Shahadat Khan, Khan Sahib Rai. |
| Muhammad Hayat Khan Noon, Nawab, Sir, Malik. | Shah Nawaz Khan, Nawab Khan. |
| Muhammad Hussain, Sardar. | Sikander Hyat-Khan, The Honourable Major Sir. |
| Muhammad Hussain, Chaudhri. | Singha, Mr. S. P. |
| Muhammad Nawaz Khan, Major Sardar. | Sita Ram, Lala. |
| Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayad. | Sultan Mahmud Hotiana, Mian. |
| Muhammad Saadat Ali Khan, Khan Sahib Nawab. | Sumer Singh, Chaudhri. |
| Muhammad Sarfraz Khan, Chaudhri. | Sundar Singh Majithia, The Honourable Sardar Sir. |
| Muhammad Shafi Ali Khan, Khan Sahib. | Suraj Mal, Chaudhri. |
| Muhammad Wilayat Hussain Jeelani, Makhdumzada, Haji Sayad. | Talib Hussain Khan, Khan. |
| Muhammad Yasin Khan, Chaudhri. | Tara Singh, Sardar. |
| | Tikka Ram, Chaudhri. |
| | Ujjal Singh, Sardar Sahib Sardar. |
| | Umar Hayat Khan, Chaudhri. |
| | Uttam Singh Dugal, Sardar. |

Mr. Speaker : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

New Clause.

The Honourable Major Sir Sikander Hyat-Khan (Premier) : In moving my amendment I might for the information of the House point out that I am moving this amendment with the consent of His Excellency the Governor. I move that the following clause be added to the Bill :

“The expenditure on the salaries of the Speaker and the Deputy Speaker shall be expenditure charged on the revenues of the Punjab.”

Mr. Speaker : The new clause proposed to be moved is :

“That the expenditure on the salaries of the Speaker and the Deputy Speaker shall be expenditure charged on the revenues of the Punjab.”

Diwan Chaman Lall (East Punjab, Non-Union Labour) : May I ask whether the amendment in its present form is in order? The amendment has been sent in ‘by a Member of the Government.’ If it had been sent in the name of any particular Member of the Government he would have moved it. It is an anonymous amendment and cannot be moved by any member of this House. I request you to give your ruling on the question whether an anonymous amendment of this nature is or is not a valid amendment.

The Honourable Major Sir Sikander Hyat-Khan : You know as well as I do that it is the practice in the mother of Parliaments that a motion is put in the name of a Member of Government and not any particular name.

Mr. Speaker : This has been the practice of this House for the last 16 years.

Diwan Chaman Lall : The amendment, if moved by the Leader of the House, will not be a valid amendment for which a notice is required

Mr. Speaker : He is a Member of Government; and the motion stands in the name of a Member of Government. Therefore, he can move it.

Diwan Chaman Lall : The question is whether an anonymous amendment is or is not valid?

Mr. Speaker : I have told the honourable members of the House that that has been the practice of this House.

Chaudhri Krishna Gopal Dutt : If you have already given your ruling that it is quite in order I would not say anything on the subject. I only want to ask you whether an amendment can be sent to the office by one of the members of the Opposition without mentioning his name but only in the name of a member of the Opposition? We should like to know what procedure is to be followed in future.

Mr. Speaker : The same as we have been following in the past.

Pandit Muni Lal Kalia (Ludhiana and Ferozapore, General, Rural) : I have to intimate to the Speaker that the amendment is not in order because the Bill as moved by the Honourable the Premier only deals with the salaries of the Speaker and the Deputy Speaker; and you, Mr. Speaker, with your long experience as eminent lawyer and author of the Indian Cases, must have noticed that every Act is uniform in its provisions. In this Act we are only to deal in the preamble with regard to the pay of the Speaker and the Deputy Speaker. It is not a part of the Bill and with no

amount of reasoning can it be a part of the Bill as to from what source the pay of the occupants of the offices should be drawn. Nor can it be said in the Act itself whether it will be treated as a charge on the revenue or whether it will be votable. This is not the stage at which I want to enter into a discussion with regard to the result of the transposition of this item from here under the different heading under the provisions of section 78 (3), clause (g) of the Government of India Act, 1935. But at this stage I only want to submit that it does not fit in : it is clearly a misfit. For example, in this case, after reading the Bill as it stands, there is the preamble : then there is short title ' This Act may be called the Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937.' Then there is clause 2 about the salary of the Speaker. Then comes clause 3 with regard to the salary of the Deputy Speaker. There is no other provision and the Act automatically terminates. Therefore any addition made to the Bill at this stage will be against the provisions of Standing Order No. 34, sub-clause 1, and with your permission I will read out that Standing Order for the information of the members of the Government benches on the other side. It says ' An amendment must be relevant to, and within the scope of, the motion to which it is proposed.' I think, it is under this sub-clause that the present amendment can be moved : the rest of sub-clauses do not in any way deal with the amendment which is under discussion ; and this amendment apparently is not one which is at all relevant to or within the scope of the motion which is at present before the House, because it only deals with the way in which this will be treated with regard to the revenue to which it should be charged. I am not very much concerned whether my point of order is declared in order or is ruled out. It is my humble suggestion that by simply incorporating this amendment in this way the learned Leader of the House on the other side and probably other members on the Treasury benches have tried to see that no discussion takes place later with regard to it. I do not want to enter into a discussion but at the same time it is an amendment which deprives this House of the right which it possesses and which was so zealously guarded only yesterday by the Treasury benches on the other side. They did not like that powers which could be used by the members of this House should for a moment remain in possession of His Excellency the Governor. If that was their sincere move and for that reason they were in a hurry to move the Bill for the salary of the Ministers I think that in this case they should not at all be careless about the rights of the members of this House. Therefore my submission is that the amendment should not be allowed in this form. It does not matter if this amendment is brought in a separate form by a separate Bill and with the recommendation of the Governor. It also does not matter whether, when it is brought in the form of a separate Bill, the House will be at liberty at the time when the budget comes into discussion to move a cut of Re. 1 or so in the pay of the Speaker or to move a motion of confidence in the Speaker. My submission is that the present amendment is not in conformity with the Bill under consideration. It is also against any precedent and therefore this House under the new order of things, as it is claimed, will not commit that legal mistake and constitutional mistake—a mistake for which the Treasury benches will later on in any case be responsible.

5 P. M.

The Honourable Major Sir Sikander Hyat-Khan (Premier) : I must confess that I have not been able to follow my learned friend who has just spoken. I am a layman and it is possible that I may not have correctly understood the implications of his subtle and learned legal arguments. (*A voice : The Advocate-General is by your side.*) I think I will be able to satisfy him and the House that what we are doing is perfectly in order, but before I come to that point I might for the information of the honourable member opposite point out that the expression "with the consent of the Governor" which I used is a mere convention and is in vogue in the British Parliament also. All that it means is that no money Bill or measure which has financial implications can be introduced except by or with the consent of His Majesty's Government. I would draw your attention to section 78 (3) (g) of the Government of India Act. It says :

(3) The following expenditure shall be expenditure charged on the revenues of each Province—

and (g) any other expenditure declared by this Act or any Act of the Provincial Legislature to be so charged.

It is in accordance and in consonance with that sub-section of the Act that I have moved my amendment.

Pandit Muni Lal Kalia : This is a point which I have already submitted. I have also submitted that this could be brought with the recommendation of His Excellency the Governor under section 78 (3) (g). That is not my contention. I may not have been able to explain my point either to the House or to the learned Leader of the House. My submission is that this amendment as it is proposed in the Bill providing the salary of the Speaker and the Deputy Speaker in this case is not in uniformity with the provisions and the contents of the preamble of the Bill. It should be in the form of a separate Bill, but not in the Bill providing the salary of the Speaker and the Deputy Speaker by adding a clause in that Bill.

Khawaja Ghulam Hussain : The point raised is absurdly simple and the reply of the Honourable Premier is not to the point. The point which has been raised on this side is that it is perfectly legitimate for the Honourable Leader of the House to move by means of a separate Bill that the salary of the Speaker and the Deputy Speaker shall be a charge on the revenues of the province. It is true, we concede it. The Bill which has been moved with regard to the salary is a Bill to provide for the salary of the Speaker and the Deputy Speaker of the Legislative Assembly of the Punjab. The scope of the Bill is to provide for the salary and not to provide for the sources of the salaries. We concede that under the Government of India Act referred to by the Honourable Premier it is open to him to bring in a new measure to provide for the source of the salary of the Speaker but within the scope of this measure, it is submitted, it is not legitimate to bring in this amendment.

Diwan Chaman Lall : Mr. Speaker, the point raised by my friend on my left simplifies the issue. I think the Leader of the House did not understand the point raised by Pandit Muni Lal Kalia. The point is this. Standing Order 34 (1) which relates to amendments reads : "An amendment must be relevant to, and within the scope of, the motion to which it is proposed." The point is that we are adding and altering the character of the source from which the money is to be authorised for the payment of

the salary of the Speaker and therefore it cannot be considered to be within the scope of the Bill. It is not only that it cannot be considered within the scope of the Bill, it is clearly outside the scope. It is a financial resolution which affects the revenues of the province. Certainly as far as the payment goes the character and the source from which payments are to be made are different. In the case of Ministers section 78 of the Government of India Act has provided that their salaries shall be a charge upon the revenues of the province but not so in the case of the Speaker and the Deputy Speaker. If they now want to alter the character of the revenues drawn from these sources, they must come forward with a substantive motion to the effect that so far as the salaries of the Speaker and the Deputy Speaker are concerned they are to be henceforth a charge upon the revenues of the province. The Parliamentary procedure on this point is very clear. Whenever there is an amendment of this nature which goes beyond the scope of the Bill and the title, then it is considered by the Speaker not to be relevant. You will find on page 898 of May's Parliamentary Practice that the original procedure in the House of Commons used to be that this sort of amendment could not be moved but later on action was taken and a Standing Order was provided. Curiously enough the Standing Order is the same as the Standing Order of the Punjab—Standing Order 34. Amendments can be moved provided you change the title of the Bill itself, but not unless you do that.

The Honourable Major Sir Sikander Hyat-Khan : What would you like to add to the title ?

Diwan Chaman Lall : When I sit on the Treasury benches, I shall be able to tell you (*laughter*). Two or three very relevant examples of this are given in the Appendix to May's Parliamentary Practice on page 902. For instance, in 1911, as certain honourable members opposite will recall as they happened to be on the spot as I was, a Parliamentary Act was considered according to which certain members in the House of Lords were sought to be added in order to defeat a particular government. Then an amendment seeking to alter the constitution was considered out of order as the amendment seemed to change the constitution of the House and as such was beyond the scope of the Bill itself.

What clearer example can my honourable friend over there have of the inadvisability of bringing in an amendment of this nature which is clearly outside the scope of the measure which is now before the House ? I cannot understand why it should be difficult for the Leader of the House to bring in another measure to give effect to this amendment. Why should he be in such a hurry to alter the character of the revenues by having this amendment made in the Bill ? If he brings in another measure to give effect to this amendment that will be considered by the House on its merits. This question, I submit, raises a vital and important constitutional issue by attempting to convert what is a votable expenditure into a non-votable expenditure.

Again this amendment seeks to alter the character of the Bill. We, the representatives of the people, are thereby robbed of the right of voting down the salary of the Speaker merely because my friend wishes to move

[Diwan Chaman Lall.]

this amendment in this particular way. I think it would be a straightforward and honest course if he brings in another measure to give effect to his amendment. The Treasury benches have no right to alter the character of the revenues of the province which are divided into voted and non-voted, by thrusting an amendment of this nature on the floor of the House.

The Honourable Major Sir Sikander Hyat-Khan (Premier): After hearing the learned discourse of the honourable member representing non-Union Labour (Diwan Chaman Lall) it seems to me that the gist of his speech is that we should take two bites of a cherry instead of one. If any honourable member wishes to discuss the merits of the amendment he is at liberty to do it now. There is no bar. I do not then see why the honourable members opposite want us to bring forward a separate measure. The honourable members suggested that we wanted to alter the source by proposing to charge it to revenue. We are doing nothing of the kind. The expenditure will be met from the revenues of the province in any case. The honourable member was perfectly right when he said that the main object of this amendment is to make the salary of the Speaker a non-voted item instead of a voted item. We have specifically brought in this amendment so that the Speaker may be immune from worry and anxiety over the question of his salary and be in a position to maintain his impartiality and independence. The House cannot touch the salary of the Ministers; the only way in which a Minister can be attacked is by a motion of want of confidence. Why should not the same privilege be extended to the Speaker also? This will enable him to keep above all party considerations. Therefore if the honourable members want to discuss the merits of this amendment they are welcome to do so, but I do not see any purpose in wasting the time of the House by bringing in another measure merely to achieve the object which can be secured equally by this amendment. As I have said it would merely mean making two bites of a cherry.

Diwan Chaman Lall: But the amendment is out of order as it goes beyond the scope of the Bill.

Mr. Speaker: I think we will be well-advised if we adjourn now.

Pandit Muni Lal Kalia: Yes, that will give us also an opportunity to examine the point more fully and come prepared with our arguments.

The Honourable Major Sir Sikander Hyat-Khan: Before you adjourn the House I should like to bring to your notice an item of news which appears in the Editorial columns of one of the newspapers in Lahore. As you are aware, there is a section of our press which habitually indulges in great deal of deliberate exaggeration and misstatement of facts. There should be a limit to such exaggeration and misstatements. I have on several occasions appealed to my friends of the Press that they should not deliberately publish baseless information when it can be easily verified. In this case I am bringing to your notice news published in the Editorial columns and the lapse cannot be excused on the ground that it was carelessness or mistake of a reporter or correspondent. It is significant that this editorial comment was published this morning after the Ministers' Salaries Bill had been passed by this House yesterday. This is the news purveyed

to unsuspecting Punjabis. (*An honourable member*: What is the name of the paper.) It is *Rozana Milap*, Lahore, dated 10th April, 1937. This is what it says about the salaries—

پنجاب میں چھ وزیر ہیں۔ وزیر آرم کو تو با چھ ہزار روپیہ ماہوار اور دو سو روپے
وزرا کو تقریباً چار ہزار روپیہ ماہوار تنخواہ ملے گی۔ اسمبلی کے صدر صاحب کو
بھی تقریباً چار ہزار روپے ماہوار ملے گی۔ سیکریٹریوں کو ہزار روپیہ ماہوار ملے گا۔
انڈر سیکریٹریوں کو پانچ سو روپے ماہوار اور اسمبلی کے نائب صدر کو بھی
پانچ سو روپے ماہوار یعنی کہ وزارت کے کل محکمہ پر ہر سال چار لاکھ
اکھتر ہزار روپیہ خرچ آئیگا۔

This is the news published in the editorial column of this paper after the Ministers' Salaries Bill was passed by the House. The editor of the paper could very easily have verified his statement by referring to the Assembly office or to the headquarters of any one of the Parliamentary parties. I would once again appeal to the Press to be more considerate and careful in such matters and avoid publishing canards with a view to mislead the public.

Diwan Chaman Lall : I do not see why any such speech as has just now been made should have been made in reference to a matter which is not before the Assembly ; nor is it ordained by any rules or standing orders that I know of that the Leader of the House should get up and make a statement about a particular organ which is not before us. I do submit that the statement made by him should have been made in the course of a public statement and not on the floor of this House.

Mr. Speaker : If any newspaper reports the proceedings of this House so incorrectly as the *Daily Milap* has done, I think it is the duty of the Leader of the House to bring the matter to the notice of the Assembly (*Cheers*), so that disciplinary action may be taken against the offending newspaper, if necessary. I do not propose to take any action on this occasion, but, hope that the editors of all newspapers will kindly realise their responsibility in reporting the proceedings of this House.

The Assembly then adjourned till 11 A. M. on Monday, 12th April, 1937.

1947

Received of the Treasurer of the
University of California
the sum of \$100.00
for the year 1947

Witness my hand and the seal of the University of California
this 15th day of June 1947

President

University of California



1947

Received of the Treasurer of the
University of California
the sum of \$100.00
for the year 1947

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 12th April 1937.

The Assembly met at the Council Chamber at 11 A.M. of the clock. Mr. Speaker in the chair.

MOTIONS FOR ADJOURNMENT.

RE. BEHAVIOUR OF CERTAIN OFFICERS OF PHILLAUR.

Master Kabul Singh (Jullundur East, Sikh, Rural) (*Punjabi*): I had given notice of my intention to ask for leave to make a motion for adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, namely, the recent and continued high-handedness and inhuman behaviour of the present Tahsildar and the Sub-Inspector Police of Phillaur, district Jullundur, towards the inhabitants of that area. But I do not wish to move this motion as the Premier has very kindly assured me that he will take necessary steps to redress the grievances of the public in this behalf. In view of the assurance given by the Premier I do not propose to ask for leave to move my adjournment motion.

RE. POLICE SEARCHES OF THE OFFICE OF SHROMANI GURDWARA PARBANDHAK COMMITTEE, ETC.

Mr. Speaker: Sardar Kartar Singh has given notice of his intention to ask for leave to move a motion for adjournment of the business of the House for the purpose of discussing a matter of urgent public importance, namely the series of indiscriminate searches, causing great harassment, made by the police, of the office of the Shromani Gurdwara Parbandhak Committee, Amritsar, thus interfering with and causing a stoppage of statutory duties and of Sarb Hind Sikh Mission of Amritsar and of the *Akali Patrika* Press, Lahore, as well as of the houses of certain prominent Sikh Leaders.

The Honourable Major Sir Sikander Hyat-Khan: The matter is *sub-judice* because these searches were made in pursuance of the order of the court to which a complaint was made. Therefore I submit that this adjournment motion is not in order. The case has started with a complaint in a law court.

Sardar Kartar Singh (*Urdu*): The searches were made by the police. I presume that a court of law has no business to order searches being made.

Mr. Speaker: A court can hold or order an enquiry and in doing so it acts judicially.

Lala Duni Chand: He means investigation.

Mr. Speaker: Investigations are made by police; while enquiries are held by courts. The motion is, therefore, out of order.

RE. STATEMENT BY THE SECRETARY OF STATE FOR INDIA.

Mr. K. L. Gauba (Inner Lahore, Muhammadan, Urban): I ask for leave to move—

That the business of this Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the recent statement of the Secretary of State for India (Lord Zetland) and the grave implications thereof on the Provincial Autonomy and responsible Government purported to have been established under the Government of India Act, 1935.

Mr. Speaker: Mr. K. L. Gauba has given notice of his intention to move—

That the business of this Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the recent statement of the Secretary of State for India (Lord Zetland) and the grave implications thereof on the Provincial Autonomy and responsible Government purported to have been established under the Government of India Act, 1935.

The Advocate-General (Diwan Ram Lal): On a point of order. I object to the motion on behalf of the Government. Standing Order No. 57 proviso (c) says "It shall not relate to any matter which is not primarily the concern of the provincial Government." My submission is that this motion does not primarily concern the provincial Government. As to what had been stated in the speech of Lord Zetland, whatever repercussion that speech might have on the provincial Government, it is certainly not in the province of this provincial Government to deal with at this stage. At any rate it may concern other provinces but it certainly does not concern this province.

Chaudhri Krishna Gopal Dutt: Mr. Speaker, I beg to suggest that proviso (c) of Standing Order 57 which the Honourable Advocate-General has drawn your attention to does not apply to the adjournment motion moved by the honourable Mr. K. L. Gauba, because the question on which Lord Zetland has given expression to his feelings relates to provincial subject and not to a federal or central subject. For instance, if this matter is proposed to be discussed in the Central Assembly to-day, the Speaker there might say that since this is a question of provincial interest, it could not be discussed in the central legislature. And here we are told that this question cannot be discussed because it is not a provincial matter. I beg to submit that the question is one mainly of provincial interest and that you would see your way to allow a discussion on this subject which is of vital importance not only to this province but to the entire country.

The Honourable Major Sir Sikander Hyat-Khan (Premier): I wish to point out that the honourable member opposite has apparently not understood the significance of the words used in Standing Order 57 (c). It says that the motion shall not relate to any matter which is not primarily the concern of the provincial Government. The words used are "concern of the provincial Government" and not "concerned with". So far as the Punjab is concerned, I submit that the statement of Lord Zetland is not primarily the concern of the provincial Government.

Mr. K. L. Gauba: The statement made by the Honourable the Premier that this is not the concern of the provincial Government is surprising. The statement of Lord Zetland relates exclusively to provincial autonomy as established or purported to have been established under the Government of India Act, and I think the Government, as well as the Opposition, are very

much concerned in the interpretation of provincial autonomy as explained by Lord Zetland. The statement that he has made practically washes out provincial autonomy as adumbrated by the Government of India Act and the Instrument of Instructions. The passage I would particularly refer to in Lord Zetland's speech is this. Referring to the temporary ministries that have been formed in other parts of the country, Lord Zetland said : "The Act contained the mandatory requirement that 'there shall be a Council of Ministers to aid and advise the Governor in the exercise of his functions,' that made Ministers an indispensable part of the machinery for carrying on provincial Governments under Part III of the Act, and it was further provided that the functions of the Governor respecting the choosing of Ministers should be exercised by him in his discretion." This interpretation is important not only for the other provinces. It is almost equally important so far as this province is concerned. What is the natural implication of this ? It means that the Governor, if he does not like the ministry, if he does not like the majority party in power, can dismiss it. Whether that party is Congress or Unionist Party, he can dismiss it, and he can form a ministry entirely of his own choice, irrespective of the majority. This interpretation of the Government of India Act, primarily and entirely, concerns every provincial government. If this matter is not 'primarily the concern' of the provincial Government, I do not see what other matter can be !

Mr. Speaker : So far as I am concerned, I need only invite the attention of the honourable members to Standing Order 23 : "If the Speaker is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask whether the member has the leave of the Assembly to move the adjournment. If objection is taken the Speaker shall request those members who are in favour of leave being granted to rise in their places." *Prima facie* I considered the motion to be in order and, therefore, read it to the House ; and as it is objected to, I request members, who are in favour of leave being granted, to rise in their places (*After counting the number of members who rose in their places*). As more than 30 members are in favour of leave being granted, leave to move the motion is granted, and the motion will be taken up after the day's business is finished.

RE. COMPOSITION OF PUBLIC SERVICE COMMISSION—RULING OF MR. SPEAKER ON THE ADJOURNMENT MOTION.

Mr. Speaker : Before the business of the day commences, I would like to give my ruling on the point of order raised by Dr. Muhammad Alam about his adjournment motion, which was disallowed by His Excellency the Governor. The House might remember that I asked the honourable Doctor to discuss his point personally with me and promised to give my final ruling after carefully going through the Rules and Standing Orders in force. After discussing at length with the learned Doctor the question of the disallowance of his motion, regarding the composition of the Public Service Commission appointed by the Governor in his discretion, under section 265 of the Government of India Act, I have come to the conclusion that the

[Mr. Speaker.]

ruling I gave offhand on the 8th instant was correct and that His Excellency was fully competent under rules 20 and 34 (3) of the Punjab Legislative Assembly Rules to disallow, as he did, the honourable member's motion.

SHORT NOTICE QUESTION AND ANSWER.

The Honourable Sardar Sir Sundar Singh Majithia : My honourable friend, Lala Deshbandhu Gupta, has given notice of a short notice question and I am prepared to answer that question now if the Chair permits me to do so.

Diwan Chaman Lall : May I point out that it is not in order to answer questions after motions for adjournment have been moved ?

Mr. Speaker : I agree ; but would like, as a special case, to consult the House. If the House has no objection to the question being put and answered, in view of its importance, I will have no objection.

(As the sense of the House was that the question should be put the question was put by Lala Duni Chand on behalf of Lala Deshbandhu Gupta who was then absent.)

FORFEITURE OF JAGIR OF S. SARDUL SINGH CAVEESHAR.

Lala Deshbandhu Gupta : Will the Honourable the Revenue Minister please state—

- (a) whether it is a fact that the jagir belonging to the family of Sardar Sardul Singh, Caveeshar, a Congress leader of the province, has been forfeited ;
- (b) the reasons which led to the taking of such drastic action on the part of the Government ;
- (c) whether this confiscation has got anything to do with the political activities of Sardar Sardul Singh Caveeshar ;
- (d) if so, the particular activities of the gentleman concerned which led the Government to take the aforesaid action ?

The Honourable Sardar Sir Sundar Singh Majithia : (a) The muafi amounting to Rs. 76 per annum in the name of Sardar Sardul Singh Caveeshar was resumed by order of the Governor in Council with effect from rabi, 1931.

(b) Breach of the terms of the grant.

(c) and (d) Sardar Sardul Singh Caveeshar was sentenced to six months rigorous imprisonment and a fine of five hundred rupees, and in consequence thereof the muafi was resumed in terms of the original grant.

Chaudhri Krishna Gopal Dutt : Will the Honourable Revenue Minister please state if it is not a fact that Sardar Sardul Singh Caveeshar was indulging in these activities even before ?

The Honourable Sardar Sir Sundar Singh Majithia : Yes, he was indulging in such activities even before this action was taken against him.

Chaudhri Krishna Gopal Dutt : What particular reason has led to this action on the part of Government ?

The Honourable Major Sir Sikander Hyat-Khan : His conviction in a court of law.

Chaudhri Krishna Gopal Dutt : Is it not a fact that he was convicted as long ago as 10 or 15 years ?

The Honourable Major Sir Sikander Hyat-Khan : His previous conviction was of the nature of simple imprisonment while the sentence on which action has to be taken in terms of the grant was one of rigorous imprisonment.

Diwan Chaman Lall : May I ask whether it is a fact that during the pendency of the old regime no action was taken against Sardar Sardul Singh Caveeshar and that this is the first fruit of the new regime in the Punjab ?

The Honourable Sardar Sir Sundar Singh Majithia : No, it is not a fact.

Lala Duni Chand : May I ask when the action was taken against him ?

The Honourable Major Sir Sikander Hyat-Khan : The matter had been proceeding for some years but the final orders were passed only a few months ago.

Chaudhri Krishna Gopal Dutt : Do the new Government take the fullest responsibility for this action ?

Diwan Chaman Lall : May I ask whether the new regime is likely to reverse the orders passed ?

The Hon'ble Sardar Sir Sundar Singh Majithia : I want notice of that question.

Chaudhri Krishna Gopal Dutt : Does the Honourable Minister know that the Bombay Government has issued a statement that they will release all political prisoners ?

Mr. Speaker : The question is disallowed.

SPEAKER'S AND DEPUTY SPEAKER'S SALARIES BILL.

Mr. Speaker : I have to give my ruling on the validity of the objection raised against the moving of the new clause, proposed to be moved by the Honourable Leader of the House.

After giving a careful consideration to the contentions raised and arguments advanced by the honourable Pandit Muni Lal Kalia, the honourable Khawaja Ghulam Hussain and the honourable Diwan Chaman Lall against the moving of the new clause I hold—

- (i) that the clause is not irrelevant to the Bill under consideration ;
- (ii) that the clause does not go beyond the scope of the Bill, inasmuch as the object of the Bill, in the words of its long title, is " *to provide for the salaries of the Speaker and the Deputy Speaker*—";

[Mr. Speaker.]

- (iii) that the phrase "to provide for" the salaries means not only the fixing of the amounts of those salaries, but also the specifying of the source, fund, or revenue from which they are to be paid or to which they are to be charged ;
- (iv) That if the above interpretation be assumed for the sake of argument to be incorrect, it will be open to the House, if the proposed new clause is passed, to amend the title of the Bill, which is yet to be considered, so that it may cover the clause.
- (2) In support of my ruling I quote the following passages from standard works on Parliamentary Practice :—
- (a) "To explain the principles that govern the proposal of the instructions to committees of the whole house, it must be borne in mind that, under the Parliamentary usage in force in former times, an amendment might be wholly irrelevant to the motion or bill to which it was proposed (see page 285), and that consequently clauses might be added to a bill during its progress through the house relating to any matters however various and unconnected, whether with one another or with the bill as originally drawn. A reaction from such laxity of procedure led to the establishment of rules and practice which imposed on the House of Commons an inconvenient rigidity in dealing with a Bill. No amendment could be moved which was not strictly within the scope of the prefatory paragraph, known as the title, which is prefixed to every Bill and describes its object and scope. To obviate the difficulty thus created, the house, in 1854, by standing order No. 34, gave a general instruction to all committees of the whole house to which Bills were committed, which empowered them to make such amendments therein as they should think fit, provided that the amendments were relevant to the subject matter of the Bill ; and, if such amendments were not within the title of the Bill, the title was to be amended and reported specially to the house. This general and standing instruction to committees on Bills meets all ordinary occasions. Amendments to Bills may, however, be offered which might be beyond the scope of the amendments contemplated by standing order No. 34, and which, without a special instruction from the house, could not be considered by the committee." (*May—page 398*).
- (b) "when the amendments proposed to the Bill have been disposed of, the title of the Bill is amended, if necessary." (*May—page 418*).
- (c) "amendments may be offered to the title on the third stage of a Bill" (*May—page 422-423*).
- (d) "It shall be an instruction to all committees of the whole House to which Bills may be committed, that they have power to make such amendments therein as they shall think fit, provided they be relevant to the subject matter of the Bill ; but that if any such amendments shall not be within the title of

the Bill, they do amend the title accordingly, and do report the same specially to the House (*S. O. 34—of the House of Commons—May, page 388*).

- (e) "In 1854 the House of Commons opened the door of a committee to amendments 'relevant to the subject matter of a Bill' though beyond its title, provided the committee proceeded to extend the title so as to cover them." (*Campion—page 185*).

(8) According to section 82 (2) of the Government of India Act, on the recommendation of the Governor, not only can a Bill be introduced but also an amendment can be moved to make provision "for declaring any expenditure to be expenditure to be charged on the revenue of the province." The contention, therefore, that such a declaration can be made only by a separate Bill and not merely by a new clause is clearly untenable.

The new clause proposed to be moved is—

4. The expenditure on the salaries of the Speaker and the Deputy Speaker shall be expenditure charged on the revenues of the Punjab.

I have put the motion; the question is whether the Honourable the Leader of the House has the leave of the House to move it.

Pandit Muni Lal Kalia : In view of the learned ruling, touching on almost all the points, given by you, I have to point out to you another irrelevancy that makes this amendment out of order and in support of that I will refer you to Halsbury's Laws of England.

Honourable the Premier : May I with your permission interrupt for a moment?

Pandit Muni Lal Kalia : This is an amendment dealing with revenues the burden of which is on the people. It can never be moved in the House of Commons by way of an amendment even by a Government member.

Mr. Speaker : We are governed by the Government of India Act. We cannot go beyond it. If the honourable member has got a copy of the Act, he may read Section 82 (1) (c) which runs as follows :—

"A Bill or amendment making provision for declaring any expenditure to be expenditure charged on the revenues of the Province, or for increasing the amount of any such expenditure, shall not be introduced or moved except on the recommendation of the Governor _____"

Governor's recommendation is received. The above provision expressly lays down that not only a Bill but also an amendment to a Bill can be moved with the recommendation of the Governor.

Pandit Muni Lal Kalia : I am feeling myself in a difficulty with regard to the section which you have read. It deals with the 'recommendation' and I understand that under the Rules the recommendation of His Excellency the Governor is only read in a form of message and so far as I understand no message to that effect has been read in this House.

Mr. Speaker: Did not the Honourable Leader of the House, before asking for leave to move the new clause, state that the clause had been recommended by His Excellency the Governor?

Pandit Muni Lal Kalia : The message is to be delivered to the House.

Mr. Speaker : For the last 17 years the practice of the House has been that before any matter, requiring the Governor's recommendation, has been moved, the Leader of the House has communicated the Governor's recommendation to the House ; and I see no reason to depart from that practice.

Pandit Muni Lal Kalia : I will concede that point. The point of order is still there.

Mr. Speaker : What is the point of order ?

Pandit Muni Lal Kalia : It is that no amendment should be submitted to the consideration of the House which should lay a charge of any kind on the people.

Mr. Speaker : I have already given my ruling on that point.

Honourable the Premier : If the honourable member had allowed me to speak when I got up he would have saved himself much trouble. May I, Sir, through you draw the attention of the House to another very useful parliamentary convention namely that when the Leader of the House rises to speak, his fellow members, as a matter of courtesy, give way. May I suggest that we should adhere to this very healthy convention. It often saves a great deal of unnecessary labour and energy and time of the House.

As I pointed out the other day, when we announce that a particular item is being brought before the House on the recommendation of the Governor we are merely following another Parliamentary convention. Governor in this particular section means the Government. What it boils down to is this that no money Bill can be introduced in the House without the consent of the Government. That is the convention which is followed in the British Parliament and which we propose to follow here. That point need not be stressed further. What I wish to put to the House is that if it is willing to initiate another healthy convention, it would not, in that case, be necessary for me to press my amendment. If the House is prepared to accept the convention that a motion to reduce or alter the salary of the Speaker will not be made at the supply stage, I will on my part give an undertaking not to press this motion. If the House at any time considers it necessary to alter the salary of the Speaker or the Deputy Speaker it should be done by means of a Bill. I hope my honourable friends on the Opposition benches will accept my suggestion and co-operate with us in setting up yet another healthy convention. You are aware, Sir, that the whole structure of British constitution is built on conventions and usage which are even more sacrosanct than written law. I suggest that we should also start by establishing useful and healthy conventions and rely more on usage and conventions than on indulging in futile hair splitting over interpretations of law. The convention which I now ask the house to accept is this that no motion for reduction of the salary of the Speaker or the Deputy Speaker will be made at the supply stage or otherwise except by means of an Act of this Legislature. The members will be at liberty to bring forward a Bill if on grounds of economy or for some other similar reason they consider it desirable to propose a change in the salary of the Speaker or the Deputy Speaker.

Diwan Chaman Lall : May I welcome the statement made by the Leader of the House dealing with the creation of a convention of the House to settle this matter. I think it is a very healthy and an excellent sign that we are about to launch upon a series of conventions which will obviate all legal difficulty that might arise from legislation, leaving out all bitterness behind which would arise if the matter goes to the vote. I am certain that the members on the Opposition benches would rather accept this convention as the beginning of a series of healthy and excellent conventions and would not press the matter to vote. The Opposition is in agreement with the opinion of my learned friend, the Leader of the House, who wants this particular amendment on the understanding that so far as the Speaker's or Deputy Speaker's salaries are concerned, they can be reduced not on the supply day, but only by bringing in a specific Bill (*hear, hear*).

Dr. Gopi Chand Bhargava: I also believe that it shall be dignified for the House to give this assurance that if they have lost all confidence in the Speaker, they shall show their feeling not by a cut motion, but by a special resolution, and if they wanted to cut down the pay of the Speaker, then they shall bring in a Bill like the one fixing the salary.

Though we arrive at a convention by settlement, if at any time the House feels or the Treasury benches feel that the convention is not kept up they shall be free and have the right, as they have got the right under the Act, to move a special Act to make the salary non-votable.

The Honourable Major Sir Sikander Hyat-Khan : In view of the very gratifying response to my suggestion that we should set up a healthy convention it is not necessary for me to press my motion. I congratulate the House on its laudable decision. I am advised that in any case it would not be permissible to alter the salary of the Speaker except by means of a Bill, but, now that the House has agreed to set up a convention of its own, I see no reason not to follow that convention in preference to the other course. (*Hear, hear*). I accordingly beg leave to withdraw the amendment.

The motion was by leave withdrawn.

~~Order 1~~

Preamble.

Mr. Speaker : The question is—

That this be the Preamble of the Bill.

The motion was carried.

The Honourable Major Sir Sikander Hyat-Khan : I move—

That the Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Bill be passed.

The motion was put and carried.

THE PUNJAB LEGISLATIVE ASSEMBLY (REMOVAL OF DIS-
QUALIFICATIONS) BILL.

The Honourable Major Sir Sikander Hyat-Khan : I beg to introduce the Punjab Legislative Assembly (Removal of Disqualifications) Bill. I move—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be taken into consideration at once.

Mr. Speaker : The motion is—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be taken into consideration at once.

Maulvi Mazhar Ali Azhar (North-Eastern Towns, Muhammadan, Urban) : I beg to move—

That the Bill be circulated for eliciting opinion thereon.

In moving this motion, I wish to place before this House the fact that in this Bill they are dealing with two questions and I do not think that it is proper that both of them should be dealt with in one Bill. One is the question of the Parliamentary Secretaries, and the other relating to the exemption of lambardars, inamdars, sufedposhes, zaildars and others. The questions are quite different and are concerned with the administrative machinery at different stages. So far as the Parliamentary Secretaries are concerned they are to be chosen from among the members of this House and will draw certain emoluments. But so far as the question of lambardars, zaildars and others is concerned, they were given permission to contest the last general elections; they contested the general elections and have been returned to this House. Now the question as to what will happen at the next general elections if we do not pass this legislation exempting the lambardars and others from the disqualification is a matter which does not deserve any immediate consideration. We can wait and see how the working of the present House goes on and our experience in this House may enlighten us at a later stage to decide whether these officials are to be allowed to contest elections in future or not.

So far as the Parliamentary Secretaries are concerned, this Bill does not indicate what duties are to be delegated to them and what work they are going to do and what emoluments are proposed for them. Perhaps as yet the Ministry has not been able to consider the budget in detail and has not been able to formulate its proposals. Whatever the position might be for the present at least we do not know as to what is being proposed except that Parliamentary Secretaries are to be created if and when it is thought necessary.

I would submit that at this stage we have not got any definite information about one matter and we are so ignorant about the other. Therefore, it is not advisable that this Bill should be proceeded with at once. The opinion of the country in respect of sub-clause (2) of clause 2 is necessary to be taken at this stage. Even as regards the Parliamentary Secretaries so far there is nothing before this House or before the country to decide upon, and I would submit that in course of time, say a month or two hence, when we meet again we would be in a better position to know in respect of the Parliamentary Secretaries, and the Ministry would be in a better position to say as to what the proposals are and at that stage it would be

proper for this House to give a decision on this Bill. I would request the Honourable Leader of the House to split this Bill into two, because one matter is quite different from the other and in voting on one matter it is not necessary that the voting on the other matter should be on the same lines. The two parts, viz., the one relating to Parliamentary Secretaries and the other relating to the other officers are quite distinct and separate and they deserve separate consideration and therefore when we deal with both of them it becomes sometimes impossible to have a line of division or demarcation, and it will be easier if this Bill is split into two Bills and both of them are circulated for opinion. So far as the Parliamentary Secretaries are concerned if the Ministry think that they must have the Secretaries, then they must first apportion to them their duties. We must know beforehand what their proposals are about those duties and what emoluments they propose to give them, so that we may be in a position to judge better. At this stage, however, we do not know anything at all and the whole question deserves to be postponed for a little while longer. We can decide the question of zaildars and others after six months or a year or two because at this stage it is not very urgent that we should proceed with it and decide at once. In the circumstances I would propose that this Bill be circulated for eliciting public opinion thereon.

Mr. Speaker : Strictly speaking the honourable member's amending motion is out of order, inasmuch as he has not specified in it the date by which he expects opinions to come. But I allow him to specify the date now.

Maulvi Mazhar Ali Azhar : I would fix the date 15th of June as the date by which public opinion should come in.

Mr. Speaker : Motion moved—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be circulated for eliciting opinion thereon by the 15th of June 1937.

Chaudhri Muhammad Hassan (Ludhiana, Muhammadan, Rural); I would like to make a few observations in support of the amendment proposed by my learned friend Maulvi Mazhar Ali Azhar. I submit that we should not be in a hurry to introduce this Bill and pass it in the Legislative Assembly. It is necessary to ascertain the views of people in our constituencies, our voters, the public who come in close contact with the zaildars, sufedposhes, lambardars and inamadars, and who alone are in a position to say whether these officials dominate the will of the voters or whether they allow free voting at the time of elections. It is clear from the provisions of section 69 of the Government of India Act that Parliament has given power to the Provincial Legislature and it is necessary in the interest of the public to give the discretion to those for whom we are going to work this new constitution and I suppose Government benches will support this contention of mine that it is absolutely essential in their interest and in the interest of the promises they have made to the voters and the public that they are going to work this constitution. Is it proper in the circumstances to allow these sufedposhes, zaildars and lambardars to be eligible to stand as candidates for this legislature?

One thing more. My learned friend Khan Bahadur Nawab Fazal Ali said on another occasion that emoluments are the necessary factor which

[Chaudhri Muhammad Hassan.]

determines whether a person is a Government officer or whether his position is such that he can influence the voters or whether he can dissuade the voters from the exercise of their vote.

Mr. Speaker : What is the honourable member speaking to ?

Chaudhri Muhammad Hassan : I am referring to the discussion that was held during the course of debate on the Speaker's salary.

Mr. Speaker : But I have informed the honourable members of the House that as a rule no reference should be made to the proceedings of the current session.

Chaudhri Muhammad Hassan : I am referring to the argument that he advanced, and not to the proceedings that took place in this House a few days ago. I am simply referring to his argument. I was submitting that these zaildars, lambardars, inamdars and sufedposhes are certainly, as we have experienced during the elections, in a position to influence the free exercise of vote and it is essential, therefore, that we should ascertain the opinion of those who are in close contact with these men as to whether they are of the opinion that this disqualification should be removed or that they should suffer under the disabilities imposed by the Government of India.

I hear from the Leader of the House that we have got one gentleman on our side who has not succumbed to that official influence. I suppose in due course when the time comes the Leader of the House will find that the reasons why he has not succumbed to that influence will be explained by him at the proper time.

So far as the other people are concerned, for example, the sub-registrars, everybody will agree with me at least on this side of the House that they are in a position to influence all those who appear before them at the time when they get deeds registered and they are considered to be Government servants of some position. Therefore the amendment of my learned friend that this Bill should be circulated for eliciting public opinion on this point is very reasonable. The House should consider this point dispassionately. I appeal to the Government benches that they should give full support to the amendment proposed by Maulvi Mazhar Ali Azhar.

Lala Shiv Dayal (South-Western Towns, General, Urban) : Section 69 of the Government of India Act provides—

12 noon.

“ A person shall be disqualified for being chosen as and for being a member of a Provincial Legislative Assembly if he holds any office of profit under the Crown in India, other than an office declared by Act of the Provincial Legislature not to disqualify its holder”.

The question before us is whether these lambardars, inamdars, sufedposhes, etc., should be brought under the category of persons who should be exempted from the disqualification for becoming members of this legislature and whether they are officers of Government or not. They receive emoluments from the Government for their services and it is really doubtful whether they should be given the exemption proposed in this measure. Therefore, it is necessary, as has been said by my honourable friend that his issue should go to the public for their opinion.

There is one other point. If we adopt the suggestion contained in this measure in respect of the lambardars, etc., we shall be only legalising what has hitherto been illegal. In the recent elections to this legislature they were disqualified to stand for election and this measure proposes to remove that disqualification. It is therefore only reasonable that we should ascertain what the public view in the matter is. I would therefore support the motion for the circulation of the Bill for eliciting public opinion.

The Honourable Major Sir Sikander Hyat-Khan (Premier) : I have listened with interest to the speeches made from the other side of the House, but I am afraid there seems to be some confusion of thought regarding the object of the measure. My honourable friends opposite were at pains to stress the point that these persons were not officers of the Crown and therefore it was not necessary to specifically include them in the category of those who are to be exempted from the operation of the disqualifying sections of the Act. I submit that there is some doubt as to the meaning of the expression used in section 69 of the Government of India Act. The Act does not speak of officers of the Crown but speaks of persons holding any *office of profit* under the Crown. That is why we consider it necessary to include them in the category of persons who should be exempted and place the matter beyond doubt once for all.

As regards the merits of the issue, there will be an opportunity to speak later when amendments to the various clauses are moved. But I should like to make one general observation here, if I may, and that is, that the work of these inamdars, lambardars, zaildars, etc., if the present holders are removed, will have to be done by someone else. It is not the name that matters; it is the duties and functions of these dignitaries which should be kept in view. Call the holders of these offices by any name you like, honorary zaildars and honorary lambardars and so on. If we employ whole-time officers in their place, we will have to pay adequately for their services, and let me warn you that the total bill will add up to several lakhs of rupees. It would be a great pity if we do not appreciate the services of these public-spirited persons, who at great deal of personal sacrifice—sacrifice of time, energy and money—devote themselves to the service of the province and its people. Panchotra, as you are aware, is only a commission on the amount of revenue realised. If we remove the lambardars, and employ some other agency we will have to pay for it and it will be very expensive. Some criticism has been made regarding the method of appointment of these honorary officers, but that is not an issue relevant to the question before the House. Now, if we do not specifically exempt these people from the disqualifications contemplated in the Act we will be depriving a very deserving class of citizens of their right to stand for election to this Assembly. I do not wish to say any more at this stage except to emphasise that it would be unfair and unjust to treat the zaildars and lambardars differently. They have equal right with us and the honourable members opposite to enjoy the right of citizenship which we all so cherish.

Dr. Gopi Chand Bhargava : Why are you in a hurry to get this measure passed now? Why should you not wait a little longer?

The Honourable Major Sir Sikander Hyat-Khan : Because we have got to appoint Parliamentary Secretaries. If we do not pass this Bill now we cannot appoint Parliamentary Secretaries. If we split up the categories of persons we wish to exempt and introduce a separate Bill later in respect of lambardars and zaildars it would merely result in wasting the time of this House and involve unnecessary expenditure which we must try to avoid.

Sardar Partab Singh (Amritsar South, Sikh, Rural) : I wish to bring to the notice of the House what a great handicap this removal of disqualification will create. The public has recently seen how the zaildars, lambardars, etc., conducted themselves in the recent elections.

Mir Maqbool Mahmood : The honourable member is repeating the arguments already advanced.

Sardar Partab Singh : I am not repeating any argument. In the present constitution there is no provision for referendum. I submit therefore that this Bill should be postponed as the people have had a real taste of these zaildars and lambardars.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) : It is evident from the Government of India Act that the intention of the framers of the Act was that public opinion should be taken before making a change in the constitution as contemplated in the present Bill. The Government of India Act has been the result of elaborate labours of legal luminaries whose experience extends over several years. Good many public opinions were invited and evidence recorded. As a result of those deliberations section 69 was enacted to indicate that Parliament did not at all like to have the responsibility on its shoulders on a matter which the public opinion regarded as a very vital matter and over which there was so much agitation, namely that people holding office of profit should not at all be allowed to take part in the election. I submit, that this inclusion of the clause in section 69 of the Government of India Act is based on the public opinion that was gathered by the Simon Commission and gathered in the three Round Table Conferences and the Joint Select Committees. Later on in view of the opposition that might have been made in certain quarters or some sort of dissent that might have been expressed by some of the knights and khan bahadurs and rai bahadurs and sardar bahadurs, that a new section of somewhat contradictory nature was added to the Government of India Act in the form of section 307. In the section it was only provided that for the life of the first legislature an office of profit for the purposes of the first election of persons who serve as members of the Federal Legislature and Provincial Legislatures shall not disqualify them. It said that no person shall be subject to any disqualification by reason only of the fact that he holds an office carrying some sort of remuneration (*"Hear hear" by the Leader of the House.*) My submission is and the "hear hear" from the Premier only adds to my arguments, that the provisions of section 307 were only entered because of the majority of the opinion in the provinces in India and outside being against such a thing and therefore it was only added here in order to find out what the legislatures of the country want. Now the labours so far done by the Parliamentary Commissions and by eminent lawyers here are going to be nullified

and washed away by this single stroke of the pen from the Treasury benches. It is for the other side, it is for the collective responsibility of the Ministers under whose signatures the cabinet's programme was issued recently on the first day of the inauguration of these Reforms in which cabinet itself admits the limited and restricted scope of the Act, to show how they are justified to bring in this measure further to limit the scope of the Act. The words of the manifesto of the cabinet are—

“ We admit that the machinery which we have been called upon to work is delicate and complex, but we do not see the wisdom of condemning it without a fair trial.”

And this is the fair trial which we have had during the first week of the cabinet's working. Again, it goes on to say—

“ It would be neither fair to the province nor to our constituents to resort to such tactics.”

May I ask the Leader of the House and the honourable members on the other side whether they have at all taken the trouble to sound public opinion on this matter of so great importance. I am not prepared at this stage to go, and I should not go, into the merits and demerits of the question, but I would say one thing that the House is now enacting a certain provision which was embodied in the Government of India Act after consultation for many years and the House has made a very reasonable demand that the province should also be taken into consideration and taken into confidence so that instances might come to their notice which might show the havoc, the injustice that has been done by these so-called public servants and the persons who are named in the Schedule and who are sought to be made eligible for the membership of this House. In the interests of justice, in the interests of the cabinet's programme that has been issued, the people of the province should be taken into confidence. They admit that there are so many restrictions and that there are so many limitations. There is no reason why we should add to those limitations. By bringing this measure into consideration, are we not bringing all the seats under the influence of tahsildars and naib-tahsildars? Is it not then a matter of primary concern? It is an important matter on which public opinion should be sounded before we commit ourselves to any step for which we may have to repent later.

Mr. K. L. [Gauga (Inner Lahore, Muhammadan, Urban): I submit that there are really two motions before the House. One is a motion for circulation, and the other is a motion for reference to a select committee. The motion for circulation fixes the 15th of June as the date for the eliciting of public opinion; the motion for reference to a select committee fixes day after tomorrow as the date. So far as the urgency of the measure is concerned, though I am not personally acquainted with the procedure adopted in this House, I am aware that in the Legislative Assembly the usual procedure is that when a member of the Government introduces a Bill, he explains the reason why that Bill is brought forward, why it is necessary and why it is required to be passed in that particular session and what are the reasons why it need not be circulated or referred to select committee. In the case of this Bill, I regret that, so far, no statement

[Mr. K. L. Gauba.]

has been made by the Government benches as to the urgency of this measure. It might be said, and it might have been legitimately said, so far as the two previous Bills, namely the Salary Bills of the Ministers and of the Speaker and the Deputy Speaker, were concerned, that the Bills were urgent and necessary and should be passed in this session. What are the arguments, what are the reasons why this Bill is necessary to be passed to-day? The usual convention in such matters is this. Where the rights and privileges of members are concerned, such matters are not merely questions for the Government in power, but matters of concern for every member of the House irrespective of party interests. Therefore on a Bill of this kind, which really affects the members of the House generally, I should have thought that a convention might have been set up, that the Government would have called the leaders of the Opposition into conference to discuss this matter. I know, the Opposition is not in numbers comparable to the party opposite, but there have been occasions in the House of Commons when the Opposition has been very small, but on matters where the rights and privileges of members were concerned, where questions of membership have arisen, the Head of the government has invariably acted in concert with the Leader of the Opposition and the leaders of the minority parties. Now on a question of Parliamentary Secretaryship also the removal of disqualification, is not really a matter for the Unionist Party solely to legislate; it is an important matter so far as the constitution of the legislature is concerned. This matter, I submit, ought to have been discussed by the Government and the leaders of the Opposition. Now, I do not know what the urgency of the matter is. After all what delay can there be between to-day and tomorrow? After all this is a small Bill. It can be discussed tomorrow. Tomorrow is a holiday, there would be absolutely no objection in meeting and discussing this Bill. There might be something, some arguments that might well be advanced, which may appeal to the Leader of the House or other members of the Government and they may be pleased to accept them. They can still proceed with the Bill, if they do not accept them. It might be said that this is a way of getting rid of the Bill during the present session, because there is a standing order which says that a select committee report might be laid before the House at least seven days before the report is taken into consideration, but there is also the provision that you, Mr. Speaker, might in your discretion reduce that time. I do not think that if Government takes us into confidence over this Bill we will insist on the seven days rule. Thus there would be no difficulty with regard to the operation of the rules. The matter could be discussed as early as possible, as soon as the report of the select committee is available to members. I submit that this Bill is really more important, really much more fundamental, than really appears to the eye.

On the question of Parliamentary Secretaryship, I think on principle there is no objection to the proposal. But here too the urgency of the Bill, or either the absence of the urgency of the Bill is indicated in the Bill itself. The Bill says: "Provided he holds any of the following offices, namely, the office of Parliamentary Secretary, *if and when it is created.*" I have never seen the words "if and when created," in any Bill before, but

they do exist in this Bill. This certainly shows that there is no urgency with regard to these posts, namely the secretaryship. These might be created in this session, or the next or even after a dozen sessions! Therefore, I submit that so far as Parliamentary Secretaryships are concerned, no urgency has been made out.

Now as regards the second part of the Bill, namely, the removal of disqualifications of certain officials who get remuneration from the Crown, what is the urgency as regards them? The members of this House have been elected and I hope this House will continue for the full five years of its life and there is no likelihood at present of a general election in the Punjab for the next five years. Where is the urgency then of this clause? Therefore, I submit that considering every aspect of the Bill, there is no reason why the select committee motion, at any rate, cannot be accepted, even if the Government does not accept the motion for circulation.

On principle—I submit briefly, I will not take much of your time and the time of the House—this Bill is an important Bill. We are endeavouring to follow the British constitution as far as possible. Under the British constitution Parliamentary Secretaries obviously sit in the House, but those who procure any remuneration of any kind from the Crown, except certain specified offices, are not permitted to be members of the House of Commons. I submit that this is a very salutary principle. The principle underlying this is that a man cannot serve two masters, the Crown as well as the public. There may be occasions when there is a conflict of duty. Really we should look into all these matters and the schedule so as to be able to see how this matter can be settled amicably, so far as the wishes of the Unionist Party are concerned, and so far as the principles deducible from the British practice are concerned. At this stage, I do not wish to say any more, except that I appeal to the Government that they will for once accept the suggestions of the Opposition. After all a select committee will meet and report in a day or two. There is no reason why Government should not take the Opposition into confidence and have a select committee.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): It seems to me that there has been some misunderstanding with regard to the principle underlying and the purposes of the Bill under discussion. I wish, at the very outset to assure the House that we on this side of the House are as keen as our friends opposite to see that the privileges and rights of membership of this House and the elections therefor are kept scrupulously clean. Simultaneously, it is the duty of all responsible members of the House to see that in the heat of the moment we may not unjustifiably restrict the choice of the electorate in the selection of representatives to this House. The Bill in question as far as the principle goes, seeks to reconcile those two points of view. One of the honourable members of the Opposition asked, why is this hurry to rush through the motion in this session? The answer is simple. We know even to-day a bye-election is being gazetted, and by the time that the House meets again in June, there might be other bye-elections. As such it is desirable that before these bye-elections are held,

[Mir Maqbool Mahmood.]

we should see that the electorate is not restricted in its choice of the members by whom it wishes to be represented (*hear, hear*). It has been said by no less an authority than Mill that the purpose of franchise is not with a view to govern but to decide by whom the voters wish to be governed. By the Bill under discussion we are allowing our electorate the free right of saying by whom they shall be governed.

Chaudhri Krishna Gopal Dutt : By Iambardars.

Mir Maqbool Mahmood : Yes, if they so like. Coming next to the details of the schedule. I am sure this is a matter on which opinions can and may in all fairness differ. I would go so far as to say that even the constitution makers all over the world have not held the same opinion with regard to the question of disqualifications for membership. A study of Removal of Disqualification Acts which have been resorted to under the various constitutions within and outside the Empire, would show that the disqualifications are not exactly the same. In fact we find that some of the latest constitution makers have gone so far as to provide that if a public servant enjoys the confidence of the people and is elected, facilities should be given to him to serve the people in the legislature such as giving him leave and allowances.

Chaudhri Krishna Gopal Dutt : What country ?

Mir Maqbool Mahmood : Under the constitution of Czechoslovakia drawn up by that most distinguished statesman of the modern world, I mean President Masaryk. It is also provided under the constitution of Servia.

Chaudhri Krishna Gopal Dutt : I thought you were referring to the Empire.

Mir Maqbool Mahmood : I wish the honourable member were to give me his ears as much as he is giving me his eyes. Coming back to the question of the removal of disqualifications, it is recognized that people in other countries also have found different solutions of this question. It is for us now, sitting here in this House as tribune of the people of the Punjab, to decide, having due regard to the circumstances of the province, as to what line of action we should adopt.

With regard to the proposal made by my honourable friend, Mr. Gauba, that the matter be referred to the select committee, I have only one remark to make. Reference to the select committee implies acceptance of the principle of the Bill and I assume that in making his motion, he accepts the principle of the Bill. As such I ask, is the Bill so complicated, are the amendments so important or numerous that we should be forced to forego the privilege of enjoying Baisakhi at our homes and sit here vetting the few simple amendments which can be settled forthwith ?

Now, with regard to the merits of the Bill, I have only one statement to make. The honourable member in charge of the Bill appears, in laying down certain items in the schedule, to have followed one main principle. It is this, that wherever non-officials are loyally discharging such functions

of the public servants which do not give them any undue power of influencing the opinions of the electorate, they should be encouraged and made available to the electorate to be elected, should the voters so desire. In this connection I may mention, that I had tabled an amendment for exempting the Members of the Debt Conciliation Boards also, but in view of certain fundamental objections pointed out by the Honourable Leader of the House himself, I have decided not to move that amendment. This would show that we are not unmindful of our duties. There is one other point which I wish to submit. It is with regard to the serious and wholesale condemnation in the House, by almost all speakers from the Opposition, of the lambardars and zaildars as a class. I do not deny that lambardars, zaildars and inamdars have got some black sheep in them as have all others; but let us not forget that the zaildars, lambardars and inamdars include some of the best and the most public spirited of Panjabis whose names are respected in the countryside. The Bill does not seek to make every lambardar and zaildar in the province, good, bad or indifferent, an *ex-officio* member of this House. It only enjoins that a lambardar or zaildar or inamdar, who as a true representative of the village community of the Punjab properly serves the people and the people want him to represent them in this House, should be allowed to do so. This is the straightforward principle on which the Bill is based.

Another objection was raised that since the Act makes it impossible for such men to stand for the Assembly at the subsequent elections we should not take the reactionary step of undoing that. With regard to this point I would invite the attention of my honourable friend opposite to the relevant discussions in the Round Table Conference on this matter. He will find that the provisions of sections 69 and 307 were in the nature of a compromise which provided that in the first elections such persons should be left free to stand and thereafter it should be left to the individual conditions of each province, to the legislatures concerned, to decide whether these disqualifications are to be removed or not. I must say that this House is the best index of the public opinion in the province. We find that the House includes many lambardars on both sides of the House, including some in the front benches of the Opposition also. If some lambardars in this House can serve the public freely even on the Opposition benches there is no reason why others should in future be deprived of the opportunity of serving their province to the best of their ability on this or that side of the House.

There was one remark made by my honourable friend Mr. K. L. Gauba which, with due deference to him, I wish to challenge on the floor of the House. He said that these men, the lambardars and the zaildars, if elected, would be serving two different masters—the people and the Government. I submit that the days of such arguments are gone. The Government of the province is now the government of the majority of representatives chosen by the people. The people themselves are the masters, and these men are not serving two different masters, they are serving the organised constituted representatives of the people and therefore the people themselves. There is no more clash of two masters. Our Government in the Punjab is the Government of the people for the people constituted with the suffrage,

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of the people. My honourable friends of the Opposition can, when the merits and demerits of individual offices in the schedule are taken up, express their views freely and frankly ; but at this stage when we are concerned only with the principle of the Bill, I hope they will lend their support to the objects of the Bill, which are clearly stated in the statement of objects and reasons.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : The Government of India Act lays down that persons who hold an office of profit under the Crown in India will not be eligible to be elected for the Provincial Assemblies. But it is provided that in case Provincial Assemblies and Legislatures desire, they can allow such persons to become members and make exceptions to the general rule. This is a very healthy principle that the people who are getting any remuneration in whatever form from the Government should not be allowed to come to the Legislatures because they would be acting under their influence and consequently the Government which might go under the name of democracy will not, strictly speaking, be democratic at all. I think that is the main principle on which we base the opposition to the measures which have been proposed in this House this morning. A government which is not based on public opinion is bad in certain respects but a government which is democratic in name and not democratic in fact can be extremely harmful and dangerous to the public welfare. It is to avoid this position that we oppose this measure which is supposed to be so healthy by the Government. The principle before us this morning is whether the people, who hold such positions as lambardars, inamdars, zaildars and sub-registrars and people of that ilk, will be exercising their votes in this House independently or whether they would be exercising those votes under the influence of the Government, which may be in power at that particular time.

Mir Maqbool Mahmood : What about the lambardars sitting on the opposite benches ?

Sardar Sampuran Singh : There are always exceptions to the general rule. Some people are strong enough to stand that, they are worthy people and such are the people who are sitting on these benches. But it is doubtful that all the lambardars, zaildars and inamdars are free from official influence. That is purely a question of evidence. I would not say more but I would certainly ask the members sitting on the Government benches to tell from their own experience and knowledge, as most of them come from the country side, whether the lambardars, zaildars and such other people are under the official influence or not. If they can honestly believe and vouchsafe that they are not under the influence of the Government officials, then there may be some sense in the provision which they have put before the House this morning ; otherwise I would say, if my evidence is of any value and I live in a village and I deal every day with hundreds of zamindars, lambardars and zaildars, that there are very few exceptions amongst lambardars and zaildars who are free from the official influence and men who are under their influence will not make good

members of a democratic government which we are supposed to have begun from 1st April 1937.

So far no excuse has been put forward by the Government as to why there should have been so much hurry in passing this measure. We know that whatever lambardars and zaildars were to be elected have already been elected and no new legislation can oust them or bring more lambardars, etc., in this House for the coming five years. So this is a measure which, we consider on this side of the House, cuts into the very root of the democratic government which we are supposed to start. I think we should postpone this measure till we understand the position better, as no harm is going to take place in the coming five years. With these few remarks I support the amendment before the House.

M. Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural) : We have been pleased to note that this House has zaildars and lambardars on these benches as also on the benches opposite. From the time when I had the honour of sitting at the feet of the Congressmen and had the pleasure to study the Congress literature, I have always been told that a village in India is a complete self-governing unit and that democracy in an Indian village existed from the very early times. The lambardar in a village has always been very aptly described as the *mukhia*, i.e., the spokesman of the village. The word *mukhia* denotes that he is the person who is the natural leader of that village. I can very well understand the anxiety of my honourable friends on that side of the House when they see a larger number of zaildars and lambardars on this side of the House. But the reason is not far to seek. The reason if probed is obvious on the face of it. The zamindar of the Punjab is alive enough to his own interests. He is an intelligent being. In times of distress and calamities we know who came to his help, who proved a friend in need and so a friend indeed. Who was it who came to his actual help when the remission of the revenue to the amount of six crores of rupees was granted to him? Who came to his help when the zamindar was groaning under the burden of indebtedness?

Mr. Speaker : Is the honourable member speaking to the motion?

M. Ghulam Mohy-ud-Din : I am submitting that the lambardar or zaildar, when he is elected, is elected by the free will of the electorate because they know that the party whom he is going to join is a party which has always helped them. They know that the person they are going to put forward as a candidate is their true representative. I can very well understand that it is possible for more than one person to have honest opinion as to one matter and the opinion may be equally sincere, but I would ask my honourable friends on the other side of the House to tell me whether it would be in the interest of the province to destroy your opponents this way instead of making your electorate wiser. If my honourable friends on the other side of the House believe in the power of their electorate as they say they do in six out of the eleven provinces, they need not be afraid. We know that there are going to be bye-elections. We must presume that we have more than fifty election petitions at this time.

Raja Ghazanfar Ali Khan : They will all be rejected.

M. Ghulam Mohy-ud-Din : You are never sure. But if there is going to be any bye-election, my honourable friends do not mean to say that an honest man—a deserving person—who wants to do service to the country should be disqualified simply because he is a lambardar. If a zaildar can be good enough to be a secretary of the group on this side of the House and surely he is capable enough to be so, why should we not look to other zaildars and lambardars also who may prove as capable as some of our friends here. I would, therefore, oppose the amendment.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): I had little thought that the first autonomous administration of this province would take upon itself the responsibility of introducing a measure which is calculated to seriously impair the independence of this House and inflict a deadly blow on its liberties. My honourable friends who are occupying the Treasury benches cannot be unaware of the fact—and three of them are lawyers—I believe lawyers who have been dealing with these lambardari, zaidari and inamkhari cases both on the original as well as on the appellate side,—my friends cannot be unaware of the fact that these village officials are under the complete control of the deputy commissioner of the district. (*Hear, hear*). If a vacancy amongst their ranks occurs, the application is made to the deputy commissioner, who refers it to the revenue assistant on the revenue side. The revenue assistant refers it to the tahsildar who in turn refers it to the naib-tahsildar. On the police side, the opinion of the superintendent of police is obtained, which opinion is based on the report submitted by the inspector which report again is based on the report of the sub-inspector. So you will be pleased to see that these village officials have to run a whole gamut of officials from the sub-inspector and the naib-tahsildar upwards to the deputy commissioner. It is the deputy commissioner with whom the final word rests. The powers of the deputy commissioner in making appointments of these officials are so great that even on appeal the appellate court says that appeals in lambardari and zaidari cases should not be encouraged; that the orders of the deputy commissioner should in all cases be upheld, that the choice is normally his and that superior officers should not interfere unless those orders are flagrantly perverse or as Mr. Latifi has now explained unless the deputy commissioners are seriously in error. Such being the position of these village officials *vis-a-vis* the deputy commissioner of the district, I ask the Honourable the Leader of the House if it is fair to this House and if it is at all compatible with its liberty and independence that there should be introduced into this House persons who are merely the creations of the deputy commissioners—persons who can be nothing better than the voices of their masters who bring them into being. I am conscious of the fact that there are in this House a number of zaildars, lambardars and inamdars (*honourable members*: Both sides) yes, there are such persons on both sides of the House—all honour to the gentlemen on my side of the House. I was submitting that I am conscious of the fact that there are in this House persons belonging to the category of these village officials, but why is that? This is so, because Parliament, purely as a temporary measure for the first elections made them eligible. But as my learned friend pointed out, you will be pleased to see that as a permanent measure, Parliament has enacted section 69. All honour and

credit to Parliament for enacting in section 69 that a person shall be disqualified if he holds an office of profit under the Crown. That is the general rule which Parliament has laid down : this is the very rule which the House of Commons enacted when the Parliament and the Commons after the Revolution of 1688 obtained the beginnings of responsible government. Before that the Parliament did not possess responsibility ; it had full legislative authority, but was not responsible in the sense in which the word " responsible " is understood to-day. It was after 1688 that the House of Commons became responsible. What did the House of Commons do ? The House of Commons said that any person holding any office of profit under the Crown shall not be entitled to sit in the House of Commons. After having enacted this most general formula—a formula which ruled out any person holding any office of profit under the Crown from becoming a member of Parliament—the Parliament later on relaxed the rigidity of this rule, solely for the sake of enabling Ministers to accept their appointments ; and even in their case how did Parliament proceed ? Parliament said, Ministers no doubt hold offices of profit under the Crown, but responsible government and Cabinet Government would be impossible if that rule were kept in force. Parliament therefore relaxed it and made an exception in the case of Ministers only, but, Parliament added a condition that the Ministers shall seek re-election in order that the constituency may have an opportunity of demonstrating its confidence in the person who was going to accept an office of the Crown and become a Minister.

Mr. Speaker : Is that practice still in force ?

Malik Barkat Ali : It was till 1926. I want to place before the House that from 1707 to 1926 in Great Britain Ministers of the Crown were required on their appointment as Ministers to seek re-election.

Mr. Speaker : Not now.

Malik Barkat Ali : We are not even a shadow of the Parliament of 1688 or 1707. From 1707 to 1926 for about two hundred years in that great democracy, which has taught lessons in democracy to the whole world, they refused to believe that Ministers would be able to remain free from the influence of the Crown ; and although their democracy was planted much more firmly yet they made a change in the rule and required Ministers on appointment to seek re-election. We have to see what is the position in this province. In England the King dare not say ' no ' to his Ministers ; the King has no special or reserve powers beyond the reach or control of the Ministers ; the King is a constitutional monarch in every sense. He must act on the advice of his Ministers and if he finds that he cannot act on the advice of his Ministers he must either dissolve the House or dismiss his Ministers and call for another Ministry. That is not the position here. It took England two hundred years to do that ; we are only at the beginning of responsible government in this province and in this country and there is greater need here and Parliament would have been well-advised when giving this constitution to this country to enact that Ministers shall have to seek re-election at the hands of their constituents. My learned friends would have realised their position if they had to go to their constituents

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to ask for their mandate and their confidence. I was submitting Parliament to-day has given us the very same rule which it adopted in the year 1707; only it made an exception in the case of Ministers under the present Government of India Act. Section 307 has been referred to by my learned friend Mir Maqbool Mahmood, and he has interpreted it as a kind of compromise. Well, I have read the report of the Parliamentary Committee myself and I do not agree with my learned friend that section 307 was really enacted as a sort of compromise. In that section it is laid down: 'for the purposes of the first election'—and here the question of urgency will arise—'of persons to serve as members of the Federal Legislature and of Provincial Legislature, no person shall be subject to any disqualifications by reason only of the fact that he holds—

(a) an office of profit as a non-official member of the Executive Council of the Governor-General or a Governor, or as a Minister in a Province;

(b) an office which is not a whole-time office remunerated either by salary or by fees.'

You will be pleased to see that Parliament did depart from the general rule which it laid down in section 69 that in the case of a person who is a holder of an office which is not a whole-time office remunerated either by salary or by fees, he is made eligible for the *first* election and not for election to the *first* Legislative Assembly. They could have done so if the matter had been urgent.

Mir Maqbool Mahmood : On a point of personal explanation. What I said was that the proviso of section 69 read with section 307 offered a working compromise. It was that for the purposes of the first election any person who is not a whole-time officer remunerated either by salary or by fees may contest elections and thereafter if the legislature of the province concerned want this exception to continue it is open to them to do so under section 69.

Malik Barkat Ali : I was coming to the point which my learned friend has referred to. It might be said that section 69, while enacting that the holder of an office of profit was ineligible, has given power to the provincial legislature of exempting from this disqualification certain offices declared by Act of the provincial legislature. My respectful submission is that when Parliament gave this power to this House of exempting the holders of certain offices from this disqualification, Parliament was contemplating such offices as were political in their nature, such as Parliamentary Secretaries or Under-Secretaries. My learned friend has provided in this Bill under discussion that Parliamentary Secretaries will be exempted from the disqualification of section 69. But my submission is that Parliament never intended to give this House the power of exempting from the general disqualification offices such as those of *zaildars*, *lambardars*, *inamdars*, etc., I have already made it clear that the *zaildars*, *lambardars* and *inamdars* are really the creatures of the deputy commissioners. I put it to the conscience of the Leader of the House if his constitutional sense would not be shocked if he or anybody on his side of the House were to

propose that deputy commissioners, commissioners and financial commissioners be exempted from the disqualifications enacted in section 69. If his constitutional sense would be shocked I can see no reason why his conscience should not be shocked when it is sought to exempt from those disqualifications the creatures of the deputy commissioners, of commissioners and of the financial commissioners. If my learned friend thinks that there is no question of shock to anybody's constitutional sense by exempting the deputy commissioners, the commissioners and the financial commissioners, then I say, proceed and introduce them to this House. We can deal with the deputy commissioners and commissioners and financial commissioners face to face when they come to this House but it is rather unusual and difficult to deal with their creatures. Then there is another aspect; lambar-dars, zaidars and inamdars would have to obtain permission from their deputy commissioners, to be able to attend this House. Would you at all tolerate this position as being compatible with the dignity of this House and with the independence of this House, that members of this House should have to seek the permission of an outside official agency, I mean the deputy commissioners, in order that they may be able to attend the meetings of this House? The matter does not stop here. I was referring to the history of the Mother of Parliaments in England which proceeded step by step to completely exclude the influence of the Crown. It excluded the influence of the Crown by shutting out all officials under the influence of the Crown except the holders of ministerial offices. Therefore my respectful submission to this House through you is this, that it would be laying the axe at the root of the liberties of this House to make lambar-dars and zaidars and inamdars and sub-registrars eligible for membership of this House. It is true that my learned friend the Leader of the House with the majority behind him, the majority that exists to-day, may be able to carry the day, but let him realise the implications of the proposal that he is making. He calls his administration an autonomous administration and he would have this House filled up with these officials. I hope that the Bill will sufficiently shock public opinion outside the House and the country will find sufficient enthusiasm aroused to ensure that these zaidars and others under the influence of the Crown are not returned. But this is neither here nor there. We shall meet that situation when it arises. But we are clear that a measure of this kind is not worthy of this House. Let my friend also realise this position. He certainly has been placed in a position of great trust. Let him remember that there is that thing which is called magnanimity in politics, and it has been said that magnanimity in politics is always the truest and the best wisdom. Great offices and little minds go ill together. Elevate your mind to the greatness of the trust to which you have been called and see that this position in which you are is utilised to serve the people and to enhance the dignity and the liberties of this House.

Before I close, I should like to place before the House another instance of the House of Commons. In the House of Commons, under the Common Law, sheriffs were ineligible to sit or serve as members of the House. Later the rule was relaxed a little and sheriffs were allowed to represent counties of which they were not sheriffs. In 1789 or somewhere about that time the

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Crown nominated a member of the House of Commons as sheriff. Up rose the House of Commons and passed a resolution to the effect that such a nomination of a member of the House by the Crown as sheriff was a breach of the privileges of the House. I expect the Leader of the House to circularise to deputy commissioners.....

Mr. Speaker : May I request the honourable member to speak to the motion?

Malik Barkat Ali : There is no urgency in the matter. Under section 307, Parliament only exempted these gentlemen from the first election to the Legislative Assembly. That first election being over, the exception has come to an end. I have so far been dealing with village officials. My remarks apply *mutatis mutandis* to the sub-registrars. These are certainly not appointed in the first instance by the deputy commissioners. But the recommendation emanates from them and it is a Member of the Ministry who deals with the recommendation and appoints the sub-registrars. These gentlemen will thus be under the influence of the Ministry; in fact, one can describe them as really the nominees of the Ministry.

The question is thus very important and there is no urgency about it. Let my friends wait and see the reaction and repercussion which their Bill will produce on the public outside. The result of circulating the Bill and eliciting opinion thereon will be better for them and for this House.

I P. M.

The Assembly then adjourned for lunch.

The Assembly reassembled at 2 P.M., of the clock. Mr. Speaker in the Chair.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural): I had no intention of taking part in this morning's debate, but certain remarks made by my honourable friend Malik Barkat Ali have made me say a few words regarding the position of lambardars and zaildars. To my mind the object of widening the franchise and giving greater representation to non-official members was that the discretion of voters should be made much wider than hitherto. But I regret to say that the intention of my honourable friends over there seems to be to curtail that right. If I were to give them the total number of lambardars, zaildars and inamdars in the province I am sure it would go to thousands. Would it be fair to deprive the voters of this province of the right of electing any of these thousands of lambardars and zaildars if they feel that it is these men in whom they have confidence to represent their case in this House? If you look at the history of the appointment of these lambardars, you will observe that the post of lambardar is hereditary. At the commencement of British rule when the officers went to the villages they asked the people as to who was the person in a particular village whose family commanded the respect and confidence of the villagers and on finding the most honest and suitable and most popular man in the village they appointed him the lambardar. Up till now the post of lambardar is considered hereditary and the lambardar is looked upon as the natural leader of the village. As for the post of the zaildar, as the Honourable Leader of the House pointed out that the compensation which the Government pay

to a zaildar for performing his numerous duties is very small. I think on an average a zaildar gets about one hundred rupees a year for performing public duties. I regret I have not before me the list containing the duties of a zaildar but I can assure the House that the chief duty of the zaildar is to represent before the officers the genuine grievances and troubles of the people living in a zail. That being so, would it be fair to deprive men of the right of seeking election to the legislature while he is popular and commands the respect of the people? Similarly the inamposh gets about Rs. 50 Rs. 80, or even Rs. 20 a year for helping the administration. There is not a single department of the Government whose officers go to a village and do not seek and get the aid of the zaildar or the lambardar in the discharge of their duties. Is this the reward that this first autonomous legislature is going to give this band of workers in the villages who do such enormous work for such a paltry consideration? I personally look upon this Bill from an entirely different point of view. As the House is already aware, the election system in this country is comparatively of recent growth. The rules and regulations are extremely complicated so much so that an ordinary citizen who wants to file a nomination paper has to seek the assistance of a lawyer. Again, at the time of the scrutiny of the nomination papers also he has to seek the aid of that lawyer. The rules, as they exist at present, to my mind are extremely ambiguous. The words used in the Act are "if he holds any office of profit under the Crown he will not be eligible to stand for election". I would ask my honourable friend Malik Barkat Ali, who I regret to see is not at present in his seat, to tell me honestly how many conflicting judgments have been given from time to time by the election commissioners and by the High Courts with regard to the definition of 'public servant.' It will now be still more worse when the words used are 'holds any office of profit under the Crown.' As was remarked by my honourable friend Maulvi Ghulam Mohy-ud-Din, there are fifty election petitions already pending. I can quite realise that some able lawyers who are particularly experts on election matters will be deprived of the opportunity of appearing before the courts and debating the point whether a zaildar or inamposh or a lambardar falls under the definition of a person holding an office of profit under the Crown or not. The Government by bringing forward this Bill and getting it passed will be giving a very clear guidance to the people and will be saving them unnecessary litigation. I personally think that it should be entirely left to the choice of the voters themselves as to whom they would like to send to the legislature, particularly when voting is to be by ballot and the ballot is to be kept secret, I do not see how official influence can be exercised as far as elections are concerned. It is quite possible that some of my honourable friends here may be finding fault with the system of elections in this province, but that is an entirely different issue and I probably will be the first to agree that the Government should device some better means of holding elections than the present. I strongly object to the presence of agents along with the polling officers. I should like to entrust the polling officers to mark the ballot paper on behalf of an illiterate voter. But these are points which we can discuss on some other occasion. Supposing a zaildar is sitting with the presiding officer as he did in the recent elections as an agent to a particular candidate, the passing of this Act will not deprive the voter of his free exercise of his right. 1

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therefore, beg to submit that if the idea expressed by Malik Barkat Ali is to be taken seriously it would mean that we should not allow zaildars, lambardars and inamdars either to stand as candidates or to work as agents for candidates. I think a large number of members who are present in this House who stood against zaildars in their election have defeated those zaildars and there are quite a number of members in this House who obtained votes from rural constituencies irrespective of the fact whether the zaildars were supporting them or were opposing them. The zaildar certainly does not command so much influence in his constituency that the voters will vote for him simply out of fear for him or because he wields some undue influence. In these circumstances I request the House not to use their power to the disadvantage of a particular class of citizens in this country. It will be debarring a very large number of people who have got influence in the villages, who belong to old ancient families who command a good deal of respect and who do a good deal of social service and help the administration, if we reject this Bill which is intended to give them what is their due right.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural): It is my unpleasant duty sitting on the Opposition benches to make some adverse remarks on the amendment under consideration. I happen to be a lambardar myself and after giving great consideration to this question I am of opinion that if this Bill is dropped a large number of zaildars, lambardars, etc., will be disqualified. There is one pertinent question which I would like to ask the supporters of this amendment to reply. (*Hear, hear*). Now if this Bill is dropped the lambardars will be disqualified. It has been said by the supporters of this amendment that these lambardars, zaildars, etc. wield a great influence, a pernicious influence, on the voters. Now supposing these lambardars and zaildars are disqualified, what will prevent the remaining lambardars not to exercise that pernicious influence on the remaining voters? Because there will be lambardars still and they will still be under the thumb of the deputy commissioner and they will still continue to put their weight on the side on which they are asked to do. So this is not the remedy. The remedy as suggested by the learned Premier is that the appointments of these zaildars and lambardars should be put off the venue of the officials. There should be some healthy amendment sought as to how these lambardars should be appointed so that they can be elected from amongst the villagers. Then again, for example, I came into the Assembly on the independent ticket and being a lambardar I still sit amongst the Opposition. I sometimes vote with the Opposition and my independence has not been influenced simply because I have been a lambardar (*hear, hear, from Government benches*) although I have never worked as a lambardar (*hear, hear, from the Opposition benches*). There is another very important question. While there is one lambardar or one zaildar there are half a dozen candidates for the lambardarship or zaildarship and as is well known they wield a certain amount of influence. So there will be this anomaly that whereas these lambardars who after a good deal of work for the public will be ousted, these candidates will still be there and sitting in the Assembly. Then there would be another question. On a par with this question is the question of military pensioners. We all know the

mentality of these gentlemen who have been fighting the wards of the country. We know that these men are going to sit in this Assembly and yet we know that they are in many cases still under the thumb of the officials as these lambardars and zaildars are. I submit therefore, that before this Assembly gives a decision on this point they should thoroughly go into the question. The remedy is not in dropping this Bill but as I have suggested, the appointments of these lambardars and zaildars should be made subject to the will of the people amongst whom they live.

Khwaja Ghulam Husain (Multan Division Towns, Muhammadan, Urban): I shall confine my remarks only to the public spirited gentlemen mentioned in the schedule, that is the selfless workers who are called zaildars and lambardars and inamdars. We are told by the Honourable Leader of the House and all the honourable members of the Treasury benches that this measure for which the support of this honourable House is being sought is a very harmless and innocent type of legislation which is intended only to remove certain statutory disqualifications attached to a particular class. It is maintained that under sections 307 and 69 (a) of the Government of India Act the disqualification which attaches to lambardars and inamdars should be removed. At the same time we are told that we are living under a regime of full provincial autonomy and that it is a Government of the people, by the people, for the people. May I respectfully submit that the village which is supposed to be the political unit of the body politic called the State does not know anything of autonomy? Provincial autonomy, I mean the autonomy which has been granted in the provincial sphere—whether sufficient or insufficient is a separate question—cannot be of any use until and unless there is a measure of that autonomy in the villages, and I may submit respectfully that the village hopelessly lacks in that commodity. Our lambardars and zaildars who are supposed to be the representatives of the villages are hopelessly irreconcilable to that spirit of democracy which is so essential in a state of this kind. The rules which govern the appointment of these so called *mukhias* and zaildars, namely, that services by the candidate and his family to the State must be essential before any appointment can be made to these posts shows the conception of the State these zaildars and lambardars have in their minds. Their State is the petty officials, the police station within the jurisdiction of which their village lies, the petty revenue officials including the patwaris and the kanungos and other officials, petty officials of course with whom they have to deal. And their conception of services to the State consists in giving evidence in cases in which people with progressive ideas are involved, or spying on the activities of the people who have got the good of the nation at heart or the idea which is in the forefront of these zaildars and candidates for such posts is that service of the officials is the most sacred duty which they have to perform. I may point out that these gentlemen are subordinate to the police and they go any length to earn chits and certificates from these officials. I have myself seen these candidates preserving with very punctilious care invitation cards issued at the time of the garden parties to outgoing deputy commissioners in which these gentlemen figure as hosts. I have also seen letters preserved by these gentlemen, letters from Private Secretary to His Excellency the Governor declining to grant an interview (*laughter*).

[Khwaja Ghulam Hussain.]

All these documents are preserved with a view to use them to get into the vacant posts which may be available in the future. I can also give my vivid recollections of a zaidari case in which the candidates vied with each other in recounting their services to the administration and these services consisted in giving evidence in Congress cases or in Akali cases or in cases of this type and the man who came last of all rose up to point out that he had the most superior claims because he was prepared to give evidence at the bidding of the police in each and every case. That was the qualification which he possessed. As a matter of fact we are not opposed to the coming of these gentlemen, the zaidars, lambardars, and inamkhars, into this Assembly, but let them come in as respectable citizens. They should not be permitted to come in when they are in the hands of the police in this manner. If the Honourable Leader of the House agrees later on, at some subsequent time, to make rules that these posts should be filled on an elective basis, then it will be the time for the Honourable Leader of the House, to move that such a legislation should be taken into consideration. It has been pointed by the honourable member and the Treasury benches that the posts of lambardars are hereditary and that at the time of selection, it was inquired into as to who was the most popular man and the most public spirited man in the village and selection was made from among them. I may point out for the information of the honourable and learned member that under the Land Revenue Act of 1871 election was the rule for filling up vacancies in these posts. Lambardars and zaidars were elected to these posts, but under the rules framed under the Land Revenue Act of 1887 this salutary principle was abrogated and in its place it was provided under rule 17, if I am not mistaken, that election shall not be resorted to as an aid to the appointment made to these posts. Then with regard to the duties of zaidars and lambardars it has been pointed out that their duty is to assist all officials who visit the village. Further on it has been pointed out that these people assist the police and the revenue officials, particularly in the collection of land revenue. I may point out that under the present rules of appointment and dismissal of these men, their appointment and dismissal depends entirely on the vagaries of the police and the unrelenting manner in which the police and other officials exercise their influence on these officials is most objectionable. It may be safely submitted without any fear of contradiction that so long as these rules are in force, we cannot expect any independence of character or independence of judgment from these gentlemen. (*An honourable member* : Wrong, absolutely wrong). I shall be only glad if that is so, but I submit that it is not so, and I can very easily point out instance after instance in which it has been definitely established that under the present regime they are influenced. I have already submitted that on a matter of principle I am not opposed to these gentlemen coming in as members of legislature. My only submission is that as at present circumstanced they should not be permitted. Let their posts be filled on a basis of election and then it will be quite proper for the honourable members of the Treasury benches to move this sort of legislation.

The Honourable Major Sir Sikander Hyat-Khan (Premier) : I do not wish to take much time of the House and will confine my speech to briefly answer the points made by the honourable member who has immediately preceded me. He said that he had no objection to the lambardars and

zaildars as such being returned to the Assembly but that he took exception to the method of their appointment which he considered to be against the interests of the public. That I believe was his point. He also tried to labour the point that these people were under the influence of the police and other officials. Well, if that is the spirit in which he wishes to judge these public spirited servants of the people he might as well have stigmatised the whole province. The lambardars and zaildars number about one hundred thousand throughout the province. They are after all our own kith and kin; and it is unfair, unjust and an insult to the province to make a sweeping generalisation like the one the honourable member has made. To assert that all the lambardars and zaildars are dishonest and lack independence of thought and self-respect is a travesty of truth. We have several honourable gentlemen in this House and outside who belong to the category of lambardars and zaildars and I see at least two honourable members on the opposite benches who are themselves lambardars. Can the honourable member honestly question their honesty or independence of view and thought? It was, I submit, most unfair—to put it mildly—on the part of my honourable friend to make such a sweeping statement which is wholly unjust and untenable.

One main consideration which the House should keep in view is that their verdict on this question will indicate whether they are prepared to endorse the verdict of the electorates outside who have returned a large number of lambardars and zaildars to this Assembly.

Chaudhri Krishna Gopal Dutt : Not on this issue.

The Honourable Major Sir Sikander Hyat-Khan : Yes, on this issue. A large number of rural voters have reposed confidence in them. It is for you to consider, for this House to consider, whether we are entitled to, whether we would be justified in over-ruling the verdict of our constituents. If we do so, it can be predicted with almost complete certainty that when we go back to our electorates we will get a very unpleasant reception.

As I pointed out earlier, there is some doubt whether these offices really constitute an office of profit under the Crown. It is to remove all doubt and ambiguity in the matter that we have included them in the schedule. The position at present is that there is a consensus of opinion in support of the view that these offices do not constitute an office of profit under the Crown. But it would be as well to make the position clear and place the matter beyond dispute or doubt. As one honourable member put it, it would facilitate adjudication of an objection if the question was raised in an election petition. My lawyer friends in this House should, therefore, welcome this proposal.

It was suggested by my honourable friend, Malik Barkat Ali, who is unfortunately not present in the House at the moment, that in England—in the Mother of Parliaments—they had overcome similar difficulties by conventions, which in some cases date back to over two hundred years. As a matter of fact they had to enact more or less similar legislation in England also. It has been amended from time to time to conform with the requirements of the House. My honourable friends who have been following

[The Hon. Major Sir Sikandar Hyat-Khan.]

constitutional development in that country will remember that there was an occasion, not very many years ago, when a particular Under Secretary could not sit in the House because it was not possible to exceed the number fixed by the House. It was necessary in consequence to pass a special enactment to enable that Under Secretary to sit in the House. He had to remain out until the amending Bill had been passed.

There is one other point which the same honourable member tried to emphasise and to which I must refer. He said that the position of the Crown in England was different from the position of the Crown here. Perfectly true; but he has himself admitted that this ideal was achieved as a result of continued and sustained efforts spread over several centuries and by conventions gradually built up by successive Parliaments ranging over a period of hundreds of years. Every one of us here would no doubt like to attain the same position. But Rome was not built in a day. What England has succeeded in achieving in the course of several centuries, we cannot be expected to secure in a day. We secured the first instalment of constitutional reforms only 17 years ago, and this is the second instalment. We admit that it has its short-comings. But in spite of its defects we on this side are pledged to make the best use of it in the interests of our country and our province. Let me assure the House of one thing and that is that if we on the Treasury benches find that the Crown, as represented by the Governor in this province, at any time interferes in a way, which, in our opinion is likely to be detrimental to the interests of our province and the people, we will not hesitate to change places with our friends of the Opposition. (*Cheers*).

Dr. Gopi Chand Bhargava : Have you got the assurance from the Governor?

The Honourable Major Sir Sikander Hyat-Khan : I do not want any assurances. We are sure of ourselves. (*Cheers*).

You will have also noticed that in the schedule we have not included any office which would be analogous to the office of a sheriff. We have not included executive officers of the municipalities or similar officers in the same category as lambarbars and zaildars because under the existing constitution they are not barred from seeking election, if they are allowed to do so by their employers. We want the verdict of this House on the issue whether it is prepared to continue the privileges which these persons at present enjoy, and to which they are rightly entitled, or to curtail them in spite of the clear mandate of the electorate to the contrary.

Honourable Members : The Question may now be put.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : The question is—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be circulated for eliciting public opinion thereon by the 15th June 1937.

The motion was lost.

Mr. K. L. Gauba : I formally move—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be referred to a select committee consisting of 13 members with instruction to report thereon by the 14th April, 1937; and that five shall be the quorum of the committee.

The motion was put and lost.

Mr. Speaker : The question is —

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be taken into consideration at once.

The motion was carried.

Clause 1.

Mr. Speaker : Now the Assembly will proceed to discuss the Bill clause by clause. The question is—

That the clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Lala Duni Chand : I rise to move amendment No. 4* that stands in my name.

Mr. Speaker : Amendments Nos. (i) and (ii) of item 4 require that the words "any of" in line 6 of clause 2 be omitted and for the word "offices" the word "office" be substituted, but that the word "namely" be retained as it is. I do not see any force in these amendments. I am inclined to consider them as trivial. They do not make any special improvement in the language or the sense of the clause.

Lala Duni Chand : My submission is that the idea underlying this amendment No. 4 is that the mover of this amendment has no objection to the disqualification being removed with regard to the Parliamentary Secretary or Parliamentary Private Secretary.

Mr. Speaker : Items (i) and (ii) of amendment No. 4 do not improve the language. The honourable member is probably proposing these two amendments on the assumption that his last amendment will be carried. But, if these amendments are carried, at this stage, I am afraid the House will find itself in a difficulty. That is to say, if these verbal amendments are carried and the substantial amendment proposing omission of sub-clause (2) is not carried, what shall be the result?

Lala Duni Chand : I fully appreciate what has fallen from your lips. The object of amendments No. 4, 12 and 15 is that the disqualification regarding the sub-registrar, lambardar, inamdar, sutedposh or zaildar be not removed. So far as the Parliamentary Secretary and the Parliamentary Private Secretary are concerned, the mover of these amendments has no objection to the removal of their disqualification, but he has objection with regard to the removal of disqualification of the sub-registrar, lambardar, etc., etc.

* That in clause 2, line 6—

(i) the words "any of" be omitted.

(ii) for the word "offices" the word "office" be substituted;

(iii) in line 8, the figure "(i)" be omitted;

(iv) sub-clause (2) be omitted.

Mr. Speaker : That difficulty can be easily met with. The honourable member might move his amendment to clause 2. If that amendment is carried, some consequential amendments shall have to be made and the word "offices" shall have to be deleted and the words "similar offices" retained. I am unable, therefore, to allow his amendment.

Chaudhri Krishna Gopal Dutt : I beg to move—

That in clause 2 the words "any of the following offices, namely" be omitted.

Mr. Speaker : As this amendment is identical with the one which Lala Duni Chand was going to move, I cannot allow it. So, item No. 2 will be taken up now.

(*Mir Maqbool Mahmood rose to move amendment No. 2.*)

Mr. Speaker : May I suggest that the honourable member may not move his amendment as it stands? He wishes to move that in clause 2 the following be substituted for sub-clause (i) :—

"the office of Parliamentary Secretary, or of Parliamentary Private Secretary, if and when created ;"

My suggestion is that instead of one amendment he may move the following two amendments :—

- (i) "That in clause 2 sub-clause (i) after the words "Parliamentary Secretary", the words "or of Parliamentary Private Secretary" be inserted"; and
- (ii) That the words "it is" be omitted.

Mir Maqbool Mahmood : I am grateful for your guidance in the matter of splitting of the amendment and I shall move it accordingly. My first amendment would be—

That in clause 2, sub-clause (i) after the words "Parliamentary Secretary", the words "or of Parliamentary Private Secretary", be inserted.

My amendment needs no elaborate speech in support of it. It is based on Parliamentary convention. In the House of Commons there are Parliamentary Under Secretaries and there are Parliamentary Private Secretaries who assist the ministers in the discharge of their functions in the various spheres of their duties. With these words, I beg to move the amendment standing in my name.

The motion was put and carried.

Mir Maqbool Mahmood : I beg to move—

"That in line 2 of sub-clause (i) of clause 2 the last two words 'it is' be omitted."

The amendment is consequential.

The motion was put and carried.

Mr. Speaker : Now Mr. Gauba's amendment No. 3 will be taken up.

Mr. K. L. Gauba : This is merely a drafting amendment.

Mr. Speaker : Then there are practically three amendments i.e., Lala Duni Chand's Amendment, sub-item (iv) of item 4, that, sub-clause (2) be omitted ; and Nos. 6, 7 and 8 by Mr. K. L. Gauba, Chaudhri Krishna Gopal Dutt and Diwan Chaman Lall, that clause 2 (2) be deleted and there is No. 5 by Diwan Chaman Lall asking for the substitution of the words :—

"Any other offices proposed by resolution of the Punjab Legislative Assembly but not otherwise consistently with the provisions of section 69 of the Government of India Act, 1935"

Mr. K. L. Gauba : I move—

“ That clause 2 (2) be deleted”.

The motion was put and lost.

Mr. Speaker : All amendments to clause 2 being disposed of, I will now put to the House clause 2 as amended. The question is—

That clause 2 as amended stand part of the Bill.

The motion was carried.

Clause 3.

Mr. Speaker : The only amendment to this clause is that Clause 3 be omitted, but it is not an amendment.

Mir Maqbool Mahmood : Before Clause 3 is put to the House, I beg to raise a point of order. Section 69 (i) (a) enjoins that offices declared by an Act of the provincial legislature not to disqualify their holders shall be exempt. The provincial legislature is authorised by Parliament to exempt from disqualification certain offices by an Act of the provincial legislature. The point of order is whether a provincial legislature can suggest the less restricted method of a resolution instead of an Act provided by the Statute for making future additions to the Schedule of exempted offices.

Mr. Speaker : Persons can be exempted by delegating to the Assembly authority to make rules.

Mir Maqbool Mahmood : My point is that in future additions could be made by the provincial legislature by an amending Act and not merely by a resolution. By resolution, it seems to me, the schedule cannot be amended in view of the language of Section 69 of the Act.

Advocate-General (Diwan Ram Lal) : Section 69 runs as follows :—

(1) A person shall be disqualified for being chosen as, and for being, a member of a Provincial Legislative Assembly or Legislative Council—

(a) if he holds any office of profit under the Crown in India, other than an office declared by Act of the Provincial Legislature not to disqualify its holder.

What is meant by the words “ declared by Act ”? The declaration in the present Bill is that certain offices are placed in the schedule, namely, Parliamentary Secretaries if and when appointed, inamdars, lambardars, zaidars, etc., and the Act now would proceed to declare those offices to be the offices the holders of which would not be disqualified.

It is stated in clause 3 that afterwards the Assembly might pass a resolution and by that resolution add to the schedule and this is what is sought to be done. This seems to me to go beyond the language of Section 69 wherein it is said ‘ declare by Act of the Provincial Legislature ’. An Act connotes publication and all the procedure and not merely a resolution of the House.

Mr. Speaker : Is clause 3 *ultra vires* ?

Advocate-General : Yes, I think so.

The Honourable Major Sir Sikander Hyat-Khan : I do not propose to move that clause.

Mr. Speaker : It is already in the Bill ; it cannot be withdrawn. It can be negatived.

The question is—

That clause 3 stand part of the Bill.

The motion was lost.

Schedule.

Mr. Speaker : The next item is the Schedule.

The Honourable the Premier : Sir, I move—

That the following be added to the Schedule :—

"3. Officer in the Army in India Reserve of Officers or Officer, non-commissioned Officer, or other member of the Indian Territorial Force."

I need not dilate on the necessity of incorporating this amendment because this House is aware that in the Territorial Force, the volunteers when they join for training for a few weeks every year, are paid a small remuneration to cover their out of pocket expenses. With a view to avoid any doubt that remuneration which they receive will not bring them within the purview of section 69 (1) of the Government of India Act, it is advisable to pass this amendment.

The motion was put and carried.

Captain Dina Nath (Kangra South, General, Rural) : I beg to move—

That the following be added to the Schedule :—
"Members of the Auxiliary Force in India."

There are two forces in India ; one is the Territorial Force and the other is the Auxiliary Force in India. These two Forces are non-regular and the amendment with respect to the Territorial Force has been accepted. I do not see any reason why in the case of the Auxiliary Force in India the amendment should not be accepted. It will be a very great hardship if in the case of the Auxiliary Force this amendment is not going to be accepted. The difference between the Auxiliary Force in India and the Territorial Force is this, that the Indian Territorial Force is meant for the second line of the Indian Troops and the Auxiliary Force is the second line of British Troops. The service conditions as well as the emoluments are the same and for this reason when we have accepted one amendment in the case of the Territorial Force, I do not see any reason why we should not accept it in the case of the Auxiliary Force.

3 P.M.

Mr. Speaker : The question is—

That the following be added to the Schedule :—
"Members of the Auxiliary Force in India".

The Assembly divided : Ayes 104 ; Noes 87.

AYES 104.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri, Gurdaspur.
Abdul Rahim, Chaudhri.
Afzaalali Hasnie, Sayad.
Ahmad Bakhsh Khan, Mr.

Ahmad Yar Khan, Chaudhri.
Ahmad Yar Khan Daultana, Khan
Bahadur Mian.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayad.
Anant Ram, Chaudhri.

AYES—CONTD.

Ashiq Hussain, Captain.
Atma Ram, Rai Sahib Lala.
Badar-Mohy-ud-Din, Mian.
Basakha Singh, Rai Bahadur Sar-
dar.
Bhagwant Singh, Rai.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable Rao
Bahadur, Chaudhri.
Dasaundha Singh, Sardar.
Dina Nath, Captain.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
Farman Ali Khan, Subedar Major.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazal Ali Khan Bahadur Nawab
Chaudhri.
Fazal Din, Khan Sahib.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Ghulam Mohy-ud-Din, M.
Ghulam Murtaza, Khawaja.
Ghulam Qadar Khan, Khan Sahib.
Ghulam Rasul, Chaudhri.
Ghulam Samad, Khawaja.
Girdhari Das, Mahant.
Gopal Singh, Sardar.
Gurbachan Singh, Sardar Sahib
Sardar.
Hans Raj, Bhagat.
Hari Chand, Rai.
Harnam Das, Lala.
Harnam Singh, Lieutenant Sodhi.
Het Ram, Rai Sahib Chaudhri.
Indar Singh, Sardar.
Jagjit Singh, Sardar.
Jagjit Singh, Tikka.
Jahangir Khan, Chaudhri.
Jalal-ud-Din, Amber, Chaudhri.
Jogindar Singh Man, Sardar.
Jugal Kishore, Mr.
Karamat Ali, Shaikh.
Khizar Hayat Khan Tiwana, The
Honourable Nawabzada Major.
Kishan Das, Seth.

Manohar Lal, The Honourable Mr.
Maqbool Mahmood, Mir.
Mohy-ud-Din Lal Badshah, Pir.
Mubarik Ali Shah, Sayad.
Muhammad Akram Khan, Khan
Bahadur Raja.
Muhammad Ashraf, Chaudhri.
Muhammad Faiyaz Ali Khan,
Nawabzada.
Muhammad Hassan Khan Gurchani,
Khan Bahadur Sardar.
Muhammad Hayat Khan Noon,
Nawab Sir Malik.
Muhammad Hussain, Chaudhri.
Muhammad Nawaz Khan, Major
Sardar.
Muhammad Saadat Ali Khan, Khan
Sahib Nawab.
Muhammad Sarfraz Khan, Chaudhri.
Muhammad Sarfraz Khan, Raja.
Muhammad Wilayat Hussain, Jee-
lani, Makhdumzada Haji Sayad.
Muhammad Yasin Khan, Chaudhri.
Muhammad Yusuf Khan, M.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.
Muzaffar Khan, Khan Bahadur
Captain Malik.
Muzaffar Khan, Khan Bahadur
Nawab.
Narendra Nath, Diwan Bahadur
Raja.
Nasir-ud-Din, Chaudhri.
Nasrullah Khan, Rana.
Naunihal Singh, Lieutenant Sardar.
Nawazish Ali Shah, Sayad.
Nur Ahmad Khan, Khan Sahib
Mian.
Nurullah, Mian.
Pir Muhammad, Khan Sahib Chau-
dhri.
Prem Singh, Chaudhri.
Pritam Singh, Siddhu, Sardar.
Ram Sarup, Chaudhri.
Ranpat, Chaudhri.
Riasat Ali, Khan Sahib Chaudhri.
Ripudaman Singh, Thakur.
Roberts, Mr. W.

AYES—CONCLD.

Sahib Dad Khan, Chaudhri.
Santokh Singh, Sardar Sahib Sardar.
Shahadat Khan, Khan Sahib Rai.
Shah Nawaz Khan, Nawab Khan.
Sikander Hyat-Khan, The Honourable Major Sir.
Sultan Mahmood Hotiana, Mian.
Sumer Singh, Chaudhri.

Sundar Singh Majithia, The Honourable Sardar Sir.
Suraj Mal, Chaudhri.
Talib Hussain Khan, Khan.
Tara Singh, Sardar.
Tikka Ram, Chaudhri.
Ujjal Singh, Sardar Sahib Sardar.
Umar Hayat Khan, Chaudhri.
Uttam Singh Dugal, Sardar.

NOES : 37.

Abdul Aziz, Mian.
Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Duni Chand, Lala.
Ghulam Hussain, Khawaja.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
K. L. Gauba, Mr.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.

Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan, Chaudhri.
Muhammad Hassan, Mr.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Mr.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghbir Kaur, Shrimati.
Rai, Mr. C.
Ram Narain Arora, Seth.
Rur Singh, Sardar.
Saif-ud-Din Kitchlew, Dr.
Sampuran Singh, Sardar.
Sant Ram Sethi, Dr.
Shri Ram Sharma, Mr.
Sohan Singh, Josh, Sardar.
Sudharshan, Lala.

Mr. Speaker : The question is—

That the Schedule as amended be the schedule of the Bill.

Lala Duni Chand : I beg to know whether it would be open to us to oppose the insertion of the schedule into the Act at this stage.

Mr. Speaker : I have put to the House that the Schedule as amended be the Schedule to the Bill. Now the honourable member asks whether the question can be opposed. My answer is in the affirmative; but I may add that if the Schedule is rejected all clauses of the Bill that have been passed shall become meaningless and ineffective, nay, the Bill shall be entirely destroyed.

Diwan Chaman Lall : What I want is light to be thrown on the procedure. Would the Opposition or a member of this House be in order in making final remarks on the third reading of the Bill?

Mr. Speaker : Every motion that is moved before the House can be discussed and criticised and every honourable member of the House is entitled to speak on it.

The question is—

That the Schedule as amended be the Schedule of the Bill.

The motion was carried.

Preamble.

The Honourable Major Sir Sikander Hyat-Khan : I move that—

In line 5 of the preamble for the word "appearing" the word "mentioned" be substituted.

I am advised that this would be a more appropriate expression to use.

The motion was put and carried.

Mr. Speaker : The question is—

That the preamble as amended be the preamble of the Bill.

The motion was carried.

The Honourable Major Sir Sikander Hyat-Khan : I move—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill as amended be passed.

Mr. Speaker : Motion moved—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill as amended be passed.

Lala Duni Chand (Ambala and Simla, General, Rural) : As some of the important amendments have been ruled out, and I concede rightly, the only thing that is open to us now is to oppose the final passing of the Bill. At the very outset I beg to invite the attention of the honourable members of this House particularly the honourable members on the Government benches to the wording of section 69. The plain wording of that section leaves no doubt whatsoever that all those persons who hold any office of profit under the Crown are ineligible to seek election to the legislatures. Whatever difference of opinion there might be with regard to the interpretation to be put on section 307, there should be no difference of opinion with regard to the plain meaning of section 69. It was pointed out by the learned Leader of the House that we have introduced the Bill simply in order to remove certain ambiguities. I strongly differ from him and on this point I beg the Honourable Advocate General to say whether he agrees with this interpretation of section 69 (1). That being the clear matter, the House should not be under the impression that it is only the ambiguity of section 69 that is going to be cleared up.

The Honourable Major Sir Sikander Hyat-Khan : I never said that it was the ambiguity of that section which we wanted to remove.

Lala Duni Chand : I submit that as section 69 stands the zaildars, lambardars, sub-registrars and all these people are disqualified for the simple reason that they are holders of offices of profit under the Crown. As to that there can be no doubt. The most important question that deserves the consideration of this honourable House is whether these persons are the

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proper persons to be elected to the Assembly. I submit that there must have been two considerations in the minds of the framers of section 69 and one of these considerations must have been the fact that all these persons who hold office of profit under the Crown are in most cases necessarily a part of the administration and many of them are directly subordinate to the Government and the authorities. The principle is whether these people who are supposed to criticise and criticise sometimes boldly and mercilessly the administration of this province or the doings of certain authorities should be allowed to seek election to the Assembly so long as they retain these offices. This is one principle that was in the mind of the framers of section 69. The other principle that must have been in their minds is that their duties as holders of office of profit will conflict with their duties as members of this honourable House. These are the two principles and the two considerations that must have been in the mind of the framers of section 69. The question is whether in view of these considerations apart from anything else, the House should decide whether these classes of persons should be eligible for election to the Assembly. I will just come to this point; but before I do so, I want to make a statement that the object of section 69 was not to remove the disqualification of a large number of persons or a large class of people. To my mind it appears that the object was to make exception in the case of persons who should come into the House as experts and whose coming was desirable from that point of view. It was never intended that all these large number of persons, sub-registrars and others should be exempted. I submit that it was never intended by this section that the disqualification of these persons should be removed. I laid down two considerations for the consideration of the House. I invite the attention of the members of the Government benches to the provisions of the Indian Registration Act with regard to the position and the status of sub-registrars and I also invite their attention to certain provisions of the Land Revenue Act. I would not like to repeat all these sections, but I may point out that so far as sub-registrars are concerned, their position is that their appointment rests with the Local Government or in case the Government delegate its powers, to the Inspector-General, it rests with the Inspector-General. They are to be paid either a fixed salary or in the form of fees or partly in one form and partly in the other. They are to be given establishment and they have also powers to record statements and are liable to be dismissed by the Inspector-General of Registration. Under section 84 sub-registrars are also public servants. I particularly invite the attention of the honourable members on Government benches to the fact that it has been declared by the Registration Act itself that sub-registrars are public servants. They have also been given powers to record statements and start prosecutions, in short, I may submit that they have all the paraphernalia of a regular court about them. It will be very difficult to draw any distinction between sub-registrars or the holders of any other kind of office. I submit that so far as sub-registrars are concerned, for all practical purposes they stand on the same footing as other Government servants. Now I come to the Land Revenue Act. Section 28 of the Land Revenue Act empowers the financial commissioners to make rules with regard to emoluments, punishment, appointment and dismissal, etc., of lambardars and zaildars. These rules have been made under section

28 and under these rules power has been given to the Collector to punish, suspend or dismiss a lambardar or any of these officers. It is in the power of the Collector to appoint them, to allow certain allowances or percentages of panchotra. Their duties have also been prescribed under these rules and they are really too many. They are required to help the administration and the authorities, they are to help the police and the revenue officers and every other department in any manner that may be. I need not enumerate all these things, as I do not want to take unduly long time. This really is the exact position. With regard to these lambardars and zaildars I may say that the honourable members on the Government benches will take into consideration what they are required to do from day to day and from week to week. They are required to attend to all kinds of officers, police officers, officers of the Public Works Department and all officers visiting his ilaqa. In this connection I may invite the attention of the Government benches to the fact that they are supposed to keep a sort of register which is generally called *Emal Nama* or the book of their deeds. In this register these lambardars and zaildars every day try to get all sorts of certificates not only from high officers but also from the sub-inspectors of police, from naib-tahsildars and others and whenever any question of their appointment comes they use that book as the most important piece of evidence in their favour and their opponents sometimes use them against them. That is the real position of these rural officers. In every possible way they depend upon the favours of the officers whom they are supposed to serve. It is not possible for these people to go against them in any way. Then as regards their duties, apart from the fact whether they are good people or bad people, very often their duties as holders of office necessarily will come into conflict with their duties as honourable members of this House. They are supposed to take part in the investigation of any criminal case. They are supposed to help in the collection of land revenue and they are supposed to do so many things. If, therefore, they want to discharge their duties of lambardari or zaidari faithfully and honestly, it will not be possible for them to discharge their duties as honourable members of this House which I think will be sitting hereafter for very long periods. Apart from anything else this is the most important point to be taken into consideration, that the two kinds of duties will always conflict with each other. The question then is whether in view of these two considerations that I have placed before the House these people can be declared as proper and fit to be members of this House. I submit that it is not easy for anybody, even the Leader of the House or the Ministers to say that this would be a very desirable thing. Apart from these considerations I further submit that we should consider whether these gentlemen are otherwise desirable persons to become members of this House. I do not make any indictment against them as a class. I have been of opinion and I am of that opinion now that in all ranks of Government service from the lowest to the highest, there are good, honest and efficient men. The question that I wish to place before this House is whether the sub-registrars, lambardars, etc., as a class are desirable persons to be members of this House. I submit that if there are any people as a class who are not desirable persons to be members of this House, it is this class of sub-registrars and rural officers. I beg the House to consider that if there is a lambardar who has to look up to the deputy commissioner or revenue assistant, tahsildar

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or a naib-tahsildar, or superintendent of police or a deputy superintendent of police or a sub-inspector of police and all sorts of people, how is it possible for him to discharge his duties honourably or honestly while in this House? It is a matter which is so obvious. Anybody who differs in a matter like this is offending against commonsense. It is a matter of commonsense. As regards the doings of these persons from the Government point of view, they may have been doing very good work, of course, they have that consolation that they can get this kind of certificate from the Government, but the country is in many ways suffering at the hands of these people. I ask with regard to sub-registrars, whether it is not the complaint of the Honourable Rao Bahadur Chaudhri Chhotu Ram that these sub-registrars many times have cheated the poor zamindars who appear before them. Will it not be his complaint that very often documents are registered without the executants knowing anything about them? Will he not be prepared to admit that these sub-registrars are a very unsatisfactory lot? If these gentlemen are permitted to be elected as members of this House, what will he think? Take the case of lambardars and zaildars and sudedposhes. Some of them may be good men and I have no dispute about them, but as a class they are the most undesirable persons.

The Honourable Rao Bahadur Chaudhri Chhotu Ram : Are they more undesirable than lawyers?

Lala Duni Chand : The honourable member is himself a lawyer of eminence and if he wants to pass this verdict about himself he is welcome to do so, but I am not prepared to say that the legal profession as a whole consists of undesirable people. There are sitting very eminent lawyers on the Government benches, and if he is really going to express an opinion of that character I am sure he will be taken to task by some of his own colleagues.

I was talking about the complaint of the people with regard to investigation of offences by the police. Is it not a fact that these lambardars, zaildars and inamdars are a reserve force for the police? When the police are unable to get witnesses in any case these are at the disposal of the police. When the police want support in those cases they are readily available to the police. This is a fact that, I think, nobody can deny. It has been held in some rulings of the High Court that these lambardars are reserve witnesses—stock witnesses. These phrases are often used in High Court that these lambardars are stock witnesses. I remember one honourable judge of the High Court saying that the lambardars are uncles of the police. It is not possible for any of the honourable members to contradict me with regard to the statement of facts that I am making. I am sure, if any honourable member cares to contradict me on this point, he will find himself gravely in error. There can be no doubt that there are other instances also of such doings of lambardars. I do know if the Honourable Chaudhri Chhotu Ram probably thinks that they are men who constitute his back-bone. He will probably think that these people have been really in command of regiments that he had got on his side. I am submitting that there are two kinds of members in this House. There are some honourable members who have been elected to this House as a result of the kindness or efforts of these rural officers. There are other honourable members who have been victims of

their doings. I submit, I can say with absolute confidence and certainty, that so far as the Ambala division is concerned, there was no free voting in most of the constituencies. (*An honourable member*: Wrong). I know hundreds of zaildars who have not been allowing free voting. I have no hesitation in submitting before this House that the lambardars, zaildars, inamdars, etc., have resorted to all sorts of high handedness and intimidation. No one can deny these facts. I say that that has been the worst defect of the old regime that has gone. I wish that the present regime may not suffer. May I tell the honourable members what the defect is? The predecessors of this Government never admitted that the Sun is on or it is day. It has been the practice of the predecessors of this Government that they denied all sorts of things with regard to their administrative officers, howsoever glaring the truth might be. I do pray the honourable members of this new regime not to pursue that policy. I have been seeing things with my own eyes. Things have been done and the authorities have been in the know of those horrible things. Whenever any occasion comes before them, they say 'all this is wrong and false.' I say this is the malady from which the present regime should not suffer. Let us see whether all these people are desirable from that point of view. I submit that they did all these things in connection with recent elections. The question is whether the honour, dignity and position of the House will be enhanced by having an army of lambardars, zaildars and inamdars. One of the honourable members said that a good many lambardars are already members of this House. Probably he would like that all those people who are not lambardars should cease to be qualified to be the members of this House. Then there are certain gentlemen who say that the only persons, who can be proper members of this House to carry on the Government, are only the lambardars and zaildars. I submit that if this class of people are allowed to come to this House, a very serious situation will be created in the country. What will be that situation? Now they are keeping a petty position as lambardars and zaildars and if further distinction is added to them they will go back to their constituencies and rob people more and more. We know there is hardly any lambardar to be found in the whole length and breadth of the country who does not take bribe. (*An honourable member*: Question).

I have already made exceptions that among the constables, lambardars and among all other ranks there are men who are honest and efficient. (*Interruption*). I am not making the allegation that everyone is addicted to these vices. What I am submitting is that generally speaking as a class they rob people, they terrorise them and they oppress them. I know it for a fact and you cannot deny that. I have been in the closest touch with a large number of these people all my life. I know how they act and how many complaints the people have got against them. There is no use of denying the truth that is as clear as daylight. I have submitted all these things before this honourable House and I honestly believe that these are not the proper persons to become members of this House.

There is only one more observation that I want to make and then I have finished. The observation referred to by me is that for the last 15 or 20 years there has been a section of people that has been engaged in the struggle to make this country worth living. They may be misguided

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people. They may be differing from you, but they have been guided by one motive, namely that this country should be made worth living. There is another class of people and that is represented in this House by the members of the Unionist Party. They have been engaged, I should not say in the struggle, they have been engaged in the pastime or in the game of strengthening and consolidating all those reactionary, communal, sub-communal, selfish and unpatriotic forces in the country.

The Honourable Rao Bahadur Chaudhri Chhotu Ram : More than yourself ?

Lala Duni Chand : You are strengthening the hold of the foreign domination of this country. I am one of those people who want the foreign domination to go to-morrow.

The Honourable Rao Bahadur Chaudhri Chhotu Ram : We want it to go to-day.

Lala Duni Chand : The introduction of this Bill is nothing but a process in the direction of further augmenting these forces that I have mentioned. It is an attempt on the part of the honourable members of the Unionist Party not to relax in any way the foreign domination, but to make its hold firmer and firmer on this country. This is the general point of view which I request the honourable members of the Unionist Party to take into consideration. Are they in any way relaxing the foreign domination or are they really going to increase our troubles ? This is the last observation that I wanted to make. I say that all that we are here for and all that we can do is to raise a cry, to raise a protest and to raise a voice of indignation. Though the House may be crowded I feel in spite of the House being crowded that ours is a cry in the wilderness. I appeal to them not to treat the important matters in that way. I leave it of course to their sense of responsibility. So far as we are concerned we are here only to voice the views of the people and there is no power on earth that can prevent us from doing our duty in that way. (*Cheers*).

Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural) : Sir, I have been at a loss to understand why the lambardars, zaildars, honorary and departmental sub-registrars, etc., have been made a target of such an unfair and unjust criticism on the floor of this House. So far as the section under reference is concerned, it is more a question of interpretation than anything else. Section 69, I do not want to repeat its language, is to the effect that anybody possessing an office of profit under the Crown shall be debarred from being elected a member and after having been elected to continue as such. A very limited and unfair interpretation has been put on the words 'holding any office of profit under the Crown.' There is section 307 of the Government of India Act which has thrown further light on the subject. Part (b) of this section makes it clear and gives a hint that it was never meant to hold these offices as offices of profit in the sense as the Opposition has interpreted. Each one of these is a part time office the remuneration in which case is given more by fees than by fixed salaries. The Land Revenue Act itself by its rules fixes a certain percentage of the fees leviable under the Land Revenue Act which is allowed to be reserved or taken up as pay by lambardars, sufedposhes or zaildars. So, I cannot understand with what stretch of imagination these offices are being held like the offices

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of extra assistant commissioners, deputy commissioners, engineers and other Government officials. It was in the strict sense meant to keep out the latter and not the persons who, strictly speaking, are not officers holding offices of profit under the Crown.

It has been argued on the other side that very great influence has been used and is daily being used by these persons and simply on the score that they have some influence in some circles, they should be ruled out. I cannot understand this logic. Everybody in this world has a certain sort of influence in his limited or unlimited sphere. The headmasters are not debarred from being members, the lawyers are not debarred from being members and in the same sense executive officers though they certainly have influence. The argument, that anybody who has got influence should be debarred on that score alone, does not hold water at all. Moreover, as has been observed by my friend on the right, Raja Ghazanfar Ali Khan, it will be unfair on our part to rule out certain people from entering this honourable House on the mere score that they have certain influence in certain ^{villages} ~~ilagas~~. We have no right to criticise or limit the sacred right of vote which the people have got under the new constitution. As a matter of fact they are the most responsible persons; they are the persons who are looked upon as leaders in all countryside. Punjab is a country of villages and we will be upsetting the whole machinery of our country and constitution if we hold now in this House that those persons who have got any influence in the villages and who are in reality the real leaders of the people should be turned out of this Assembly for the simple reason that they happen to hold certain offices, as has been said by the other side, under the Crown. Look at the mentality of the ordinary villager in the villages. For all his various activities he looks upon the lambardar, ~~zaidar and sutedposh~~ as the only man who can represent his interest before every officer or before Government or anywhere else. Therefore on the mere ground of influence these people should not be ruled out as unqualified to be members of this Assembly. Reference has been made by my honourable friend, Lala Duni Chand, to the rule under the Land Revenue Act and also other rules which are framed by the Financial Commissioner for appointment, suspension and removal of lambardars. I do not want to go into the details of these rules but I shall show in a few sentences that the very fact that there are these rules will show you what sort of people these lambardars are and that the people who are appointed to hold this office are quite honourable and honest. My lawyer friends must remember that the appointment of zaidars is made under the revenue rule 5 (1) and one of the important considerations for the appointment is, to what extent the zaidars represents the majority of people living in that *ilaga*. He must be free from indebtedness, must be a person of good character, must have family and personal services and must hold sufficient property within that *ilaga* to qualify himself to be appointed. He has to fulfil so many qualifications in order to get that office. Are these people not honest and honourable and are they not worthy to be members of the provincial legislature? Then there is another thing. So far as the rules for suspension and removal are concerned, if any lambardar, zaidar or sutedposh is imprisoned for one year for any offence he is removed there and then. What does it mean? It is only people with good character who can carry

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on these offices. If these zaildars, lambardars and sutedposhes cease to hold any property in the *ilaga* they are easily removed. Again, they are men of means and solvent people and are not so many riffraffs going about that they should not be allowed to come to this House. There is another provision that if they have insufficient property and there is no sufficient security for the land revenue for which they are responsible, on that score they can be removed. Now, all these things I have enumerated show that these persons are the most desirable persons, and the very conditions of their appointment, suspension and removal are a sufficient guarantee that they are the most honest set of people to represent the cause of rural masses in this honourable chamber.

I would quote instances to prove my contention. I will refer to my friend sitting on my right, Raja Ghazanfar Ali Khan. He is a lambardar himself. You have been watching his political career. Was he ever afraid of anybody? He was the most independent and constitutional member we have ever had among the zamindars (*hear, hear*) in the Central Legislature. I may give another instance, that of Mr. Iftakhar-ud-Din who is not present here now—I may be pardoned if I refer to him. He himself is the secretary of your (*Congress*) party and he himself is a Congress leader. He is a zaildar as well as a lambardar of more than 10 or 15 villages. Other instances are of Sardar Sampuran Singh and Sardar Lal Singh who have participated in this debate to-day. Can anybody say that they are not honest so far as the discharge of duty as a member in this House is concerned? Instances can be multiplied but I do not want to take up the time of the House by multiplying these instances. I think they are sufficient to prove what I have been trying to prove on the floor of the House, that lambardars and zaildars are independent and not puppets in the hands of the Government officials. You remember the well-known word 'Patel' used in the Bombay Presidency. What are patels? They are lambardars and these people have been carrying on the movement of the Congress more actively than anybody else. We have known of these people carrying on the civil disobedience campaign launched by Mahatma Gandhi. Are these people to be condemned on the only score that they happen to be lambardars? It remains to be seen if my friends on the Opposition, when they come to hold the government of the country, would chuck off the lambardars and zaildars merely because they do not want their help in this House. I doubt it. I think the mere fact that they happen to be lambardars is not sufficient to disqualify those people to be members of this honourable House.

Reference has been made on the floor of the House as to the ideal which should be reached. We had a reference to the House of Commons and so on. My honourable friend, the Premier, has already spoken on the subject and I would only say this much that we should have them before us as our ideal, but Rome was not built in a day. We should wait and see till we achieve the status of that honourable House. I remember a couplet—

روز هائی باید کہ تا یک پیوہ دانہ ز آب و گل
شاهدے را حاکم آورد یا شہیدے را کفن
-الہائے باید کہ تا یک سنگ اصلی ز آفتاب
لعل خورد در بدخشان تا عقیق اندر یمن

It is not easy for us to achieve all these ideals in one minute, in one hour or in one year. Let us carry on our work and see how far we can reach that ideal which we have before us.

Another thing which was referred to by my honourable friend over there was that these people were not a worthy lot. I ask do you prefer king-makers or kings themselves? What is the good of having people as members of this House who are merely puppets in the hands of others (?) I think it is better to have the wire-pullers themselves. By wire-pullers I do not mean deputy commissioners and commissioners. By wire-pullers I mean lambardars and zaildars who can make others members and not the deputy commissioners and commissioners. I do not think that the deputy commissioners and commissioners are supposed to be so dishonest as to be interfering with the discretionary right of voting by A, B, or C. They know their responsibilities.

Lala Duni Chand referred to certain trend of rulings given in the High Court against these lambardars.

Lala Duni Chand : I never said that there is a trend of such rulings. What I said was that these lambardars and zaildars have been described in certain rulings as stock or reserve witnesses and uncles of the police.

K. S. Chaudhri Riasat Ali : I correct the word trend on account of the statement made by my honourable friend. In reply to that I need only say that there are rulings more recent than those quoted by the honourable member himself in which it has been held that the evidence of witnesses who are honourable otherwise should not be rejected on the score that they happen to be lambardars or zaildars. They are to a certain extent part and parcel of the machinery of the Government. If A or B happens to be a witness of certain occurrence where is the objection to his appearing as a witness to that event? I at least, for one, do not see any objection to taking part in an investigation. The only reason for that is that they happen to live in that vicinity. Being influential men they happen to be acquainted with the facts of the case and that alone is the reason why these people go and take part in the investigation. Even if any of the members sitting opposite happen to visit a village and do not know anybody, the only question he will ask will be where is the lambardar so that he may be able to give him hospitality and also give him shelter as suggested by the Honourable Leader of the House. These are the people who have been so much serviceable to you and to the State and they are the people who cannot be dispensed with easily. You should not have so much hatred for these poor people.

I think I have spoken sufficiently on the subject. With these few words I resume my seat.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : I rise to oppose the Bill. I would not have objected to the introduction of this Bill, had it been brought forward after an Act for the appointment of lambardars, inamdars, zaildars, safedgoshes, etc., by election had been passed.

Mr. Speaker : The honourable member is repeating the argument advanced by another honourable member. One of the gentlemen said that

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if lambardars were to be appointed by election then there would be no objection to the Bill.

Maulvi Mazhar Ali Azhar : Yes, but there are some honourable members here who do not understand what is said in English. To them this remark will not amount to a repetition.

Sardar Sohan Singh Josh (Punjabi) : It is my firm belief that these people, i.e., zaildars, lambardars, etc., indulged in corruption during the last election campaign. It is an irony of fate that on the one hand we pass a measure called the Prevention of Corrupt Practices Act, while on the other we safely violate its provisions. During the election campaign the above-mentioned persons were strictly prohibited under the provisions of this Act to accept any gratification in the form of drinks or money or to intimidate the voters. But in spite of all this these persons have been actively infringing the provisions of this Act. Obviously this state of affairs is undesirable.

Under the new constitution only 13 per cent. of our population is entitled to vote while 87 per cent. do not possess this right, and the pity of it is that for ten years this question of suffrage will remain a closed chapter. Now, it appears to me that the Unionist Party has an ulterior motive in rushing this Bill through. The party wants to strengthen the position of its allies. Recently in the United Provinces during general elections an Agricultural Party came into existence professing the same ideals as the Unionist Party here, but that party could not withstand the whirlwind campaign of the Congress. It was utterly routed at the polls. During the next general election in the Punjab, the Unionist Party is sure to meet the same fate. The Unionist Party is trying to consolidate its position by passing this Bill, but I may warn them that the masses are now politically conscious and understand their tactics very well. I am sure disillusionment will come to the Unionist Party in the next general election.

The Leader of the House has just remarked that some one will have to do the work of the zaildars, lambardars, etc. I admit it. But my submission is that if these gentlemen had not been the nominees of the Government and were elected by the people to their present offices, we would have no objection to their disqualifications being removed for election to the Assembly and would have given our whole-hearted support to the Bill before the House. I have already submitted that at present the party in power, i.e., the Unionist Party, which mostly consists of zaildars, lambardars, etc., is an ally of British Imperialism. Its constant endeavour is to deprive the masses of their rights. I may tell you that when the people of Russia were not granted the right to form a government of the people, by the people and for the people, they brought about a revolution, with the result that they wrested those rights from the imperialists. At the time of voting in elections these zaildars, lambardars, etc., place obstacles in the way of the people. That time is not far off when these gentlemen will cease doing so. In my opinion we will be playing a hoax on the poor and ignorant electorate by passing this Bill.

Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammadan, Rural) : It is very unfortunate that my silence has to be broken in this House for the first time on a matter which concerns me personally also. I have patiently heard the remarks of the members of the Unionist Party this morning on the

question of my own lambardari and zaidari. From my experience during the last five years, ever since I have taken up my lambardari and zaidari, I can say that it is absolutely impossible for a politically conscious and conscientious citizen of this country to be a lambardar or a zaidar and yet remain true to himself. (*An honourable member* : I hope you have resigned by this time.) I would request the honourable members sitting on the opposite side to listen to me to the end before making any remarks. It has been stated by the Honourable the Leader of the House that the administrative machinery requires that we should at present adhere to the system that prevails in this land. The argument that he has put forward in support of that statement is that the expenses of administration will increase the moment we abolish these lambardars and in their place put some other fully paid and full-time servants of the Crown. Now I must confess I cannot understand how the expenses of the administration will increase if, say, 175 lambardars out of so many thousands in this province were to resign their lambardari in order to take seats in this House. What I mean to say is that at the present moment we do not want that any of the members of this legislature should be lambardars or zaidars. It would be different when, as Mr. Sohan Singh Josh has suggested, later on it is decided to appoint these officials by election. Any way by not removing the disqualification attached to the lambardars and zaidars in the matter of election to this legislature the cost of administration will not increase in any way. It has been said by some members on the other side that by excluding the lambardars and zaidars from this House we shall be limiting the sphere of representation. I think that is absolutely incorrect. If their statement is to be accepted, then what about the thousands of Government servants some of whom may be very advanced politically and may command a great deal of popularity in their districts and who, if they were allowed to do so, could get themselves elected to this legislature? Yet, they have been denied the right of representing any constituency in this House. Similarly the lambardars should, as Government servants which they actually are, consider themselves as a part of that army of officials who owing to their circumstances and owing to the conditions prevailing are not able to get themselves elected to this House. Therefore to argue that this disqualification of the zaidars or lambardars limits or encroaches upon the right of the people to send their representatives to this House is absolutely incorrect.

Again the problem involved here is far more important and wider than the mere question of lambardars or zaidars aspiring to represent their constituencies in this House. The question involved is as to whether the landed aristocracy is to rule us or whether the masses also are going to have a voice in the administration of the affairs of this province. That is what it amounts to. Members opposite have contended that the lambardars belong to old families who hold property and have rendered services in the past to Government. An honourable member opposite further contended that the lambardars, although hereditary, are the real leaders of the peasantry. I would ask the members opposite, "do they honestly believe that a person holding a hereditary office must for that reason necessarily be a leader also? It cannot be accepted as true that a post which is held on hereditary basis makes a person who inherits it a true leader the moment the previous holder

[Mian Muhammad Iftikhar-ud-Din.]

dies. We have been trying to prove that this post, owing to various reasons entails with it a great power. That being so, I ask, can a person who holds such a post which carries with it some influence, which is hereditary and which is confined to the propertied classes, really represents the views and aspirations of the masses? Under the present circumstances lambardars sent to this House must necessarily be people who represent and support the interests of the landed aristocracy.

Members on the other side have said that in one day we cannot achieve everything. That is an old argument of Indian bureaucrats whose interest has been to support and maintain the Imperial Government. They usually argue that in England power was transferred to the masses gradually, if it has been at all transferred. They argue that first the king held all power in his own hands, then it passed on to the church and then it was transferred to the landed aristocracy and thereafter to the industrial aristocracy and then to the commercial aristocracy and so on. Similarly they argue that we should also try to transfer power that is given to us, however little that may be, to the masses in successive stages. I submit that analogy does not hold good. The position in England was that the English masses fought with their own countrymen in order to get rights for themselves. Here the situation is entirely different. As far as the freedom of this land is concerned, as I have already said, no conscientious Indian, no Indian who has got a heart within, can desire even in his dreams that we should be ruled as we have been hitherto and that we should be a subject nation and feel that we are unfit to rule ourselves at present and that because of our own backwardness a foreign nation should go on exploiting us.

Mr. Speaker : The honourable member is not speaking to the motion.

Mian Muhammad Iftikhar-ud-Din : What I want to submit is that one cannot hold a different opinion on this matter from the one that the interest of the landed aristocracy coincides with that of British Imperialism in the matter of keeping the present conditions intact in India. The moment the control is shifted from the landed aristocracy to the masses, the foreign domination will not last five minutes in this country. It is realising these facts that, as already pointed out, I have had to say something about this matter which concerns me and which in the ordinary course of affairs I would have tried to convey to the public in a less picturesque and less demonstrative manner. It has been said that I myself am a lambardar and a zaildar and in spite of that I happen to profess views opposed to those of the Government and occupy a seat on the Opposition benches. And on that ground it has been asked whether it is not possible for all the lambardars in this province to do the same. In reply to that I may tell you from my personal experience that I have found it well-nigh impossible in the past to be conscientious and yet properly to carry on the functions of a zaildar or a lambardar. These officers have to help the Government to carry on the administration, to help the police to carry on their unfair and oppressive measures against the people. (*Opposition cheers*). These functions I have found to be absolutely incompatible with the views that I have held. I confess that during the five years not once but several times have I found myself placed in an awkward position, not merely awkward but even humiliating. I, for one, feel that from the standpoint of my party and on account of the aim that

we have in view, namely, to achieve the freedom of this country, in order to liberate the masses from the miseries under which they are labouring, it is impossible for me to remain under the existing circumstances a lambardar which I happen to be of several places and a zaildar and I take this opportunity to announce that I shall take the earliest steps to resign. (*Cheers*).

As I have said, it is a question not merely of lambardars or zaildars but it is a question as to whether we are going to be ruled by the landed aristocracy which works hand in hand with the British Imperialism and which wants to prolong the subjugation and slavery of this country. I know it is disappointing. But I have known it from my experience and under the circumstances I have found it impossible to work in these posts conscientiously. (*Raja Ghazanfar Ali Khan*: You will not find it so under the present Government). I am not sure of that. The time is yet to come. We have already seen in the last few days the attitude of the present Government towards the welfare of the masses and of their own country. When so many millions in this country and so many outside India have declared themselves to be opposed to this slave constitution and when one after another we have been receiving blows not only from the Secretary of State sitting far away but from the Governor sitting in authority over us, what have they done? Within four or five days of inauguration of the new constitution, the Unionist Party—(*An honourable member*: What has that got to do with the motion under discussion?) I am meeting the points raised on the other side.

Mr. Speaker: Is it necessary to answer an irrelevant argument?

Mian Muhammad Iftikhar-ud-Din: Very well, I shall drop that point. As I have said it is not a question of lambardarship which, owing to the good wishes and owing to the kindness of members sitting on these benches, one may be allowed to retain for one or five or even twenty years. That is not the point. It is a question of principle. This province should not be allowed by any means to be ruled by landed aristocracy whose interests coincide with those of the British Government and for this reason I think that anybody who is a lambardar or zaildar cannot be true to his country or true to the public under the present circumstances. I repeat that I myself realise that in this my first utterance in the House I have had to talk about a personal matter and to make a gesture which on account of its demonstrative manner to my mind may wrongly make an impression on score of cheapness, so to speak, but all the same in order to vindicate the position of my party it is necessary that I should declare it here and now. (*Applause*).

Dr. Saif-ud-Din Kitchlew (Amritsar city, Muhammadan, Urban): May I crave the indulgence of this House to permit me just to take a few minutes of the most valuable time of the honourable members. Before I come to the subject matter of this debate I should like to be permitted to make a few remarks in regard to myself. I am feeling here, let me frankly confess before the honourable members of this House, I am feeling that I have not yet caught the proper atmosphere of this august assembly. May be the acoustics of this hall do not agree with my power of hearing or may be there is something in the atmosphere of this big assembly which has not

[Dr. Saif-ud-Din Kitchlew.]

yet appealed to my mind. Hitherto I have kept quiet in the House, and I assure honourable members that I would have done so till such time as I would have felt from within that I should get up and speak. But what have we just seen in this House? The step taken by my honourable friend who has just sat down, the great sacrifice that he has made in this House before the honourable members—will you permit me to say something on that? An old family, good old family, ancestral interests, great position, great loyal family of this province, the only individual solitary male member who has the rights to inherit the property—I ask the honourable members of this House to take into consideration the fact of his age and experience and education and the temptation that can be offered to youth—such a man has come forward in a bold honest straightforward manner and has declared that his conscience does not allow that he should be a lambardar or a zaidar and at the same time be a member of this great Assembly. (*Applause*). The question which is before the House, the Bill which has been so eloquently introduced by my honourable friend, the Leader of the House, on the side opposite, is not simply an ordinary Bill the terms of which can easily be ignored.

If this Bill is passed, to my mind, and I may be wrong, this province will suffer a good deal in the eyes of the public generally in India. I have been listening with patience to the speeches that have been made by my friends on the other side of the House. I have tried my best as a common soldier in the service of motherland to try and appreciate and understand the view points expressed by my friends on the other side, but I must confess that I have failed to appreciate their view point. (*An honourable member: Tragic.*) To my mind there has been in this hall a struggle between two ideals and two view points. One is that we who have been slaves for a long number of years are now in a position to come forward at every opportunity that is offered to us to speak to the world that we refuse to be slaves any more in our own land. (*Hear, hear.*) If that is the attitude which my honourable friends, the members of the Congress Party have taken up here in this hall, if that is what I understand rightly and correctly to be the attitude of the Congress people outside this hall, I am at one with those gentlemen. I am trying to meet the arguments advanced by the other side of the House. The legal aspect of the question has been thoroughly thrashed out on the floor of this House. Instances have also been given and I am not going to waste your time or the time of this House, but I want to place one point of view before my friends on the other side. I would appeal to every honourable member opposite to realize, to see round and see for himself as to what is happening in the country. May I beg of you to exercise a little vision, to exercise a little imagination and see a little ahead of the times. This constitution of which we are part and parcel made recently by the British Government has in six out of the eleven provinces in the country been declared to be rotten to the core and an unacceptable thing which should be thrown into the waste paper basket, a thing which is not worth the paper on which it is written. This province, I understand, is the only province that has been claimed by the forces of reactionary Government, the bureaucracy, to be the ideal province before their eyes.

The Honourable Major Sir Sikander Hyat-Khan : Hear, hear. It is an ideal province.

Dr. Saif-ud-Din Kitchlew : The bureaucratic friends of ours say that the Punjabis have plenty of commonsense. (*Laughter*). May I remind you and through you the whole House that in the year 1919 and before that, a very strong man of the bureaucracy, the strongest that has been claimed by bureaucracy in this province, used to be proud and used to boast that his province—he was then the Governor or perhaps the Lieutenant Governor—was safe for bureaucracy and possessed plenty of commonsense and carried a wise head over broad shoulders. He felt very sure of his position because he had the mighty forces behind him, the army, the police and the magistracy, the lambardars and zaildars working in villages and upholding the dignity of the Government and the prestige of the Government. But whoever thought that in this province all of a sudden a wave would come calling upon the people to sacrifice everything for the country and that the people of this province would come forward like one man in the field and upset the calculations of that strong man. (*Hear, hear*). I know some of my friends will bear me out, I had the proud privilege of being with them as a royal guest in one of the chief palaces of His Majesty the King right on the other side of the town, I mean the Central Jail. I see one of my friends over there sitting right behind the Treasury benches. Once in his life he was roused and for the sake of liberty and freedom of his country he went to the jail. There are so many others of course and I need not mention their names. I can see them before me. I can see them on this side and in the centre also. Every one of them tried to do his best for the country and went to jail in the year 1919. I will not detain you for a very long time now because I am placing a special point of view before my friends of the Unionist Party. All these calculations were upset. This is what I was telling my honourable friends of this House. I know how the movement was started. I knew the great founder of the Unionist Party. He was the President of the Congress Committee in this province. (*An honourable member :* We are proud of him.) He presided over a meeting in Lahore. Young people, men and women were assembled in the big hall here in Lahore where my late lamented friend the founder of the Unionist Party presided. He moved a resolution which was very tamely worded reminding the people of their difficulties regarding the Rowlett legislation. The anger in those days was so great and the younger generation was so much against it that instead of the resolution of my friend, the late Sir Fazl-i-Husain, the resolution that I moved was passed. I will not say that the honourable members opposite have not any patriotism. I think that every Indian has got the sense of patriotism. I do not believe for a single moment that my friends opposite do not want to see their country free. I feel that they do want it ; but the difference lies in the method of work and in the angle of vision. Therefore I appeal to the other party to have that vision and that imagination. Let their imagination be broad enough. Do not depend on the present mind of the masses. That will change.

Syed Afzaal Ali Hasnie : Is it not time that we should come to relevancy ?

Mr. Speaker : An able lawyer can make every irrelevant thing relevant, but I request Dr. Kitchlew not to wander away from the motion before the House.

Dr. Saif-ud-Din Kitchlew : I would be the last person to wander away from the exact position at this late hour — the fag-end of the day. I have, at the very outset, told you that I am not going to repeat the arguments that have been advanced by various honourable members opposite and even on this side of the House. I may only put before you and before the House one consideration. I want you all not to pass this Bill into an Act, and, therefore, for that reason I am placing these facts for your consideration. See what is happening in this province, see what is happening in other provinces of the country. If I can read the signs, if I can read the thoughts that are actuating the masses all over the country right up to Ceylon, if I understand the pulse of the nation, I tell you that before six months are over, I think this constitution as a whole will be drowned into the Ravi over here (*cheers*), or the Government will come down on its knees and the Secretary of State, Lord Zetland, will invite the Congress people, the national forces of the country, to take charge of the affairs of this country. I shall, therefore, request you to consider this apart from other considerations. Lambardars may be very good people, zaildars may be very good people, some of them may be very good people, but they are part and parcel of the machinery which holds the sway to-day in this province and which we are out to destroy, if we can. I would like honourable members of this House to forgive me, for this is my first speech. I have got all the hesitation. I am speaking with a certain amount of diffidence, but I assure honourable members that I would be the last person to indulge in personal attacks of any kind whatsoever. I would be the last person to attack other honourable members who happen to be lambardars and who form the majority party here. I shall leave them as exceptions. I shall beg of them, those who sit opposite and also beg of the whole House, to consider that a lambardar or a zaildar is after all an executive officer working for profit. It may be said that our Anglo-Indian friends or the members of the English bureaucracy are not here in this hall, that we Indians are now at least governing to a certain extent the destinies of this province. It may be true. But if you go on passing Bills of the kind that is before the House, it will not be a change for the better, it will be a change for the worse. After all it is a change in colour and not in reality. Instead of white bureaucracy we have brown bureaucracy now running the show in this province. I request the honourable members to think seriously and not allow people to say that here the Unionist Party holds a majority, commands a majority, but the Unionist Party betrays the cause of the Punjab.

At this stage some members moved closure of the debate.

Mr. Speaker : The question is —

“That the question be now put.”

The motion was carried.

Mr. Speaker : The question is—

That the Punjab Legislative Assembly (Removal of Disqualifications) Bill be passed.

The motion was carried.

DAMAGE BY HAILSTORM AND RELIEF TO SUFFERERS.

STATEMENT BY REVENUE MINISTER.

The Honourable Sardar Sir Sundar Singh Majithia (Revenue

5 P.M.

Minister): In the statement¹ made by me before the House on the 9th instant, I informed the House that complete information about the damage done by the hailstorm which swept over the province on the 22nd March, 1937 was not available and that further reports were anxiously awaited. I will now lay before the House the information available regarding the extent of the storm and the measure of relief already taken.

The storm started in Dera Ghazi Khan. It affected 18 villages in Dera Ghazi Khan district, 47 in Muzaffargarh, about 348 in Multan, about 820 in Montgomery and 68 in Lyallpur districts.

The area affected is under different land revenue systems and irrigated by different methods. In Dera Ghazi Khan, Muzaffargarh and a portion of Multan some of the villages are on inundation canals with a fluctuating land revenue system. In the neighbourhood of Multan some of the villages are irrigated partly by inundation canals and partly by wells on which there is a fixed assessment. From this area, with a belt of about six miles in width, the storm passed to the tail of the Lower Bari Doab Canal and thence up to a point at about R. D. 15,00,000 of the Gugera Branch of the Balloki Division where the hail terminated.

The storm exhibited throughout its course the unusual feature of travelling as it were in waves. This was as marked as its beginning in Muzaffargarh where one village was completely destroyed, while the next, though on the exact path of the storm, escaped, as it was in Lyallpur.

Action taken by officers.

The actual hailstorm lasted for about ten minutes during the evening of the 22nd March, and was followed by high wind and heavy rain. There was a less extended but also severe storm on April 3rd. The hail stones varied from about the size of the glass stopper ball in a soda water bottle to that of a small hen's egg. At one spot in the Multan district a flock of fifty sheep was collected. Each one was killed and in only two was breath remaining by the time that human aid could reach them, and they had to be destroyed.

The first action taken by officers was to report that there had been storm—this was done on the evening of the 22nd, and then proceed to ascertain the extent of the damage. Touring commenced on the 28rd, and the figures I have already given are the latest available. In some districts, e.g., Lyallpur, the Revenue Assistant and the Deputy Collector toured together. In Montgomery and in Multan, where the area to be inspected was some five times greater than in Lyallpur, inspecting officers had to work singly and the staff in each district has been strengthened. The Commissioner, superintending engineers, deputy commissioners and executive engineers have all been constantly touring and supervising, and I myself am about to visit the area. Final figures have not yet been collected, and

¹Pages 104—107 ante.

[The Hon. Sardar Sir Sundar Singh Majithia.]

it is not possible to give more than a general estimate of the total remissions. Ten lakhs of remissions, however, are already in sight. The Punjab Government has decided to accept a definite principle in dealing with all these particular cases. That principle will apply to all areas whether they are in a permanent or fluctuating canal system and whether the assessment is fluctuating or fixed. The principle which the Government has decided to observe as a special case in regard to the present calamity, is that if the money crop, e.g. wheat, barley, gram, etc., has been totally destroyed, then there will be a total remission, not only of the abiana and land revenue on that crop but also on the fodder crops, whether mixed or single, and whether grazed prior to the storm or not.

Where the standing crop does not justify full remission and the crop is more than four annas and less than eight annas, then half will be remitted, and where this remission is given to the money crop, an identically proportionate remission will be given to the fodder crop whether it has been grazed or not.

The cost of the total remissions, in so far as it has already been ascertained on the Lower Bari Doab Canal, for land revenue and abiana will be about ten lakhs. The figures for the area outside the irrigation boundary have yet to be ascertained.

Relief.

The first task of the local officers was to put heart into the dismayed zemindars. Messages of sympathy and a promise of practical assistance were immediately despatched by His Excellency the Governor and by the Premier and these were given the widest possible publicity in each district. In pursuance of these assurances and in anticipation of budget provision, the Commissioner authorised deputy commissioners to make advances for taccavi for seed for kharif crops where required. A sum of one lakh from the Famine Relief Fund was placed at the disposal of the Commissioner to be distributed by way of gift. In addition, for the Multan district, Rs. 2,000 were given by the Punjab Red Cross Society, and Rs. 5,000 have been voted by the Multan District Board. It is understood that monetary relief is also being voted by the Muzaffargarh District Board. Out of the one lakh placed at the disposal of the Commissioner, Rs. 20,000 were immediately distributed to the district officers, Rs. 5,000 each to Multan, Montgomery and Lyallpur and Rs. 5,000 shared between Dera Ghazi Khan and Muzaffargarh. This distribution was to meet immediate distress. On the 14th instant a conference of deputy commissioners concerned is to take place under the presidency of the Commissioner, and the distribution and method of expenditure of the balance of the grant-in-aid will then be decided: and if found necessary, proposals for further relief will be formulated. I need not assure the House they will be most sympathetically considered.

The advice of the Agricultural Department has been taken and according to the local need and capacity zemindars have been encouraged to sow immediately whatever crop may give them the quickest return, cheena, rawan, jawar, makai, to enable them to carry on over the difficult period till the ordinary kharif harvest will come in. The Irrigation Department have promised to run the Lower Bari Doab Canal at full supply, at any

rate, till about the third week of September, and on inundation canals, any additional water that will be available will be given first to these areas.

If honourable members of the House are interested in seeing the course of the storm, I have with me the detailed report of the Superintending Engineer, Lower Chenab East Circle. It contains a map illustrating the course of the storm in the Lyallpur district and I will be glad to make it available for their inspection. A similar but more general map of the whole Lower Bari Doab Canal system is also available.

Reports from other parts of the province which have suffered from this calamity have not yet reached Government and when those are received, those will also be sympathetically considered and relief where necessary will be afforded on the principle announced above.

Before I take my seat, I think I will be failing in my duty, if I do not convey the congratulations and thanks of Government to the Commissioner, Multan Division and to both the Revenue and Irrigation Officers and their staff for the excellent work they have done and the promptitude and expedition displayed by them in inspecting and assessing the damage. I am sure the House will also join with me in offering this well deserved congratulations and thanks to the officers and staff above mentioned.

Sardar Lal Singh : I find no reference to the districts of Ludhiana and Ferozepore in the Honourable Minister's statement.

Mr. Speaker : No remarks or discussion will be allowed on the statement made by the Honourable Minister of Revenue.

The Honourable Sardar Sir Sundar Singh Majithia : May I ask my friend to have a statement sent to me which will be looked into.

COMMITTEE TO FRAME RULES AND STANDING ORDERS.

Mr. Speaker : Under Section 84 of the Government of India Act, 1935, the Assembly has to make rules for regulating, subject to the provisions of this Act, its procedure and the conduct of its business. So, with the approval of the House I propose to appoint a small Committee, representing all parties, for drafting and submitting Rules and Standing Orders for consideration at the next session of the Assembly. I propose the following names :—

Mian Abdul Aziz,
Mir Maqbool Mahmood,
Khan Sahib Chaudhri Riasat Ali,
Raja Ghazanfar Ali Khan,
Rai Bahadur Mr. Mukand Lal Puri,
Lala Duni Chand,
Diwan Chaman Lall, and
Sardar Smapuran Singh.

[Mr. Speaker.]

The following four are *ex-officio* members :—

Speaker,

Deputy Speaker,

Advocate-General, and

Secretary of the Assembly (Sardar Bahadur Sardar Abnasha Singh).

Sardar Bahadur Sardar Abnasha Singh will act as Secretary of the Committee. I think I have the approval of the honourable members. The business of the Committee will be to draft rules and place them before this House for consideration and approval.

COMMITTEE TO CONSIDER SALARIES AND ALLOWANCES OF MEMBERS.

Mr. Speaker : Section 72 of the Government of India Act lays down that members of the Provincial Legislative Assemblies and Legislative Councils shall be entitled to receive such salaries and allowances as may from time to time be determined by Act of the Provincial Legislature.

So, with a view to have these salaries and allowances determined, I propose to appoint a small committee of the following members who will go into the matter and place their considered proposals before the Government Member concerned, who will draft a Bill for the consideration of the Assembly :—

Nawab Fazal Ali.

Rai Bahadur Basakha Singh.

Pir Akbar Ali.

Chaudhri Abdul Bab.

Chaudhri Suraj Mal.

Lala Sita Ram.

Syed Afzaal Ali Hasnie.

Mr. C. Rai.

Sardar Narotam Singh.

Khwaja Ghulam Hussain.

Honourable Mr. Manohar Lal (as Chairman).

Secretary of the Legislative Assembly will be the Secretary of the Committee as well. I presume I have honourable members' approval. (*Voices : Yes*).

ELECTIONS TO THE PUBLIC ACCOUNTS COMMITTEE AND THE BOARD OF INDUSTRIES.

Mr. Speaker : Now, I have to read to you the procedure for the elections of the Public Accounts Committee and the Board of Industries.

Honourable members will have noted that the election to the Public Accounts Committee will be held first and then to the Board of Industries.

Both the elections will be according to the principle of proportional representation. Ballot papers containing the names of candidates and instructions regarding the marking of preferences will be distributed in the Chamber at the seats of members. Any honourable member may mark the paper if he so wishes, at the Secretary's table. As soon as the preferences have been marked, the ballot paper should be folded and deposited into the box kept for the purpose on the table of the House. After the ballot papers have been so deposited in respect of the first election, the box containing the papers will be removed and another one for the purpose of the next election will be placed on the table of the House.

The result will be notified to the honourable members as soon as they are ready.

(Then voting took place.)

MOTION FOR ADJOURNMENT.

RE STATEMENT BY SECRETARY OF STATE FOR INDIA.

Mr. Speaker : The Assembly shall now proceed to discuss the adjournment motion moved by Mr. Gauba.

Mr. K. L. Gauba (Inner Lahore, Muhammadan, Urban) : Mr. Speaker, I move—

That the Assembly do now adjourn.

I do not belong to the Congress Party, nor, do I entirely agree with the circumstances in which the Congress Party did not accept office in the six provinces of the eleven in which they have a majority. Therefore, my motion should not be considered as a motion moved by or on behalf of the Congress Party. But Lord Zetland's statement goes beyond the controversy between the Government and the Congress. There are certain aspects of his statement that are important,—as I have said this morning,—not only so far as the controversy between the Government and the Congress is concerned, but also so far as every provincial government is concerned. His Excellency the Governor said, and very rightly said, the other day that the Opposition is as much a part of the constitution as the Government of the day. Therefore all sections of this House are interested in the interpretation of provincial autonomy as adumbrated by Lord Zetland in the House of Lords. It was said many times over by the Congress and others in this country that the new constitution was 'humbug' and 'a farce.' There were others who differed largely or slightly with that view point but I do not think anything has been more responsible to confirm the view that the constitution is a farce than the recent statement of Lord Zetland (*hear, hear*).

The assurance that Mahatma Gandhi wanted from the Governors was very aptly expressed by Mr. Rajagopalachariar in his statement at the time of the crisis. Now, this is what was required and this is what has led up to the crisis. Mr. Rajagopalachariar said—

"I explained that I and my cabinet should be given the fullest freedom of action inside the scope of the provincial autonomy said to be given under the Government of India Act, and that while we remained in office and undertook the responsibility of government of the province, His Excellency should assure us that he will not use his special powers of interference or set aside the advice of his ministers".

Mr. Speaker : No speech shall exceed 15 minutes in duration.

Mr. K. L. Gauba : As I was indicating, the assurance that was asked for was an assurance that so long as the Cabinet or the Government were within the limits of the constitution, the Governor would not interfere with the exercise of provincial autonomy, as the cabinet might work it out. The circumstances, which led up to Congress eventually refusing office are fully known to us. The question arises whether the interpretation put by Lord Zetland, so far as the appointment of temporary ministries are concerned is correct. That is really the vital point that we have to consider to-day, namely the power of the Governor under the constitution to appoint ministry if he finds that the ministry party or parties are not prepared to carry on. In any province it might happen that the Governor and his Ministers come into a conflict. If Lord Zetland's interpretation is correct that under the Government of India Act a Ministry is mandatory and a Council of Ministers 'shall be appointed' in every circumstances irrespective of whether his Council of Ministers commands the confidence of the Legislature or not, it opens up a vast field for interference by the Governor and a complete break down of the constitution within the provinces. Now, it might happen at any time that the Cabinet may say they are not prepared to carry on under certain circumstances. Sections 93 and 94 of the Government of India Act, I believe, provide for a break down of the constitution but the Act does not make any provision for interim ministries as they have been set up in other parts of the country. The Ministry, must under the Government of India Act, as well as under the Instrument of Instructions, be appointed from the party in power or the combination of those parties which command the majority of the members of the legislature.

I will not detain the house very much longer. I feel the matter is important from constitutional point of view. The other day a statement was made by His Excellency the Governor here, a statement which I think, in a speech otherwise admirable, must be viewed with a certain amount of apprehension. His Excellency the Governor stated that the present system of Government is the first step towards responsible government. We were always under the impression that the first step was taken towards responsible government by the Act of 1919, and if this Act, and if this new reformed constitution, is also the *first step* then it means that there is merely a substitution and not a real change from one form of Government to another.

In conclusion, I would like to have an assurance from the Leader of the House and the head of the Government that he and the Cabinet intend to make provincial autonomy a reality. I hope that no Government in this province will merely hold office for the sake of office. I hope that if at any time the legitimate rights and activities of the Cabinet under the constitution are interfered with unnecessarily, the Ministry will have the courage to resign. On behalf of the Opposition, I assure the Leader of the House that so far as we on this side of the House are concerned, we will lend Government every support to make provincial autonomy a reality. (*Hear, hear*). I feel that in this matter all sections of the House would be agreed that the interpretation put by Lord Zetland upon provincial autonomy and the powers of Governors to appoint dummy ministries was entirely fallacious and might well lead to the belief that His Majesty's Government have not taken long to cir-

6 P.M.

convenient the spirit and the implications of the Government of India Act of 1935.

Mr. Speaker : The motion is—
That the Assembly do now adjourn.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): **Mr. Speaker**, the honourable mover of the adjournment motion deserves to be congratulated for the tone of his speech. The question before us has a constitutional aspect and a political aspect. So far as the political aspect is concerned, I am sure, that both sides of the House—at any rate the patriotic elements of both sides of the House,—will have only one opinion on this question, and it is that it is the right of the majority party to be invited to form the Government. It is not only, Sir, the right but, if I may say so with due deference, it is ordinarily the duty of the majority party to take over the function of the government to redeem its pledges to the electorate. If the majority party fails to form the Ministry, the question becomes a constitutional issue on which I am not going to express any party or final opinion to-day. Competent constitutional authorities have given different interpretations of the legal intricacies involved. We find that no less a constitutional and patriotic luminary than that of the Right Honourable Sir Tej Bahadur Sapru has expressed himself in most unmistakable terms—and here again in view of other weighty opinions to the contrary all of us are not quite definite as to which of these opinions is correct—but Sir Tej has definitely stated and his opinion is entitled to respect that within the terms of the Act no other course was constitutionally open to the Governors than that adopted by them. On that technical aspect of the question I am not going to express any definite opinion at this stage.

The point which we wish to declare is that so far as most of these safeguards are concerned, many of us on this side of the House, like most patriotic Punjabees and Indians, would like them to be obliterated out of the constitution altogether. We are anxious that through exercise of their responsibility by the Ministers in a manner which may make the use of these special responsibilities unnecessary and through evolving suitable conventions on the floor of this House, the Governor may become as responsible here as in the dominions, and these special powers may yet be absolutely forgotten. But, on this point there is no difference, the issue with which we of the Punjab Assembly to-day are concerned is clear and it is this. Has anything happened in the Punjab with regard to constitutional exercise of the powers of the Governor in the formation of the Ministry or is there anything in the statement of the Right Honourable the Secretary of State affecting this province whereat we can cavil? I submit, Sir, and I am sure that responsible members on both sides of the House will be agreed, despite whatever opinion they may hold on the merits or demerits of the Ministry in the province, that the constitution has been fully respected by the Governor in appointing the Ministry on the advice of the Leader of the House who has the largest following in this House. That being the position, so far as we are concerned, there seems nothing in the Secretary of State's latest utterance which has any *immediate* repercussion, constitutional or otherwise, for us in the Punjab directly. But as Indians we cannot be indifferent to the unfortunate atmosphere in the country and hope and pray that some constructive solution may soon be found out of the present *impasse*.

[Mir Maqbool Mahmood.]

There is one aspect of the question, which, however, we cannot let go by default. I mean the question of interference by the Governor in the constitutional activities of the Ministry. Whether the Governors can or cannot legally give the assurances sought of them, our attitude is clear. It was enunciated by the Honourable the Premier in his statement to the *Times of India's* constitutional supplement. He stated in unmistakable terms, and I feel sure that in that view he carries with him the full support of this side of the House, that if without demonstrable necessity any special powers of the Governor are utilised to curtail the will of the majority and the programme of effective reform in the province drawn up by the Ministry, the Unionist Party and their other colleagues may be expected, and may be trusted, to do courageously their duty to the province and to their own electorates. (*Hear, hear*). As such I hope that we will establish a tradition on the floor of this House that, when questions affecting provincial autonomy come up, we all stand together. We may have difference of policy with regard to the programmes to be followed, but where the constitutional progress, rights and dignity of the country and the House are concerned, let us show that there are no two opinions in the House.

The adjournment motion before the House raises, as I said, the constitutional issue and the political issue. With regard to the constitutional issue, since opinions of many constitutional lawyers of great eminence and of great patriotism differ as to what is the correct position and as the matter is not of immediate direct importance to the Punjab, I propose leaving that aspect of the question out of the present discussion. With regard to the political issue, I hope we shall all join in evolving a convention in this House, so that if on an issue of constitutional importance to the country, the majority party should take a stand, the minority party may not embarrass its position by accepting a less patriotic position.

One word more and I have done. It has been said that adjournment motions from the Opposition ordinarily amount to a vote of censure on the Treasury benches. I hope that the honourable mover of the adjournment motion will make it clear that his intention in bringing this motion is merely to discuss a matter of political importance to the country and that in the light of the statement made by me he does not mean his motion to be taken as a vote of censure on the Treasury benches.

Mr. Speaker : I may state for the information of the honourable members that the object of an adjournment motion is not always censure. Sometimes its object is simply to place some grievances of the public before the Government, or to obtain fuller information on certain points; or to suggest improvement in the administration of Government.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Before I proceed to make any observations on the subject under discussion, I cannot but express that I feel the pinch of the law, which requires me to speak in English, the most to-day because the language being foreign I have not got words, I have not got knowledge of the language, to express my sentiments on this question.

I think it shall not be advisable to relate the story how this Act was passed and how the Congress fought for the freedom of the country and

how to satisfy the country the Act of 1935 was passed. I would only say in passing that it was in 1931 that Mahatma Gandhi went as a sole representative of the country to put the demands of the country before the Round Table Conference and he said there that what the country wanted was complete independence which meant that it would lie with the Indians to sever their connection with the British Empire if they thought it was in the interest of the country. If they thought otherwise, they would keep their connection with England and thus with the British Parliament on terms of equality but not as slaves. In reply to that demand we got the Act of 1935. But the Congress thought that the country would not be satisfied with the Act because it gave us no rights. It was the opinion of many that instead of going a bit forward, so far as the rights were concerned, there were some rights which were taken away by the Government of India Act, 1935. The Congress, therefore, decided to run the elections, to go to the people and explain to them what the Act meant, to explain to the masses the rights they had got and thus take their opinion because their vote meant the vote of the masses of the country whether they were in favour of this constitution or against it. In six provinces out of eleven, that is to say in a majority of the provinces, it has been proved that Indians are not satisfied with this Act and they do not want to run it but they want to wreck this constitution. But just to give a chance, as advised by Mahatma Gandhi, the Congress decided even in those provinces to accept the ministry and try to run the Government and carry out the programme of reform in this country as far as they could within the constitution. If the Congress were to proceed with their programme or try to make any reforms, if the assurance was not given by the Governors in those provinces that they would not interfere with the advice of the Ministers, within the constitution, there was a chance of deadlock the very day they took the reins of Government in their hands and formed the ministry. Therefore, with due respect, the leaders of the majority parties approached the Governors of those respective provinces and asked them to give that assurance so that they may be able to carry out the programme of reform as far as they could within the constitution which in other words meant that they were prepared to run this constitution and try to improve the conditions in this country as far as they could within the constitution. But that assurance was not given. Lord Zetland has said in his statement in the House of Lords that the Governors got that right through the Act and without an Act of Parliament or without the wish of the Parliament the Governors could not abrogate that power of special rights. Mahatma Gandhi has given a reply to Lord Zetland's statement and he says that when he was in England on the occasion of the Round Table Conference, Lord Zetland and Sir Samuel Hoare, who was then the Secretary of State for India, told him that what they were going to give to this country was real provincial autonomy and not provincial autonomy in words only. Before that, I may remind you, on the occasion of Gandhi-Irwin Pact, Lord Irwin, as the representative of the King Emperor, told Mahatma Gandhi that if there were any safeguards provided in the Act, they would be used in the interest of this country and not in the interest of England. What do we now find? Lord Zetland says that the Governors cannot give that assurance. After all what was it? The Governors were not asked to give up their rights? They

[Dr. Gopi Chand Bhargava.]

were only asked not to interfere with the constitutional activities of the Ministers or with the advice given by the Ministers in carrying out their programme within the constitution. After the majority parties in those provinces had decided not to accept the ministries, the question of the acceptance of ministries by the minority parties arose and *interim* ministries were formed. It is said that Sir Tej Bahadur Sapru had said that in his opinion the Governors could not give that assurance and the *interim* ministries are probably in order, but I may remind you what Sir Tej Bahadur Sapru has said concerning Lord Zetland's statement. Sir Tej Bahadur Sapru had suggested that there should be a constitutional conference to discuss this deadlock and effort should be made to find a way out. But what do we find? Instead of calling a constitutional conference, Lord Zetland says that if Mahatma Gandhi wants to remove any misunderstanding and see the Viceroy, he is at liberty to do so but if he wants to discuss the advisability of the Governors giving that assurance or refusing it, then he need not do so because the Governors were at liberty to give that assurance if they liked and not if they did not like and, therefore, the matter did not rest with the Viceroy. So Lord Zetland has now, by his fresh statement, according to Sir Tej Bahadur Sapru as well as certain newspapers, closed the doors of finding a solution out of the deadlock. A paper like *The Statesman*, which cannot be called a Congress paper, says,

We are bound to admit that if matters are left where Lord Zetland left them on Thursday the Congress will have the best of the argument. If the Act is really such that there is the slightest difficulty in the Governors telling Congress leaders that there is nothing to prevent their going ahead with the programme outlined in the election manifesto then we have to admit that we, too, have been mistaken about the Act. We, too, would recognize that it should soon be replaced by another. We have recommended the Act to diehards in Britain on the one hand and the Congress opposition on the other because we have believed that it confers on Indians real power to carry through long overdue reforms.

It is a long statement and I do not want to waste your time, but what I wanted to draw your attention to was that even the *Statesman* thinks that under the conditions which have been created by Lord Zetland's statement, this new Constitution is not workable and it should go. Instead of pacifying the feelings of Indians, instead of pacifying the feelings of the poor masses of the country, instead of permitting the majority parties in the six provinces out of eleven to carry on their programme of reform, what do we find? Lord Zetland says, 'no, we cannot permit you to carry on any negotiations to end the deadlock: this Government must carry on for six months more at least.' I understand there is a section in the Act which enables the minority ministries, without the sanction of the Assembly, to carry on for two years instead of six months. No wonder then if we find in a few months time Parliament would pass that the present Government may go on for two years and not six months. Therefore, Sir, my submission is that Lord Zetland has acted in the most bureaucratic way and in a way which is detrimental to the interests of this country. As usual he says like a bureaucrat 'either you work as slaves or you walk out.'

It might be asked, how does this question concern our province? I may submit that this statement is not only a statement denying the rights conferred on us under the new Act but it is a precursor of the repression

which shall be coming. In yesterday's papers we read that the provincial governments have been asked to re-organise their police departments so that they may be in readiness to suppress the movement for freedom and when there is mass action in the country to liberate the country from slavery. Our provincial government has also been probably asked to re-organise their police force (*shame, shame*). And if there is any mass action in the adjoining provinces there will be mass action in this province too. Therefore I think that this statement affects our province as well. To-day I know it is not the Congress which is in the majority in this province. Even the leader of that party which is in majority stated to-day that if the Governor were to interfere in their constitutional rights the majority party in this province would resign, and Lord Zetland's statement smells of this that there was going to be interference by the Governors even in our constitutional rights, because the Governors in other provinces have not given that assurance. Therefore, Sir, it affects our province as vitally as it does any other province.

As regards the question whether the minority can form the ministry, I am not a lawyer and therefore I cannot express any opinion on it. I can only express an opinion from the political point of view, and I want to express on the floor of the House, with your permission, that Lord Zetland's statement has given a setback to the reforms, if any, which we were given under the new constitution, and it is in the fitness of things if all the parties in the country and in all the provinces combine together and express their resentment at such a statement.

Chaudhri Tikka Ram (Rohtak North, General, Rural): Sir, I just want to say a word or two in the first instance about the threat of mass action and consequent repression that will follow, which was given expression to by the Leader of the Opposition. I could not follow his reasoning when he made that statement that in the Punjab too mass action would follow. Here in this province as we all know the constitutional procedure has been followed to the very last letter. It is the Leader of the House who commands a stable majority today. He was invited by His Excellency the Governor to form his Cabinet and he did so, and the constitution is working well in this province. I fail to understand what will be the motive of the Opposition to start mass agitation here in this province. Of course as a matter of sympathy and in order to show that we are at one with the other provinces the Leader of the Opposition and the Congress organisation may just start agitation but I do not think circumstances here in the Punjab could ever warrant the inauguration of any such agitation. My friend on the Opposition just in the very beginning of his speech made certain remarks about complete independence that was the goal of the Congress policy in India. I as a humble follower of the Unionist party do not claim that we here believe in any such theory as complete independence. I do not think if we believe in the dominion status under the Statute of Westminster. There is not very great difference between the two positions. But barring that aspect of the question here we are only concerned with the provincial autonomy as it has been introduced in this province. My learned friend on the Opposition went on to say that he believes that this constitution is unacceptable to the country. I quite agree that it is not a perfect constitution.

[Chaudhri Tikka Ram.]

It has shortcomings and it has defects and realizing those shortcomings and those defects, we of the Unionist party have made it a point to give the constitution a trial, and it is only in that spirit that we have been co-operating with the Government. The provincial autonomy so far as this province is concerned is the right thing. It is not a sham thing. The Governor has been quite punctilious in observing to the very letter in this province. His Excellency the Governor the other day in his address remarked that there are three things which are to be prominently kept before our eyes according to this constitution. In the first instance we are the representatives of a very big electorate. We have been chosen by about twenty-three lakhs of people so far as rural area is concerned and 3,50,000 voters so far as urban area is concerned. We are the representatives here of a very big electorate, and in that capacity this constitution marks a great advance on the previous one. In the second instance taking India as a whole 35 million voters have voted under the constitution and that is a very big electorate as compared with the electorate which we had in the past. My submission is that provincial autonomy so far as this province is concerned will be a very great success. If the Congress party in the six provinces, where they are in the majority, had thought to give it a trial they could have succeeded as well. I am not going into the legal or constitutional aspect of the question. I am at one with the Leader of the Opposition as well as other members of this House that this constitution certainly requires a great deal of improvement and all that, but the members know that what we are concerned with here in the Punjab is that this constitution will prove a fairly good success if it is given a trial and nothing will please this side of the House more than that. I therefore strongly deprecate the fact of mass action and a big agitation which my learned friend the Leader of Opposition wants to launch in this part of the country. The conditions here in this province do not justify it and I humbly submit to him that he should not launch any such agitation as it would not be in the best interests of this province. We can express our grievances by constitutional means—this adjournment motion is one of those constitutional means—and similar other ways, by holding meetings, by passing resolutions, etc. The conditions in the province hardly justify any talk or any step which the Congress party wants to take and I for one strongly differ from the Leader of the Opposition on this point.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*): The adjournment motion before the House indicates that the recent statement made by Lord Zetland in the House of Lords has attracted a good deal of attention and has created an unrest in the public mind.

You are fully aware of the circumstances that were prevailing in the country before the Reforms of 1919 and afterwards as well. Now, effect is being given to the constitution introduced by the Reforms of 1937. I would say that under the new Reforms nothing has been given to India and that the Congress is inclined to consider these Reforms as mere toys that are given us to play with. The Secretary of State for India in his statement has dashed every hope of ours to the ground if there was any. The Government and its well-wishers are inclined to think that the Reforms introduced by the Government of India Act of 1935 confer upon the Indians

responsible Government. I should like to tell you the meaning of the words "responsible Government." It means that the representatives of the masses should be given the power to administer their country according to their lights. We have to thank Lord Lothian for enfranchising a large number of people in this country. The total number of voters in the country is about 3 crores and 75 lakhs and this honourable House should know the fact that only three crores went to the polling booths out of which two crores voted for the Congress. It is said that the Punjab has no connection with the six provinces in which the Congress is in a majority. I make bold to say that this view is incorrect. If there is some thing which is likely to prove harmful to the interests of the country at large, the Punjab cannot be considered to be immune from it. It is said that the Punjab is the Ulster of India but is it essential that on every occasion and in every matter the Punjab should go on preferring slavery to independence or that we should go on giving proofs of our slave mentality. The Congress has obtained a majority of seats in six out of the eleven provinces of India and these provinces are entitled to set up ministries according to their own wishes. The Governors of these provinces summoned the Congress leaders to form ministries but the leaders told them that they did not like to participate in this puppet show and that they considered the present constitution as a huge joke perpetrated on the people of India. If the Governors can interfere with every item of their programme there would be an end to all democratic government.

It is a very complicated problem and some of the keenest lawyers in the country are busy examining its implications and trying to find a solution for the impasse. Professor Keith has also said that the Governor could give the Congress the required assurance. This view is supported by two ex-advocates-general including Bhula Bhai Desai of Bombay, the Rt. Honourable Mr. Srinivasa Sastri and many other notable lawyers throughout the length and breadth of the country.

The British Government was in reality seeking an excuse to make its position safe by avoiding the Congress party. It is our duty to show at every step that this new constitution is a farce and that we are not satisfied with these new Reforms. I remember that when I was a student there used to be a mock parliament in our college. When the ministry failed, the Principal of our college asked me to run the government and after I had taken over charge of my duties I began to interfere in the administrative matters of the college. Since I have been a rebel all my life I began my work in accordance with my own wishes. The Principal of our college sent for me and asked "What are you doing? This arrangement was only for your training. You should not forget the fact that you have no business to interfere in administrative matters". The words of my Principal are still ringing in my ears and I am constrained to remark that the Reforms of 1935 are as much of a mockery as the mock parliament which we enjoyed in our college life. When the leaders of majority parties in the six provinces mentioned above asked the Governors to give an assurance that they would not interfere with them so long as they acted within the constitution, the Governors refused to comply with their requests.

[Pandit Shri Ram Sharma.]

Afterwards when this subject was discussed at length in journals, both here and in England, Lord Zetland made a statement to the effect that the Governors were debarred by the Act from giving such an assurance.

The honourable representatives of the Unionist Party might be labouring under the misapprehension that since they are in a majority in this province they have no cause to worry about what is happening in other provinces, but I would like to tell them that what is happening in Bombay or Madras today might well happen here to morrow.

The question ought not to be shelved by saying that because the crisis has arisen in the South or in the East or the West, therefore we in the North have got nothing to do with it. The policy of the British is the same everywhere. The situation is indeed very critical and I feel that we should unanimously express our resentment against the statement made by the Secretary of State for India. This statement makes it quite clear that we have been given no autonomous powers. Obviously the position of the Government benches too is very precarious, and they cannot be blind to the real state of affairs. They should realize how recklessly our rights and powers are being trampled upon, and the time may come when a 'dummy' Ministry is set up in the Punjab as well, against the wishes of the majority. Hence the Government benches should also associate themselves with this protest.

It has been said from the other side of the House that it is futile to talk of mass action here. But we want to raise the alarm from this Chamber. If the Secretary of State goes on disregarding, in this way, all constitutional practices, we too would be compelled to resort to direct action, in order to protect our national and human rights. These Reforms do not provide any scope for doing any good to the people.

The Secretary of State wants us to feel that we are abject slaves and the British would rule over us as they please. Mahatma Gandhi is right in saying that Lord Zetland by setting aside all parliamentary and legal conventions, has said in unmistakable terms: "The sword is in our hands and you have but to obey." But we wish to make it quite clear that so long as we have a living throbbing heart overflowing with patriotism, no statement from any lord can prevent us from telling the truth.

Mrs. J. A. Shah Nawaz (Outer Lahore, Muhammadan women, Urban) : I happened to be in Delhi on the evening when the All-India Congress Committee was discussing the question relating to the acceptance of office. That very evening I went to see one of the foremost leaders of the Congress party and while talking to him I said that the time had come when our leaders should carefully think over the question of entering the constitutional sphere. I told him that one of the foremost Irish leaders said to me in 1935 that Indian friends should learn a lesson from the mistake of the Irish people. As long as they did not enter the constitutional sphere they could not get as much as they wanted, but as soon as they tried to work the constitution they managed to get everything. I appealed to this Congress leader to persuade the Congress party to decide in favour of entering the constitutional sphere and to try and get a resolution to that effect passed by the Congress. My heart filled with happiness when he took a paper

out of his pocket and handed it to me saying, 'Here is a copy of the resolution of the All-India Congress Committee passed this very evening in favour of office acceptance.' I had not much time to go through that resolution very carefully as I had to leave Delhi that evening, but on a cursory view of it I found that the Congress had decided to accept office provided that Governors gave them the assurance that they would not exercise their reserve powers as long as the ministers acted within the Constitution. I felt very happy, thinking of all those brothers and sisters of mine who had made such tremendous sacrifices for the sake of their motherland. Believe me when I say that we on this side realize how much many of my honourable colleagues on the other side have suffered for the cause of the country. Also believe me when I say that we too on this side have high ideals like yourself and we also wish to serve our motherland sincerely and honestly. (*Cheers*). I said to myself then, 'Now there will be a happy and harmonious atmosphere all round and we shall see the best brains of our country working this new Constitution and this will give us a chance of showing to the world that when certain powers are placed in the hands of able men, it is not difficult for them to go a little further and get some more.' I was also delighted to see in the papers two or three days after this that almost all the foremost leaders of the Congress party had been called by the Governors of the six provinces in which the Congress party had been returned in a majority. I was looking forward eagerly to the pleasure of hearing that ministries had been formed of popular leaders in those provinces, but when I opened the papers two days later I felt very sorry to find that all my hopes had been dashed to pieces. No ministries could be formed of persons who commanded the majorities in the six provinces where Congress party had been returned in a majority. It was in the train while returning from Delhi that I went through the resolution of the All-India Congress Committee. I do not happen to be a lawyer, but even as a layman when I went through the resolution word for word, I said to myself, 'Supposing one of my cousins were to come to me and say "I am going to destroy that garden over there ; you have the power to stop it, but I am going to ask you to give me a previous assurance that you will not exercise that power." Under the circumstances, what would be my reply?' I felt depressed because I knew that probably the assurance would not be forthcoming. Anyway the majority party did not form ministries in those six provinces. The question was reviewed from the legal point of view, in the Press, some of the people even spoke about it on the platforms and it was discussed on the floor of the Central Legislative Assembly. After that came the statement of the Secretary of State informing us that no such assurance could be given within the framework of the constitution. As I said already, I am not a lawyer and so I am not going to take up the legal aspect of the question. At the same time I feel very strongly and I agree with all my brothers and sisters on the other side of the House that some solution out of this difficulty should have been found and even now it is not impossible to solve the problem. (*Hear, hear*). One of our greatest leaders and statesman Sir Tej Bahadur Sapru rightly said, 'Let us leave prejudice aside, because the issue is much too big, try to find a solution of this problem either through a constitutional conference or in some other way'. Something has got to be done and through you, Mr. Speaker, I would appeal to the Government to try to find some means of coming out of this impasse. Have

[Mr. J. A. Shah Nawaz.]

they not managed to solve many difficult problems? Why should it be so very difficult for statesmen to find a solution to this problem? (*Hear, hear*).

I had the privilege of attending the Imperial Conference of 1930. I was then acting as my father's Honorary Private Secretary. I was present when the Statute of Westminster was being discussed. I shall never forget the day when it was decided that in future the definition of the phrase of the British Commonwealth of Nations would be a voluntary association of free and independent states. I was saying to myself then that what my country should work for after this was to try and get a full-fledged membership of the British Commonwealth of Nations. Then, in 1932 I had the honour of attending the League of Nations Assembly and I was present at a discussion where some European powers were trying to form a comity of nations. The Crown Prince of a certain country who was sitting next to me at one of the inner Parties said to me, 'You of the British Commonwealth have a most wonderful opportunity of showing what a comity of nations can be. If you who belong to different nations, castes and colours, could become independent in your own countries and at the same time could work together for safeguarding the interests of one another within the same Commonwealth, you would be placing a wonderful example of brotherhood of mankind before the world.' In the world of today when no nation can stand alone, for us to think of going out of this Commonwealth would be a folly. I believe, and believe very strongly that we should work for a full-fledged membership of the British Commonwealth of Nations. I feel that while we should try to attain the full status of a dominion we must remain within the Commonwealth because I believe that the future of India lies within it.

Now, Sir, through you I would like to appeal to all my honourable colleagues on the other side and to all the great Congress leaders. Believe me, the masses in your electorate, all the poor people are looking up to you. It is true that you are prepared to make great sacrifices for the cause of your country's freedom, within the framework of this Constitution, I am sure you can do a lot for the suffering masses.

One word more and I have finished. I would request my friends to come forward, enter the Cabinets and show to the critics of our country, to those people in England who doubt our ability, that we Indians have the ability and the capacity of working in every administrative sphere and that we deserve far more than has been given to us under the new Constitution. The day will not be far when all our aspirations and ideals will be realized if my colleagues decide to enter the constitutional sphere. I would say in conclusion :

میں نے مزید عرضت دل اختیار ہے

میں نیک و بد حضور کو سمجھائی جا لے ہیں

(*Applause*).

Diwan Chaman Lal (East Punjab, Non-Union Labour) : I must with your permission congratulate Begum Shah Nawaz on the facility of her speech. It does not mean that I agree with what she said—far from it. But it was very happily worded and on behalf of the Opposition benches I extend [ou-

congratulations to her. (*Applause.*) The Begum's speech did sound to me more like a leading article in the Civil and Military Gazette. (*Laughter.*) But that is neither here nor there. What, Sir, is the question which we are about to discuss or we have been discussing? The question is this; that under the Government of India Act certain reserve powers have been held in abeyance from the representatives of the people of this country and they have been vested in the Governor and a conflict has arisen whether, while the representatives of the people of this country are acting within the constitutional sphere, it is right for the Governor to exercise those reserve powers. That in a nut-shell is the position. Begum Shah Nawaz gave an example. She felt a little depressed at the thought that if a cousin of hers came along and wanted to destroy her beautiful garden and said, "Do not interfere", what would she have felt about it. But I would ask her to remember that the garden does not belong to anybody else but to the people of India, and they have a right to destroy it if they want to (*Interruption.*) Destroy it, I use the word deliberately, if they want to. My friends over there will remember what their friends in Great Britain did in the year 1914 when they were engaged in one of the most disastrous and tragic wars the world has ever seen. Did they not destroy the beautiful garden? But they had a right to do it and for the sake of their honour they destroyed it and for the sake of honour the people of India would be ready to destroy their garden. (*Applause.*)

Mrs. J. A. Shah Nawaz : One word of personal explanation. I did not mean any relation. I meant anybody who wanted to destroy the garden.

Diwan Chaman Lall : The sections of the Government of India Act, 50, 51, 52, 53, 54 and so on right through and the various other sections of that Act, deal with these reserve powers. This is the legal position. Now let us look at it from the point of view of Mahatma Gandhi and the Congress and the people of India. The legal position is there. Powers have been given to the Governor to interfere. He has every right to interfere according to the word and the law written down in the statute read with the Instrument of Instructions. But what we say is this. Though legally you have been given this authority, in actual practice we want you to create a convention of the type that my learned friend, the Leader of the House, created this morning, a convention that you will not utilise these reserve powers so long as the cabinets are working within the sphere of their constitutional activities. Lord Zetland said in the House of Lords: "It is utterly impossible, utterly impossible for any Governor to give an assurance of this kind." Lord Zetland said that Mahatma Gandhi perhaps had not read the Government of India Act or the Instrument of Instructions or the Report of the Joint Parliamentary Committee. May I be permitted in my very humble way to say that Lord Zetland has not read his own constitutional history,

Every power that the dominions possess, about which Begum Shah Nawaz spoke a little while ago, everything that they achieved or that they wanted to achieve politically, constitutionally and legally through the Statute of Westminster and the powers

Diwan Chaman Lall.

that the dominions today possess, are derived practically from the development of conventions over-riding the constitution. If my learned friend wants chapter and verse for this let me give him chapter and verse. They must have heard of Lord Durham's Report which stabilized the position in Canada. Lord Durham stated in that famous report of his exactly what we are saying today : "It is difficult to conceive what could have been the fate of a Government which imagined that in any colonial government a body invested with the name and character of representative assembly can be deprived of any of those powers which in the opinion of Englishmen are inherent in popular legislatures." He stated that step by step in Canada the financial powers which never were in the hands of the Assembly but were entirely in the control of the Governor, step by step these powers were taken away from the Governor and the conventions of the type that Mahatma wanted to be created in India, were created. But the fact is that Lord Zetland would have us believe otherwise. There was a famous case in New Zealand in 1893. The Governor General had the power to add more members to the Upper House whenever he chose to over-ride the wishes of the cabinet. The matter was referred to Lord Ripon when he sent out a despatch in which he warned the Governor General that where the popular Assembly, in spite of the fact that the Governor had the power under the Statute, decides otherwise the Governor could not over-ride that decision. This is exactly what Mahatma Gandhi is wanting to do in this country. There has been a great controversy and a large number of lawyers have raised the constitutional issue, but there is only one issue to be raised in regard to this matter and that is, has the British Government the desire, is the British Government prepared, to create a convention whereby, while the cabinet is acting within the constitutional sphere, the British Government as represented by the Governor of the Province, will not interfere in their activities (*hear, hear*). Take another instance. Under the constitutional practice today and under the legal theory today, the British Parliament can interfere in the Constitution of every dominion. They can make laws for the dominions, but today the British Parliament possessing so great a power would never be foolish enough to insist upon making a law for any British Dominion. The authority under the law is there, but convention prevents that legal authority being used. It was only in 1856 when the Colonial Laws Validity Act was passed that this very power was used by the British Parliament and never since has any British Parliament endeavoured to interfere with the legislative authority of the British Dominions (*hear, hear*). Let me for the moment leave these examples and say that the constitution develops by the creation of conventions and all that Mahatma Gandhi asks for is that conventions should be created. Let me, leaving these points, come to Lord Zetland's speech, the matter which is before us. What is it that Lord Zetland says ? He has charged, I am sorry to say, as I read that speech, Mahatma Gandhi with not having given the people of India a correct statement of facts. Now remember that Mahatma Gandhi said that it was his impression that he heard it and heard it with his own ears that Sir Samuel Hoare said that ordinarily the Governor would not utilize his powers. That is all that Mahatma Gandhi said. He never said that Sir Samuel Hoare has said to him or anybody else that the Governor would give an assurance to them in advance. If you read Mahatma Gandhi's statement you will not find that particular

sentence in it and yet because Lord Zetland had no other reply, he distorts the contents of the statement made by Mahatma Gandhi. There is the authority which is vested in Governors should there be trouble in a particular province relating to a minority and Lord Zetland gives an example. Suppose a Hindu majority in a province says, we will reduce the number of Muslims school, what will happen then? No popular assembly would take an action of this kind and it is a deliberate statement made by Lord Zetland in order to create an unnecessary communal bitterness in this country. Why? Because they have nothing else to stand upon, nothing else on which they can base their arguments (*hear, hear*). On the other hand I can quote the example of the Frontier Province. Before the introduction of the new Reforms, when the province was run practically under the dictatorship of the British Governor, similar action was taken against the minority and the famous Hindi Circular was issued preventing education being imparted in Hindi to the children of the minority in these schools. What was the result when a pseudo-popular Government came into being? Immediately that particular circular was withdrawn. Lord Zetland's contention is that such an action might be taken in the case of a minority, but we have immediate proof of the fact that whenever a popular or semi-popular Government comes in, such action will never be taken by them. No popular Government can dare to take such action. Not only this but the position is perfectly obvious that there has been a great misunderstanding of the demand made by the Congress. What is the demand made by the Congress? It is that within the constitutional sphere of activities, the Governor shall not interfere with the ministers. The sphere of constitutional activities means also the powers that have been vested in the Governor. It means also the protection of minority interests, peace and good government, it means also the Instrument of Instructions, that is to say the entire responsibility of the Governor. As I read the statement made by Mahatma Gandhi I find that all powers vested in the Governor henceforth become the special responsibility of the cabinet and if the cabinet is acting within the sphere of constitutional activities, the Governor shall not interfere with them. Nowhere has Mahatma Gandhi said that once a cabinet goes outside these activities, the Governor shall not interfere. It means only this that while the cabinet is acting within the sphere of constitutional activities, the cabinet is assuming responsibilities that are sought to be reserved for the Governors. It is only then it means that there shall be no interference in the activities of the cabinet. This I think is the correct reading of the position in regard to the demand made by the Congress. Let me say one last word. A little while ago, the Honourable Leader of the House made a very important statement regarding the position that he would adopt, supposing there was interference on the part of the Governor. I want to remind this House that there has been interference in the ordinary activities of this House by the Governor of the Punjab, in a matter which came up here in connection with the adjournment motion which you were pleased to rule out. We have not been allowed to discuss even the question of the personnel of the Public Service Commission and yet we are told that "ordinarily" the Governor would not interfere in the constitutional activities of the cabinet. But I want to draw the attention of the House to a very important statement made by the Leader of the House. He stated

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"if the Governor interfered with our work in any way we will not hesitate to resign and ask the Opposition to come over to these benches". He also stated, "at any time that our work was impeded by the Governor we will in the interest of the province resign our office." I want with your permission to ask honourable members opposite to remember this statement and walk into the lobby and register their votes with us.

Diwan Ram Lal (Advocate-General): Mr. Speaker, my honourable friend Mir Maqbool Mahmood said that there were two aspects of the situation, there was the constitutional aspect and there was the political aspect, and he confined himself to the political aspect of the situation. Other speakers, who followed him, also largely confined themselves to the political aspect of the situation and parenthetically here and there made a number of passing references to the other aspect of the situation. The honourable gentleman, who has just spoken has touched upon the other aspect of the situation also, namely, the constitutional aspect. It is with reference to that alone that I rise to make some observations as to what the constitutional position is. The constitutional position admits of no doubt whatsoever, if it is understood in its proper sense. If you see anything through a distorted pair of glasses, you might achieve any kind of result. But if you view the constitutional position in its proper perspective, then I submit there can be no room for doubt and the matter can really be reduced to three axiomatic propositions which no lawyer will ever think of contesting. The first is that a demand which cannot be granted constitutionally is not a permissible demand and to grant that demand would in itself be constitutionally incorrect. What is the demand of the Congress? I have been waiting to hear what it is on the floor of this House. No speaker on the other side said in definite terms what it is. We are confined within the four corners of the Act and no statement has been forthcoming except the one in which the last speaker stated that it is open to the representatives of the people to come in a sufficiently large majority and destroy the Constitution. If this is the way in which the constitutional position is understood by the Opposition, then I submit that it has not been correctly appreciated. They are looking at the matter not in a correct manner but through a distorted pair of glasses. It is the function of all courts of law and of other people who work the constitution to see that the Act is preserved and anything beyond, which eats away that Act, is *ultra vires*. It is not a course which can be constitutionally permitted.

Now, if the demand about the Governors has been that they should do something which the Act says they cannot do, then I submit that the demand would in itself be a violation of the constitution. This is the manner in which they understand it. The demand of the Congress amounts to this that they want to call upon the Governors to do something which it is not open to them to do under the Constitution.

The second matter in this connection to which I might make reference is that it is again a constitutionally necessary element of the activity of the Government and Governors that the machinery should be kept working and anything that is intended to break that machinery is unconstitutional and illegal. What are they doing? They seek to destroy the constitution:

and break that machinery and this is in itself and unconstitutional and illegal activity. It is unconstitutional because it is illegal, it is illegal because it is inadmissible. What they desire is that the Governors should state beforehand that they will not do what they are required to do under the Act if and when a contingency arises, which contingency requires the Governors to act either within their discretion or in their individual judgment. In other words, they are postulating beforehand that when that contingency arises they would not take that course which would be necessary at that time, and that Governors should now beforehand agree to repeal those portions of the Government of India Act which deal with these matters.

It is, again, Sir, an axiomatic proposition that if a tribunal or for the matter of that an executive authority has been given power and has been given responsibility to exercise, then it is unconstitutional, and to the extent to which it is unconstitutional it is illegal, if they avoid that responsibility. If a Governor consented to do what the gentlemen on the other side wanted him to do, then he would be avoiding his responsibility under the Act and this would be illegal. In these circumstances my submission is that so far as the second aspect of the question is concerned, it is unconstitutional and illegal.

References have been made to the constitutions of other countries and particularly of England. Reference has also been made to the countries which have a got flexible constitution and which are not on the statute book. I submit that our constitution is embodied in the Government of India Act and what is permissible under that Act alone is legal and to go against that would be constitutionally illegal.

Diwan Chaman Lall : On a personal explanation Sir. My learned friend in his speech said that references have been made to other countries which have flexible constitutions. I submit that the constitutions of Australia and Canada were no more flexible than ours.

Malik Barkat Ali (Eastern Towns-Muhammadan Urban): Sir, I am personally one of those who would have very much wished that in the six provinces in which the Congress is in a majority, the leaders of the Congress had assumed the responsibility of Government. What did those leaders say? They simply wanted a gentlemanly understanding, a gentlemanly agreement from the head of the Government—the Governor—to the effect that so long as the ministry acted within the limits of the constitution, the Governor shall not interfere. If I understand the constitution aright, I think there was nothing wrong with this position of the Congress and it should have been open to any constitutional Governor to give an undertaking of that kind. What does Lord Zetland say? Lord Zetland tells us that it was an illegal act on the part of the Congress leaders in the six provinces to demand an undertaking of that kind and I am surprised to hear from the learned Advocate-General of this House today that it was also unconstitutional, as whatever is unconstitutional is necessarily illegal. It is perfectly wrong. Those who are acquainted with the English constitution, know fully well the distinction between the constitutionality and

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the legality of an act. An act may be legal and yet it may be unconstitutional. Under the theory of English constitution it is perfectly legal on the part of the King to veto a Bill that has been passed by the two Houses of Parliament. The act of the King would be perfectly legal. Supposing an English King did exercise his veto today, an act which no one has done since the reign of Queen Anne. The act of the King would be perfectly legal, but it would be a most unconstitutional act, leading perhaps to the greatest revolution in the history of England. If an attitude of that kind were adopted by an English King, he would be called upon, I am sure, by the popular opinion of the country, to abdicate. I take the position, therefore that the legality of an Act under the British constitution is absolutely distinct from its constitutionality. Therefore, when the leaders of the Congress said that 'they wanted the Governors not to interfere within the limits of the constitution' I emphasise these words,—the Congress made a demand which it was not possible for any constitutional Governor to refuse, but the fact is that our Governors under the theory of the Government of India Act are not constitutional Governors. Some of my friends opposite have got the impression that under the scheme of provincial autonomy the Governor perhaps occupies the position of a constitutional monarch but they are wrong. Governors are not constitutional monarchs, otherwise it would follow that they are bound to follow the advice of their ministers and if the ministry offers an advice which is not acceptable to the King, the King, within the limits of the constitution, can dismiss that ministry and he can either appeal to the electorate or summon to his council others who he thinks will be supported by the House, though the House may reject them at the very next meeting of the House, and such an act would be a perfectly constitutional act on the part of the King.

What is the present position? It is that the Congress leaders who had a majority in those six provinces, wanted a gentlemanly agreement from the heads of Government. The Governors refused to give any undertakings. What is the constitutional duty of the Governors after that? I submit that after the refusal the minority parties should not have been asked to form governments of those provinces. It was the duty of the Governors either to dissolve those Houses or to form ministries that would have commanded a stable following in the House and from the very necessities of the situation it was impossible for the minority administrations to form any stable ministries, since they had not any collective majority of the House behind them. My learned friends say what could the Governors do with a situation of that kind coming into existence and that there was no course open to them except to form ministries out of minorities. I respectfully submit that the Governors could not do that. The only thing that the Governor could do under the scheme of the Act was to issue a proclamation that they could not carry on the Government in accordance with the provisions of the Act. It is not constitutionally open to a Governor, it may be legally open to him, because legally he has the power to summon whomsoever he likes—but under the constitution, as it has been crystallised in the Instrument of Instructions to the Governor, it is constitutionally not open to a Governor to ask any leader of a minority party or parties to form the government; he is bound to call those persons to his council who can form a stable ministry.

Now, if those persons refuse to form the Government because the Governor says, "I cannot give you an undertaking not to interfere even if you act within constitutional limits, because under the scheme of the Act I am not a constitutional Governor, I am something over and above him; I am something of a despot, I am something of an autocrat; and if you want me to divest myself of the autocracy that has been lodged in me, I refuse to do so," I must say that the mistake is all on the side of the Governor. This is the position as it stands evolved today. No one can say that the Governor has adopted a constitutional position, though it may be a perfectly legal position. Therefore, my respectful submission is that in a situation of this kind we had a right to expect of Governors that they would clarify all complexities by an unequivocal declaration that they would not ordinarily interfere with the constitutional activities of congress Ministers in the provinces where they formed the Government. I myself would have welcomed a situation where Congress leaders would assume office without insisting on any stipulations. To my mind, they should have assumed the Government of the six provinces where they were in a majority and after having assumed the Government of those provinces, if ever the Governor went wrong and interfered with their constitutional activities, to have resigned. Possibly the Governor may have after their threat of resignation accepted their advice. But if the Governor refused, they could have resigned. Legally the Governor could then form a ministry and in England also ministries under such circumstances have been formed, but English constitutional writers have stated in the clearest terms that ministries formed in such circumstances were unconstitutional ministries, because those ministries were rejected at the very first meeting of the House. It should have occurred to the Governor, "if today I refuse to give this undertaking, what will be the consequences? I will certainly form a ministry out of the minority, but the moment the House meets, it will pass a vote of no-confidence and I must dismiss the ministry." This question is bound to arise before the Governors before long. Why not do that which is bound to come six months hence in the very beginning? The Governors can refuse to summon the newly formed assemblies for a period of six months, but they are bound to call them after the expiration of six months and the result would be that no body would form a ministry and the Governor can only issue a proclamation and take powers to himself. What does Lord Zetland say? His statement in the House of Lords consists of two parts. The first part of that statement is the one in which Lord Zetland says, "if you Indians think that we have granted you provincial autonomy with all its implications as constitutionally understood, you are wrong. No, we have given certain powers of an autocratic nature to our Governors and they shall exercise those powers." I think he has correctly analysed the elements of this constitution in that part of his statement. But there is the second portion of his statement which should certainly cause considerable concern to the benches on the other side. I shall read out to you that portion of his statement which to my mind constitutes a menace to the development of autonomy in the provinces. He has applauded the action of those gentlemen who, having betrayed their country, have agreed to form ministries at the dictation of the Governors. We want to prevent such a situation recurring. We do

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not want that it should be possible for any Governor to form puppet ministries in the legislature at his dictation. Instead of condemning that act and instead of saying that he does not want his Governors to do so, what does he say? It is reported—

“He could not refrain from giving expression to the appreciation which he felt sure must be felt in all quarters of the House of the public spirit —”.

Fancy the words ‘in all quarters of the House,’ I have no hesitation in saying that it is a great betrayal of the interests of this country to form ministries at the dictation of the Governors. He continued :—

“—in all quarters of the House of the public spirit which had been shown by members of these minority ministries in what might obviously be a difficult and distasteful task. They might well applaud not only their public spirit but their sense of the realities of the situation which they had displayed”.

The words which follow are very important : ‘He noticed suggestions to the effect that the appointment of such Ministries was unconstitutional’ Fancy the Secretary of State possessing full knowledge of the working of the British constitution stating on the floor of the House that this act of the Governors in asking the minorities—those who could not from the very nature of things—to form the Ministries, was constitutional. It takes my breath away. ‘He noticed suggestions to the effect that the appointment of such Ministries was unconstitutional. His Majesty’s Government were altogether unable to accept as valid any such suggestion. The Act says that the Governor shall form Ministries : the legal power to form Ministries certainly vests in the Governors, which means constitutional exercise of that legal powers.’

Further on, he says ‘It was true that the assumption underlying the Act’—he calls it an assumption; I call it a fundamental fact underlying the scheme of the Government of India Act—‘was that any Council of Ministers appointed should, if possible’—I lay emphasis on the word ‘possible’—‘be selected from persons who commanded a majority in the legislature.’ If you were pleased to follow the Instrument of Instructions which crystallises these constitutional conventions, you will be pleased to find that these words ‘if possible’ nowhere occur in the Instrument of Instructions. On the contrary the Instrument of Instructions says that he shall use his best endeavours. This very expression ‘use his best endeavours’ eliminates everything else : it is fundamental that through the exercise of his best endeavours he shall form stable Ministries. A Ministry from the nature of things cannot be stable which, on his own admission, cannot command the confidence of the House.

I, therefore, respectfully submit that this statement of the Secretary of State to the House of Lords whittles down the instructions in the Instrument of Instructions by saying that this injunction in the Instructions was not necessarily a hard and fast one. The wording was purposely chosen so as to make allowance for circumstances in which a rigid injunction might have been impossible to carry out. Hence the expression ‘use his best endeavours.’ ‘The King’s Government must be carried on.’ He says King’s Government must be carried on, and that if the majority party refuse to form Ministry the King’s Government must be carried on by the Governor on his own responsibility. It is deceiving the world to say that King’s

Government can only be carried on by forming these mimic Ministries. It would have been much better if the Secretary of State from his responsible position had declared 'we never intended provincial autonomy: we intended provincial autonomy only in name subject to the dictation and complete control of the Governor. If the majority party refused to form Ministry we intended to set up mimic and puppet Ministries.'

I respectfully submit that this second portion of the statement of the Secretary of State is the most serious inroad and a violation of the most solemn promises made to India's representatives both at the Round Table Conferences and of the various statements made by responsible British statesmen in various capacities as Viceroy. I feel it is our duty to draw the attention of the Secretary of State to this alarming attitude which he has disclosed. I fully support the members of the House in expressing their surprise and resentment at this attitude. So far as the arguments of the Advocate General are concerned, I disagree with him. My learned friend has studied the legal position more as a lawyer.

Mr. Speaker : The honourable member's time is up.

The Honourable Major Sir Sikander Hyat-Khan (Premier Sir, we have heard a great deal of forensic eloquence and learned comments from both sides of the House on the legal aspect of the question. I am not a lawyer and, therefore, I do not propose to tread on the delicate ground which has been covered by my lawyer friends. In any case I do not think it is necessary for us in this House to touch on that aspect of the question when we are aware that leading constitutional lawyers in this country and in England have discussed it thread-bare without arriving at any definite, much less agreed, interpretation of the points at issue. But, whether we are lawyers or laymen, we should as practical men keep in view one or two important considerations in discussing the matter before the House. I am not concerned with Lord Zetland's speech because as I said earlier in the day it is not the concern of the provincial Government. In this province we are committed to work the constitution with a view to get the best out of it in the interest of the province and the people. That is my position and that is the position of my friends on this side of the House. We are pledged to work the constitution in spite of its limitations and in spite of its shortcomings, of which we, like everybody else in this country, are fully cognisant. Our position has been consistent throughout. We have on every possible occasion made our position clear. We are not satisfied with the constitution. Indeed it is laid down in the creed of the Unionist Party that the present constitution is not satisfactory; and we, like other patriotic Indians, feel strongly on this point. But, in spite of those limitations and in spite of its defects, we as a party decided long ago, when this Constitutional Act was finally passed by the Parliament, that we should, in the interest of our country and in the interest of the province, try to work it and get as much good out of it for the people of this province as it was capable of producing. If we fail to secure any benefit for the people out of it or find that it is unworkable for the purpose we have in view, then our position is quite clear. It would in that case be our duty to abandon it. But before I dilate on that aspect of the problem, let me refer to the speech which my honourable friend Diwan Chaman Lall made in the course of this debate. He referred

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to a statement made by our revered leader Mahatma Gandhi. Now if you will allow me I will repeat that quotation. This is how it runs—

“ If I heard Sir Samuel Hoare and other Ministers say in so many words that ordinarily Governors would not use their admittedly large powers of interference I claim that the Congress formula asked for nothing more.”

If that is the position and if the Congress is prepared to act up to Mahatma Gandhi's statement, then nothing is lost; and I am confident that the difficulty should be capable of solution on that basis. But the question is, does the Congress accept that interpretation? And if not, why not? There are many — although I am not one of those— in this country and elsewhere who thinks that the Congress formula and demand for an assurance was in the nature of a 'try on', to find out how far the Governors would be prepared to go. If the Congress were honest and if, as one of my honourable friends pointed out, Mahatma Gandhi's statement means what it means, then I submit that there is still an opportunity of composing the differences. If the Congress means to stand by Mahatamaji's statement and desires an assurance from the Governors in the terms of that statement only I venture to suggest—I trust it will not be considered presumptuous on my part to make that suggestion to the Congress—that they should make another attempt and make the position clear by frankly asking for an assurance on the lines of Mahatma Gandhi's statement. (*Voices from the Opposition*: It is clear.) It is not. If it were, the present impasse would not have arisen. The difficulty arose when they demanded unconditional abrogation of the special powers of the Governors in regard to their special responsibilities under the Act. (*A voice from the Opposition*: Discretionary powers.) Special powers relating to his special responsibilities. Now, those of us who have studied the Act know that there are three main matters in respect of which special powers have been vested in Governors. There are some other matters also but they are not of much consequence; they are petty as compared with the three major items, which really matter and which with your permission, I propose to enumerate. His main special responsibilities are, first, to ensure peace and tranquility of the province; second, to safeguard the legitimate interests of the services; and third, which to my mind is a very important and necessary responsibility, to safeguard the legitimate rights and interests of the minorities. These are the three main things in respect of which the Congress wanted the Governors to divest themselves of their special powers. It was open to the Congress and its spokesmen in the various provinces to go to the Governors and say: "You have got special powers under the Act but we assure you that so far as these matters are concerned we will so administer the province that it will not be necessary for you to exercise those powers; that, as Government, we will do our best to safeguard the legitimate interests of the services and their rights; and that we will see, as a good Government should see, that the peace and tranquility of the province remain undisturbed." If they had given this assurance, it is conceivable that the present impasse would have been avoided. Since the Congress failed to make even the gesture one cannot help suspecting sometimes that the demand made by the Congress leaders was nothing more than a mere try on, or perhaps a device to evade the consequences of their wild promises to

the electors. (*An honourable member*: You are imputing motives to Mahatma Gandhi) I am not. I am at one with Mahatma Gandhi in this. Let me illustrate my point by quoting an extract from another statement of Mahatmaji published on the 11th April after Lord Lothian's statement. He said—

“Congress Ministries, if they ever come into existence, will dig their own graves, without the Governor's safeguards, the moment they trample upon the rights of the minorities or resort to injustice otherwise.”

Why could not the leaders of the Congress give an assurance to the Governors on the lines I have suggested?

Chaudhri Krishna Gopal Dutt : How does the Honourable Leader know that they did not say that to the Governors?

The Honourable Major Sir Sikander Hayat-Khan : There is no mention of it in the statements issued by the leaders of the Congress majorities in the six provinces. My honourable friend opposite is impetuous and impatient. He should show us the same courtesy which we extended to him and refrain from unnecessary interruptions. We did not interrupt the honourable members opposite when they were speaking.

Dr. Saif-ud-Din Kitchlew : Has the Leader of the House any authority to say that the gentleman who had interviews with the Governors did not say these things to the Governors?

The Honourable Major Sir Sikander Hyat-Khan : I think that the question is redundant in view of what I have just said. All of us have been closely following the events in the press. We have read authoritative statements issued by the Governors and the leaders of the Congress parliamentary parties. They are more or less stereotyped on both sides. But the suggestion I have put forward is my own. I do not hold a brief for any one. I repeat my suggestion that if the proposition had been put in the form I have suggested it might have proved a solution of the difficulty with which the six provinces in the country are faced today.

Diwan Chaman Lall : Is not that position inherent in the very phrase used by Mahatma Gandhi; “within the sphere of the constitutional limit”?

The Honourable Major Sir Sikander Hyat-Khan : I am a layman and not a lawyer, so I do not propose to enter into a discussion on Constitutional Law, but I venture to point out to my honourable friend that the safeguards are an integral part of the constitution and are, therefore, “within the sphere of constitutional limit” and their abrogation would be in contravention of the constitution itself. Therefore, my contention, that if the Congress had put their demand in the form I have suggested it might have been possible for Governors to accept it, holds good. All these matters fall within the constitution, and the Governors could have in that case said, “Very well, so long as you yourself conscientiously and diligently discharge your duty in respect of these matters it would not be necessary for me to interfere.”

Diwan Chaman Lall : There is also the suspicion on the other side that when this point was actually put “within the sphere of the constitutional activities” the British Government did not want the Congress to take office. (*Honourable members* : No, no).

The Honourable Major Sir Sikander Hyat-Khan : If I were in the position of the Congress in those provinces I would have accepted office and if later the Governor attempted to thwart the Government by interfering unreasonably in its legitimate and constitutional activities it should not have been difficult to force his hand by constitutional action, even to the extent of precipitating a constitutional crisis. It would have been perfectly legitimate and within the power of the Congress ministries to take constitutional action and achieve the same result without opening themselves to criticism. (*An honourable member :* That is a matter of opinion). But there is yet another difficulty inherent in the present Congress formula. Who is going to judge whether ministers were working within the constitution and in accordance with the spirit of the Act? (*A voice :* The public). How can they, when their representatives are shirking responsibility? I was pointing out that that difficulty seems to me to be insurmountable and will remain insurmountable so long as the Act remains as it is and the Congress adheres to its present destructive attitude. After all, there must be someone to judge whether the Government was acting within the constitution. The Congress cannot but concede that in the existing circumstances that discretion can only and must necessarily vest in the Crown through its representatives. My submission is that they should have accepted office and faced deadlocks. It is inconceivable that if they had vigilantly and scrupulously looked after the interests of the minorities and the services and had seen to it that the peace and tranquillity of the province was not disturbed, the Governors would have or could have used their special or emergent powers. The Congress would have been able to carry out at least a part of their programme and thus redeemed their pledges to their constituents. I submit that by taking up their present position—and I say so with due deference—the Congress has not played the game by the electorate.

Let me conclude by once again emphasizing my own position, the position of the majority party in the Punjab. As I said at the outset, we have undertaken to work the constitution, in spite of its limitations, with a view to wringing the last ounce of good from it in the interests of our province and our fellow citizens. In this province as you are aware His Excellency the Governor has acted in fullest accord with the letter and spirit of the Act. Had he acted otherwise, we, as the majority party, would not have hesitated to assert our rights within the constitution, to vindicate our position. (*Hear, hear*). Before I resume my seat, may I with your permission read an extract from the statement which I issued on behalf of the Cabinet on the day we assumed office. This is how the relevant portion of the statement reads—

“The Punjab Cabinet is under no delusion as to the nature and extent of the limitations and restrictions which the new Government of India Act imposes on autonomy even in the provincial sphere. Nevertheless, in pursuance of the clearly expressed wish of the electorate, it has undertaken the task of running the administration and securing the utmost good out of the new constitution. We admit that the machinery which we have been called upon to work is delicate and complex but we do not see the wisdom of condemning it without a fair trial. Nor do we believe in flinging in a spanner, deliberately, to clog or wreck it. It would neither be fair to the province nor to our constituents to resort to such tactics. At the same time, we wish to make it quite clear that we will not have the slightest hesitation in revising our attitude towards the new constitution if, in spite of our best efforts, it proves to be unworkable.”

That has been consistently our position and we are determined to adhere to that position. We will not court deadlocks, we will not deliberately create deadlocks, but if deadlocks are unavoidable, in spite of His Excellency the Governor's best efforts and in spite of the best efforts of my colleagues and myself, then we will not shirk deadlocks. (*Cheers*).

Mian Muhammad Iftikhar-ud-Din (Kasur, Mubammadan, Rural) : Now that many lawyers and political experts have placed before the House the legal and political aspects of the question, I should like to place before the House the point of view of the man in the street. The Honourable Leader of the House has referred to the constitutional position adopted by the Governors. What I want to submit is that the minorities for whose protection safeguards have been provided in the constitution do not want any interference on the part of the Governor in the constitutional working of the ministers. There is no question of the tyranny of majority in the provinces in which the Congress is in a majority in the legislatures at present at any rate. What is agitating the public at the moment is not the attitude taken up by the Governors in the matter of the assurance demanded by the Congress. The Governors could easily have taken over the administration of the province into their own hands and worked the constitution. We would not have objected to that. What we object to is this. They have transferred powers to salaried officials, whom they wrongly call ministers who have no right to hold any power at all. I do not think any lawyer or statesman can offer feasible arguments in support of the action of the Governors in this respect.

At this stage as the two hours within which the debate ought to have concluded had expired, the debate automatically terminated.

The Assembly then adjourned sine die.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 17th June, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A. M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

SUPERSESSION OF MUNICIPAL COMMITTEES.

*1. **Malik Barkat Ali**: Will the Honourable Minister of Public Works be pleased to state—

- (a) the names of those municipal committees in the province which stand superseded at the present moment;
- (b) the dates on which the orders of supersession took effect in each case;
- (c) the length of time during which the Government intends to keep the supersession in force?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: (a) and (b) The required information is laid on the table.

(c) The committees will be reconstituted as soon as the financial and other conditions of the towns and cities concerned show sufficient improvement to justify reconstitution.

Statement.

| Serial No. | Name of superseded Municipal Committees. | Date of notification by which the Municipal Committee was superseded. |
|------------|--|---|
| 1 | Karor | 31st August, 1932. |
| 2 | Buria | 21st August, 1933. |
| 3 | Gohana | 10th November, 1933. |
| 4 | Sialkot | 19th February, 1936. |
| 5 | Baghbanpura-cum-Bhogiwal | 18th May, 1936. |
| 6 | Lahore | 27th October, 1936. |
| 7 | Mithankot | 3rd May, 1937. |

EXECUTIVE OFFICERS' ACT.

*2. **Malik Barkat Ali**: Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the Government is aware of the fact that the Executive Officers Act (II of 1931) and the interpretations placed on its sections and the various rules framed thereunder by

[Malik Barkat Ali.]

the Ministry of Local Self-Government have caused grave dissatisfaction in the province and engendered a general belief that Executive Officers are not intended to be the servants of the local bodies concerned but their masters ;

- (b) whether it is intended to make any changes in the Executive Officers Act ; if so, when ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The Government is aware that the Act when it was passed evoked criticism, but is not aware of any recent grave dissatisfaction over the interpretation of the provisions of the Act and the rules framed thereunder.

- (b) The matter is receiving the consideration of Government.

MUNICIPAL COMMITTEE, LAHORE.

***3. Malik Barkat Ali :** Will the Honourable Minister of Public Works kindly state—

- (a) whether it is a fact that the administration of municipal affairs at Lahore by the Administrator has occasioned great discontent amongst the rate-payers and citizens of Lahore ;
- (b) whether it is intended to end the supersession of the Municipal Committee of Lahore ; and if so, when ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Some articles to this effect have no doubt appeared in the Press.

- (b) Yes. No date can be specified. The question is premature at present.

MUNICIPAL COMMITTEE OF HOSHIARPUR.

***4. Malik Barkat Ali :** Will the Honourable Minister of Public Works be pleased to state—

- (a) when the triennial election was held last time of the members of the Municipal Committee of Hoshiarpur ;
- (b) the reasons why no election has yet been held there of the members of the Municipal Committee, although more than four years have elapsed ;
- (c) the date on which the election overdue is going to take place ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The result of the last general elections of the Municipal Committee, Hoshiarpur, was notified in August, 1933.

(b) Some time after the last general election proposals were made for reconstituting the municipal committee and increasing the number of members. For this purpose orders were given for the preparation of the electoral rolls in order to determine the distribution of seats among the communities. Owing to the keen competition between the communities great difficulty was experienced in preparing the rolls and the officers in

charge of the work were unable to prepare accurate lists. The difficulties experienced were so great that it was finally decided not to change the constitution of the Committee. The work of preparing the rolls on the basis of the existing distribution of seats was then entrusted to the special electoral officer who in spite of considerable difficulty has prepared the rolls. The preparations for the election are now taking their normal course.

(c) The dates of the election programme will be announced by the Deputy Commissioner in due course.

Dr. Sir Gokul Chand Narang : Is it a fact that the electoral rolls prepared in the first instance showed the number of Muhammadan voters to be larger than the total male population of the town ?

Minister : I require notice of that question.

JUDICIAL AND EXECUTIVE FUNCTIONS.

***5. Malik Barkat Ali :** Will the Honourable Premier be pleased to state—

- (a) when the question of separation of judicial and executive functions was last dealt with by the Punjab Government ;
- (b) whether any Committee was appointed in connection with this matter ; and if so, when and what were its recommendations ;
- (c) what action, if any, was taken by the Punjab Government on the various recommendations of the Committee mentioned in part (b) above ?

The Honourable Major Sir Sikander Hyat-Khan : (a) In 1928 on a reference from the Government of India.

(b) Yes, a Committee was appointed in 1921 to work out a scheme for the separation of executive and judicial functions. The report of the Committee was laid on the table of the Punjab Legislative Council in August 1922,—*vide* pages 116—121 of Volume IV of the Council Debates, a copy of which is in the Assembly Library.

(c) The steps which were taken by Government as a result of the recommendations made by the Committee are as follows :—

- (i) The Punjab Civil Service (Judicial Branch) was completely separated from the Punjab Civil Service (Executive Branch) and is now separately recruited and trained.
- (ii) Magisterial powers were taken away from departmental officers as recommended by the Committee.
- (iii) Government increased the strength of the Punjab Civil Service with a view to secure the more rapid disposal of criminal work by magistrates.

DETENTION OF BRITISH INDIAN SUBJECTS IN KAPURTHALA STATE.

*6. **Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

- (a) whether he is aware that a number of British Indian subjects have been arrested and detained under investigation by Kapurthala State in connection with an alleged criminal dacoity for a period longer than the law would allow ;
- (b) whether it is a fact that the Punjab Criminal Investigation Department is associated in investigation of the said case and an official of the said department is residing at Phagwara in Kapurthala State in that connection ;
- (c) whether he is aware that there is a strong impression in the public mind that the Punjab Criminal Investigation Department is using the said case as a subterfuge to investigate certain cases that took place in the British Punjab, by resorting to methods and means of investigation, within the boundaries of an Indian State, which would not be legally permissible in British India ;
- (d) if answer to parts (a) and (c) are in the affirmative, what steps the Punjab Government propose to take to safeguard the interests of British Indian subjects and to rectify the wrong already done with a view to allay uneasiness in the public mind ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The reference is presumably to the Jagjitpur dacoity, a case of the Kapurthala State. In this case both Kapurthala and British subjects are under arrest in Kapurthala and are detained under State laws.

(b) Punjab Criminal Investigation Department officers have assisted in the investigation but they are not residing at Phagwara. This co-operation between State and Punjab Police officers is both necessary and desirable in all cases in which British Indian subjects are concerned ;

(c) Government is not aware that the general public is in the least disquieted by the participation of Punjab Criminal Investigation Department officers in this investigation which has led to the unravelling of other cases involving very serious crimes of violence committed in British India.

(d) The co-operation of officers of the Punjab Criminal Investigation Department in these investigations ensures that the interests of British Indian subjects are safeguarded.

PUNJAB UNIVERSITY PROFESSORS, READERS AND LECTURERS IN LAW.

*7. **Chaudhri Muhammad Husain** : Will the Honourable Minister of Education be pleased to lay on the table of the House a list containing the names of the Punjab University Professors, Readers and Lecturers in Law (including Political Science and Constitutional Law) separately, as on the 1st of April, 1937, specifying those working at the—

- (a) University Law College,
- (b) Hailey College for Commerce,

and stating in the case of each, his community, whether he belongs to a notified agriculturist tribe and if so, the name of the tribe ?

The Honourable Mian Abdul Haye : A statement is laid on the table—

Statement showing the names of Punjab University Professors, Readers and Lecturers in Law.

| Serial No. | Name. | Designation. | Community. | Whether notified agriculturalist. | Tribe. |
|------------|--|----------------------------|----------------|-----------------------------------|--------------------|
| | <i>Law College, Lahore.</i> | | | | |
| 1 | Rahim Bakhsh, Esq. . . | Whole-time Law Reader. | Muhammadian .. | Yes .. | Araim. |
| 2 | C. L. Mathur, Esq. . . | Ditto .. | Hindu .. | No .. | .. |
| 3 | Des Raj Mahajan, Esq. | Ditto .. | Do. .. | No .. | .. |
| 4 | Abdul Qayum Malik, Esq. | Ditto .. | Muhammadian .. | Yes .. | Malik. |
| 5 | D. C. Ralli, Esq. . . | Part-time Law Reader. | Parai .. | No .. | .. |
| 6 | Muhammad Monir, Esq. | Ditto .. | Muhammadian .. | Yes .. | Kakkezai. |
| 7 | M. Sleem, Esq. . . | Ditto .. | Do. .. | No .. | .. |
| 8 | Nihal Singh, Esq. . . | Part-time Law Lecturer. | Sikh .. | No .. | .. |
| 9 | S. L. Puri, Esq. . . | Ditto .. | Hindu .. | No .. | .. |
| 10 | Khurshid Zaman, Esq. | Ditto .. | Muhammadian .. | Yes .. | Mir (Mogha). |
| 11 | J. R. Agnihotri, Esq. | Ditto .. | Hindu .. | No .. | .. |
| 12 | S. K. Ahmad, Esq. . . | Ditto .. | Muhammadian .. | Yes .. | Kakkezai (Pathan). |
| 13 | P. M. Lall, Esq. . . | Ditto .. | Christian .. | No .. | .. |
| 14 | Bhagwan Dass, Esq. . . | Ditto .. | Hindu .. | No .. | .. |
| 15 | Vishnu Datt, Esq. . . | Ditto .. | Do. .. | No .. | .. |
| 16 | M. A. Majid, Esq. . . | Ditto .. | Muhammadian .. | Yes .. | Araim. |
| 17 | Narotam Singh, Esq. . . | Ditto .. | Sikh .. | No .. | .. |
| 18 | Manohar Lal, Esq. . . | Ditto .. | Hindu .. | No .. | .. |
| 19 | J. N. Khosla, Esq. . . | Ditto .. | Do. .. | No .. | .. |
| 20 | Akbar Ali, Esq. . . | Ditto .. | Muhammadian .. | No .. | .. |
| 21 | Tek Chand, Esq. . . | Ditto .. | Hindu .. | No .. | .. |
| 22 | Niaz Ali, Esq. . . | Ditto .. | Muhammadian .. | No .. | .. |
| 23 | M. L. Whig, Esq. . . | Ditto .. | Hindu .. | No .. | .. |
| | <i>Hailey College of Commerce, Lahore.</i> | | | | |
| 1 | Chiranjiva Lal, Esq. . . | Part-time Lecturer in Law. | Hindu .. | No .. | .. |

NOTE.—Dr. J. N. Khosla who is a whole-time employee of the University and works both as a part-time Lecturer in the University Political Science Department and a part-time Lecturer in the Law College has been shown under the Law College.

SUB-INSPECTOR OF POLICE, PHILLAUR.

*8. **Master Kabul Singh** : Will the Honourable Premier please state—

- (a) whether it has come to his notice that the Bar Association Phillaur, passed a resolution on 27th August, 1936, condemning the behaviour of the Sub-Inspector of Police, Phillaur, towards Sardar Ajit Singh, Pleader, Phillaur ;
- (b) if the answer to (a) above be in the affirmative, the action taken in the matter, if any ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the information is not available. It is being collected and will be supplied to the honourable member when it is received.

SEARCHES MADE BY POLICE OF THE OFFICES OF SHIROMANI AKALI DAL, ETC.

*9. **Sardar Partab Singh** : Will the Honourable Premier kindly state—

- (a) whether it is a fact that searches of the offices of Shiromani Akali Dal, Shiromani Gurdwara Parbandhak Committee, Sarb Hind Sikh Mission, Gurdwara Committee, Nankana Sahib, Bombay Branch of Sarab Hind Sikh Mission, Darbar Sahib Committee and Akali leaders were carried on simultaneously on a large scale on the petition of one Khazan Singh complaining that Gurdwara funds were used for election purposes ;
- (b) whether it is a fact that not a single piece of paper was removed from the houses of the Akali leaders ;
- (c) whether it is a fact that a number of papers were removed from various Committees' offices containing accounts of many previous months, although the complainant complained only about January and February accounts ;
- (d) whether anything incriminating has been found so far in papers mentioned in (a) above ;
- (e) whether it is a fact that the Inspector of Police in charge of the enquiry told Master Tara Singh that the papers and books in the custody of the police may not be looked into for another six months ;
- (f) whether it is a fact that the said enquiry Inspector demanded from Darbar Sahib Committee on the 26th March, 1937, accounts of Rs. 20,000 which were given in March by the said committee to the Sarab Hind Sikh Mission on 26th March, 1937 ;
- (g) the reasons why these accounts of March were demanded when the complaint did not cover the month of March ;
- (h) whether it is a fact that the police has taken possession of the account books, vouchers, balance sheets and audit reports of the Shiromani Gurdwara Parbandhak Committee for years 1934, 1935 and 1936 ;

(i) whether it is a fact that the Inspector of Police has taken into custody the vouchers of Sarb Hind Sikh Mission of Khalsa College, Bombay, given to Darbar Sahib Committee ;

(j) whether the said enquiry will be limited to the complaint in hand in this case ?

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

(b) No. In several of the house searches a number of documents were recovered relating to the investigation.

(c) Yes. In certain cases papers were found containing accounts relating to the financial year 1936-37 as well as to the months of January and February, 1937, and some of these were taken into custody.

(d) The case is still under inquiry, and it cannot yet be said whether the documents are incriminating or not.

(e) No. Master Tara Singh was informed that the documents seized could not be returned until they had been examined.

(f) On the 26th March the following documents were requisitioned by the police from the superintendent of the office of the local Gurdwara Committee—

(1) Authenticated copy of the Scheme of Management issued by the Judicial Committee on the 24th February, 1937.

(2) Vouchers received from the Sarb Hind Sikh Mission, Amritsar, and Bombay, up to date.

(3) Records showing the total sums of money so far paid to both these Missions by the local Gurdwara Parbandhak Committee, Amritsar.

(g) Because they were relevant to the investigation.

(h) No. The account books and vouchers for the financial year 1936-37 together with the audit report and balance sheet of the Shiromani Gurdwara Parbandhak Committee for the year 1935-36 have been taken into possession.

(i) Yes.

(j) The scope of the investigation cannot be foretold until it has been completed.

Diwan Chaman Lall : I only want the Honourable Member to find out the number of times the searches were made and to place the information before the members.

Premier : Yes, if the honourable member would give me a formal notice.

Diwan Chaman Lall : Will the Honourable Member take this as the formal notice ?

Premier : No.

Diwan Chaman Lall : Why not ? Is it because the Honourable Member has not taken the trouble.... ?

Mr. Speaker : Order, order. According to our Business Rules the honourable member has to give notice of his question.

Diwan Chaman Lall : Mr. Speaker, may I ask your ruling on this point? When a question is tabled, is it not proper for the Honourable Member in charge to obtain all the relevant information regarding that question?

Premier : Not beyond the scope of the question.

Diwan Chaman Lall : Is this question beyond the scope of the question?

Mr. Speaker : The honourable member's questions are inadmissible.

Diwan Chaman Lall : Will the Speaker be pleased to look...?

Mr. Speaker : I have ruled that the honourable member's question are out of order.

Diwan Chaman Lall : A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance—

Mr. Speaker : Order, order. Under rule 14 a supplementary question can be asked only for the purpose of further elucidating any matter of fact regarding which an answer has been given. What facts in the Honourable Premier's answer require elucidation?

Diwan Chaman Lall : May I elucidate the point? The point is that an answer has been given regarding information required in connection with the searches that have taken place of certain offices. I want the facts relating to that particular matter, namely, the number of searches that have taken place.

Mr. Speaker : What facts have been stated in the Honourable Premier's reply of which the honourable member wants elucidation?

Diwan Chaman Lall : The facts stated are that searches have taken place, and the elucidation I want is as to the number of searches.

Premier : I submit that this question goes beyond the scope of the original question. The question asks whether searches were carried on simultaneously on a large scale on the petition of one Khazan Singh. My answer is 'yes.'

Diwan Chaman Lall : The question asks whether searches were carried on simultaneously on a large scale. I want to ascertain how many times the searches were carried on. The number of times is certainly covered by the expression 'large scale.'

Mr. Speaker : If the honourable member gives notice of his question, he will get an answer in due course.

Diwan Chaman Lall : That is a different matter. I should like to have your ruling as to whether the Honourable Premier should be prepared to take verbal notice of the question or not.

Mr. Speaker : A notice of a question has, under the Rules, to be given in writing to the Secretary of the Assembly and not verbally and direct to a Minister on the floor of the House. A verbal notice of a question given direct to a Minister or any one else, is not permissible under our Rules of Business.

Diwan Chaman Lall : May I offer a word of personal explanation?

Mr. Speaker : No.

Diwan Chaman Lall : May I raise a point of order? It has been the rule of this House and of all other similar Houses that when a supplementary question is put asking for information on the basis of the question of which notice has been given, that supplementary question is considered to be within the ambit of the original question and the Honourable Minister concerned takes notice of the question and gives the available information.

Mr. Speaker : I have given my ruling and I stick to it.

Sardar Partab Singh : Is the Honourable Minister aware that all letters and documents of the professor were taken away including the letter of recognition of the Khalsa College?

Premier : I am afraid I cannot detail all the documents. If he will give notice of the question I may be able to collect the information he wants.

Sardar Partab Singh : May I know whether the Government has made up its mind as to whether the prosecution should be launched at all?

Premier : It is not a prosecution by Government?

Sardar Partab Singh : Is it a fact that the Sub-Inspector, or whoever was in charge of the enquiry, has sent a report to the higher authorities of Government to know whether a case should be started?

Premier : I am afraid it is not in the public interest to answer this question.

DETENTION AND INTERNMENT OF PERSONS WITHOUT TRIAL.

*10. **Lala Duni Chand :** Will the Honourable Premier please state—

- (a) whether he is aware that Mr. Ihsan Elahi, Master Gajjan Singh and several other persons are detained without any trial in the Punjab jails or interned within specified areas;
- (b) the duration for which they have been detained or interned;
- (c) whether it is proposed to order their immediate release; if not, the reasons for further detention and internment of these persons;
- (d) whether the Punjab Government is contemplating the removal of ban upon Khan Abdul Ghaffar Khan of North-West Frontier Province with regard to his entry in the Punjab?

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

(b) In some cases one year or less; in others until Government are satisfied that release will not be to the detriment of public order and safety.

(c) No, for reasons that are clear from (b).

(d) No.

Lala Duni Chand : Does the Honourable Premier know that Mr. Ihsan Elahi has been under detention without any trial for the last seven or eight years?

Premier : Yes. I have said so in part (a) of the answer.

Diwan Chaman Lall : May I know whether an enquiry has taken place into the cases of these two gentlemen?

Premier : Not during the last two months. I cannot say whether an enquiry took place before.

Diwan Chaman Lall : May I take it that the Honourable Premier does not know whether an enquiry took place before two months?

Premier : I took charge of this office just over two months ago.

Diwan Chaman Lall : May I know whether the Honourable Premier^r intends instituting an enquiry into the cases of these two gentlemen?

Premier : I may for the information of the honourable member and of other honourable members say that the cases of all these people are examined periodically.

Lala Duni Chand : Is it true that Master Gajjan Singh was interned because he was about to take part in arranging a certain conference at Khanna?

Premier : No, he was interned because he was about to act in a way detrimental to public interest and safety.

Lala Duni Chand : Will the Honourable Premier please give any facts from which the House can judge whether these people have been rightly interned?

Premier : I am afraid I cannot do so without proper notice.

Diwan Chaman Lall : Will the Honourable Premier please say what is the period fixed for enquiring into these cases?

Premier : In some cases examination is made every month.

Diwan Chaman Lall : By what method?

Premier : We get monthly reports of the activities of the various persons and also the conditions prevailing in the province. If Government is satisfied with respect to any particular internee that his release would not be contrary to the interests of public safety and tranquillity of the province the restrictions are relaxed or removed.

Diwan Chaman Lall : Is the action purely executive or judicial?

Premier : It is purely executive action and not judicial.

Diwan Chaman Lall : Will the Honourable Premier consider the advisability of taking judicial action in this matter?

Mr. Speaker : Is that a request for action or a supplementary question to elucidate the facts stated in the answer?

Diwan Chaman Lall : Is the Honourable Premier prepared to take judicial action? Has he decided to take judicial action?

Premier : I have not decided to take judicial action.

Lala Duni Chand : If it is a fact that he is a man of essentially non-violent and peaceful nature, why is it that Khan Abdul Ghaffar Khan has been banned entering into the province?

Premier : I do not consider it expedient to express an opinion on that point.

Diwan Chaman Lall : Will the Honourable Premier please say whether his entry into the Punjab has been banned because of the instructions of the Government of India or because of the instructions of the local Government ?

Premier : I cannot give a reply to that question off-hand, because the ban was placed long before I assumed office.

Diwan Chaman Lall : Does the Honourable Premier admit that it is a denial of elementary human right to ban Khan Abdul Ghaffar Khan ?

Premier : No.

Diwan Chaman Lall : Has the Honourable Premier considered his case since he took up office ?

Premier : Yes.

Diwan Chaman Lall : What is the conclusion that the Honourable Premier has come to ?

Premier : I am not prepared to divulge my conclusions.

Diwan Chaman Lall : What does the Honourable Premier apprehend if Khan Abdul Ghaffar Khan is allowed into the Punjab ?

Premier : It would be detrimental to public safety and tranquillity.

Diwan Chaman Lall : In what precise manner would it be detrimental to the Punjab ?

Premier : I am not prepared to enter into an argument.

Diwan Chaman Lall : Has the Honourable Premier decided to take a referendum of the people of the Punjab to find out whether his entry into the Punjab would be detrimental or not ?

Sardar Lal Singh : What are the facts on which it was considered that his entry would be a danger to the peace of the province ?

Premier : I have nothing to add to the reply which I gave to the honourable member representing the East Punjab, Labour constituency.

URMAR TANDA MUNICIPAL COMMITTEE AND ITS AFFAIRS.

*11. **Sardar Hari Singh :** Will the Honourable Minister of Public Works kindly state—

- (a) whether he is aware of the fact that the employees, sweepers in particular, of the Municipal Committee of Urmur Tanda, district Hoshiarpur, have not received their pay and wages for the last three months ;
- (b) whether it is a fact that this state of affairs was brought to the notice of the Deputy Commissioner, Hoshiarpur, by Mr. Baldev Mittar Bijli of Urmur Tanda at the time of the said officer's visit to Urmur Tanda about the middle of March ?

[S. Hari Singh.]

- (c) whether it is a fact that the Deputy Commissioner instructed the Municipal President to remedy the state of affairs and pay up the arrears of pay due to the poor employees ;
- (d) what action the Government propose to take further to set matters right ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The salaries for January and February were paid in April, and the Deputy Commissioner writing on 6th May reported that only the salaries for March were then due.

(b) and (c) Yes.

(d) The Municipal Committee explained that it could not pay its staff for want of funds. To avoid such delays in future it has decided to reduce its expenditure and impose a 10 per cent. cut on the pay of its staff drawing more than Rs. 10 per mensem. The committee has been asked to arrange to pay its staff on the first working day of each month in future.

CLAIMS OF PERSONS WITH M. R. C. V. S. DEGREE TO BE RECRUITED
FOR THE TEACHING STAFF OF THE PUNJAB VETERINARY
COLLEGE.

***12. Sardar Muhammad Hussain :** Will the Honourable Minister of Development be pleased to state—

- (a) the total number of posts on the staff (excluding the clerical staff, of the Punjab Veterinary College and the number of such posts which are occupied by persons holding the M. R. C. V. S. degree ;
- (b) the number of persons holding the M. R. C. V. S. degree, who are registered as candidates for appointments in the Punjab Veterinary College and period for which they have been waiting for appointments ;
- (c) the number of posts on the College staff which are about to fall vacant in the near future ;
- (d) whether it is a fact that persons holding the M. R. C. V. S. degree are superior in qualification to persons trained locally ;
- (e) whether Government intend to pay due regard to the claims of persons with the M. R. C. V. S. qualification in future recruitments to the College staff ;

The Honourable Chaudhri Sir Chhotu Ram : (a) 20, including the Veterinary Investigation Officer who is paid out of the funds of the Imperial Council of Agricultural Research. Of these, five are officers holding the diploma of M. R. C. V. S.

- (b) No such register of candidates is maintained.
- (c) None.
- (d) Yes.

(e) Yes, with due regard to the recommendations of the Punjab and North-West Frontier Province Joint Public Service Commission and the rules governing recruitment to the Punjab Veterinary Services, Class I and Class II.

PRESS IN THE PUNJAB.

***13. Malik Barkat Ali :** Will the Honourable the Premier be pleased to lay on the table a statement showing :—

- (a) the newspapers, both vernacular and English including weeklies, which are printed and published within the province ;
- (b) the circulation enjoyed by each such newspaper as officially reported to Government ;
- (c) the names of those newspapers which are entered in the White List maintained by the Punjab Government ;
- (d) the names of those newspapers which are entered in the Black List, if any, maintained by the Punjab Government ; and
- (e) when the system of maintaining White and Black Lists of newspapers in the Punjab was first introduced in this province and whether these lists are being regularly maintained ever since ?

The Honourable Major Sir Sikander Hyat-Khan : (a) There are no less than 650 newspapers and periodicals printed and published in the Punjab, and the expense of setting out the information requested appears to be incommensurate with any value which can be extracted from the list.

(b) As in the past publishers have objected to Government publishing an estimate of their circulation, I do not propose to answer this part of the question.

(c) It is not in the public interest to give the information asked for.

(d) None.

(e) No Black List is at present maintained. The system was introduced in April, 1913, but was abolished in July, 1921. Since then a White List has been maintained.

Sardar Hari Singh : What is the criterion adopted in making entries in the White List and the Black List ?

Premier : There is no such thing as a Black List. I have already said that.

Sardar Lal Singh : In the White List ?

Premier : If the honourable member would wait, he will probably get the information in reply to another question.

Sardar Lal Singh : For exclusion from the White List ?

Premier : That information also will be available in that reply.

POLITICAL INTERNEES IN THE PUNJAB.

***14. Malik Barkat Ali :** Will the Honourable the Premier be pleased to lay on the table a statement showing :—

- (a) the political internees of the Punjab on 31st March, 1936, with their full names and descriptions ;
- (b) the Statute or Regulation under which they were interned ;
- (c) the length of time during which they have been in internment ;
- (d) the authority by whose order they were interned ;
- (e) which of the said political internees have been released since the 1st of April, 1937.

The Honourable Major Sir Sikander Hyat-Khan : If the honourable member will inform me what he means by " political internees ", I will endeavour to have the information collected.

Malik Barkat Ali : With reference to the answer given by the Honourable Premier, my simple submission is that the word " internee " sufficiently expresses itself, namely, all those persons whose liberties have been interfered with or who have been detained otherwise in due course of law.

Premier : Now that the honourable member has made his meaning clear and if he sends a proper notice in writing, I will try to collect for him the required information. He should make it clear whether he wants information with regard to the Criminal Law Amendment Act or other enactments also.

Malik Barkat Ali : Including the Criminal Law Amendment Act and other Acts.

 PIR KAKU SHAH'S CASE.

***15. Malik Barkat Ali :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that a deputation of Muslims under the leadership of Maulvi Sir Mohammad Yaqub waited on His Excellency the Governor of the Punjab in the summer of 1936 at Simla and pressed on him the necessity of filing an appeal against the judgment of Mr. Sale, Sessions Judge, acquitting the accused charged with the demolition and desecration of the tomb of Pir Kaku Shah ;
- (b) the reply given to the deputatio nists by His Excellency on behalf of Government ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. The deputation was received by His Excellency the Governor in Council. The Honourable Member for Finance, Sir Donald Boyd, the Chief Secretary, Mr. Puckle, and the Legal Remembrancer, Mr. Anderson, were also present.

(b) The question of filing an appeal was discussed from all points of view. As no decision had been reached by Government either way, none was communicated to the deputation ; nor was any promise made that any appeal would be filed.

ANNUAL EXODUS TO THE HILLS.

*15. **Malik Barkat Ali :** Will the Honourable the Premier be pleased to state whether he considered the question of the annual exodus of the Punjab Government to the hills before this year to Simla and whether he intends to discontinue this practice for the future at any rate ?

The Honourable Major Sir Sikander Hyat-Khan : Yes ; the Government did consider the question. It has two sides—

(1) Financial :

(2) Administrative.

2. The financial aspect was considered by the Retrenchment Committee in 1931. The cost of the annual move of the Punjab Government to Simla at that time was estimated at not less than Rs. 1,15,000 and not more than Rs. 1,25,000. The Committee recommended in favour of continuance of the move for the following reasons :—

“ Much more and much better sustained work of the kind which is done in the Secretariat can be done in the climate of Simla than in the climate of Lahore. If Government remained in plains, it would be necessary to give Secretariat staff casual leave for two periods of 10 days each. Leaving aside clerical establishment there are 47 officers who go to Simla. Allowing 8 days for the move up and down when the offices close, the grant of 20 days' casual leave to each of them will involve a loss of about 560 working days, which is equivalent to about two years' work of one Secretary to Government, or in terms of cash equivalent to Rs. 65 to 70 thousand. The Secretariat offices attached to the Council building are not adapted for hot weather use and it would be necessary to make extensive and very expensive alterations. There would be also certain charges, such as charges for electricity, to set against the saving by the abandonment of the move. We doubt in fact whether the abandonment of the move would result in any considerable saving and it would certainly be detrimental to work.”

These considerations still apply. The actual cost of the move is being examined and will be communicated to the Assembly later in the session in reply to another question, but in the meantime the conclusions of the Retrenchment Committee still hold the field.

3. On the Administrative side it must be remembered that Secretariat work, whether of officers or clerks, is done at very high pressure. A Secretary gets no leave ; there is not, for instance, a day in the year on which several of the Secretaries and Ministers are certain of having no files. Secretaries and clerks are working on all holidays including Sundays ; for the fact that it is a holiday is not accepted as an excuse for not dealing with a case marked “urgent.” If work at this pressure is to be done properly it must be done under the most favourable conditions possible. During the hot weather the Secretaries and clerks cannot keep up the pressure of work without serious detriment to the quality of work turned out and the whole administration of the province depends on the quality of work turned out by the Secretariats. If the move to Simla were abandoned a general fall in standard of work would almost inevitably follow.

4. Apart from the above considerations it may be added that—

(1) the capital cost of buildings in Simla owned by the Punjab Government and occupied either as offices or residences by migratory officers and their staff is over Rs. 23 lakhs, and if

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Government does not move up to Simla in the hot weather, there will be a sharp fall in the value of this property, probably amounting to something like 50 per cent., and a corresponding fall in rents ;

- (2) most of the property in Simla is owned by citizens of the Punjab who will lose heavily in the same way ; and
- (3) the Municipal Committee will also be put to similar loss, and trade and private business will also greatly suffer.

Sardar Hari Singh : Will the Honourable Premier please state whether he received a request from the Leader of the Opposition to the effect that Simla exodus should be given up as far as the holding of the session was concerned ?

Premier : Yes ; we exchanged views about the matter.

Sardar Hari Singh : Was that request considered ?

Premier : It certainly was.

Sardar Hari Singh : On what ground was it rejected ?

Premier : We have not yet got a suitable building at Lahore. Next year it will not be necessary to hold a meeting in Simla.

Sardar Hari Singh : Was there any other ground for rejecting the request about the meeting of the Assembly ?

Premier : No.

Sardar Lal Singh : Is the Honourable Premier aware of the fact that many of the members here are faced with two alternatives, either to pay most exorbitant rents and live in Simla and attend the session or to absent themselves from the session ?

Premier : My own personal view and I believe the view of many of the members is that the daily allowance allowed to members is sufficient to cover that cost.

Dr. Gopi Chand Bhargava : Will the Honourable Premier inform us whether the climate of Lahore and the climate of Allahabad and Lucknow is the same and whether the United Provinces Government has moved to the hills or not ?

Premier : I suggest the honourable member should consult meteorological reports.

Malik Barkat Ali : May I know whether according to the Honourable Premier the annual exodus of the Punjab Government will remain an eternal matter in view of the fact that the considerations on which his reply is based will continue to eternity ?

Premier : My own personal inclination is that I will be glad to leave Simla if somebody would be prepared to buy our property here. We can then go to some other suitable hill station which might be less expensive.

Malik Barkat Ali : As this cannot be, the exodus may be taken as a perennial feature of the Punjab Government ?

Premier : May have to be, for the present.

Sardar Sampuran Singh : Is the property for the Punjab Government or the Punjab Government for the property that they must come to occupy it.

Premier : They are inseparable.

Sardar Hari Singh : Who takes care of the property in the winter season ?

Premier : *Chaukidars* naturally.

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PRESS IN THE PUNJAB.

***17. Malik Barkat Ali :** Will the Honourable the Premier be pleased to lay on the table a statement showing :—

- (a) the newspapers and presses in the Punjab whose publishers and keepers respectively were under security on the 31st of March, 1936 ;
- (b) the amount of security in each case ;
- (c) the newspapers whose publishers were called upon to furnish security since 1st April, 1937, and whether this security was furnished or not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) A statement containing the required information is laid on the table.

(c) Since the 1st of April the local Government has demanded security from the publisher of one paper only, *viz.*, the *Shan-i-Haq*, Gujranwala. Government has not yet heard whether this security has been deposited ; nor has Government information as to the newspapers from whose publishers local magistrates have demanded security.

A statement showing the names of newspapers and printing presses on security under the Indian Press (Emergency Powers) Act, XXIII of 1931, as it stood on 31st March, 1936.

| 1 | 2 | 3 | 4 |
|-------------------------|--|--------------|----------|
| Serial No. | Name of newspaper or printing press. | Amount. | REMARKS. |
| (a) NEWSPAPERS. | | | |
| (Under section 7 (3)). | | | |
| 1 | <i>Milap</i> (Lahore) | Rs. 3,000 | |
| 2 | <i>Ihsan</i> (Lahore) | 500 | |
| 3 | <i>Arya Gazette</i> (Lahore) | 1,000 | |
| 4 | <i>Zamindar</i> (Lahore) | 3,000 | |
| 5 | <i>Sat Jug</i> (Bhainiwalla, district Ludhiana). | 500 | |

[Premier.]

| 1 | 2 | 3 | 4 |
|------------------------|--|------------|---|
| Serial No. | Name of newspaper or printing press. | Amount. | REMARKS. |
| (Under Section 7 (1)). | | | |
| 6 | Matwala (Lahore) | Re. 200 | Security was refundable after 13th May, 1935. The publisher has now claimed refund of the same and it has been refunded to him. |
| (b) PRINTING PRESSES. | | | |
| (Under section 3 (3)). | | | |
| 1 | Narain Press, Dera Ghazi Khan .. | 500 | |
| 2 | Gilani Electric Press, Lahore .. | 1,000 | |
| 3 | Misri Electric Press, Lahore .. | 500 | |
| 4 | Karimi Press, Lahore | 1,000 | The press closed down and security refunded to the keeper on 30th July, 1936. |
| 5 | Co-operative Steam Press, Lahore.. | 1,000 | The press went under voluntary liquidation in 1936 and closed down. The security was thus refunded to the keeper. |
| 6 | Sat Guru Ram Hari Press, Bhaini- alla, district Ludhiana. | 500 | |
| (Under section 3 (1)). | | | |
| 7 | Plaza Art Press, Lahore | 500 | Security refunded in July, 1936, under section 3 (2) of the Act. |
| 8 | Popular Printing Press, Gujar Khan, district Rawalpindi. | 500 | The security was refundable after 27th April, 1936, but the keeper has not claimed refund so far. |
| 9 | Qureshi Printing Press, Lahore .. | 500 | Security refunded under section 3 (2) in July, 1936. |
| 10 | Vishnu Art Press, Lahore | 500 | Security refunded under section 3 (2) in July, 1936. |
| (Under section 5 (1)). | | | |
| 11 | Nav Yug Press, Lahore | 1,000 | |

ADDRESS BY DR. VISHWA NATH, PRESIDENT, SOCIAL SERVICE
CONFERENCE.

*18. **Lala Duni Chand** : Will the Honourable Minister of Education kindly state—

(a) whether his attention has been drawn to an address by Dr. Vishwa Nath, President of Social Service Conference, which appeared in the *Civil and Military Gazette* of 25th April, 1937, and other

newspapers and in which he stated that in the year 1935 nearly 14 million people attended Government hospitals and dispensaries in the Punjab ;

- (b) whether his attention has also been drawn to a statement made in the said address regarding the paucity of dispensaries in rural areas and the desirability of introducing the system of subsidized practice by qualified men in rural areas ; if so, whether the Government intends to increase the number of rural dispensaries and introduce the system of subsidized practice ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes. In 1925 with a view to attaining the ideal of providing one dispensary for the mean of 30,000 population and 100 square miles Government decided to open 875 rural dispensaries. Of these 360 dispensaries have already been opened ; the remaining 15 had to be suspended on account of paucity of funds.

The scheme of " subsidized dispensaries " is being tried in the Attock, Montgomery and Lyallpur districts, but the reports so far received are not encouraging. The scheme is still in the experimental stage and if it eventually proves successful it is intended to extend it to other districts.

Sardar Kapoor Singh : Have some rural dispensaries been closed ?

Minister : Yes, one was closed in your district.

Sardar Kapoor Singh : How many have been closed in the Ferozepore district ?

Minister : I cannot say off hand.

Sardar Kapoor Singh : How many rural dispensaries had been opened in the district of Ferozepore ?

Minister : I require notice of this question.

Sardar Hari Singh : Will the Honourable Minister please state whether he has gone into the reasons for these dispensaries not being a success ?

Minister : Report has not yet been submitted to the Government. These dispensaries are still in an experimental stage.

Lala Duni Chand : Recently a conference was held for considering the question of medical relief in rural areas. Will the Honourable Minister please state what decisions have been arrived at ?

Minister : The suggestion before the conference was that the doctors in charge of these rural dispensaries be required to tour and go to the neighbouring villages and grant medical relief. As it involved financial considerations, the scheme has not been granted for the whole of the province, but as an experiment it is going to be tried in five districts.

Lala Duni Chand : How long will the scheme take to materialise ?

Minister : We hope to do something next year.

Sardar Kapoor Singh : Has the grant previously made for this purpose been reduced ?

Minister : The grant was reduced for some time, but it has again been reinstated.

Lala Duni Chand : Is the Honourable Minister prepared to accept the suggestion that medical practitioners should be granted subsidies and that this is the only way of really supplying medical aid to rural areas ?

Minister : That was accepted some time back and it is being experimented upon.

Sardar Kapoor Singh : Is the Government prepared to open the dispensaries which have been closed in some districts ?

Minister : We are looking into these cases.

Lala Duni Chand : Will the Honourable Minister please give us an idea as to the private practitioners who have been granted subsidies ?

Minister : I am afraid I cannot give particulars now.

Sardar Kapoor Singh : Will the Honourable Minister please go into the question as to why in some districts there are as many as 17 dispensaries and in others there are only 5 ?

Minister : Government is looking into this question.

Lala Duni Chand : Is he aware that in certain cases there is no medical aid available within a radius of 20 miles ?

Minister : There are such places and we are doing all we can to give relief.

Lala Duni Chand : Is it true that thousands of people are dying on account of insufficient medical aid being available ?

Minister : I will not subscribe to this proposition.

Lala Duni Chand : Will the Honourable Minister be pleased to state whether he subscribes to the proposition that people are suffering from many preventible diseases simply because there is no medical aid available to them ?

The Honourable Major Sir Sikander Hyat-Khan : There are only 25 minutes more left for answering questions.

Lala Duni Chand : Do these preventible diseases lead to deaths also ? *(Laughter).*

Minister : Sometimes.

MATERNITY HOSPITAL, LAHORE.

***19. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the object of starting the Maternity Hospital at Lahore was to give practical training to the Indian students in midwifery and if so, whether they are being given full facilities in this behalf ;
- (b) whether it is a fact that ordinarily Indian students are not allowed to handle or even to observe the midwifery cases of European and Anglo-Indian patients ;
- (c) the Government expenditure per patient as distributed over European and Anglo-Indian patients and Indian patients admitted into the Maternity Hospital at Lahore ?

The Honourable Mian Abdul Haye : (a) Yes. Full facilities are given to the Indian students as far as the present accommodation in the hospital permits.

(b) The distinction is between the private wards and the general wards. All patients in the general wards are required to submit themselves as cases for study by the medical students. Patients in the private wards are not required to do so, whether they are Europeans or Indians.

(c) The average expenditure per patient (including private patients) is Rs. 51·06 in the case of Europeans and Anglo-Indians and Rs. 63·76 in the case of Indians.

Lala Duni Chand : Will the Honourable Minister be pleased to inquire from the President of the Medical College Union whether it is a fact that Indian students are not allowed those facilities that others are allowed ?

Minister : Information available to the Government shows that these facilities are allowed to them in General wards but not in Private wards.

Lala Duni Chand : What is the source of the information ?

Mr. Speaker : Order, order.

FAMILY WARD IN MAYO HOSPITAL, LAHORE.

***20. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state whether it is a fact that a substantial part of the fees charged from Family Ward patients in Mayo Hospital, Lahore, is paid to the doctors attending on them ; if so, why ?

The Honourable Mian Abdul Haye : Yes. In the terms of the conditions of their service Medical Officers are entitled to private practice which includes treatment of patients in the Family Wards of the Mayo Hospital, Lahore. The fees charged are in accordance with a fixed scale prescribed by Government.

BASHESHAR LALL HALWASIA CHARITABLE TRUST, BHIWANI.

*21. **Lala Duni Chand :** Will the Honourable Premier be pleased to state :—

- (a) whether it is a fact that the late Rai Bahadur Bissessur Lall Halwasia, a wealthy citizen of Bhiwani, created a charitable trust by his last will, dated 16th July, 1925 and left property worth above 70 lakhs of rupees for charitable purposes and laid down in the will that the major portion of the bequest was to be spent at Bhiwani, in Hissar District ;
- (b) whether it is a fact that complaints disclosing offences of criminal breach of trust and other serious offences were filed by Mr. K. A. Desai of Bhiwani against the trustees of the said charitable trust in the city police station, Bhiwani (case No. 58 of 1933), and consequently investigation of some of the offences committed in Calcutta were entrusted to the Calcutta Police Detective Department by the Punjab Police Criminal Investigation Department, and the Calcutta Police Detective Department arrested and challaned two of the trustees, Sri Kishen Beriwalla and Nand Kishore Bansal of Hissar ;
- (c) if answer to (b) above be in the affirmative, whether the final result of the cases, started by the Calcutta Police against the trustees has been communicated to the Punjab Criminal Investigation Department ;
- d) whether it is a fact that during the investigation by the Criminal Investigation Department, Punjab, Inspector Munshi Ram of the Punjab Criminal Investigation Department had clearly stated to the Assistant Inspector-General, Criminal Investigation Department, Punjab, in his report that some of the trustees could be successfully prosecuted in the Punjab and sought orders to arrest them ; if so, whether he will place on the table of the House the report of the investigating officer, Munshi Ram ;
- whether it is also a fact that in spite of this report of embezzlement and misappropriation of large sums of money, no arrests were made and the cases were filed as 'Untraced' ;
- (f) if the answer to (e) above be in the affirmative, the reasons for taking no action, and whether the Government intends to start a case now ?

The Honourable Major Sir Sikander Hyat-Khan : (a) It is a fact that Rai Bahadur Bissessur Lall left a will creating a charitable trust, the proceeds of which were to be spent for the benefit of the inhabitants of Bhiwani in the Hissar district. The amount of the trust money is not known.

(b) Yes.

(c) It is a fact that Inspector Munshi Ram was of opinion that criminal offences had occurred and asked for orders regarding action to be taken against the offenders.

(d) It is not in the public interest to lay this report on the table.

(e) and (f) In spite of the Inspector's report it was not considered that there was sufficient proof of embezzlement in the Punjab to justify proceeding with the case, and it was filed.

Lala Duni Chand : Is the report of an investigating officer a State document and therefore confidential? Why should it not be in the interests of public to disclose the report of an investigating officer?

Premier : It is not the practice of the House to lay on the table confidential reports submitted by officers in their official capacity.

Lala Duni Chand : Will he make it the practice in future?

Premier : No.

Dr. Sir Gokul Chand Narang : Is this the invariable practice that reports made by officials are never placed on the table of the House?

Premier : No.

Dr. Sir Gokul Chand Narang : That is what the Premier's answer led us to suppose.

Premier : No. He was dealing with a specific case.

Dr. Sir Gokul Chand Narang : But the answer was in general terms.

Premier : His question related to a specific case.

Lala Duni Chand : Was the report of Lala Munshi Ram referred to the legal advisers of the Government? If so, what was their opinion?

Premier : That there was not sufficient ground for starting criminal proceedings.

Lala Duni Chand : Who were the legal authorities consulted?

Premier : I am afraid I cannot give off-hand the names of legal authorities consulted but probably it must have been the law officers of the Crown.

TERMINAL TAX REVISED SCHEDULE.

***22. Lala Duni Chand :** Will the Honourable Minister of Public Works be pleased to state :

(a) whether it is a fact that the terminal tax revised schedule was sanctioned by the Ambala Cantonment authorities in the beginning of 1934 and forwarded for approval to the Government, if so, whether it is also a fact that no action has since been taken in the matter of the approval of the schedule ;

(b) whether he is aware that this delay in approving the revised schedule and the fact that the old schedule is still in force have resulted in great injury to the taxpayers ;

(c) if the answers to (a) and (b) above be in the affirmative the reasons for this delay ;

(d) whether Government intends to approve the above-mentioned schedule ; if so, how long it will take to enforce it ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) A proposal for the revision of the Ambala Cantonment terminal tax schedule was received from the Cantonment Authority in May, 1934. The matter has since been the subject of correspondence between the provincial Government, the military authorities and the local civil officers. The chief reason for the delay lies in the fact that there is a joint system for the collection of terminal tax in the Cantonment and the Sadr Bazar Municipality ; it is consequently necessary for the schedules of the two bodies to be brought into consonance.

(b) Government have no reason to believe that any serious inconvenience has been caused to the public.

(c) This has been dealt with in the reply to part (a).

(d) Government has already accepted the principle that a revision of the schedule is required. It is not possible to mention a date by which the revision will be complete.

Lala Duni Chand : Why has it taken three years to decide an ordinary question like this ?

Minister : I have already explained. The matter has been with the Military authorities for consideration.

Lala Duni Chand : Can the Honourable Minister of Public Works give us any idea as to the period which further correspondence will take in the matter ?

Minister : The Government is trying to expedite the matter. No period can be specified.

SCARCITY OF WATER IN AMBALA CITY.

*23. **Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state :—

- (a) whether it is a fact that Ambala City has been for a long time suffering from scarcity of water and that in spite of several proposals having been made during the last 30 years or so to remove scarcity of water, nothing appreciable has been done so far ;
- (b) if the answer to (a) above be in the affirmative, whether Government intends to take any steps to solve this problem ; if so, what and when ;
- (c) whether it is a fact that a tube well sunk by the Electricity Company and several other ordinary wells sunk by private persons have been successful ; if so, whether Government intend to order the sinking of a number of wells at Government cost for the use and benefit of the general public ;
- (d) whether it is also a fact that at a distance of four or five miles from Ambala City the tap water is supplied in the Cantonment area all the twenty-four hours while in the Municipal area it is supplied for only six hours a day, if so, how the problem of scarcity of water has been solved in the Cantonment ?

The Honourable Mian Abdul Haye : (a) Ambala City has been suffering from shortage of water for a long time. Government has from time to time spent a considerable amount of money in search of water for this town, by boring and also on augmentation of the well sources of supply.

(b) Yes. This matter is under consideration at present, and a scheme has recently been submitted by the Superintending Engineer, Public Health Circle.

(c) A tube well sunk by the Electric Supply Company is yielding a small supply of water and two other wells have been recently finished and under test or about to be tested. The question of putting down tube-wells or tapping other sources of supply is under consideration.

(d) At Ambala Cantonment considerable augmentation of the water-supply has occurred of recent years due to provision of a very deep bore-hole. At Ambala Sadr Bazar and Ambala City the water supply is scarce.

Lala Duni Chand : Will the Honourable Minister of Education be pleased to give us an assurance that where his predecessors have failed, he will succeed and succeed very soon (*Laughter*).

Minister : I am hoping for the best and I gave the assurance to the honourable member when I visited Ambala last time.

Lala Duni Chand : Will the Honourable Minister of Education kindly see that a required sum is set apart for this purpose ?

Minister : I have asked for a very complete scheme from the Superintending Engineer concerned. As soon as that scheme is in the hands of the Government, it will be able to supply funds, but I do not know whether they would be adequate. I expect that the citizens of Ambala will come forward and supplement the funds by raising public subscriptions. This was done in Ludhiana thirty years ago.

Lala Duni Chand : Will the Honourable Minister of Education kindly take steps to induce the public of Ambala to subscribe towards the funds ? I had tried that but being an ordinary man, I could not succeed. (*Laughter*.)

Minister : I would appeal to the various bodies including the Congress.

MALBA.

*24. **Lala Duni Chand :** (i) Will the Honourable Minister of Revenue kindly state the legal authority under which *malba* is collected in villages and also the rules detailing the purposes for which the *malba* so collected should be used ;

(ii) If there be no such legal authority will he kindly state why and under what authority this practice is permitted in villages ?

The Honourable Dr. Sir Sundar Singh Majithia : (i) and (ii) There is no statutory provision authorising the collection of *malba* by the village communities. For rules dealing with the *malba* fund the attention of the honourable member is invited to paragraph 93 of the Punjab Settlement

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Manual, which also explains *malba* fund and the authority under which it is collected.

Sardar Partab Singh : Is the Honourable Minister of Revenue aware that the people of villages complained against the collection of *malba* ?

Minister : No complaints have been received so far.

Sardar Partab Singh : Will the Honourable Minister of Revenue kindly state that in case sufficient number of representations are made, the practice of *malba* collection will be abolished.

Minister : It is natural that when complaints are made, the matter will be looked into.

Sardar Kapoor Singh : Will the Government see that if the zamindars refuse to pay the *malba* they are not molested by the tahsildars and other authorities ?

Minister : How does the question arise ?

Sardar Sampuran Singh : We want an assurance from the Government that if people exercise their right of non-payment of *malba* for the collection of which there is no legal authority, will they be protected from molestation by the Government ?

Minister : It all depends on what sort of right people exercise and what action is taken by them. The question is whether it is actionable by the Police or not.

Sardar Partab Singh : For what purpose is the *malba* collected ?

Sardar Kapoor Singh : For years together this *malba* has been collected and no accounts have been rendered at all.

Minister : I do not know.

Malik Barkat Ali : In view of the fact that there is no legal authority sanctioning the collection of *malba*, will the Honourable Minister of Revenue kindly take steps to prevent the collection of *malba* ?

The Honourable Major Sir Sikander Hyat Khan : May I make that point clear ? It is with the consent of the villagers themselves that the *malba* is imposed. During the settlement operations, amongst other things, the question of *malba* is considered in consultation with the villagers themselves and it is only after their consent has been obtained that *malba* is imposed. The fund is a common fund used for the common purpose of people themselves.

Malik Barkat Ali : It comes to this then that if people refuse to pay *malba* they cannot be molested.

Premier : It will be a breach of contract.

Malik Barkat Ali : The Government can go to Courts for the collection of *malba* on that basis.

Sardar Sampuran Singh : What is the consideration for that contract ?

Minister : The services in the village.

Sardar Sampuran Singh : What services ? Will the Honourable Minister of Revenue kindly state how the people of the villages do services when the *malba* fund is distributed amongst them ?

Minister : They spend it as they like.

Sardar Sampuran Singh : Is there not a general revolt amongst the villagers regarding the collection of this *malba* .

Minister : No.

Sardar Hari Singh : Have the Government received reports from the Criminal Investigation Department regarding the hundreds of meetings held in the villages demanding the remission of *malba* ?

Premier : I can give information on that point. I have received reports that certain honourable members of this House and certain other gentlemen outside this House have been going from village to village preaching to people that they should not pay *malba*. Beyond that we have received no representation or complaint from the villagers.

Sardar Sampuran Singh : Is it a fact that the Honourable Premier presided over meetings at which protests against the collection of *malba* were made ?

Premier : When and where ?

Sardar Sampuran Singh : At Lyallpur.

Sardar Partab Singh : Certain villagers refused to pay *malba* and proceedings are going against them in Courts.

Premier : They are wrong in refusing to pay *malba*.

Malik Barkat Ali : Will the Honourable Premier give assurance that the executive authority of Government will not be used against those people who refuse to pay *malba* ?

Premier : I am a lay-man and speak subject to correction, but I can say off-hand that *malba* is realizable as land revenue.

Malik Barkat Ali : We have a definite reply of the Honourable Minister of Revenue that there is no legal authority behind the collection of *malba*.

Minister : I said " statutory ".

Malik Barkat Ali : Is the Honourable Minister aware of any authority which is not based on statute ?

Minister : I referred to section 98 of the Punjab Settlement Manual.

Sardar Kapoor Singh : At the time of payment of revenue, if *malba* is not included along with the land revenue the whole revenue is declined, and it is not accepted by the authorities.

Diwan Chaman Lall : If there is no statutory authority for the collection of *malba*, why are the executive authorities helping in the collection thereof ?

Premier : I am afraid there seems to be some confusion on that point. It could not be collected as land revenue unless there was a statutory authority for it.

Maulvi Mazhar Ali Azhar : I should like the Government to state whether the Government did not consider the question of remitting the *malba* in view of the financial stringency.

Premier : It will not be in the interest of the villagers to do so. It is a common fund and is meant for common purposes. You might take objection to the way in which it is operated but you cannot take objection to the fund itself which is in the interest of the villagers themselves.

Sardar Partab Singh : Will the Honourable Minister of Revenue assure us that.....

Minister : I cannot give you any assurance on that subject.

Dr. Sir Gokul Chand Narang : Will the Honourable Minister of Revenue state for what purposes this *malba* is used in the villages ?

Mr. Speaker : This has been answered already. The next question—

BEGAR.

***25. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that in spite of repeated orders of the Government *begar* or forced labour is still taken from the members of untouchable communities in many villages ; if so, what action is intended to be taken by the Government in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member's attention is invited to the answer given to question No. 9.¹

Lala Duni Chand : I want a reply to my question. My question is a starred one and not unstarred.

Minister : The honourable member's attention is invited to the copy of orders which is laid on the table.

Lala Duni Chand : I want to have a reply to the specific question and I am entitled to that.

Mr. Speaker : If a question asked by one honourable member is answered, the other honourable members should not repeat the same question.

¹See pages 270-72 *infra*.

Diwan Chaman Lall : Do we take it, Sir, that by your ruling the rights and privileges of a member to put starred questions can be robbed by another member who puts in unstarred questions of the same nature ?

Mr. Speaker : After a question is asked and answered it should not be asked again in the same session, especially after the answer is printed in the proceedings of the House.

Diwan Chaman Lall : This particular answer, I take it, has not been circulated to the members and I am one of those who have not received the reply to this unstarred question ; nor does this question appear in the proceedings of the Assembly. Therefore, it cannot be held that its answer has already been given.

Mr. Speaker : In that case I request the Honourable Minister to answer the question.

Minister : My reply is the same as to the unstarred question No. 9¹ put in by Master Kabul Singh and that is —

(a) No. (b) Does not arise. (c)

(Voices : That is not the answer to starred question No. 25).

Mr. Speaker : Order, order. It appears that the unstarred question No. 9¹ though identical in substance with the starred question No. 25, is not identical in form and arrangement. Therefore I would request the Honourable Minister to answer question No. 25. If he is unable to do so now, he may do it later.

Minister : I will give its reply later.

OFFICIALS TRAVELLING IN LORRIES.

*26. **Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it has been brought to the notice of authorities that officials in general and those of the Police Force in particular travel in licensed lorries free of charge and that this practice offers inducements to the lorry drivers to carry more passengers than allowed by the license ;

(b) what steps the Government propose to take to put a stop to this practice ?

The Honourable Dr. Sir Sundar Singh Majithia : Government are aware of the need for measures to check malpractices of this kind. So far as the police are concerned, special orders were issued by the Inspector General some months ago and are rigorously enforced. Appropriate action is also taken when officials of other departments are detected travelling free in buses.

Lala Duni Chand : Will the Honourable Minister of Revenue take any steps to verify the statement made in this connection ; if so, what steps ?

Minister : It has already been done and steps are being taken.

Lala Duni Chand : Will the Honourable Minister accept a statement from me that in every lorry—

The Honourable Major Sir Sikander Hyat-Khan : He has himself said that he has accepted the statement and these instructions were in consequence of that.

Sardar Sampuran Singh : These instructions are mere instructions. We want some definite action taken.

Premier : I will give you one instance. A system is being tried as an experimental measure in one of the important districts. There no police man is allowed to travel in a public lorry or bus without a pass which is issued by the Superintendent of Police or other gazetted officers. The amount of fare is deducted from the pay of the constable and handed over to the lorry owner. (A voice: In what district?) In the district of Rawalpindi.

FORESTS IN AMBALA DISTRICT.

*27. **Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that certain forests in Ambala district, formerly in possession of zamindars, have been taken over by the Forest Department and as a result of this they have been deprived of valuable rights such as the right of grazing and the right of taking wood for agricultural and building purposes ;
- (b) whether Government is aware that among the zamindars of Ambala district affected by the said act of the Forest Department, there prevails a feeling of uneasiness ;
- (c) whether it is true that the inhabitants of villages living near forest areas are very often prosecuted at the instance of forest guards for the alleged breaches of forest law and rules, and are heavily fined ;
- (d) whether the Government is aware of the existence of a feeling of resentment against these prosecutions ;
- (e) what measure Government proposes to take to redress these grievances ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No forests formerly in the possession of the zamindars have been taken over by the Forest Department and the proprietary rights of the villagers have not been affected in any way. No restrictions on grazing have been imposed, except with regard to the right of grazing sheep and goats for which full compensation has already been paid by the Government to the villagers. The villagers are allowed the use of wood for *bona-fide* agricultural and building purposes wherever available.

Note.—A draft notice has recently been submitted by the Deputy Commissioner, Ambala for consideration of Government, assuring the villagers that under no circumstances their proprietary rights will be affected in order to allay any existing suspicion on this score.

(b) On the contrary a considerable number of villages in Ambala Siwaliks have submitted voluntary applications for further restrictions under Section 5 of the Chos Act to facilitate re-establishment of forest growth being in no doubt as to the intention of the Government.

(c) The villagers are only prosecuted when they transgress the provisions of section 4 of Chos Act by grazing goats and sheep or for wanton destruction to common village property.

(d) The restrictions imposed are entirely for the benefit of the villagers and are meant to give indigenous vegetation a chance to recover. Public money (about Rs. 87,000) already paid in compensation would be wasted if no efforts were made to protect the village *shamilat* areas from sheep and goat grazing. The villagers are now gradually realising the benefits of these restrictions and are co-operating in ever increasing numbers.

(e) Does not arise.

COMMUNAL REPRESENTATION IN SERVICES.

***28. Lala Duni Chand :** (i) Will the Honourable Premier be pleased to state—

(a) whether it is a fact that most of the appointments in higher and lower grades of services, as a result of demand made on the ground of communal adjustment, have gone either to Jats or Rajputs in Ambala division and that other agricultural communities in that division such as Sainis, Malis, Gaur Brahmans, Ahirs, Gujars, Kanaitis, Kambos, etc., have got practically very little share of such appointments ;

(b) whether it is a fact that among all agricultural communities mentioned above suitable candidates for different services can be found ; if so, what action is proposed to be taken in the matter to satisfy these communities in future ?

(ii) Will the Government be pleased to lay on the table of the House a statement showing representation of all the agricultural communities in Ambala division in different services ?

The Honourable Major Sir Sikander Hyat-Khan : (i) (a) and (b). It is the policy of Government to endeavour to prevent any one of the main communities from monopolizing an undue share of any branch of the public service and to ensure that the agricultural classes obtain a fair share. Government is not prepared to go further and attempt to secure the representation in the services of different sub-divisions of the main communities.

(ii) It is regretted that the information asked for is not readily available and the labour involved in its collection would hardly be commensurate with any public advantage to be gained.

PUNITIVE POLICE POST AT VILLAGES ASAL, CHEEMA AND RATTOKI.

***29. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that a punitive police post was quartered at villages Asal, Cheema and Rattoki, tahsil Kasur, district Lahore, on the 1st of April, 1928 for a period of two years;

[Dr. Sant Ram Seth.]

- (b) the estimated annual costs as well as the actual costs in detail of the punitive police post for each year separately ;
- (c) whether it is a fact that one Dr. Dalip Singh and other residents of the aforesaid villages submitted an application to the Honourable Premier on the 18th April, 1937, claiming a refund of the amount in excess of the actual costs of the punitive police post ; if so, with what result ?

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

(b) The cost of the post for the first year, as originally worked out, was Rs. 11,984-5-0 ; for the second year Rs. 10,505-5-0. It is never possible to reckon the actual costs of a body of additional police with exactitude, as certain items in the bill (for example, charges for superintendence, the cost of the men's preliminary training, the cost of armament and interest charges during the period of recovery) cannot be precisely determined ; but figures relating to the pay of the men in this post and similar particulars were furnished in the reply given in October last to question *5884¹ in the old Council.

(c) No such application appears to have been received in the Secretariat, but as explained in October last, a sum of Rs. 3,740-6-0 has already been remitted.

PUNITIVE POLICE POST AT VILLAGE HANDO SAHARI, TAHSIL KASUR.

***30. Dr. Sant Ram Seth:** (i) Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a mounted punitive police post was quartered at village Hando Sahari, tahsil Kasur, district Lahore in 1921-22 for a period of three years ;
- (b) whether it is a fact that the punitive police post mentioned in part (a) above continued to be located in the above village for a further period of one year,—*vide* Government Notification dated 20th January, 1925 ;
- (c) whether it is a fact that punitive police post was again quartered in the village mentioned in part (a) above,—*vide* Government notification dated 25th October 1928, for a period of one year ;

(ii) if the answers to (a), (b) and (c) in (i) be in the affirmative, whether he will lay on the table a statement showing details of the estimated as well as the actual costs of the punitive police post for each year, the sanctioned strength of the police force which was actually posted to the police post and the monthly average attendance of the head constables, constables, assistant sub-inspector of police and sub-inspector of police for each year ;

(iii) whether it is a fact that one Sardar Waryam Singh and other village residents of Hando Sahari, tahsil Kasur, submitted an application to the Honourable Premier on the 21st April, 1937, claiming a refund of the amount said to have been realized from them in excess of the actual costs of the punitive police post located in their villages if so, with what result ?

¹Volume XXIX, pages 110-20.

The Honourable Major Sir Sikander Hyat-Khan : (v) (d), (b) and (e). Yes.

(ii) The principal figures have been given in the reply to question No. 90 put by the honourable member for Lahore City (General Constituency). Government do not consider that they would be justified at this stage in attempting to collect the full details asked for in the question.

(iii) Yes. It has recently come to notice that a sum of Rs. 856-15-8 is still outstanding from the villagers, but it has been decided not to enforce recovery of this. Otherwise Government are not prepared after this lapse of time, to allow the matter to be re-opened or to make any kind of further inquiries.

UNSTARRED QUESTIONS AND ANSWERS.

AUCTION OF "PRAN" AT VILLAGE BALLOHIWAL IN DISTRICT HOSHIARPUR.

1. Chaudhri Kartar Singh : Will the Honourable Minister of Revenue please state—

(a) whether the district authorities have auctioned a piece of land called 'Pran' at village Ballohiwal in district Hoshiarpur.

(b) whether it is a fact that it was 'shamilat' land ?

The Honourable Dr. Sir Sundar Singh Majithia : Government has no information.

SECURITIES FROM NEWSPAPER PRINTERS AND PUBLISHERS.

2. Master Kabul Singh : Will the Honourable Premier be pleased to state—

(a) the names and the number of newspapers whose securities were confiscated during the year ending with 31st March 1937 ;

(b) whether it is a fact that from the printers and publishers of some newspapers, securities were demanded even before they were permitted to file their declarations ; if so, the number of such newspapers ;

(c) why such stringent measures were deemed necessary ;

(d) whether the Government intend changing their present policy ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Only one newspaper, namely, the *Dukhi Kisan* (Jullundur) ;

(b) Under the Indian Press (Emergency Powers) Act no security can be demanded from the printer of a newspaper. Initial securities under Section 7 (a) of the Act were demanded by the District Magistrates from 114 out of a total number of 516 prospective publishers of newspapers ;

(c) Action was taken by the District Magistrates after they were fully satisfied that the new ventures would be used for one or other of the purposes enumerated in Section 4 (1) of the aforesaid Act. Keeping in view the urgent necessity of maintaining communal harmony in the province, Government does not consider that the measures taken were stringent ;

[Premier.]

(d) In pursuance of its declared policy the Government is striving to eradicate communal bitterness and mistrust and will continue to take prompt and strict action against newspapers that embitter communal relations and excite communal passions.

KISAN AND OTHER WORKERS IN INTERNMENT.

3. Master Kabul Singh : Will the Honourable Premier be pleased to state—

- (a) the number and the names of Kisan and other workers in different districts who are interned in their own or some other villages ;
- (b) for how long they have been so interned ;
- (c) the offences for which they had been interned ;
- (d) for how long Government proposes to keep them so interned ;
- (e) whether there is any proposal before Government regarding the removal of their restrictions ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (d) Fourteen persons are restricted to their home villages. It is not in the public interest to give particulars.

(c) For having acted in a manner prejudicial to the public safety and peace, or in furtherance of a movement prejudicial to the public safety and peace.

(e) No, but each case is frequently reviewed.

LEADERS AND POLITICAL WORKERS WHO ARE NOT ALLOWED TO SPEAK IN PUBLIC MEETINGS.

4. Master Kabul Singh : Will the Honourable Premier be pleased to state—

- (a) the number and the names of political workers and other public leaders in different districts, who have been served with notices preventing them from speaking in public meetings ;
- (b) the reasons for which they were deprived of their liberty of speech ;
- (c) whether the Government proposes to remove such restrictions as are imposed upon them at present?

The Honourable Major Sir Sikander-Hyat Khan : (a) Three persons were served with notices preventing them from speaking in public, and nineteen persons have been restricted in their movements and have been forbidden to participate in public meetings. It would not be in the public interest to divulge the names of these persons.

(b) For having acted in a manner prejudicial to the public safety and peace, or in furtherance of a movement prejudicial to the public safety and peace.

(c) No, but the cases of these persons are examined by Government periodically to consider the question of removal of restrictions.

RELEASE OF POLITICAL PRISONERS.

5. Master Kabul Singh : Will the Honourable Premier be pleased to state—

- (a) the names and the number of people convicted on account of political offences during the year ending with March 31st, 1937 ;
- (b) whether the Government intends to release such and other political prisoners ?

The Honourable Major Sir Sikander Hyat-Khan : If the honourable member will inform me what he means by 'political offences' and 'political prisoners,' I will endeavour to have the information collected.

COMRADE GURMUKH SINGH.

6. Master Kabul Singh : Will the Honourable Premier be pleased to state—

- (a) why one Gurmukh Singh, a political prisoner, was sent to the Andamans summarily ;
- (b) why the Government while deporting him did not deem it fit to take into consideration his very bad state of health ?

The Honourable Major Sir Sikander Hyat-Khan : (a) This prisoner, who is serving a sentence of transportation for life, has twice escaped from custody. On the second occasion he succeeded in remaining at large for over thirteen years, and on his re-capture it was decided to remove him to the Cellular Jail at Port Blair.

(b) The prisoner was examined by a medical board, who found him fit for deportation to the Andamans.

POLITICAL WORKERS WHO ARE ACCOMPANIED OR SHADOWED BY POLICE.

7. Master Kabul Singh : Will the Honourable Premier be pleased to state the number of political workers whose movements are constantly watched by policemen ?

The Honourable Major Sir Sikander Hyat-Khan : Only those persons engaged in subversive activities are watched by the Police.

WATER LEVEL IN DOABA BIST, JULLUNDUR.

8. Master Kabul Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the water level in the wells in Doaba Bist, Jullundur, is sinking and thereby causing shortage of water supply to the zamindars of the said doaba ;
- (b) if the answer to (a) above be in the affirmative, what steps Government proposes to take to remove the above-mentioned complaint ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is invited to the answer given to question No. *63¹ asked by Sardar Hari Singh during this session.

BEGAR FROM VILLAGERS.

9. Master Kabul Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that village and other officials still continue with the practice of *begar* from Harijans and peasants ;
- (b) if so, what steps are being taken to prevent these officials from exacting forced labour from the villagers ;
- (c) whether they have passed any orders either to prohibit *begar* or to stipulate proper and adequate wages for work for which ordinarily *begar* is exacted ;
- (d) whether he will place those orders, if any, on the table of the House ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Does not arise.

(c) As stated above no *begar* is taken but when coolies are required for work they are paid wages for which orders do exist.

(d) A copy of the orders is placed on the table.

PROCLAMATION.

To all Zamindars, Shop-keepers and Kamins in the villages of the Punjab.

Whereas a practice prevails by which servants of the Sarkar on tour sometimes get supplies gratis or employ people to cut wood or grass for them or carry in supplies for them without paying their wages : Be it known to you that His Honour the Lieutenant-Governor has absolutely forbidden this, and has directed that any servant of the Sarkar doing any such thing shall be severely dealt with. Whenever it is necessary to collect supplies for any Government servant going on tour the Tahsildar will advance money to some one who will pay cash to any person delivering the supplies to him at the moment of delivery, and will pay wages for any work done in cutting wood or grass or carrying in supplies to a camp directly such work is done. Payment will be made at the rates entered in a *nirkhnama* or table of rates with the seal of the tahsil affixed, which will be produced at the time of payment. If any one calls upon you to give supplies for a servant of the Sarkar without being at once paid for them or to work without wages in cutting wood or grass for such servant or bringing in supplies for him, you should refuse to comply with his request. You need not fear his anger. This proclamation will be as a sanad for you, and the Sarkar will protect you.

Further, no person can be compelled to lend his *charpais* or *razais* or other such things for the use of a Government servant on tour.

Press Communiqué.

It was announced in a *Press Communiqué*, dated the 13th August, 1920, that the question of improving arrangements for the supply of commodities to touring officers was receiving the attention of Government. It has now been decided to institute a system of salaried contractors with effect from the next financial year for the supply of all such requirements as flour, *ghee*, condiments, rice, *dal*, milk, eggs, fowls, fuel, grass and *gharras*.

The Deputy Commissioner will publish a list of the places in each tahsil at which arrangements for supplies through these contractors can be made. These will, as far as possible, be accessible places where bungalows exist or are contemplated or important villages which officers will commonly wish to inspect and where it is easy to make arrangements for supplies. Touring officers will ordinarily camp at these places, except when it is absolutely necessary in the interests of work to go elsewhere. Wherever a contractor is appointed he will make his own arrangements for the collection and transport of supplies and no assistance will be given him in this matter by the tahsil. Officers touring in a contractor's area will be expected to deal solely with that contractor. Where it is inevitable for an officer to spend the night at a place other than an approved centre, he will make his own arrangements with the contractor for supplies at an approved centre and arrange for the payment of the cost of transporting them to the place where he finds it necessary to stay. Reasonable notice will be given by

touring officers to the Deputy Commissioner or direct to the contractor of their intended tours and of the approximate size of their camps. It is not intended to discourage the practice of touring, which has great advantages to the public, by providing a ready means of revealing their wants. At the same time officers will be required, consistent with the efficient discharge of their duties, to keep their camps as small as convenient. The contractors will provide supplies at the current market rates which are ascertainable through the tahsil, and it will be the duty of officers before leaving camp to see that their followers have paid in full for all supplies received. As regards conveyance there is not much difficulty in the western Punjab and in parts of the south-west where camels can be hired. But where camp luggage is carried in carts, the conveyance will be changed from stage to stage as at present. Rates of daily or monthly hire for different parts of the district will be fixed by the Deputy Commissioner annually in consultation with a small unofficial Advisory Committee and will be such as are readily accepted in the open market and are readily adjustable to changing conditions. These rates will be notified by the Deputy Commissioners to every Department concerned and also to all zaildars and to the headmen of villages concerned.

LARORE :

Dated 24th January, 1921. }

R. T. V. HOWE,

Junior Assistant Secretary to Government, Punjab.

Notice to Zaildars and Inamdars.

The Government has ordered that salaried contractors should be appointed to facilitate the supply of commodities to Government officers on tour and the Legislative Council has sanctioned a sum of money to meet the cost of appointing such contractors. The arrangements are as follows:—

- (1) The contractor will supply all such requirements as flour, ghee, condiments, rice, dal, milk, eggs, fowls, fuel, grass and gharas within such area as may be laid down by the Deputy Commissioner.
- (2) The Deputy Commissioner will publish a list of the places in each tahsil at which arrangements for supplies through these contractors can be made.
- (3) Contractors will make their own arrangements for the collection and transport of supplies and these will no longer be provided through the agency of the tahsil.
- (4) The above arrangements will not be obligatory in the case of camps of which the total number, including the transport men and private servants of the officer, do not exceed 16: but in the case of such camps also the existing orders regarding payment for all supplies from whomsoever obtained must be scrupulously observed.
- (5) It is also open to the Commissioner to sanction the exclusion from the above arrangements of any special areas where the arrangements cannot be suitably applied.

Copy of a letter No. 25226 (Rev.—Genl.), dated the 18th October, 1921, from D. J. Boyd, Esquire, I.C.S., Revenue Secretary to Government, Punjab, to (1) The Senior Secretary to the Financial Commissioners, Punjab; (2) The Secretary to Government, Punjab, Public Works Department, Irrigation Branch; (3) The Secretary to Government, Punjab, Public Works Department, Buildings and Roads Branch; (4) The Inspector-General of Police, Punjab; (5) The Director of Agriculture, Punjab; (6) The Director of Industries, Punjab; (7) All Commissioners of Divisions and Deputy Commissioners in the Punjab.

I am directed to forward a copy of a resolution of the Government of the United Provinces on the subject of the supplies, transport and labour required by touring officers as printed in *The Pioneer* of August 24, 1921.

2. The Punjab Government are disposed to think that the amount of touring at present prescribed by the rules applying to various departments might possibly be curtailed without any great loss of efficiency in order to save the villagers from the trouble and the expense incident to the tours of Government officials.

Accordingly I am to ask that you will kindly scrutinize the rules pertaining to your Department. It should be remembered that excessive touring involves an unnecessary expense to Government and the subjects should be considered from this point of view also.

3. With regard to the question of supplies, the Punjab Government have recently introduced a system of contractors, which will, it is hoped, be put into effective operation in the coming camping season. At the conclusion of this season a report will be called for from Commissioners with regard to the working of the system, and it will then be decided whether it should be continued, and if so, what improvements should be made. For the present the Punjab Government do not propose to issue any further instructions on the subject of supplies.

4. The Governor in Council is not disposed to adopt the solution of the labour problem which has commended itself to the committee appointed by the Government of the United Provinces, but he would impress upon all touring officers the necessity of seeing that labourers employed in pitching their tents, in guarding their camp, or on other duties connected with their tour, are adequately compensated, so that no reasonable ground of complaint may remain, and that willing service may be obtained.

5. The transport required for Civil Officers on tour cannot be legally impressed. The suggestion of the United Provinces committee that a roster of carts or camels should be kept is one that has long since been adopted in several districts of the Punjab. The Governor in Council would merely draw the attention of district officers to this suggestion and leave it to them to decide whether they should adopt it or not. Transport required for continuous touring should be engaged for a definite period and usually by the month. The practice which has sometimes existed of discharging transport before a halt of a few days and engaging fresh transport when a move is next made should be discontinued. In engaging transport an endeavour should be made to secure only such animals as are disengaged at the time and in no case should a carrier be compelled to discharge goods in courts of transit from one place to another in order to transport the baggage of a touring official.

As the rates of travelling allowance have recently been revised and substantially increased, the Punjab Government do not consider it necessary to abolish the distinction between transport required for official purposes and that required for the private needs of the officer and they would not alter the existing rules on the subject.

6. I am to ask that you will favour Government with a report as to the steps which can and should be taken to reduce unnecessary touring. Government will also consider any suggestions which you wish to make with regard to the supply of the labour required in connection with the camps of officers on tour or for removing the difficulties commonly experienced in securing voluntary transport.

STAGNANT WATER IN THE VICINITY OF VILLAGE BUNDALA AND SOME
OTHER VILLAGES IN TAHSIL PHILLAUR.

10. Master Kabul Singh : Will the Honourable Minister of Education please state—

- (a) if it is a fact that the inhabitants of village Bundala in tahsil Phillaur as also a group of other villages in its neighbourhood acutely suffer from stagnant water;
- (b) whether the inhabitants of these villages have made representations to the Medical Officer of Health, the Deputy Commissioner and other local authorities urging upon them the necessity of removing the complaint mentioned in (a) above;
- (c) if the answer to (b) above be in the affirmative what steps have been taken in response to the representations mentioned in (b) above;
- (d) if the answer to (c) above be in the negative what steps Government propose to take in the matter?

The Honourable Mian Abdul Haya : (a) There is a small lake (*dhab*) near village Bundala, which gets filled with water during rains and may then become a nuisance.

(b) and (c) Yes. The application of the villagers is under consideration with the District Board, Jullundur.

(d) Does not arise.

SARDAR DALIP SINGH, SARDAR HAZARA SINGH AND SANT THAKUR SINGH,
CONVICTS OF THE BABAR AKALI CASES.

11. Master Kabul Singh : Will the Honourable Premier please state—

- (a) whether it is a fact that among those who were convicted in the Babar Akali cases Sardar Dalip Singh suffers from acute tuberculosis and has been thrice X-rayed, Sardar Hazara Singh suffers from leprosy and Sant Thakur Singh has lost his eyesight.
- (b) if so, whether the Government is prepared to reconsider the question of releasing them ?

The Honourable Major Sir Sikander Hyat-Khan : (a) (i) *Prisoner Dalip Singh.*—There is no evidence of active tuberculosis. His weight on admission to jail was 113 lbs., on the 26th April, 1937, 114 lbs.

(ii) *Prisoner Hazara Singh.*—A copy of a letter by the Inspector-General of Prisons is laid in the table, containing a detailed report on the health of this prisoner.

(iii) *Prisoner Sant Thakur Singh.*—He is reported to be suffering from glaucomatous cataract of both eyes and is a patient in hospital.

(b) As regards Dalip Singh and Hazara Singh the answer is in the negative. The case of Sant Thakur Singh is at present under consideration in the ordinary course.

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Copy of a letter No. ———, dated Lahore, the 21st April, 1937, from the Inspector-General of Prisons, Punjab, to the Home Secretary to Government, Punjab.

SPECTOR-GENERAL OF PRISONS, PUNJAB, TO THE HOME SECRETARY TO GOVERNMENT, PUNJAB.

SUBJECT.—*State of health of prisoner Hazara Singh, son of Inder Singh.*

In returning herewith the enclosures to your endorsement No. 710-J.P. 37/14847, dated the 12th of April, 1937, I have the honour to inform you that the Superintendent, District Jail, Mianwali, reports as below regarding the health of prisoner No. 7249, Hazara Singh, son of Inder Singh :—

- (1) Thickening of skin on part of the left forehead.
- (2) Thinning of the eye-brow hair.
- (3) Partially anaesthetic areas on the face.
- (4) Thickening of the ulner nerves.
- (5) Tingling sensation in fingers complained of.
- (6) No wound on body.
- (7) Weight 122 lbs., Height 5'—6'.
- (8) General health—Good.

RAI BAHADUR BISSESSUR LALL CHARITABLE TRUST, BHIWANI.

12. Pandit Shri Ram Sharma : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that one Rai Bahadur Bissessur Lall, a wealthy citizen of Bhiwani, created a charitable trust by his last will, dated 16th July, 1925, and left property worth about 70 lakhs of rupees for charitable purposes and laid down in the will that the major portion of the bequest be spent for the benefit of the inhabitants of Bhiwani, district Hissar, Punjab ;

[Pandit Shri Ram Sharma.]

- (b) whether it is a fact that complaints of offences of criminal breach of trust, etc., were filed by one Mr. K. A. Desai of Bhiwani against the trustees of the said charitable trust at the police station, Bhiwani city, case No. 58 of 1933 and as a result thereof two of the trustees, namely, Sri Kissen Beriwalla and Nand Kishore Bansal were arrested and challened by the Calcutta Police D. D.;
- (c) whether it is a fact that during the investigation of the alleged criminal offences (case No. 58 of 1933) by the Criminal Investigation Department, Punjab, Inspector Munshi Ram reported to the Assistant Inspector-General, Criminal Investigation Department, Punjab, in his report that there were proved cases of offences under sections 409 and 120-B, Indian Penal Code, and sought orders for the arrest of the trustees;
- (d) if the answer to (c) above be in the affirmative, whether he will place on the table the said report of Inspector Munshi Ram;
- (e) whether it is also a fact that in spite of there being such a report and sufficient proof of embezzlement of a public charitable trust money no arrests were made and the cases were filed as "untraced" by the Punjab Police;
- (f) if the answer to (c) above be in the affirmative, why on that report and the evidence in support of it the said cases were not proceeded with;
- (g) whether Government proposes to start the cases;
- (h) if not, reasons for the same?

The Honourable Major Sir Sikender Hyat-Khan : (a) to (h) The honourable member is invited to refer to the reply given to question No. *21¹ asked by Lala Duni Chand on the 17th June, 1937.

DAK BUNGALOWS SITUATED ON THE LEFT BANK OF THE LAHORE CANAL.

13. Pandit Shri Ram Sharma : Will the Honourable Minister of Revenue kindly state—

- (a) whether the Canal Department is selling its dak bungalows situated in various districts of the province;
- (b) whether the Canal Department intend to sell the dak bungalow situated on the left bank of the Lahore Canal near the Cantonment Bridge; if so, when;
- (c) the rent that the officers who occupy this bunaglow pay to the Department;
- (d) the estimated price of the land and the houses built in the compound of this bungalow and the percentage of the rent to the estimated price of the land and the building?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. Certain rest houses which are no longer required by the Irrigation Branch and the Departments of Government or by District Boards are being sold.

(b) No.

(c) Officers on duty pay no rent.

Officers not on duty pay Re. 1 per head per day.

(d) The book value is—

| | Rs. |
|--|--------|
| Buildings | 56,079 |
| Land | 651 |
| The rent recovered during the last few years is— | |
| | Rs. |
| 1934-35 | Nil. |
| 1935-36 | 2 |
| 1936-37 | 4 |

WASTE LAND ON THE LEFT SIDE OF THE LAHORE CANAL NEAR
LAHORE-MULTAN RAILWAY BRIDGE.

14. Pandit Shri Ram Sharma : Will the Honourable Minister of Revenue kindly state—

(a) if it is a fact that there lies in Lahore a large tract of waste land belonging to the Irrigation Department, on the left side of the canal, near the Lahore-Multan Railway bridge ;

(b) whether this land is of any use to the Department, and whether at one time there was a proposal to sell it by public auction ;

(c) if so, why it was not sold ;

(d) whether the Government intends to sell this waste land now ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes ; only about 8 acres.

(b) No ; not at present. Its sale has been considered from time to time.

(c) and (d) As prices in the vicinity are rising Government does not consider it is advantageous to sell it at present.

BRIDGE OVER THE LAHORE CANAL NEAR LAHORE-MULTAN RAILWAY
BRIDGE.

15. Pandit Shri Ram Sharma : Will the Honourable Minister of Revenue kindly state—

(a) whether it is a fact that the Irrigation Department tried to sell the land on the left side of the Lahore Canal near Lahore-Multan Railway bridge ;

[Pandit Shri Ram Sharma.]

- (b) whether a suggestion was made that it could fetch better price if a bridge was built over the canal to make it easily accessible ;
- (c) if so, the reasons for not carrying out that suggestion ;
- (d) the cost of such a bridge and the increase which will be effected in the price of this land by its construction ;
- (e) if the price of the bridge be prohibitive, the reasons for not throwing open the road along the left bank of the canal near this land to wheeled-traffic just as the right bank road is open to such a traffic ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Yes.

(c) and (d) It is only a matter of opinion. No detailed estimate has been made out for such a bridge. Any increase in the value of the land is a matter of conjecture.

(e) It cannot be said whether the cost of the bridge is prohibitive or not, as no detailed estimate has been prepared. It is not proposed to throw Government land open to traffic as the provision of roads is the concern of the local Municipal Authority.

FORFEITURE OF PENSIONS, ETC.

16. Sardar Hari Singh : Will the Honourable the Premier please state—

- (a) the number of *ex*-soldiers, districtwise, whose pensions were forfeited in connexion with the Akali, Congress and allied movements ;
- (b) the total amount of pensions so forfeited per annum ;
- (c) the details of the property confiscated in connexion with the Congress, Akali and allied movements since 1914, in the form of a statement, showing owners, kind and amount of property, valuation and the cause of confiscation in each case ;
- (d) the total amount of fines realized by the Government from the Congress, Akali and allied convicts, and also the total of fines realized by way of punitive tax from villages where punitive police was posted for political reasons ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) Military pensions are primarily the concern of the Central Government and questions on this subject cannot be answered in the provincial legislature.

(c) and (d) The question is vaguely worded, the phrase " allied movements " being indefinite. Apart from this, it would not be possible for Government to collect information covering a period of more than twenty years without an expenditure of time and labour out of proportion to the result.

TAN-RIDES ALONG THE LAHORE CANAL.

17. Pandit Shri Ram Sharma : Will the Honourable Minister of Revenue kindly state—

- (a) whether it is a fact that some portions of the road along the left bank of the Upper Bari Doab Canal that passes through Lahore are reserved for horse-riding ;
- (b) the department which pays for maintaining these portions and the cost of its maintenance ;
- (c) if answers to (a) above be in the affirmative, since when these portions of the left bank road of the canal have been turned into tan-rides ;
- (d) whether any Indian public body demanded the turning of this public property into a preserve for horse-riders ;
- (e) whether the horse-riders pay anything for the use of the canal bank road ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The Public Works Department, Buildings and Roads Branch, up to April, 1937, and Irrigation Branch from April, 1927. The average annual cost of maintenance is Rs. 2,681.

(c) The tan-ride between Moghalpora and Jail Road crossing was put down in the year 1918 and from Jail Road to the Ferozepore Road crossing subsequently, exact date not being traceable.

(d) Not as far as Government is aware, but it may be stated that it is probable that more Indian than European riders use the ride.

(e) No.

ENCROACHMENTS ON VILLAGE PRIVATE ROADS.

18. Mir Maqbool Mahmood : Has the attention of the Honourable Minister of Revenue been invited to the fact that in spite of the amendment of rule 20 (vi) of the Land Revenue Act such hardship is now experienced by the rural public, because of encroachments on village roads; if so, what action is intended to be taken in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : No definite cases of hardship have been brought to notice and Government consider that no change is necessary in the existing rules which, if effectively used, are sufficient to deal with the problem.

SHAMILAT LANDS IN VILLAGES.

19. Mir Maqbool Mahmood : Has the attention of the Honourable Minister for Revenue been invited to the fact that much difficulty is experienced in villages, where *shamilat* lands are not available, for locating manure and filth pits, etc., outside the village *abadi* ; if so, what action is intended to be taken to remove this difficulty ?

The Honourable Dr. Sir Sundar Singh Majithia : The difficulty exists in many villages, particularly in places where pressure on the soil is great, but the provision of manure pits is a matter of internal arrangement for each village to undertake for itself and Government are rarely in a position to provide land for such purposes. One way of overcoming the difficulty is for villages to consolidate their holdings, because when this is done land can be reserved round the *abadi* for manure pits and other community purposes. Another way is for the village panchayat to lease land near the *abadi* for manure pits and to pay the rent out of the village common fund or by taking a share of the manure.

WADH-WATER AND ASSESSMENT OF ABIANA.

20. Mir Maqbool Mahmood : (a) Is the Honourable Minister of Revenue aware of the fact that much hardship is experienced by the rural population because of the vague and indefinite rules for assessing water-rates in the rural area where "wadh water" may have been used ;

(b) if so, whether he intends publishing detailed and clear instructions on the subject for the guidance of the officers as well as of the public ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The answer is in the negative.

(b) Wadh wattar rates are levied nowhere except on the non-perennial channels of the Sutlej Valley Canals.

Rules governing such levy are given in Irrigation Branch notification No. 8283-Rev., dated the 19th February, 1932, laid on the table :—

NOTIFICATION.

*Public Works Department,
Irrigation Branch.*

Dated Lahore, the 19th February, 1932.

No. 3283 Rev.—In exercise of the powers conferred by Section 75 of the Northern India

| | | | |
|--|----|--|---|
| | | | Canal and Drainage Act (Act VIII of 1873) as amended by Act XVI of 1899 and Act IV of 1914, the Governor in Council is pleased to direct that, with effect from the <i>rabi</i> crop of 1931-32, the following should be added as Class IX-A in the Schedules of Occupiers' Rates applicable to the marginally noted canals published with the Punjab Irrigation Branch, Notification noted against each canal :— |
| 1. Khadir Branch— Chak Dogar, Bhatti, Rahmanki, Tabbar, Salim Kot, Jewanshah and Shafi Non-perennial channels of Pakpattan Canal. | } | No. 1201-R.I., dated 9th November, 1926, | |
| | | No. 0283-R.I., dated 26th September, 1927, and | |
| | | No. 2183-R.I., dated 14th December, 1931. | |
| 2. Dipalpur Canal | .. | No. 1841-R.I., dated 12th December, 1927. | |
| 3. Eastern Canal | .. | No. 1833-R.I., dated 12th December, 1927. | |
| 4. Malhi Canal | .. | No. 1837-R.I., dated 12th December, 1927. | |

| Nature of crops. | RATE PER ACRE. | | Per. |
|--|----------------|-----------|-------|
| | Flow. | Lift. | |
| | Rs. A. P. | Rs. A. P. | Crop. |
| <i>Rabi</i> crops grown on the <i>wadh watar</i> of a previous crop provided the field is ploughed or sown within 20 days after the date on which the Distributary (or Canal, in the case of direct outlets) is finally closed at its head for the season. | 1 4 0 | 0 10 0 | |

The Irrigation Branch notification No. 0593-R.L., dated the 22nd August, 1929, is hereby cancelled.

A. MURPHY,

Secretary to Government, Punjab, Public Works Department, Irrigation Branch.

ROADS.

21. Mir Maqbool Mahmood : Will the Honourable Minister of Public Works be pleased to state—

- what conditions govern the grants to district boards for the reconditioning of roads ;
- what provision is made, or is intended to be made, for these grants ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Government decides each case according to the merits of each case and the funds available.

(b) No grant was given for reconditioning of roads in 1936-37, but during 1937-38 about Rs. 3,00,000 have been granted from the Central Road Fund.

CONSTRUCTION OF A SWIMMING TAN : IN NAZUL LANDS.

22. Chaudhri Muhammad Hasan Khan : Will the Honourable Minister of Public Works be pleased to state—

- whether he is aware of a resolution recently passed by the Ludhiana District Board, approving of the construction of a swimming tank on the Rakh Nazul lands ;
- when and under what conditions the said Rakh Nazul lands were made over to the Ludhiana District Board ;
- whether it is a fact that the said swimming tank is to be named as Nanak Singh Swimming Tank ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. It is to be paid for out of the King George Memorial Fund.

- It is regretted that the required information is not available.
- No.

ZAMINDARS SETTLED DOWN ON THE BANK OF THE BEAS.

23. Mian Badar-Mohy-ud-Din Qadri : Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the zamindars settled down on the bank of the river Beas in the Gurdaspur district are, on account of the annual floods, getting poorer and poorer every year ; if so, what action is proposed to be taken to ameliorate their condition ?

The Honourable Dr. Sir Sundar Singh Majithia : It is true that the villages on the bank of the river Beas in the Gurdaspur district suffer occasionally from flood, but it is not correct to describe these floods as annual, nor is any progressive deterioration in the condition of the villages as a whole taking place. They are in no worse condition than the villages on the banks of other rivers.

NEW APPOINTMENTS MADE AFTER 1ST APRIL, 1937.

24. Syed Amjad Ali Shah : Will the Honourable Premier be pleased to lay on the table a list showing new appointments made in the Punjab since Government of India Act, 1935, has come into force ?

The Honourable Major Sir Sikander Hyat Khan : If the honourable member will kindly state whether he requires a list of new entrants to previously existing posts or a list of posts newly created, I will endeavour to procure the information he desires. In order to limit the scope of the enquiry, I suggest that he should exclude officiating appointments and appointments of inferior staff.

KACHA AND PACCA ROADS.

25. Syed Amjad Ali Shah : Will the Honourable Minister of Public Works please state whether there is a proposal to make pucca the Public Works Department kacha road leading from the other side of Harika Pattan to Kot Isa Khan of tahsil Zira ; if so, when ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Such a proposal exists but it is unlikely that it will materialise in the near future.

MATTEWARA BEIT AND SHEHNA RURAL DISPENSARIES.

26. Chaudhri Muhammad Hasan Khan : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the Ludhiana District Board has recently passed a resolution for closing the Mattewara Beit rural dispensary ;
- (b) the total number of patients who attended the Mattewara rural dispensary in the years 1935 and 1936 and also the total number of patients who attended the Shehna rural dispensary during the same period ;
- (c) the amount of annual expenditure separately that is incurred by the said board on each of the above-mentioned dispensaries ;

- (d) whether it is a fact that at the time when the resolution for closing the Mattewara dispensary was passed in the District Board meeting the circle member representing the constituency concerned was not present ;
- (e) the amount of expenditure incurred on the construction of a building for the Shehna rural dispensary ;
- (f) the number of visits the Chairman of the District Board paid to the Mattewara dispensary and also the number of visits by the Civil Surgeon and District Medical Officer of Health paid to the said dispensary ?

The Honourable Mian Abdul Haye : (a) Yes, the civil dispensary at Mattewara was closed with effect from the 1st April, 1937, as the people of the ilaqa had not fulfilled their promise of providing suitable buildings for the dispensary and quarters for the staff and the District Board, Ludhiana, had no funds to maintain it.

| | 1935. | | 1936. | |
|----------------------|---------|----------|---------|----------|
| | Indoor. | Outdoor. | Indoor. | Outdoor. |
| (b) (i) Mattewara .. | 27 | 11,445 | 25 | 9,608 |
| (ii) Shehna .. | 26 | 12,799 | 105 | 17,851 |
| (c) | | 1935. | | 1936. |
| | | Rs. | | Rs. |
| (i) Mattewara .. | | 2,159 | | 2,078 |
| (ii) Shehna .. | | 2,730 | | 2,825 |
| (d) Yes. | | | | |
| (e) Rs. 5,638-4-0. | | | | |

(f) No visit was paid by the Chairman, District Board, Ludhiana, to the dispensary in question during the year 1935 and 1936. The Civil Surgeon, Ludhiana, paid two visits in 1935 and one in 1936. The District Medical Officer of Health could not visit the dispensary as it was not a rural institution.

DAMAGE BY HAILSTORM.

27. Chaudhri Muhammad Hasan Khan : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that considerable area in the Ludhiana district has been affected by the recent hailstorm and at some places notably in ilaqa Bet crops have been completely damaged ;
- (b) the number and the names of the villages affected and visited by the Collector himself and the Commissioner immediately after the hailstorm to ascertain the amount of damage done by the hailstorm ;
- (c) whether Silver Jubilee funds have ever been utilized for affording relief to the people whose crops may have been completely damaged in the Ludhiana district ;
- (d) the names of the villages where reduction in the land revenue by the Collector has been recommended and also the names of the persons who have been recommended for being given immediate relief by way of reduction in land revenue ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Damage has been caused by hailstorm in 7 villages in the Bet ilaqa and 85 villages in the rest of the Ludhiana tahsil of the district. The crops of only one village Sasrali in the Bet ilaqa were completely destroyed.

(b) Out of the 42 villages affected the Collector visited 16 villages :—

Dehlon, Saya Khurd, Saya Kalan, Kaind, Bul, Shankar, Rangian, Raipur, Ghawaddi, Jarkhar, Khanpur, Khakhat, Pawa, Jogiana, Dhandhari Khurd and Dhandhari Kalan, and the Commissioner, Jullundur division, 13 villages :—

Kaind, Saya Khurd, Saya Kalan, Bul, Shankar, Ghawaddi, Jarkhar, Khanpur, Khakhat, Pawa, Jogiana, Dhandhari Khurd and Dhandhari Kalan.

(c) No.

(d) It is against constitutional practice to disclose recommendations of this kind made by a subordinate to a superior authority.

DISPENSARIES IN ILAQA BET.

28. Chaudhri Muhammad Hasan Khan : Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware that the general health of the residents of the Ludhiana district, Bet *ilaqa*, is poor and that facilities for medical treatment have not been sufficiently provided to them by the Government ;

(b) whether it is a fact that only a small number of dispensaries have been opened in the poor and backward *ilaqa* Bet in the Ludhiana district by the Government during the last ten years ;

(c) if so, what measures Government propose to take in the matter ?

The Honourable Mian Abdul Haye : (a) It is true that the Bet *ilaqa* is reported to be a malarial tract. The District Board is responsible for providing medical relief in rural areas.

(b) There are four dispensaries in the *ilaqa*.

(c) Attention of the District Board will be drawn to the needs of the Bet *ilaqa* in this matter.

ADDITIONAL POLICE IN CERTAIN VILLAGES IN AMRITSAR DISTRICT.

29. Dr. Gopi Chand Bhargava : Will the Honourable Premier be pleased to lay on the table a statement :—

(a) showing the names of villages in the Amritsar district in which additional police force was quartered between the year 1919 and 1935 ;

- (b) the period for which the police force remained quartered at each of these villages ;
- (c) the date of its location in and withdrawal from each such village ;
- (d) the annual estimated costs of the force to be recovered from the inhabitants of each such village ;
- (e) the actual amount of costs recovered from the inhabitants of each such village ; and
- (f) the annual sanctioned strength of the police force for each of these additional police posts ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is appended.

ADDITIONAL POLICE IN LAHORE DISTRICT.

30. Dr. Gopi Chand Bhargava : Will the Honourable Premier be pleased to lay on the table a statement showing —

- (a) the names of the villages in Lahore and Chunian tahsils, district Lahore, in which additional police force was quartered between the years 1916—1935 ;
- (b) the period for which this police force remained quartered in each of these villages ;
- (c) the date of its arrival in and withdrawal from each such village ;
- (d) the annual total estimated costs of each police post ;
- (e) the total actual amount recovered from the inhabitants of each such village every year ;
- (f) the annual sanctioned strength of the police force for each of the above-mentioned police posts ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is attached.

Statement showing the names of villages in Amritsar District in which Additional Police Posts were located between the years 1919 and 1935.

| District. | (a) Name of village. | (b) Period of location. | (c) DATE OF LOCATION AND WITHDRAWAL. | | (d) Total cost of the post. | (e) Amount recovered. | (f) SANCTIONED STRENGTH OF THE POST. | | | | | | | | | | | |
|-------------|----------------------------------|----------------------------|---|----------|--------------------------------|---------------------------|---|-----|-----|-----|-----|-----|--|--|--|--|--|--|
| | | | From | To | | | Insp. | 1st | 2nd | 3rd | 4th | 5th | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | | | | | | | |
| Amritsar .. | Amritsar City and Civil Station. | 11 months .. | 1-5-19 | 31-3-20 | Rs. A. P. 1,43,682 6 5 | Rs. A. P. 1,43,682 6 5 | 1 | 7 | .. | 20 | 200 | | | | | | | |
| | Badowal .. | 1 year .. | 1-8-19 | 31-7-20 | 2,854 9 2 | 2,854 9 2 | .. | .. | .. | 1 | 8 | | | | | | | |
| | Tarn Taran .. | 7 months .. | 1-9-19 | 31-3-20 | 3,937 6 0 | 3,937 6 0 | .. | 1 | .. | 2 | 10 | | | | | | | |
| | Sultanwind .. | 2 years .. | 1-11-18 | 31-10-20 | 7,932 11 7 | 7,932 11 7 | .. | 1 | .. | 1 | 8 | | | | | | | |
| | Jhabbal Kalan .. | 1 year .. | 1-3-22 | 28-2-23 | 10,637 8 0 | 10,637 8 0 | .. | 1 | .. | 2 | 20 | | | | | | | |
| | Kaasl .. | 1 year .. | 1-3-22 | 28-2-23 | 7,586 14 5 | 7,586 14 5 | .. | 1 | .. | 2 | 12 | | | | | | | |
| | Nangli and Chukatwind .. | 1 year .. | 1-3-22 | 28-2-23 | 5,015 4 0 | 5,015 4 0 | .. | .. | .. | 2 | 10 | | | | | | | |
| | Pindri Gola .. | 1 year .. | 1-3-22 | 28-2-23 | 3,751 4 5 | 3,751 4 5 | .. | .. | .. | 2 | 7 | | | | | | | |
| | Bachhiwind .. | 1 year .. | 15-6-22 | 14-6-23 | 4,197 9 7 | 4,197 9 7 | .. | .. | .. | 2 | 8 | | | | | | | |
| | Morhana .. | 6 months .. | 15-6-22 | 14-12-22 | 2,172 7 7 | 2,172 7 7 | .. | 1 | .. | .. | 6 | | | | | | | |

| | | | | | | | | | | | |
|--|----------|----|----------|----------|-------------|-------------|----|----|----|----|----|
| Nagoke | 1 year | .. | 19-6-22 | 18-6-23 | 4,967 4 0 | 4,967 4 0 | .. | .. | .. | 1 | 16 |
| Usman | 1 year | .. | 1-3-24 | 28-2-25 | 1,966 12 9 | 1,966 12 9 | .. | .. | .. | 1 | 4 |
| Shanmgar and 39 vil- lages K. Nangle Police Station. | 1 year | .. | 1-8-24 | 31-7-25 | 41,103 10 0 | 41,103 10 0 | .. | 4 | .. | 15 | 76 |
| Dhotian Naushera Punian and Tur. | 1 year | .. | 1-4-25 | 31-3-26 | 16,602 2 10 | 16,602 10 0 | .. | 1 | .. | 5 | 25 |
| Dhad, Kasel, etc. (P. S. Gharonda). | 1 year | .. | 1-8-25 | 31-7-26 | 40,826 10 0 | 41,484 5 6 | .. | 3 | .. | 15 | 75 |
| Padbhar, Raje, etc. .. | 1 year | .. | 1-11-25 | 31-10-26 | 40,826 10 0 | 40,826 10 0 | .. | 3 | .. | 15 | 75 |
| Khiats Kalan and Khurd | 2 years | .. | 16-11-26 | 15-11-28 | 8,535 9 0 | 8,535 9 0 | .. | 1 | .. | 1 | 6 |
| Jobala, Nurpur and Bokipur. | 2 years | .. | 20-12-28 | 19-12-30 | 11,366 11 9 | 11,366 11 9 | .. | 1 | .. | 1 | 9 |
| Tharu, Kazi Kot and Johar Raja Singh. | 3 years | .. | 20-12-28 | 19-12-31 | 14,282 12 5 | 14,282 12 7 | .. | 1 | .. | 1 | 9 |
| Harsi Chima | 2 years | .. | 15-12-29 | 14-12-31 | 15,658 9 7 | 15,658 9 7 | .. | 1 | 1 | 1 | 9 |
| Naushera, Panujan and Chaudhriwala. | 2 years | .. | 15-5-30 | 14-5-32 | 17,973 14 0 | 18,033 2 9 | .. | 1 | 1 | 1 | 10 |
| Jagdeo Kalan, Khesrai Kalan and Khesrai Khurd. | 1 year | .. | 10-10-30 | 9-10-31 | 12,249 11 4 | 12,249 11 4 | .. | 1 | 1 | 1 | 20 |
| Piddi (P. S. Tara Taran) | 6 months | .. | 10-3-32 | 9-9-32 | 2,709 13 1 | 2,709 13 1 | .. | .. | 1 | 1 | 8 |
| Berar, Madote and Khyale. | 1 year | .. | 1-5-32 | 31-4-33 | 8,511 2 9 | 8,589 2 9 | .. | .. | 1 | 1 | 14 |
| Bhundi, Aulakh Khurd and Kalan. | 8 months | .. | 16-7-33 | 14-3-34 | 3,638 15 6 | 3,639 15 6 | .. | .. | 1 | 1 | 8 |

2 M. C.

Statement showing the names of villages in Lahore district in which Additional Police Posts were located between the years 1916 and 1935.

| District. | (a) Name of village. | (b) Period of location. | (c) DATE OF LOCATION AND WITHDRAWAL. | | (d) Total cost of the post. | (e) Actual amount recovered. | (f) SANCTIONED STRENGTH OF THE POST. | | | | | | | |
|-----------|---|----------------------------|---|---------|--------------------------------|---------------------------------|---|------|--------|--------|------|------|------|-----------------------|
| | | | From | To | | | Inspector. | S.I. | A.S.I. | M.H.C. | H.C. | M.C. | C.E. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | |
| Lahore .. | Guhawa .. | 3 years .. | 15-2-14 | 14-2-17 | Rs. A. P. 3,170 12 9 | 3,170 12 9 | .. | .. | .. | .. | 1 | .. | .. | 4 |
| | Aulakh Antar, Rawal Jhanger, Haundal, Chinna Othar. | 2 years .. | 18-5-16 | 17-5-18 | 9,094 1 0 | 9,094 1 0 | .. | 1 | .. | .. | 2 | .. | .. | 12 |
| | Sur Singh .. | 1 year .. | 10-11-16 | 9-11-17 | 8,328 9 2 | 8,328 9 2 | .. | 1 | .. | 1 | 1 | .. | .. | .. |
| | Chattanwala .. | 1 year .. | 9-3-17 | 8-3-18 | 2,487 8 9 | 2,487 8 9 | .. | 1 | .. | .. | .. | .. | .. | 6 |
| | Lahore Civil Area .. | 11 months | 1-5-19 | 31-3-20 | 1,31,370 11 8 | 1,31,370 11 8 | 2 | 9 | .. | .. | 25 | .. | .. | 260 |
| | Bagrian (P. S. Kahna Kachha). | 1 year .. | 14-6-21 | 13-6-22 | 4,302 3 2 | 4,302 3 2 | .. | 1 | .. | .. | 1 | .. | .. | 6 |
| | Her .. | 4 years .. | 13-7-21 | 12-7-25 | 24,297 13 4 | 24,297 13 4 | .. | 1 | .. | .. | 2 | .. | .. | 8 |
| | Pondoke .. | 1 year and 6 months. | 14-7-21 | 11-1-23 | 5,246 9 7 | 5,246 9 7 | .. | 1 | .. | .. | 2 | .. | .. | 8 |
| | Sabrah .. | 9 years .. | 7-9-21 | 6-9-30 | 60,230 15 1 | 54,785 15 2 | .. | 1 | .. | .. | 1 | 8 | .. | 8 (7-9-21 to 6-9-23). |
| | | | | | | | .. | .. | .. | .. | 2 | .. | .. | 12 (7-9-23 to 8-9-30) |

| | | | | | | | | | |
|---|--------------------------------|----------|----------|-------------|-------------|----|---|----|----|
| Hardeo Sobari | 5 years | 1-2-22 | 31-1-26 | 34,911 1 8 | 84,554 2 0 | 1 | 1 | 6 | .. |
| Makhi Khurd and Makhi Kalan. | 4 years | 1-11-28 | 31-10-29 | 35,223 6 4 | 35,223 6 4 | 1 | 2 | .. | 8 |
| Bhikhiwind, Basins and Bisbr. | 4 years | 9-5-22 | 8-5-26 | 27,536 9 7 | 27,502 13 2 | 1 | 2 | .. | 12 |
| Vihgal | 3 years | 9-5-22 | 8-5-25 | 17,422 8 0 | 17,717 8 0 | 1 | 1 | .. | 10 |
| Hudhiana | 5 years | 1-6-22 | 31-5-27 | 30,088 11 2 | 29,461 8 11 | 1 | 2 | .. | 12 |
| Ghawind | 3 years, 9 months and 16 days. | 1-6-22 | 31-5-25 | 18,821 7 4 | 18,821 8 0 | 1 | 1 | .. | 11 |
| Orara | 4 years | 26-5-30 | 14-3-31 | 6,072 7 6 | 5,844 9 7 | 1 | 1 | .. | 9 |
| Jia Bagga and Jhardu | 2 years | 14-8-22 | 13-8-26 | 16,821 9 6 | 16,821 9 6 | 1 | 1 | .. | 6 |
| Anlakh Autar, Anlakh Hithar, Nandal and Chhima. | 4 years | 11-10-22 | 10-10-24 | 20,388 8 0 | 20,388 8 0 | 1 | 2 | .. | 20 |
| Asal Autar, Chhima and Rettoke. | 6 years | 1-11-22 | 31-10-26 | 28,850 6 7 | 28,350 6 7 | 1 | 2 | .. | 12 |
| Khudpur | 4 years | 1-11-22 | 31-10-26 | 28,850 6 7 | 28,350 6 7 | 1 | 3 | .. | 20 |
| Narwar | 4 years | 1-4-28 | 31-3-30 | 22,440 4 0 | 17,804 14 0 | .. | 2 | .. | 8 |
| Jamber Kalu | 3 years | 6-11-22 | 5-11-26 | 15,697 13 0 | 15,697 13 0 | .. | 2 | .. | 6 |
| Chak 16, 17, 18 and Gandhian. | 6 years | 19-12-22 | 18-12-25 | 23,089 5 0 | 22,470 11 0 | 1 | 1 | .. | 8 |
| | | 15-1-30 | 14-1-30 | 4,345 1 6 | 4,345 1 6 | .. | 1 | .. | 6 |
| | | 4-1-23 | 3-1-26 | 40,976 8 0 | 40,976 8 0 | 1 | 2 | .. | 15 |
| | | 20-1-23 | 19-1-29 | | | 1 | 1 | .. | 7 |

(from 20-1-27).

| | | | | | | | | | | |
|---|------------------------|-------------------------------|--------------------------------|--------|--------|----|----|---|---|----|
| Jhama .. | 3 years and 9½ months. | 1-6-24 | 31-5-27 | 29,758 | 19,961 | 0 | 0 | 1 | 2 | 13 |
| Sursingh .. | 1 year and 1 month. | 26-5-30 15-9-24 1-11-29 | 14-3-31 14-9-28 31-12-30 | 36,780 | 29,201 | 2 | 4 | 1 | 2 | 10 |
| Katubi Khurd, etc. .. | 2 years | 15-10-24 | 14-10-27 | 21,313 | 21,313 | 15 | 3 | 1 | 2 | 12 |
| Tacipur .. | 1 year | 1-11-24 | 31-10-25 | 2,021 | 2,021 | 0 | 0 | 1 | 1 | 4 |
| Nadi .. | 2 years | 1-2-25 | 31-1-27 | 10,255 | 10,209 | 3 | 2 | 1 | 1 | 8 |
| Bhasin .. | 2 years | 1-2-25 | 31-1-27 | 10,462 | 10,462 | 8 | 0 | 1 | 1 | 8 |
| Rawal Jhangar, Nathoke, Bhamba, Kalan, and Khurd. | 3 years and 10 months. | 1-4-25 | 31-1-29 | 10,348 | 10,348 | 11 | 2 | 1 | 4 | 16 |
| Chime and Dubli .. | 3 years | 1-6-25 | 31-5-28 | 17,323 | 16,994 | 14 | 4 | 1 | 2 | 8 |
| Kamahan .. | 1 year | 15-6-25 | 14-6-26 | 2,875 | 2,875 | 0 | 0 | 1 | 1 | 3 |
| Pandeki, Khand and Chang. | 1 year | 1-7-25 | 30-6-26 | 5,870 | 6,870 | 10 | 0 | 1 | 2 | 8 |
| Valocha .. | 3 years | 1-11-25 | 31-10-28 | 14,386 | 14,386 | 8 | 0 | 1 | 2 | 10 |
| Rajoke and Wan .. | 3 years | 15-11-25 | 14-11-26 | 29,930 | 24,977 | 15 | 3 | 1 | 1 | 8 |
| Matta .. | 2 years | 1-4-28 15-2-26 | 31-3-30 14-2-23 | 8,838 | 8,838 | 12 | 0 | 1 | 4 | 20 |
| Bedarpur .. | 1 year | 8-12-26 | 7-12-27 | 7,563 | 7,563 | 8 | 10 | 1 | 2 | 10 |
| Chesar Atari, Saralia, Amar Sidhu, Bhura Kuhna .. | 1 year | 15-1-27 | 14-1-28 | 6,736 | 6,736 | 2 | 0 | 1 | 1 | 10 |
| Nathoke and Bohr .. | 2 years | 1-2-27 | 31-1-28 | 3,303 | 3,303 | 11 | 0 | 1 | 1 | 6 |
| Aulakh Autar .. | 1 year | 19-1-28 | 18-1-29 | 5,794 | 5,794 | 0 | 0 | 1 | 1 | 8 |
| Naroke .. | 1 year | 20-1-28 | 19-1-29 | 3,057 | 3,057 | 3 | 0 | 1 | 1 | 6 |

ADJOURNMENT MOTIONS.

PREMIER'S STATEMENT ON THE CONSTITUTIONAL POSITION.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
Sir, I beg—

That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the utterance of the Premier of the Punjab on the constitutional position in his reply to the address presented to him by the Khatri deputation on 18th May last at Simla.

Mr. Speaker : The motion is out of order, inasmuch as it does not satisfy, among others, the important condition of urgency.
12 NOON. Para 2 (b), p. 133 of *Campion's book* runs as follows :—

The matter upon which the motion for adjournment is based must require the immediate attention of the House and the Government, and not be postponable until an opportunity is provided by Supply, etc.

The subject matter of this motion can be discussed in the course of general discussion on the budget or when demands for grants are considered. Therefore, I do not consider it urgent.

Diwan Chaman Lall : Would you be prepared to hear an argument in regard to the admissibility of this particular motion, before you give your ruling ?

Mr. Speaker : I have already given my ruling. I will not hear any arguments. Hitherto I have been ruling out such motions without giving any reasons, but from to-day I am starting the practice that when I rule out a motion I should give reasons.

Diwan Chaman Lall : May I draw your attention to the fact that although there is no law as you say, there is a definite convention, which is accepted in all legislatures, that when the Speaker wishes to give any reasons for ruling out a particular motion as out of order he should give an opportunity to those members who consider that the motion is in order to place their case, before a final decision is given in the matter.

Mr. Speaker : I also have done this occasionally but the quotation I have given from *Campion's book* is so clear that no further discussion is necessary.

Diwan Chaman Lall : May I ask which rule you were referring to ? (*Voices, order, order*). I will not yield to the honourable members who cry 'Order, order'. I am asking on a point of information. Let the House know what rule of procedure you are following.

Mr. Speaker : I have quoted para 2 (b), page 133 of *'Campion's book*.

Diwan Chaman Lall : May I draw your attention to the fact that '*Campion*' is not applicable to this House ? (*Voices, order, order*.)

Mr. Speaker : I have been always following the parliamentary practice when it is not inconsistent with our rules.

Diwan Chaman Lall : May I, with your permission, draw your attention to definite rules regarding adjournment motions, which are before you ?

Mr. Speaker : According to these rules one of the requisite conditions is urgency. I have quoted Campion to show what urgency means.

Diwan Chaman Lall : Do we take it that your ruling is that it is not an urgent matter ?

Mr. Speaker : Yes.

Diwan Chaman Lall : On what grounds ?

Mr. Speaker : The honourable member may refer to the authority quoted by me.

Diwan Chaman Lall : May I draw your attention to the fact that the question of urgency is a question of fact ; it is not a question of law. The question of urgency arises when a matter of public importance comes before the House.

Raja Ghazanfar Ali Khan : I would like a definite ruling from you as to whether, after the Chair has given a ruling in very definite words, it is open to any honourable member of the House to enter into arguments, to ask for an authority and to question it. If not, is the honourable member in order in asking these questions ?

Diwan Chaman Lall : May I refer to 'Campion' once more because this matter is of very great urgency and I want your consideration—(Interruptions).

Premier The Honourable Major Sir Sikander Hyat-Khan : I hope it will save the time of the House if I am allowed to make a few observations with regard to this adjournment motion. If the Leader of the Opposition considers it necessary or desirable that the subject matter of this adjournment motion should be discussed (not as an adjournment motion) on the floor of the House, I will be glad to provide time for its discussion. I am not prepared to agree to a convention that I should give similar facility at the request of an individual member whether he may have a following or not. In regard to this particular motion which relates to my speech, I would certainly have extended that facility even to the honourable mover opposite, if his adjournment motion also had been temperately worded and couched in parliamentary language. Since it is not, I regret, I am not in a position to offer him the same facility. If the Leader of the Opposition wants time, I shall be glad to accommodate him and give time for discussion of the motion on a Government day.

Chaudhri Krishna Gopal Dutt : In view of the fact that the Honourable the Leader of the House has agreed to discuss this adjournment motion—

Premier : Not the adjournment motion but to discuss the subject matter of the adjournment motion. If the Honourable Leader of the Opposition wishes I am prepared to give time.

Chaudhri Krishna Gopal Dutt : There are other adjournment motions on the same subject, which are temperately worded.

Premier : The adjournment motion has been ruled out of order. Therefore, I suggest that if the Leader of the Opposition wants time I am prepared to provide it.

LATHI CHARGE ON KHALSA COLLEGE STUDENTS.

Mr. Speaker : The motions¹ that come next relate to *lathi* charge on Khalsa College students. They also are out of order for the same reason, that is, they can be discussed otherwise.

As to whether Diwan Chaman Lall's motion² can be moved or not, I have already given my ruling. But there is one thing to which I venture to invite the honourable members' attention. This Assembly being a responsible body, it is highly desirable that, consistently with its dignity, its honourable members should always use parliamentary language in their questions, motions and speeches. The language used by the honourable Diwan Chaman Lall, I think, is unparliamentary. Strictly speaking, it may not be exceptionable, but I think it is not the language which should have been used by the honourable member about the Premier of the Assembly. He could easily have couched his motion, as other gentlemen have done, for instance, Sardar Hari Singh, in a happy language. I hope he will bear my suggestion in mind and maintain the dignity of the House by raising the tone of his motions and speeches.

I take this opportunity to request the honourable members not to send their questions and resolutions to the Press before they are allowed or admitted by the Speaker. There is no rule or law which is against their doing so ; but let us start a wholesome convention of sending to the Press only such questions and resolutions as are passed by me. This is the practice of the mother of parliaments. Certain people simply for the sake of playing to the gallery frame defamatory motions or resolutions and questions and publish them in the Press, though they may be ultimately rejected by me. So I earnestly request and hope that the honourable members will very kindly follow my suggestion.

¹**Sardar Kartar Singh :** That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the conduct of the police in making a *lathi* charge on the peaceful students of the Khalsa College, Amritsar, and two honourable members of this House when they were peacefully taking their stand inside the College premises on 19th May, 1937.

Sardar Hari Singh : That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the alleged conduct of the police in *lathi* charging and maltreating a number of students of the Khalsa College, Amritsar, and certain prominent on-lookers on 19th May last in front of and outside the College gate and the circumstances preceding and following the alleged trouble.

Sardar Kartar Singh : That leave be granted to make a motion for the adjournment of the business of the house to discuss a definite matter of urgent public importance, namely, the objectionable language used by the sub-inspector of police towards the students of the Khalsa College, Amritsar, and other members of the public followed by unprovoked *lathi* charge on the 19th May, 1937, at Amritsar.

Sardar Partab Singh : That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the unprovoked *lathi* charges on the members of the public as well as on the students of the Khalsa College, Amritsar, on the 19th May, 1937, by a sub-inspector of police in the presence of Superintendent of Police, Amritsar, but without his orders.

²**Diwan Chaman Lall :** That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the speech delivered by the Honourable the Premier on the 18th of May 1937, which the House considers to be an irresponsible, reactionary and anti-national utterance and which appears to have been inspired by zeal to please and placate British authorities, being calculated further to prevent the people of the Punjab from achieving full responsible Government in the province.

Diwan Chaman Lall : I thank you for the courtesy that you have extended to me in permitting me to make a personal explanation. Howsoever much I might differ from you, and I do differ from you strongly in the view that you hold in regard to the desirability or feasibility of my being able to improve the language of my motion, nevertheless your rulings are inexorable in this House and I and other members have to submit to those rulings, but I want to make my position perfectly clear.

I did not know that the Leader of the House and of the Unionist Party was so sensitive to remarks being made regarding a political speech of his and not regarding his person, considering that he went out of his way to attack the great Indian National Congress in that speech with reference to which this motion was given. If my honourable friend will read the motion carefully, he will find that there is not one single word or any personal aspersion against him but only regarding his political statements and contains the comments that the Opposition is prepared to make here and outside this House regarding those political sentiments.

May I also, Mr. Speaker, say that as far as I am aware there is no member of the Opposition who has been in touch with the Press or has given any statement to the Press regarding any motion to be moved in the House. Perhaps, Mr. Speaker, you will have to look nearer home with regard to the information being given to the Press and not to me or any member of the Opposition whence these statements have been sent to the Press. But that does not detract from the fact that I would be the last person to make any personal attack against the Honourable Premier or against any other member of the House, but I do reserve to myself the right to make as virulent an attack as I can against the political creed of the Honourable Premier.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I am grateful to the honourable member opposite for the small mercy he has thought fit to show by saying that he did not mean to make a personal attack on me but that his motion was merely an attack on my political creed or my political views. It is not for me to express an opinion on the wording of the adjournment motion which is before you. If I took objection to the wording of the adjournment motion it was not because I was personally concerned but because I consider that it is the duty of everyone of us to jealously safeguard the dignity and privileges of the members of this House, whether he is the Premier or a member of the Opposition. It is on that account that I entered a protest, not as Leader of this House or as Premier of this province, but as an ordinary member of this House. If we import Billingsgate language and atmosphere into our work the dignity and prestige of this House must inevitably suffer, and that is the last thing we should allow to happen. I hope the Opposition will agree with me that we should raise the prestige and dignity of this House to a level even higher than that attained by the previous Council. This is a responsible Assembly and I have no doubt that the honourable members will show in this matter as also in other matters due sense of responsibility. I do not take exception to the motion of the honourable member, representing South Labour constituency on personal grounds; it is for the honour, dignity and prestige of this august House that I appeal to all sections of this House to support me in keeping the level of debate high, and continue the good work started in the previous session and I earnestly

[Premier.]

hope that I shall receive unstinted support from my honourable friend the Leader of the Opposition and other members of this House.

Dr. Gopi Chand Bhargava : Mr. Speaker, the Leader of the House has made an offer to me that he would give us time out of the Government business time to discuss this matter if we would like to do so on the floor of this House. Whilst obeying the Chair I think I am right when I say that the Opposition is within its rights to have this question discussed, but as you have ruled it out of order I am not going to press this point. I might also say that I shall be second to none in upholding the dignity of this House which I have the honour to belong to, but as far as you permit me to speak I shall also be justified in placing my point of view as far as the rights of the members of this House are concerned. I feel that if an honourable member moves a resolution or gives notice of a resolution or a motion, adjournment or otherwise, which is undignified, you should always overrule it and we shall obey your ruling, and obey it without protest, in this House. On the one side you were pleased to remark that the words in which Diwan Chaman Lall's adjournment motion was couched were not dignified, on the other we have been charged with a motive, and that not a good motive, that we are here without any sense of responsibility. It was suggested that we give notice of motions only to play to the gallery. My submission is that we are here with a full sense of responsibility. We have promised something to our electorate and we have to justify the confidence which has been reposed in us by their electing us to this House. When we come to this House we do not come here to carry on propaganda outside. We come here to protect the rights of the citizens and to get for them what we can at the present moment from this House. Therefore, I do not want this matter to be discussed and I do not want any time to be allotted for the discussion of this matter as a matter of favour.

Premier : I just want to say one word with reference to the concluding sentence of the speech of the honourable Leader of the Opposition. He said that he did not want the allotment of time for the discussion of the matter as a matter of favour. I may inform him that it is a convention in the British Parliament that if the Leader of the Opposition evinces a desire to discuss a specific and important matter of public interest and asks for time the Leader of the House invariably tries to accommodate him. It was on that analogy that I suggested that if my honourable friend the Leader of the Opposition wished to discuss the matter I would be prepared to accommodate him by finding time for it on a Government day.

Dr. Gopi Chand Bhargava : If that is the convention and if I feel that I want time to discuss any question I shall certainly approach the Leader of the House.

Malik Barkat Ali : May I make one submission ? You have been pleased to tell us, very rightly of course, that questions and resolutions which have not been considered by the Speaker should not appear in the Press. I understand that that is the convention of this House. But in the case of questions and resolutions which are disallowed by you, may we take it that there would be no breach of any convention if the fact that a certain question or a certain resolution has been disallowed by the Speaker is made public as well as the grounds of the disallowance ? I should like to hav_e

your ruling on that particular point for this reason that, if you are going to admit that members can certainly publish resolutions and questions which have been disallowed, then, with all deference, I would request you to consider whether it matters in the least if the matter appears in the Press to-day before disallowance or to-morrow after disallowance. We must be governed by conventions in this respect, and if there are parliamentary conventions we must follow them. I should, therefore, like to have your guidance in this respect.

Mr. Speaker : As to questions and resolutions allowed by the Speaker there can be no objection if any honourable member wishes to send them to the Press. But as to questions and resolutions disallowed by the Speaker, their sending to the Press would amount to a vote of censure against the Speaker which, if necessary, should be moved in the House and not in the Press. If any honourable member is dissatisfied with my decision about his question, resolution, etc., I shall be only too glad to discuss it with him. He may come to me and I shall try to satisfy him that my decision is in accordance with rules. On the other hand, if I am convinced that my decision is wrong, I shall be only too glad to correct myself. But to send the disallowed questions and resolutions to the Press would only convey one-sided or *ex-parte* version to the public and that will not be fair to me. I am your representative and servant. I do not claim to be infallible. So if I commit any error you should come to me in the first instance. That is the right procedure. I do not think any honourable member has ever come across any newspapers in which the Speaker of the House of Commons has been criticised for disallowing questions or motions.

Malik Barkat Ali : You have been pleased to say that the publication of disallowed questions and resolutions amounts to a censure on the judgment of the Speaker. I respectfully submit that that cannot be so. You will be pleased to realise that the members of this House have got their duty to their constituents and the constituents should know why a certain resolution or a certain question has been disallowed. If we go to the Press to explain to our constituents why a certain question or resolution in which they are interested has been disallowed, I do not see why it should be construed as an expression of censure on your judgment. On the other hand, if your judgment is correct the public will only appreciate it.

Mr. Speaker : I wish we had such a public.

Malik Barkat Ali : I am sorry that you should have such a poor opinion of our public. However, all I am interested in saying is this that the publication of your disallowance of any question or resolution cannot by any manner or means be treated as a censure. On the other hand, if we are not to be allowed to go to the Press with such questions and resolutions, then it will be most unfair to us, for, then we will not be able to justify our existence to our constituents. I should, however, like to know whether there is any authority or precedent for your ruling.

Mr. Speaker : I have made my request to the honourable members in the hope that they will comply with it.

Malik Barkat Ali : Then, it is not a ruling.

RELEASE OF SARDAR TEJA SINGH SWATANTAR.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) : I beg to move—

That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to release Sardar Teja Singh Swatantar, a state prisoner, who has recently been elected to this Assembly, which constitutes an attack on the privileges of the members of this House and deprives a large number of voters of their right to be represented in the Assembly.

Mir Maqbool Mahmood : I rise to a point of order. Before proceeding further with this motion I beg to solicit your ruling on some specific questions arising out of this adjournment motion. My first submission is that the debate on this question should be confined only to the matter of privilege and should not go into the circumstances which occasioned the detention of the honourable member under discussion. My second point is that it has been held by the Privy Council that when a legislature is created by a statute its privileges are limited to the statute creating it or to Acts made thereunder. Section 71 of the Government of India Act is clear. I should, therefore, like the honourable mover of the motion to specify which particular privilege mentioned in section 71 of the Government of India Act or any flowing from Act embodying the privileges of this House has been violated. The third point I wish to submit is that even if the Parliamentary convention is invoked, it has been ruled that if under the ordinary process of law a member is detained even without regular trial, it does not involve any privilege of the House. My fourth point is that no question of privilege of the House can arise when the House has no power to punish a breach of the privilege.

Mr. Speaker : Do all these points arise out of the adjournment motion ?

Mir Maqbool Mahmood : Yes, Sir.

Mr. Speaker : What are your points ? Let me take them down.

Mir Maqbool Mahmood : My first point is whether the debate is to be limited to the question of privilege or to go beyond it.

Diwan Chaman Lall : On a point of order. Before leave has been granted how is it possible to raise all these points ?

Mr. Speaker : If I disallow the motion then these points will not arise.

Mir Maqbool Mahmood : I am in order in inviting your ruling on specific points before leave is granted.

Mr. Speaker : What is the second point ?

Mir Maqbool Mahmood : Whether the privileges of this House go beyond the relevant sections of the Government of India Act and any legislation made thereunder.

Mr. Speaker : I wish the honourable member had given me previous notice of his points of order.

Mir Maqbool Mahmood : I thought I had done so. But I may not have been very specific.

Mr. Speaker : Not before half past ten. The Parliamentary practice is that every member who has to raise an important point order gives timely notice to the Speaker, so that he may come prepared. What is the next point ?

Mir Maqbool Mahmood : If ordinary processes of law are followed in criminal administration, does it involve any privileges of the House ? The fourth point is whether there is any privilege when the House has no right to punish its breach.

Diwan Chaman Lall : Now that the honourable member has exhausted his four points, I wish to draw your attention to the fact that during the discussion of the previous motions you were pleased not even to allow any member to speak in justification of the motion and I do submit that this procedure is rather extraordinary and when the honourable members opposite wish to object to a particular motion then permission is given to them to lay their case before you. I submit that in consonance with your previous ruling, you should not take into account any of the points raised by the honourable member until you have given leave.

Mr. Speaker : Is the honourable member making an indirect attack on the Chair ?

Diwan Chaman Lall : I am only pointing out the procedure adopted. When I specifically raised this point and wanted permission to place my arguments regarding the adjournment motion before you, you were pleased to remark that you had already ruled out the motion.

Mr. Speaker : A point of order can be raised any time.

Diwan Chaman Lall : It is a question of justification for a particular motion and until you have given your ruling whether you allow it or not, these points do not arise.

Mr. Speaker : I am going to ascertain certain facts from the mover and after that I will give my ruling. When was Sardar Teja Singh detained or interned and under what law ?

Sardar Sohan Singh Josh : Eight months ago, under Regulation III of 1818. There is also another fact and that is that he was returned to this Assembly unopposed.

Mr. Speaker : The point is whether the honourable member's motion is in order.

Sardar Sohan Singh Josh : It is a definite matter of urgent and public importance.

Dr. Gopi Chand Bhargava : I want to mention one fact. An honourable member of the Central Assembly wrote to the Government of India that the question of release of Sardar Teja Singh should be considered by them and the reply received was that this matter related to the provincial Government and not the Central Government.

Diwan Chaman Lall : I take it that there is no objection on the part of the honourable members opposite to the acceptance of this motion. I take it that the objections raised by my honourable friend opposite relate to the scope of the motion and not to its admissibility.

Mr. Speaker : For the present I am concerned only with its admissibility.

Diwan Chaman Lall : The points raised by my honourable friend opposite relate not to the actual facts of admissibility but to the scope.

Mr. Speaker : I am not dealing with those points. All I want to know is whether the motion is in order. It is expressly based upon members' privilege and the question is whether under the law or practice in force the members of this Assembly have got that privilege. If they have that privilege, I shall gladly allow the motion, otherwise I shall have to disallow it. But disallowance would not mean that if any member wishes to discuss the matter, he cannot discuss it otherwise, say in discussing the budget or by moving a resolution. Now the only point is whether the members of this House have got the privilege of being released from detention for attending the meeting of the Assembly. I require light on that point.

Sardar Hari Singh : I want to give you a piece of information. I speak subject to correction, but I think that when on the election of Mr. Sarat Chandar Bose he was not allowed to attend the session of the Central Assembly, a similar motion was moved and was allowed. If we are to follow this precedent in the Central Assembly, we should be allowed to move this motion.

Mr. Speaker : I shall be very glad to do so, if I am satisfied.

Lala Duni Chand : I understand it is a violation of the Government of India Act itself not to allow a member who has been elected to attend a meeting of the Legislative Assembly. This right has been conferred on every member of this House who has been elected.

Mr. Speaker : I am not aware of any such provision in the Government of India Act, and, therefore, cannot agree with the honourable member. Suppose on the date of his election to the Assembly, a person is in jail, undergoing a sentence of imprisonment under criminal law ; or suppose after the date of his election, but before the meeting of the Assembly, he is convicted and sent to jail for 6 months, shall he be entitled to claim the privilege of being released for attending the meetings of the Assembly ?

Lala Duni Chand : If he had been convicted under a criminal law, he cannot go out of the four walls of the jail. He is confined there under a certain law. But when a certain privilege is conferred upon a certain member and the executive Government stand in the way of that gentleman doing his duty, the question is whether it is not a violation of the Government of India Act.

Mr. Speaker : What section of the Government of India Act is the honourable member relying upon ?

Lala Duni Chand : There is a section in the Government of India Act which lays down that members can be elected from constituencies and when elected they have a right to attend the meeting of the Legislative Assembly. I refer to that provision in the Government of India Act.

Dr. Sir Gokul Chand Narang : I want to say a few words before you deliver your ruling.

Mr. Speaker : The members of the Parliament, when arrested under the orders of a civil court, have the privilege of being released for attending the Parliament, but they do not enjoy that privilege if they are convicted under the criminal law. In India we have a third class of prisoners, i.e., detainees. I mean, political prisoners or internees. This class of persons, I speak subject to correction, does not exist in England.

Mir Maqbool Mahmood : This class does exist even in England, under the Protection of Ireland Act.

Mr. Speaker : I think a political prisoner is more a criminal than a civil prisoner, and, therefore, cannot claim the privilege of release even in England.

Premier : May I quote from the speech of the Honourable Law Member of the Government of India ? He says :—

“ If we turn even to the privileges of the Houses of Parliament, there is the older rule that in cases of detention either under process in connection with criminal law, or even in cases where a man has been detained without any trial but legally detained under some statute, there is no breach of privilege. I will remind this Honourable House that if they will turn to May, they will find there are four cases of members who had been detained under an Act called the Protection of Ireland Act. In 1920, an Irish M. P. Mr. Joseph Macricle was detained under that Statute, the language of section 14 (b) of which is—

‘ The Secretary of State may by order require such a person to be forthwith interned in such place as may be specified in the order.’ ”

Similarly in three other cases three other members of Parliament were detained without trial and it was not considered to be a breach of the privileges of the House.

Mr. Speaker : I think the case is perfectly clear.

Diwan Chaman Lall : May I draw your attention to the fact, Mr. Speaker, that it is regrettable that the real emphasis of this adjournment motion has been shifted on to something that is not applicable in this case. The real emphasis has been shifted on to a question of privilege, but the real emphasis in my opinion and in the opinion of members of the Opposition lies not in the question of privilege, but in the fact that the executive Government has taken a certain action which has resulted in a particular member returned to this House being made unable to sit in this House. It is in order to express our resentment on the action taken by the executive Government in not releasing this particular individual arrested not under any ordinary process of law but by extraordinary processes of law.

Mr. Speaker : Is release claimed as a matter of mercy or as a matter of right ?

Diwan Chaman Lall : By this motion we intend to censure the Government for not taking the action which they should have taken. This is a question of public importance and is a matter of grave public importance and of recent and urgent nature. We could only raise this matter to-day because since the last Assembly met this gentleman has been elected to this House. We could not raise it at an earlier moment. Therefore it is a matter of recent and urgent importance. Whether it is a question of public importance or not is clear from the fact that a member of this House who should be sitting here, has been taken away and imprisoned without any ordinary trial. I am not bringing in any question of privileges. I want to contend

[Diwan Chaman Lall.]

the action of the Government in taking executive action and in not bringing this gentleman before the ordinary law courts, and thus taking their stand on the evidence they have against him, but spiriting him away under extraordinary laws. We would not have raised this matter before you but for the fact that this honourable member has been arrested and imprisoned without the ordinary process of law (*interruption from Government benches*). This motion is, therefore, a censure motion on the Government on an urgent matter of public importance and of great importance to the country. It is, therefore, not a question of mere privileges and it should not be narrowed down to the consideration of the privileges of this House.

Mr. Speaker : Was that law made by this Government ?

Diwan Chaman Lall : Not by this Government. It is Regulation III of 1818. The question is not whether they can. We say that morally they are bound to release this gentleman. It is not a question of legality (*Interruption*).

Malik Barkat Ali : May I also draw your attention to the fact that a similar motion was moved in the Central Legislature regarding the internment of Mr. Sarat Chandra Bose. It was allowed to be moved.

Mr. Speaker : Has the honourable member himself read the proceedings of the case to which he has referred ?

Mir Maqbool Mahmood : The motion was—

The conduct of the Government in preventing Mr. Sarat Chandra Bose, an elected member of this Assembly, from attending to his duties as a member of this House and thereby seriously infringing the privileges of this House and depriving the constituency which elected him of its right to be represented in this House.

It was limited to the question of privilege. The motion was allowed (*hear, hear*), but similar motions have been disallowed in the higher forum of the House of Commons.

Malik Barkat Ali : Mr. Speaker, as you have been pleased to make it clear, the privileges of this House have been embodied in the statute and I personally feel that to say that the non-release of Sardar Teja Singh Swatantar is an attack on the privileges of the members of this House, is not correct, but my humble submission to you is, suppose a wrong reasoning is introduced in the motion of adjournment, that should not stand in the way of the motion being taken up. That would be a reason for the House to throw the motion out but that would be no reason for the House not granting leave or for you not to allow. My submission is that, as I understand and read this motion of adjournment, the essence of this motion is discussion of the fact that a gentleman who has been in jail has since been legally elected by a constituency and the mover's intention is to emphasise that fact on the Government with a view that the Government may consider the desirability—not the legality—and the propriety of allowing a member, who though in jail has been elected, to attend this session.

Mr. Speaker : Does the honourable member mean that every detenué, who may be elected to the Assembly, should be released ?

Malik Barkat Ali : My submission is that at present you are considering the question merely of disallowance. It is not a question of whether

the motion should be accepted or not. I am only speaking on the question of allowance of the motion.

Premier : I think the debate should be confined to a discussion of the question whether it constitutes a breach of the privileges of this House.

Malik Barkat Ali : I have made my position clear that it is not a breach of the statutory privileges of this House and there are no other non-statutory privileges that we know of, that can be said to have been violated. The wrong reasoning in the motion does not matter, and without adapting that reasoning, therefore, I still request the Treasury benches to consider the propriety of this matter being discussed.

Pandit Muni Lal Kalia : A point of order was raised by the member on the other side.

Mr. Speaker : But it was no point of order.

Pandit Muni Lal Kalia : The question before the House is not with regard to the privileges of members now discussing the matters but with regard to the privilege of the member who is detained. That is the point. The portion that has been read by the honourable member on the other side clearly shows that in the Central Assembly the matter was allowed because it concerned the privilege of the member who was under detention and not the privilege of the member who was going to discuss. So, in this case also, it is a matter of great public importance because we have to discuss with regard to the ordinary privilege of the member who is under detention and the House is meeting for the first time after he has been elected. I submit that detention is altogether different from conviction and the question does not arise whether the House is privileged to discuss every case where a member is either imprisoned or is convicted. That is a different question. The question that a member of the House was convicted and imprisoned before the election took place or had been imprisoned many years before, does not deprive this House of the right of discussion. The question since when he was detained is not before the House. What we are concerned with is that his detention should not be continued under the present circumstances when he has been elected and also because detention is not a conviction. Therefore this is not a matter which has been decided either by the court or is a matter which debars us because it is *sub-judice*—so the House has got full liberty and section 71 of the Government of India Act does not deprive this House of the privilege to discuss the matter because it is of great urgency and has arisen at a time when this House was not in session. Therefore, my submission is that the discussion should be permitted because in this case there is no disability placed upon this House to proceed with the matter.

Premier : As regards urgency may I point out that this gentleman was in detention when the House met in April last. Therefore so far as the question of detention is concerned, if it has any urgency, it had urgency then, and the motion should have been moved in the previous session. I, therefore, submit that the only question to which this debate or motion can be confined is whether there has been a breach of privilege of this House or not. If the honourable members are prepared to confine the discussion to that point, I will have no objection.

Dr. Sir Gokul Chand Narang : Had he been elected at the time of last election ?

Premier : No.

Maulvi Mazhar Ali Azhar : This question could be looked at from another point of view. The honourable member who has been elected was under detention, but the question is whether the Government is debarred from allowing him time to attend the session of the Assembly. If the Government has got that authority to allow a person to go out of detention and do certain business, certainly we are entitled to discuss whether certain action taken or refused to be taken was proper.

Mr. Speaker : An ordinary resolution can be moved that the man may be released.

Maulvi Mazhar Ali Azhar : The question is—

Mr. Speaker : The point is whether the mover has the right to move an adjournment motion for the release of a political internee. If he is moving it on the ground of privilege, it is out of order. But if he is moving it on any other ground then he cannot move it as an adjournment motion.

Diwan Chaman Lall : There is a precedent. On the 22nd January 1935, a similar motion was moved in the Central Legislature and I would like to put before you the phraseology of that motion and would also like you to consider it. I will read it to you. You will find that almost the same phraseology is used—

1 P. M.

The conduct of the Government in preventing Mr. Sarat Chandra Bose, an elected member of this Assembly, from attending to his duties as a member of this House and thereby seriously infringing the privileges of this House and depriving the constituency which elected him of its right to be represented in this House.

The wording of the present motion is the failure of the Government to release Sardar Teja Singh Swatanter, a state prisoner, who has recently been elected to this Assembly. The Honourable President of the Central Assembly held that motion in order although Mr. Jinnah objected to it. He said that the motion should be confined to that one particular point, namely, the privileges of the honourable members to sit in the House and attend the meetings of the House, and the debate was confined to that particular point. You have got exactly a similar motion before you. Confine the debate to this particular point, namely, the refusal of the Government to allow this particular elected member to sit in this Assembly and do his duty. You are quite welcome to do so. It will serve the purpose of the Opposition.

Lala Duni Chand : Will you kindly hear the views of Dr. Sir Gokul Chand Narang ?

Mr. Speaker : The question is a question of privileges.

Raja Ghazanfar Ali Khan : Is the honourable member in order to recommend that the views of a particular member should be heard ? The ordinary procedure is that whenever a member wants to express his views he stands up in his seat.

Dr. Sir Gokul Chand Narang : I should like to say a few words, particularly when an appeal has been made to me by one of my colleagues I am prepared to admit frankly that the proposition should have been

worded more carefully. As it is, it is open to an attack. But I do not think that either you or the Government should raise any technical objection to the wording of the proposition. As I pointed out to my friends here, the question is really not one of law or of any technicalities of the Government of India Act. The fact is that if there were no restraint on this gentleman, he would have been able to enjoy the privilege of being here. The question, therefore, is whether it was not proper or decorous on the part of the Government to remove that restraint in order to enable him to enjoy the privilege which the vote of the constituency gives him to represent them in this House.

Mr. Speaker : Not as a matter of right.

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Dr. Sir Gokul Chand Narang : Yes, not as a matter of right. I am quite prepared to endorse the view that it cannot be claimed that he has any legal right to be here. The question, therefore, is whether, apart from any legal technicalities, the members of this House have a right to discuss the policy of the Government in this respect in not allowing that particular member a temporary freedom to be here and represent his constituency. That is the real issue and I am really surprised that any technical objection should have been taken on the wording of this adjournment motion. We have a precedent before us which has been read out to you. The wording of the proposition, which was moved in the Central Legislature, was almost exactly the same as the wording of this proposition. Objection was raised against the wording of that proposition and the Law Member, as it was pointed out by the Leader of the House, rightly objected on the ground of privilege; but the fact is that the moving of the motion was allowed by the President of the Central Assembly. I would like you to consider, that it would be safer and more consistent with the extension of the privileges of the members of this House if your discretion is exercised in favour of allowing this motion. This is what I feel.

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I should also say a word about the second proposition which you were pleased to put in your last utterance and that was that if this gentleman had no right to be here, then the proper course for the members of this House would be to move an ordinary resolution. I would quite agree with you if the circumstances were ordinary. But there is an element of importance and an element of urgency involved in this matter. This session has started and if this gentleman is not allowed the freedom of attending it, it means that people of a part of the Punjab will be deprived of their representation in this House during the whole term of this session. This is an important matter which you ought to take into consideration. This is not a matter which can be postponed to a future occasion when an ordinary resolution could be moved in this House, because if he is not allowed to attend this session, it means that certain section of the people, as I have said, would go without any representation. So, this particular member of this House might ordinarily be allowed to attend the session unless it can be pointed out that the man is such that to give him even temporary freedom would, in any way, jeopardise the peace of this province. That question would arise when you allow the motion to be moved and then it will be open to the Honourable Premier or any other member of the Government to point out that it would be highly dangerous to give even temporary freedom to

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[Dr. Sir Gokul Chand Narang.]

this tiger who may devour some people if he was set free even for a short time. It is open to them to give any reasons they can against his release, even on a temporary basis. I feel, that on no ground, apart from technicalities, should the moving of this adjournment motion be disallowed.

④ **Premier :** May I refer to the motion moved in the Central Legislative Assembly. The adjournment motion there was allowed on the specific understanding that the debate would be confined to the question of privilege of the House. I have already pointed out that if the honourable member is prepared to confine the debate to the question of privilege I will have no objection. But if he wishes to raise the question of release of the prisoner the it should be ruled out as it is not urgent and can be dealt with by moving an ordinary resolution. It is only if the question of a breach of privilege of the House is involved that this adjournment motion should be allowed to be moved.

~~Pandit Muni Lal Kalia :~~ May I know why the adjournment motion should be disallowed when there is a certain privilege with regard to the subject which is going to be discussed? That is one point. The second point is that the discussion on the motion has been directed into wrong channels by the Honourable Premier. It has been remarked that the question is with regard to the privilege of the members and not with regard to the privilege of this House. Courtesy is going to be shown to the honourable member who has the privilege to be released. He has got the privilege to be released because as an ordinary citizen it is his civic right to be released.

~~Mr. Speaker :~~ Why should a criminal prisoner be released?

⑤ ~~Pandit Muni Lal Kalia :~~ I submit that he is not a criminal prisoner. With due deference to your remarks, he is not a criminal prisoner. As a matter of fact he is a political prisoner and as a political prisoner his liberty has been restricted. The question before the House is that his liberty should not be restricted while he has been elected as a member of the provincial legislature and he has to represent thousands of voters.

Mr. Speaker : The question for decision is whether Sardar Teja Singh can or should be released by Government, because it is his privilege as a member of this House (Voices : No, no). May I take it, then, that the House agrees that his release cannot be claimed on the ground of privilege? (Voices : No, no). The question is, can it be claimed that Teja Singh should be released from detention on the ground that he has been elected a member of this Assembly? In other words, is it the privilege of every political prisoner, who may be elected a member of this House, that he may be released to attend the meetings of this Assembly?

Dr. Sir Gokul Chand Narang : No, that is not the point. The question is whether it is open to the members of this Assembly to say that Government should have acted in such and such a manner or should not have acted in a particular manner.

Mr. Speaker : Is it agreed that it cannot be claimed on his behalf as a matter of right or privilege that he may be released? Does the House agree? (Not a single no). That is settled. The next question is a simple one. In my opinion, the release of the detenué as a matter of mercy can be

called upon only by a substantive motion, that is, a resolution; and not by an adjournment motion, especially when the administrative responsibility of the Government is not involved and there has not been any departure from the ordinary law.

Diwan Chaman Lall : Are you governed by precedent ?

Mr. Speaker : I am not going to follow the precedent. It will not be proper, I think, to give my reasons from the chair. If the honourable member insists to hear my reasons, he may see me outside the House.

Diwan Chaman Lall : I want your reasons here (*Voices : Order, order.*) You should give your reasons on the floor of the House. It is not a personal matter between you and me.

Mr. Speaker : I decline to give my reasons on the floor of the House, as it will be improper on my part to criticise the Central Assembly.

Dr. Gopi Chand Bhargava : Sir, you said that you have started a new practice and that you would give reasons for disallowing a motion.

Mr. Speaker : That I have already done.

Diwan Chaman Lall : I do not request you to be kind enough. You have ruled this motion without assigning a single reason.

Mr. Speaker : I have given my reasons.

Diwan Chaman Lall : Which rule are you following in giving your ruling? Did you refer to any ruling? I think your rulings should be governed by rules of procedure. There are rules 17 and 18 and standing orders 21, 22, 23 and 24. In deciding the point you are giving no authority.

Mr. Speaker : I will read out to the honourable member the rules on which he is relying. (*Premier : Why should you enter into arguments with the honourable member ?*) Rule 17 says: "A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker."

I will now read Standing Order 23 which says: "If the Speaker is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask " My consent was to be taken and as I considered the motion to be out of order, I withheld my consent.

Diwan Chaman Lall : It appears that you are very anxious to satisfy the House. Will you kindly state your reasons for not giving your consent?

Mr. Speaker : I have already said what I had to say. I strongly differ, and I know where I am.

Diwan Chaman Lall : Mr. Speaker, this is a very important matter which is going to affect the procedure of this House for five years and I do submit that you might adjourn discussion of this matter now. May I draw your attention to the fact that you have read the two rules—rule 17 and the Standing Order 23. I do submit that according to rule 18 which gives the restrictions on power to make motions for adjournment, your decision to give consent or withhold consent is confined to the restrictions laid down in rule 18 and cannot go beyond that.

Mr. Speaker : If the honourable member will refer to page 134 of *Campion*, he will find that even if the privilege of release exists, the motion cannot be moved as an adjournment motion. Page 134, paragraph 6 (b) reads : A privilege motion cannot be moved as an adjournment motion.

Dr. Sir Gokul Chand Narang : May I know that if there is a matter to which Government is not bound by law to attend, no adjournment motion can be moved with respect to that matter? Supposing there is a flood to-morrow in Lahore. (*A voice :* Unless administrative responsibility by Government is involved no adjournment motion can be moved.)

MOTION FOR LEAVE OF ABSENCE.

Mr. Speaker : I have to read out to the Assembly the following application received from Lieutenant Sardar Naunihal Singh Mann, member of the Assembly, for permission to be absent from the Assembly. The application reads as follows :—

As I intend going out to England in May next for a period of about five months, I apply as required by Rule 24 (1) of the Punjab Legislative Assembly Rules, for permission of the Assembly to be absent from all meetings of the Assembly held during this period.

The application is dated the 21st April, 1937.

Under sub-rule (2) of Rule 24 of the Assembly Rules, the Speaker shall decide the manner in which the decision of the Assembly shall be taken on the application. For this purpose I propose to put the question "Is it the pleasure of the House that the permission be granted?" The decision will be taken by voices and announced; there will be no debate, no amendment and no division.

I shall accordingly put the question :

Is it the pleasure of the Assembly that the permission be granted?
(*After ascertaining by voices.*)

The permission is granted.

PRESENTATION OF THE BUDGET.

Finance Minister (The Honourable Mr. Manohar Lal) : To-day with the commencement of the present constitutional changes, inaugurating provincial autonomy, the temptation is great to make a rapid survey of our provincial finance in the past and to refer in particular to the financial aspects of the reforms introduced in 1921. But I must resist any such temptation. The broad features of the financial relations between the Central and Provincial Governments during the nineteenth century and the early part of the twentieth century are well-known. Under the Act of 1853, passed sixteen years before the annexation of the Punjab, financial powers were entirely concentrated in the hands of the Central authority, the provinces received fixed amounts for their expenditure and were subject to detailed control. Early in the seventies the system known as Financial Settlements was introduced, assigning certain sources to the provinces, but this system left the provinces in hopeless dependence upon the Central Government. Efforts were made in 1877 and 1882 to remove the more-

serious outstanding defects of the system when some of the sources of revenue were allocated to the provinces exclusively, while income from certain other sources such as land revenue, irrigation, stamps, excise, registration and forests, was to be *divided* between the Centre and the Provinces. These settlements were liable to five-yearly revision and made fixed financial policy in the provinces impossible. It was, therefore, felt necessary early in the first decade of the twentieth century to give them a semi-permanent character, and later to convert them into permanent arrangements. However, throughout this period the financial control of the Central Government was strict, and gave rise to much controversy and even friction between the Central and the Provincial Governments. It was in these circumstances that the reforms of 1921 were introduced conferring for the first time a definite measure of financial freedom if not complete independence upon the provinces; division of administrative functions between the Centre and the Provinces was prescribed entailing separation of central and provincial finances. But the rigid separation of sources of revenue left the Central Government exposed to the inconvenient risk of deficits, and the provinces were called upon to make certain annual contributions on a rough basis of ability calculated on estimates of increased revenues. The system was open to obvious objections, and soon the very foundation on which it was based, *viz.*, surpluses expected in provincial budgets, was found to be non-existent. The validity of the demand for the abolition of these contributions was soon admitted, and, after two steps in reduction, the system was completely abandoned in 1927-28.

2. In the Memorandum by Mr. Ram Chandra, Finance Secretary, on the Budget last year, a careful retrospect in broad outline of our financial position from 1921 is lucidly set forth. This relieves me from attempting any general review of our finances under the reforms. Many changes were inevitable from year to year as circumstances of revenue varied, due to nature's fitfulness in rain and flood and hailstorm, to the course of agricultural prices, and to the uncertainties of world economic factors. But the broad fact remains that under the charge of the reformed government, expenditure on what are known as the beneficent or nation-building departments rose steadily—in 1921-22 it stood at 170 lakhs, in 1936-37 the estimates were 290 lakhs.

3. It is on this inheritance of close attention to beneficent state activity that the present Government has entered. But I must not wander into past history. I must address myself to the accounts of three years according to time-honoured practice—the year 1935-36 for which the accounts have been closed, the year 1936-37 which has closed but for which only revised estimates are available, and the present year for which I will present the budget to-day.

1935-36.

4. As regards the year 1935-36, the honourable members may remember that the budget provided for a trifling surplus of Rs. 56,000, and at the time of the presentation of the budget last year, it was feared that even that small surplus would not be realised. Accounts for the year, however, show an actual deficit of a little over two lakhs. Apprehensions last year when revised figures were available that receipts would fall by about 15 lakhs

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below and expenditure rise by about 6½ lakhs above budget figures did not fortunately prove correct—the drop in income was actually less than one lakh and the increase in expenditure of no more than a lakh and three quarters. As compared with revised figures, the income under Net Land Revenue fell by 12½ lakhs, but under Irrigation (Gross amount) rose by about 27½ lakhs—showing a total revenue improvement of fifteen lakhs. Other departures from revised figures in both directions were of a minor character and tended to cancel each other. On the expenditure side, there was a fall of 9 lakhs under the heading Interest on debt on account of Irrigation Works for which Capital Accounts are kept and as against this there were minor increases, resulting in part from the restoration of the cut in salaries. It had been explained by Sir Donald Boyd that the real deficit for the year was not as great as it might at first sight appear because several adjustments had to be made on account of the transfer of funds from Revenue to Capital. But even then the position as then disclosed deserved careful examination. It is gratifying to note, therefore, that owing to essential care in budgetting and the more important circumstances set forth above, the year's working resulted in only a small deficit.

1936-37.

5. Coming to the year 1936-37, the year has already closed, but not so the accounts, and we have yet only the revised figures with us. I might, however, inform the Assembly that these revised figures disclose a much more accurate final picture of our revenue and expenditure for the year than was possible in the past. Figures have been revised on the basis of a longer part of the financial year than in previous years, as the budget is being presented in mid-June instead of at the end of February—three and a half months after the normal date. In the budget Revenue Receipts were estimated at Rs. 10,44,20,000 and Revenue expenditure Rs. 10,60,58,000 displaying a deficit of a little over Rs. 16 lakhs. The corresponding revised figures are Revenue Receipts Rs. 10,86,53,000 and Revenue Expenditure Rs. 10,63,66,000—yielding a surplus of about Rs. 23 lakhs—a total net improvement of Rs. 99½ lakhs over budget figures—improvement in Revenue Receipts of Rs. 42½ lakhs, only partially counterbalanced by an increase of a little over Rs. 3 lakhs in expenditure.

6. It will be noted that on the Receipts side the following are significant improvements :

| | Rs. |
|---|-------------|
| Land Revenue (gross) | 21½ lakhs. |
| Irrigation (Direct receipts) | 12½ lakhs. |
| Hydro-Electric Schemes | 5 lakhs. |
| Excise | 88,000 |
| | 39½ lakhs. |
| Improvement in Irrigation receipts due to fall in working expenses | 2·80 lakhs. |
| Total Rs. | 42½ lakhs. |

Other variations require no particular notice. On the expenditure side there is an increase of only Rs. 3,08,000—

about 1 lakh on Civil Administration,

about 3 lakhs on Interest on Hydro-Electric Works,

about 5½ lakhs under Miscellaneous,

these increases are in part counterbalanced by small savings under other heads. Honourable members must refer to the General Abstract and the Memorandum for greater detail. The estimate of revenue income in the budget was made with great care on a reference to figures during the immediately preceding years and in the case of irrigation to averages over a period of ten years with appropriate corrections. But the position in regard to both our principal sources of income improved in a remarkable manner with the happy result that I have indicated above.

7. In Land Revenue receipts the improvement of Rs. 21½ lakhs is due to—

- (i) increase in the area under cultivation in the two districts of Multan and Montgomery ;
- (ii) allotment of larger areas under temporary cultivation ; and
- (iii) larger recoveries out of suspended revenue.

During the year supplies in the canals also were good. These factors helped to increase the revenue even allowing for the effect of the introduction of the sliding scale of assessment in the Lyallpur District. Under Irrigation, estimating is always difficult. Factors that are not precisely definable have to be taken into consideration, forecasts have to be made so far ahead that seasonal conditions are not predictable with any certainty. In the year 1936-37 figures in the conservative budget estimate were affected mainly by larger development of irrigation in consequence of remodelling of channels and the Pir Mahal and Khikhi Extensions. The irrigated area on some of the principal canals was in excess of anticipations, supplies in inundation canals were plentiful, and there was also increased cultivation of crops paying higher rates. Also as I have said already the year was good so far as supplies in the canals are concerned.

8. The increase under Excise falls mainly under still-head duty on country spirit and permit fee on denatured spirits enforced from 1st April, 1936.

9. The increase under Hydro-Electric Schemes of Rs. 5 lakhs represents a welcome addition to the income of our leading business concern. It represents a satisfactory expansion in load, and is also the result in part of addition of three new local distribution systems. The scheme is far yet from paying for itself, because as against receipts it is necessary for this purpose to set down firstly 'working expenses' which amount to over 17 lakhs, and secondly interest amounting to Rs. 34½ lakhs, in 1937-38 fallen to the normal figure of 30½ lakhs, on the immense capital outlay. The day is not definitely in sight when owing to favourable expansion of business the scheme will pay for itself, but there has been a steady annual rise in receipts since 1933, the first year of revenue, and substantial demands for further loads are in view. Projects for the extension of electric lines into

[Finance Minister.]

rural areas are being studied, and two major projects of considerable magnitude are under examination. The receipts already leave a substantial margin after paying for working expenses, and with expanding income there will be an increasing balance to meet interest charges. At present the net receipts are about Rs. 14 lakhs, and the dead weight of the interest charge is being increasingly lightened by about 2 lakhs a year.

As against these favourable factors income from stamps continues to decline—there is a further fall of Rs. 2 lakhs in the revised estimates.

10. I have referred to the surplus which the working of the year 1936-37 is likely to yield. It is proposed to devote about Rs. 15 lakhs out of this surplus towards reducing the Capital account of the Hydro-Electric Scheme, thereby relieving the scheme of the burden of interest charge of Rs. 75,000 per year.

11. During the period of construction interest charges on capital outlay on the Hydro-Electric Scheme should have been financed from revenue. For reasons which it is not necessary here to go into, this could not be done, and with the special sanction of the Secretary of State the interest was charged to capital. Up to the year 1929 this amounted to Rs. 14·82 lakhs charged to capital. Interest on this amount, *i.e.*, Rs. 14·82 lakhs was naturally due and should have been paid out of revenue, but this was not done till attention was called to the necessity of doing so by the Auditor-General in the year 1936-37 and it is this interest, with the reduction made owing to fall in the rate of interest, that represents the difference between the budget estimate and the revised estimate. It will be observed, therefore, that while the revised estimate thus increased, this increase is purely technical and abnormal. It would not occur in any future year. Full account has been taken of it in the year 1936-37. In future, *e.g.*, in the estimate for 1937-38 the normal figure of interest is given, and that normal figure would be subject to a decrease of Rs. 75,000.

12. The interest on Capital Outlay on Hydro-Electric Scheme for the budgeted figure of 1936-37 was Rs. 31·48 and for the revised estimate Rs. 34·49—an increase of 3·01. This difference, as a matter of fact, would have been much greater but for the fact that the adjustment has been made at a rate of interest which had fallen in the meantime.

13. It will be observed that this writing back of Rs. 15 lakhs to revenue means an adjustment of the nature of a book transaction. It does not affect our provincial balances, but affords, as said above, an important relief to the Hydro-Electric Schemes. There remains the balance of Rs. 8½ lakhs. This will naturally go to improve our general balance. The proper destination of a surplus such as this is never easy to determine, but the present Ministry entered upon office when the year had actually closed, and there would have been technical budgetary difficulties in employing it for any directly fruitful object. In any event, the use of the whole surplus in the manner indicated further strengthens our credit in the loan market, a most important matter at all times, and of particular value to us in the present circumstances. An Eastern proverb says: "A man without credit is like a bird without wings; if he soars he falls to the ground and dies." The State is not unlike an individual in this respect, and we propose, as I

shall presently point out, to use our strong credit position as a force both to secure an annual saving, and 'to soar' by building up further sources of wealth.

1937-38.

14. And now the year for which the present budget is to be presented. At the outset, it is necessary to take note of two facts. Firstly the year is peculiar in this respect that it began without a budget in the strict sense of the term, and under paragraph 5 (1) of the Government of India (Commencement and Transitory Provisions) Order, 1936, His Excellency the Governor had to authorise expenditure which he deemed necessary to enable the business of the Provincial Government to be carried on for four months from the date of the commencement of Part III of the Act, that is from the 1st April to the 31st of July by which date a schedule of authorised expenditure will be authenticated in accordance with the provisions of Section 30 of the new Government of India Act.

15. The indirect effect of this inevitable transitory provision would anyhow be to some extent to fix the general pattern of the present budget, though it will be observed that strict limitations are placed on the powers of the Governor, and in this Province the power of authorisation has been exercised not for the maximum permissible period of six months, but for the shortest period necessary before this House could pass the Budget. Secondly further as the Budget in the main has anyhow to be ready well in time before its consideration is taken up in the Legislature, it follows that the present Ministry had almost entirely to work upon estimates which stood compiled before they assumed office. The present Ministry is thankful to its predecessors for the care which they displayed in preparing the Budget—Sir Donald Boyd carried on faithfully the fine traditions of sound finance in this Province built up by a notable succession of Finance Members. No higher praise is possible for a provincial Finance Member in India and I wish to offer my tribute of appreciation to this great English gentleman who guarded our finances for three years with jealous attention and remarkable success. We have now entered upon a fresh chapter in the custody of our finances, and I trust it may be given to succeeding ministries in autonomous Punjab steadfastly to bear in mind the high ideals of finance inherited from their distinguished predecessors, for, if we wish to achieve success in administration, if we wish to contribute to the happiness and welfare of our people, the way lies essentially through the pursuit of courageous but sound finance (*hear, hear*).

16. The estimates for 1937-38 are:—

| | Rs. |
|-----------------------------|--------------|
| Revenue Receipts | 10,90,39,000 |
| Revenue Expenditure | 10,88,67,000 |

providing for a small surplus of Rs. 1,72,000. This small surplus is liable to disappear because in the present estimates of expenditure no provision is made for the two Committees, one on "Resource and Retrenchment" and the other on "Unemployment" which the present Government announced on taking office that it was its intention to constitute. Nor was it possible

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in the estimates to make adequate provision for the salary and allowances of the Honourable Members of the Assembly as the report of the Committee appointed to determine these was made only a few days ago, and has not been yet considered by this House. There is a likelihood that some other items of expenditure directly connected with the introduction of the present reforms may be exceeded, while it is to be feared that the estimate of expenditure under Legislative Assembly suffers from being an under-estimate. These represent now definitely foreseeable matters which will affect the budgeted surplus and probably convert it into an actual deficit unless some items of income show unexpected yields in the upward direction. If such a deficit should appear, due, as I have said, to factors now forecastable, we need have no fear, particularly as this year's revenue has suffered so heavily because of unusual calamities in hailstorm, cyclone and untimely rains. The deficit would indicate no normal or permanent feature of our finances. And we may find some consolation in modern ideas of fiscal reform, gaining sway over the narrow precepts of former times. With the expanding scope of State activities unbalanced budgets are no longer regarded as objects of dread; some writers consider them as distinct marks of progressive finance for "outlay on education, health and agriculture undoubtedly creates gradually increased taxable capacity." Progress should not be sacrificed to false economy and Governments should cultivate the art of spending wisely.

17. The immediate effect of the terrible hailstorms which devastated crops in large parts of the Multan division, and of less severe calamities that visited other parts of the province, has been the reduction of our revenues by well over twenty lakhs; and the tale of these disasters can be read in increased expenditure on relief in various shapes. The very first act of the new Ministry, within less than an hour of their taking their oath of office, was to sanction a famine relief of one lakh, and they started on their duties with the problem of affording immediate and adequate relief to the affected areas. The House is well aware of the success of their endeavours in this regard; large remissions of land revenue and of water rate were announced on the most liberal scale, and grant of other relief made without delay. The largest measures of relief had to be given in the Multan division, but principles on which relief was to be given were carefully thought out and applied with equal liberality and promptitude everywhere. Thanks of the Government are due to officers everywhere who strained every nerve to study the nature and the extent of the disaster in the areas under their charge, and carried out the orders of the Government loyally and with the utmost expeditiousness. (*Hear, hear*). Now these measures necessitated a fresh examination of the proposals for new expenditure, and it was no pleasant task to reduce this expenditure by about 25 lakhs. My consolation is that though a large part of new expenditure is new only in a technical sense as it is continued from year to year and the field for curtailment is extremely limited, it was not found necessary in any measure to cut down expenditure on beneficent departments. (*Hear, hear*). Honourable Members will note with gratification that as compared with Revised Estimate for 1936-37, there is a substantial increase of about Rs. 20 lakhs under the provision for the various nation building activities. (*Hear, hear*).

18. On the expenditure side there is a fall in the interest on Capital outlay on Hydro-Electric Schemes, due in part to certain adjustments of a permanent character in the rate of interest and in part to the circumstance previously referred, of writing back of Rs. 15 lakhs to revenue under the schemes. Compared with the revised figures for 1936-37, there is now an increase of Rs. 25 lakhs in expenditure—the main factor in increase being Rs. 20 lakhs on various beneficent departments. This increase is spread over all the departments. In education, emphasis continues to be laid on girls' education, and the Department feels that early and effective steps will be taken to reduce wastage in the primary stage of education to which reference has been prominently made in the press recently. Rural dispensaries have had their maintenance grants improved. Provision for sanitary grants has been substantially increased, as against only half a lakh last year, five lakhs are being provided this year. There is an increase of over 5 lakhs under Agriculture, mainly under supply of good seed. It has not been possible to carry out the large programme of new expenditure on veterinary relief and cattle-breeding originally contemplated, but an addition of about Rs. 1½ lakhs has been made to allow opening of five more hospitals in rural areas, and the improvement of the Dajal breed of cattle in the Dera Ghazi Khan district. Provision is also made for additional grant-in-aid for the improvement of the Dhanni breed in the Rawalpindi district. In the recent Cattle Conference at Simla held under the aegis of the Government of India, it appeared that the Punjab holds a leading position in the attention paid to problems of cattle-breeding, fodder supply and general veterinary relief. (*Cheers*). This is most gratifying, for the economic prosperity of an agricultural country is so intimately and vitally bound up with the existence of an adequate supply of healthy live-stock. Government is determined to do all in its power to continue an energetic programme of cattle improvement. Other plans for effecting general betterment and uplift among our rural classes will be easily detected in the budget.

19. Reference must be made to an increase of Rs. 3,26,000 under Industries. Provision is made in the budget for an Industrial Exhibition which is being organized on a large scale, an expenditure of over a lakh of rupees on the development of handloom industry, and assistance under the Punjab State Aid to Industries Act.

20. Apart from this increase of Rs. 20 lakhs under Beneficent Departments, the other large increase, Rs. 9½ lakhs is under Civil Works. The circumstances of this increase have been set forth in elaborate detail in the Memoranda attached to the Budget. Rupees 4½ lakhs are accounted for by an increase in transfer from the Central Road Fund. A provision of Rs. 1½ lakhs has been made out of provincial revenues as a special non-recurring grant to district boards for road improvement, and a sum of 3 lakhs is to be given to the district boards out of the Central Road Fund for the same purpose.

21. There has been an increase in expenditure in General Administration under certain heads well-known to Honourable Members as they are directly connected with present reform—Provision for Assembly Secretaries (Rs. 50,000) Commissions for the trial of election petitions (Rs. 91,000) and the Public Services Commission (Rs. 1,35,400); there is also a substantial increase of Rs. 1½ lakhs, certain to be exceeded, under the heading Provincial

[Finance Minister.]

Legislative Assembly but the aggregate expenditure under Civil Administration represents an increase of only Rs. 64,000 above the revised figures. This is due to the fact that under Police there is a fall of about Rs. 3½ lakhs resulting mainly from a recovery of Rs. 4 lakhs from the Railway Board for the cost of Order Police. A reduction was anticipated in the strength of the additional police, but this could not be effected on account of unfortunate incidents at Panipat and Kot Fatch Khan. Nor has communal tension entirely disappeared, and there are signs of recrudescence of unlawful subversive activities in parts of the province. There is a small decrease also under Administration of Justice.

22. Direct Demands on the Revenue show an increase of Rs. 1,16,000 resulting almost entirely from an increase in expenditure under the head land revenue. A sum of Rupees one lakh has been provided for the encouragement of well-sinking in non-perennial areas of the Nili Bar Colony, where the system of Taccavi is unpopular and agricultural credit is at a low ebb. The scheme has been carefully thought out and is expected to result in great benefit to the cultivators, and it is proposed to try it as an experimental measure in the Colony chaks. The importance of encouraging well-sinking in these areas is obvious. The main features of the scheme now adopted are that Government will advance money within prescribed limits for the construction of wells and there will be no recovery of the principal so advanced; that the wells sunk with the help of Government advances will not be entitled to a protective lease and a fixed well-assessment will be imposed on wells so constructed equivalent to three per cent. of the amount advanced. It is hoped that the scheme will be welcomed in areas for whose benefit it is intended and that it will be possible to develop it.

Further increase under the head "land revenue" relates to resettlement operations in the Jhelum district. On the other hand, settlement operations in the Lyallpur district are closing down.

28. *Famine Relief Fund*.—The position of this Fund is no longer as under the old constitution when it was built up under the provisions of the Devolution Rules by a compulsory annual provision of Rs. 2 lakhs every year so long as the balance in the funds was less than 20 lakhs; the Fund was made up of unspent annual balances. This Fund stood at Rs. 20,39,000 on the eve of the present reforms. As the Devolution Rules no longer apply, Government was able to consider the appropriate size of the Fund for our particular requirements on a study of facts during a series of years in the past, and it was decided to constitute a new Fund of Rs. 10 lakhs. It was also considered expedient, in view of the exceptional circumstances of this year, to spend Rs. 1,80,000 out of the balance of the old fund, on immediate famine relief—so as to retain the new Fund intact at the figure of Rs. 10 lakhs. There still remained a balance of Rs. 8.59 lakhs out of the old fund. As this fund had been built up out of revenue, Government was advised to transfer it to revenue account. This would have unduly swelled our year's revenue figures because of this purely technical reason and would have reflected itself in an unreal surplus. The present Government was, therefore, in the happy position of being able to increase the previously made provision for rural sanitary schemes by one lakh, and to make a special grant of Rs. 1½

lakhs to District Boards for the improvement and development of roads. The balance of Rs. 5½ lakhs goes to the reduction of debt, and further strengthens the credit of the province.

REVENUE RECEIPTS.

24. The revenue receipts for 1937-38 represent only a small increase of about Rs. 4 lakhs on the revised estimate for 1936-37. The increase would have been substantially greater but for the big drop in the receipts from land revenues and irrigation—our two main sources of income—due to recent natural calamities, hailstorm and rain and wind, affecting large parts of the Multan Division and other big tracts in the province. Over revised figures these two sources of revenue represent a deterioration of Rs. 80 lakhs but are reduced by Rs. 10 lakhs because of fall in the working expenses under Irrigation. This has followed from a saving of about Rs. 6 lakhs as a result of an enquiry how expenditure on maintenance and repairs of Irrigation works could be reduced; the other four lakhs resulted from less expenditure under Extensions and Improvements. Among permanent features affecting our principal sources of revenue, account has to be taken of the effect of the application of the principle of sliding scale of assessment in the Lyallpur district and in the Rakh Branch Circle of the Sheikhpura district. This on the basis of current prices represents on a rough estimate a fall in income of Rs. 17 lakhs.

25. The receipts from Excise are stationary in spite of the fact that the Punjab Government have lost an assignment of about Rs. 7 lakhs which they used to receive from the Government of India on account of Excise and Punjab liquor consumed in the North-West Frontier and Delhi Provinces. The question of the financial loss caused to the Punjab under this arrangement is not finally settled and we still hope that the Central Government will ultimately decide to compensate the Punjab for this loss of revenue. In the meantime the reduction in revenue may be made good at least in part by doubling the duty on charas and by increasing the duty on spiced spirits with effect from the 1st of April, 1937.

26. There is an increase under Agriculture of Rs. 10 lakhs as compared with the accounts of 1935-36 and Rs. 5 lakhs as compared with the revised figures. This represents proceeds of the sale of seeds. There is a counter entry on the expenditure side for the purchase of seeds.

27. There is an increase under Hydro-Electric Schemes—representing a net improvement of Rs. 1,67,000 over revised figures. For decrease under Interest, attention is invited to the explanation in the Memorandum prepared by the Secretary, Finance Department.

REVISED SCALES OF PAY.

28. Honourable Members have no doubt seen references in the Press to the new and much reduced scales of pay for new entrants that have been recently introduced in our Provincial and Subordinate Services. It will be some time before their full effect will be realised, but the reductions are substantial, ranging from 18 per cent. to 33 per cent. This means substantial saving at an annually increasing rate, so essential in a province like ours with comparatively inelastic sources of revenue and a strong desire to press forward schemes of general betterment. But here the other reflection cannot be put away. Efficiency of administration cannot be sacrificed

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economy—and I have no doubt in my mind that to-day as we are starting on a changed Government we ought to do nothing to impair the efficiency, the strength and the integrity of our public services. (*Hear, hear.*) We must not weaken the necessary foundations of our newly created democratic institutions. The new scales of pay have been introduced after the most elaborate scrutiny so that the rival ideals of economy and efficiency are not in any fatal conflict.

THE HAVELI PROJECT.

29. References have been made during previous budgets to this Project. The project has now emerged as a finally sanctioned enterprise and this year the stage of actual "construction" is to be entered upon, and a provision has been made in the estimates for an expenditure under Capital head of Rs. 60 lakhs. It is proposed to push forward with work as rapidly as possible, and if progress is sufficiently favourable, a much larger pitch of expenditure may be reached. The total cost of the project is estimated at Rs. 536 lakhs and it is anticipated that construction will be completed in four years. The project is designed to provide perennial irrigation to a gross area of about 700,000 acres, and in addition non-perennial irrigation to about 860,000 acres. The completion of the project will take six years, but actual irrigation will almost certainly begin in four years. When completed, the project will add a fresh chapter to the brilliant record of irrigation engineering in the Province. It will provide permanent protection to large masses of the people of the Punjab against the inadequacy and uncertainties of rainfall; large areas in the district of Multan now dependent on inundation canals will be made secure, and portions of the districts of Muzaffargarh and Jhang which are now arid wastes will be converted into flourishing colonies. For them as with other canal colonies an era of undreamt of prosperity will be opened up—freshly settled areas, improved communications, rise of markets and towns will follow in quick succession. As an important and vital incident of this project some of the water of the Ravi which now feeds the Sidhnai Canal will become available for use elsewhere. Two-thirds of it will be taken into the Lower Bari Doab Canal at Balloki and passed across from Montgomery to the Pakpattan perennial Canal by means of a feeder channel. This will increase the intensity of irrigation and add to the prosperity of the Nili Bar. One-third of the Ravi water will be used to give a winter supply to the non-perennial Burala Branch Extension of the Lower Chenab Canal. It is this use of the Ravi water that has made the scheme as a whole a remunerative one and made it possible to supply water to the districts of Multan, Muzaffargarh and Jhang at lower rates than would otherwise have been possible. The project as a whole is estimated to yield 7·8 per cent. on the capital expenditure.

30. The Thal project is still at the stage of examination, with a view to see if it is likely to prove remunerative. Government is carrying this examination with the utmost of expeditiousness consistently with its magnitude and complicated character. When settled and executed it will bring the blessings of water to one of the most arid parts of the Punjab—the Mianwali and Muzaffargarh districts—and contribute its quota to the enrichment of provincial finances,

CAPITAL EXPENDITURE AND PUBLIC DEBT.

31. I have not referred to extraordinary receipts or Capital expenditure. Abundant information will be found on these heads in the Memoranda explanatory of the Budget. But it will be noted that apart from the old debt now consolidated which the province owes to the Government of India the public debt of the Punjab stands as follows :—

| | Rs. |
|---|-------------|
| 5½ per cent. Punjab Bonds, 1937 raised in 1925 .. | 84,37,800 |
| 4 per cent. Punjab Bonds, 1948 raised in 1933 .. | 3,22,31,600 |
| | <hr/> |
| Total | 4,06,69,400 |
| | <hr/> |

and during the present year capital expenditure of Rs. 60 lakhs on the Haveli project is contemplated. It will be a question for the Government to consider how the strong credit position of the province may be utilised to effect a saving on the maturing 5½ per cent. Bonds, and also to secure the most favourable terms for obtaining finance in the loan market for the Haveli project. The year commences with an opening balance of Rs. 185 lakhs and would close with a balance of Rs. 1.16 lakhs—the decrease being in the main the result of the big expenditure for the Haveli project.

LOANS AND ADVANCES BY GOVERNMENT.

32. A larger provision under this head has been made this year than in 1935-36, or in 1936-37. A sum of more than Rs. 6 lakhs has been provided for advances to cultivators under the Agriculturist Loans Act in view of the disaster caused by hailstorm to the rabi crop. There is a provision of Rs. 2 lakhs under the Punjab State Aid to Industries Act as against 1 lakh in previous year. On the whole it is estimated that advances by way of loans will amount to Rs. 19 lakhs during the year, while the estimated recovery on account of past transactions is Rs. 16 lakhs.

33. An important feature of this year's finance is the effect of certain decisions regarding the consolidation of debt and the decentralization of balances consequent on Sir Otto Niemeyer's Indian Financial Enquiry. These are set forth in clear detail in the Memorandum of the Secretary, Finance Department. The result is that pre-reforms irrigation debt to the amount of Rs. 12 crores for which there was previously no provision for redemption will be redeemed in forty-five years and that the Punjab will gain to the extent of a little over two lakhs annually. Apart from this the Punjab was the only province which received no immediate assistance; in fact owing to the withdrawal of an assignment of Rs. 7 lakhs received hitherto on account of compensation for loss of excise duty on Punjab liquors consumed in Delhi and the N.-W. F. Province, the Province was actually called upon to help the Central Revenues to the extent of Rs. 5 lakhs. And we have to be content merely with the well meant reference in the famous telegram from the Secretary of State to the Government of India, dated the 20th May, 1936, wherein the Secretary of State says "I have no doubt that a province so well endowed with natural resources, and with so high a

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tradition of efficient administration as the Punjab, will in fact without assistance be much more favourably situated than many of the other provinces, even allowing for help which these latter will receive."

34. The decentralization of balances hitherto kept with the Government of India is a matter not only of administrative convenience, but a necessary mark of provincial autonomy within certain well-defined functions. The Memorandum of the Secretary, Finance Department, explains fully this as well as the position of the present public debt of the Punjab and borrowings in future.

35. Sir, Provincial finance in India is a humble and exiguous theme. Reforms have forced pointed attention to the rigidity of our revenues and the narrowness of our finances, for reforms mean increased expenditure, and our provinces have not even now the means of making proper or adequate provision for beneficent or nation-building activities. But as I reflect on the budget of this Province to be presented to-day, I cannot help remarking on the bold, generous and expeditious manner in which the Punjab Government has provided as perhaps never before in the history of this Province or any other province in India, the large sum of Rs. 25 lakhs for revenue remission and other relief to our agriculturists (*hear, hear*); at the same time propose to increase the grant on beneficent activities by 20 lakhs. I venture to think, Sir, that this House may well congratulate itself that this is so, and that the conservation of our finances in the past should make this possible. The present Government is also fortunate that the execution of a measure of such magnitude and importance as the Haveli project—meaning untold wealth to the people and large strength to the State's revenues—should be launched during a few months of their assumption of office. The House will note also that the present Ministry have entered upon their duties with a comprehensive scheme of revised rates of pay for new entrants to provincial and subordinate services from the highest range of office downwards. These should, as time passes, bring substantial relief to the provincial exchequer. But serious students of Indian economics have in recent years stressed with growing emphasis the excessive character of our land revenue burden, a main source of provincial income; while even with this burden, and without contemplating any relief in this regard, our provincial Finance Ministers in India, are in despair as to any fruitful schemes of enlarging their revenues. The resourcefulness of Government experts, as individuals and in committees, is exhausted in merely canvassing adjustments, hardly a single additional or further source of income is suggested, while provincial Governments naturally press for a larger share of what the Central Government absorbs, at present. The pessimistic tone of experts and the frantic advocacy of individual provincial claims is a saddening fact—for it is a rock on which the realities of reform may easily split. Here in this province, while resolved to continue to press on the Central Government how ungenerously and unfairly we have been treated under the financial arrangements consequent on reforms, Government has decided to appoint a Committee of eleven members—eight of whom will be members of this House, belonging to different parties and representing varying interests—all non-officials, and two distinguished Punjabee economists both non-officials, with the Finance Minister as Chairman, to investigate possibilities

of further sources of revenue, and to examine where retrenchment can be effected without lowering standards of administration and deteriorating efficiency in the performance of essential services. It is hoped that the labours of this Committee, wholly unofficial in its composition, will prove fruitful—and it may be given to the present Government to plan relief where necessary and to initial comprehensive schemes for the betterment of the Province. Financial policy in the past has had necessarily to be conservative, for the need of caution in finance in a poor country is obvious—And the voice of economic science is not free yet from hesitancy, “difference of opinion still exists as to whether it is wise to aim primarily at retrenchment, or to undertake increased expenditure on directly and indirectly productive purposes,” though Sir William Layton said “there can be little doubt that, in conditions such as those which now obtain in India, it should be possible to stimulate production and to increase the welfare of the people by public expenditure designed to give greater economic security (by irrigation works, improved and more varied methods of cultivation, etc.), better physical well-being (sanitation, water supply, improved public health, etc.), and education. Indeed, taxation may be the only practicable means of creating a better and more secure livelihood.” But we definitely enter upon a new era to-day, when the Government and the people can no longer be viewed as in any sense occupying opposite camps. (*Hear, hear*). To-day the ministry approaches the question of finance under the directions of this Assembly to carry out the popular will. (*Hear, hear*). They have undoubtedly to work under limitations, no large or catastrophic changes can be effected rapidly without undue risk, for howsoever much it may be desirable to transform our world, the House would not wish us to act otherwise than as practical men in close touch with the hard facts of life. But the ministry’s main solicitude is to study and as far as possible to carry out the least wish of this popular Assembly; nor can they remain unaffected by progressive programmes and the rising tide of opinion in other parts of this great country. I am forcefully reminded of the dictum of my eminent teacher, Prof. Marshall, “the amount of constructive work which the modern State requires from Government is probably growing much faster than its power of getting through its work.” But in undertaking this task, one is sustained by the wise reflection, so long ago expressed by that great political philosopher, Montesquieu—“Taxes can be made heavier as the subject enjoys more liberty; as liberty diminishes, taxation must be reduced. In free States, heavy taxes are balanced by liberty, in despotic governments the lightness of taxes is the compensation for the loss of freedom. In a republic the citizen will pay more heavily because he believes that he is paying himself of his free will.” Wisdom in these matters is not easy to seek—‘*le juste milieu*’ is hard to define—But the virtue of the old Roman maxim is still unaffected—“*Magnum vectigal est parsimonia*” which means freely rendered “Economy supplies abundant revenue.” Sir, strict economy is to be the watchword in all our departments; we regard public money to be a trust to be administered with the utmost care, but we are fully determined within the funds this House allows us to build up the highest measure of beneficent service for the Province, for therein, we believe, lies not only the prosperity of the Province, but also the welfare and the happiness of its people.

36. Sir, before I resume my seat, I must perform one very necessary and pleasant duty—that is to express my appreciation of the responsible

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and heavy work zealously performed by the officers and the staff of the Finance Department. During the year the Department has fortunately suffered no change in Secretaryship and has enjoyed the uninterrupted and invaluable guidance of our experienced and very able Secretary, Mr. Ram Chandra. (*Loud cheers*). It is in no small measure due to his watchful care and unremitting labour that our financial position in the past year has maintained its strength. Personally I am grateful to him for the considerate manner in which he has inducted me into the intricate mysteries of finance and its many difficult rules. I have learnt with much concern that he is proceeding on leave before long. I only hope it may be possible for him to return to the department to guide its destinies further for at least some time.

Mr. Grindal, the veteran finance official of the Secretariat, has finally retired from service after a long meritorious record of work. His knowledge of financial rules and procedure was always of great value to the Department and it is a matter of gratification that Government has been able to re-engage him for a time to act as Secretary to the Committee on Resources and Retrenchment. I must refer by name to two others officers; Mr. Pearson's remarkably intimate knowledge of Public Works Finance continues to be of increasing value to the Department, and Lala Lal Chand, the Assistant Secretary, has done most useful work because of his unrivalled acquaintance with budgetary method and minutiae and his devoted loyalty to the Department.

I am anxious to express my gratitude to the several Superintendents and the office staff without whose active co-operation and willing discharge of duty, the work of the Department could not be performed with any success.

We have continued to receive throughout the year all possible valuable help from the Accountant-General. Mr. Jai Gopal Bhandari's keen interest in our financial rectitude and welfare has been of the utmost advantage to the Province, and I should like to take this opportunity of recording Government's gratitude to him.

Sir, I beg to present to the Assembly the budget for the year 1937-38. (*Loud and prolonged cheers*).

Hours of Sitting.

Mr. Speaker : May I ask the honourable members at what hour should we meet on the 21st ?

Premier : 11 o'clock. From 11 o'clock to 1 P.M. and from 2 to 4-30 P.M.

The Assembly then adjourned till 11 A.M., on Monday, 21st June, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 21st June 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 a.m. of the clock. Mr. Speaker in the Chair.

RULING OF THE CHAIR.

Dr. Gopi Chand Bhargava : Before you commence the proceedings of the day I have to make a special request to you. You were pleased to give some rulings on the 17th instant on certain adjournment motions. I consider that they require your reconsideration. Those rulings affect the rights and privileges of the opposition party in the matter of moving adjournment motions to a very great extent. I would, therefore, request that you be pleased to give some time to discuss the point with me.

Mr. Speaker : I shall be glad to discuss it with the honourable member.

STARRED QUESTIONS AND ANSWERS.

PUNITIVE POLICE POST AT VILLAGE ORARA, TAHSIL KASUR.

*31. **Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was quartered at village Orara, tahsil Kasur, district Lahore, in August, 1922, and that it remained posted there for a period of 4 years ;
- (b) the details of the estimated as well as actual costs of the punitive police post for each year during its stay in the village, the total amount recovered from the residents as costs for the aforesaid period, the sanctioned strength of the police force of this punitive police post for each year, and the actual force which remained quartered each year in this punitive police post ;
- (c) whether it is a fact that one S. Kishan Singh and other residents of village Orara, district Lahore, submitted an application to the Honourable Premier on the 29th April, 1937, claiming a refund of certain sum said to have been realized from them in excess of the actual costs of the punitive police post ; if so, with what result ?

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

(b) The main figures have been given in the reply to question 80¹, put by the honourable member for Lahore City (General Constituency). Recoveries on account of this post were completed more than seven years ago, and I regret that I cannot undertake to go into details at this stage.

(c) An application of the kind described was received at the beginning of May last. No action is contemplated, the matter being many years old.

PUNITIVE POLICE POST AT VILLAGE RAJOKI, TAHSIL KASUR, DISTRICT LAHORE.

***32. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was located at village Rajoki, tahsil Kasur, district Lahore, between 1924 and 1926 ;
- (b) the date of its arrival in the village, the date of its removal from the village, the detailed accounts of the estimated as well as the actual costs of the police post, the total amount realized from the village residents on account of the punitive police post tax, the name of the house-owner from whom the house for quartering the police force was hired, the monthly rent paid to the house-owner, the total rent paid to the aforesaid house-owner during the stay of the punitive police post in the village, the strength of the police force sanctioned by the Government to be posted there during the stay of the punitive police post and the strength of the police force which actually remained posted during the 1st, 2nd and 3rd quarter of the year ;
- (c) whether it is a fact that Bhai Bahal Singh, Jagat Singh and other residents of village Rajoki, tahsil Kasur, submitted an application to the Honourable Premier on the 8th April, 1937, claiming therein a refund of Rs. 4,368, said to have been realized in excess of the actual costs of the punitive police post borne by the Government, if so, with what result ?

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

(b) The principal figures have been given in the reply to question No. 30¹ put by the honourable member for Lahore City (General Constituency). Information is here asked for as to the "actual costs" of the additional police post. I should like to explain that it is never possible to state the "actual costs" of a force of additional police with exactitude, as some of the items which ought to be included (for example, charges due on account of superintendence, the cost of training the men employed, the armament charges of the force, and interest charges during the period of recovery) cannot be precisely reckoned. The name of the house-owner from whom accommodation was rented for the force is not on record. The rent paid was at the rate of Rs. 25 per mensem.

(c) Yes. No action is contemplated.

PUNITIVE POLICE POST AT VILLAGE GADDOKI IN TAHSIL KASUR.

***33. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether it is a fact that one S. Chaman Singh, headman, and other residents of village Kot Luhi and village Gaddoki, tahsil Kasur,

district Lahore, submitted an application to the Honourable Premier on the 23rd April, 1937, claiming therein a refund of Rs. 7,379-7-9, said to have been realized from them in excess of the actual costs of the punitive police post located there between 1924 and 1927; if so, with what result?

The Honourable Major Sir Sikander Hyat-Khan : Yes. Government are making certain inquiries regarding this matter, which was the subject of questions in the last autumn session of the old Council, but in view of the time that has elapsed it is unlikely in any event that a refund will be sanctioned.

—

PUNITIVE POLICE POST AT VILLAGE JAHMAN, DISTRICT LAHORE.

***34. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that additional police post was quartered at village Jahman, district Lahore, in 1924 for a period of 3 years and also in 1930, which remained posted there for about 10 months;
- (b) the annual estimated as well as the actual costs of the police post for each year, the sanctioned strength of the police force for this punitive police post for each year, the strength of the police force which remained posted to the punitive police post during each quarter of the period of 3 years and 10 months mentioned above;
- (c) whether it is a fact that one B. Salig Ram and other residents of village Jahman submitted an application to the Honourable Premier on the 20th April, 1937, claiming therein a refund of Rs. 8,733-9-9, said to have been realized in excess of the actual costs of the punitive police post; if so, with what result?

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

—

PUNITIVE POLICE POST AT VILLAGES RAJOKI AND WAN, DISTRICT LAHORE.

***35. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was located at villages Rajoki and Wan, police station Khakra, district Lahore, on the 1st April, 1928, for a period of two years;
- (b) the annual detailed accounts of estimated as well as the actual costs of the aforesaid punitive police post for the years 1928-29 and 1929-30, separately, the sanctioned strength of the police force for each year, and the strength of the police force posted to the punitive police post each year;
- (c) whether it is a fact that Boor Singh, Talok Singh and other residents of the aforesaid villages submitted an application to the Honourable Premier on the 8th April, 1937, which was received

[Dr. Sant Ram Seth.]

by his office on the 9th April, 1937, claiming therein the refund of a certain sum said to have been realized from them in excess of the actual costs of the punitive police post located in their villages; if so, with what result?

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

(b) The honourable member is asked to see the reply given in the last autumn session of the old Council to question *6016¹, which contains much of the information for which he now asks. (The cost of the post for the second year was there given as Rs. 11,265-10-0. The correct figure is Rs. 10,997-2-0). As has been explained in the reply to question *32², it is never possible to state the "actual costs" of a body of additional police with exactitude. The sanctioned strength of this post was 1 sub-inspector, 4 head constables and 14 foot constables. Actually, as mentioned in the reply to the earlier question, the force was not kept up to full strength, and on this account Government are considering the advisability of reducing the demand, which has not yet been realized in full.

(c) Yes. As explained above, the case was already under consideration before the receipt of this petition.

PUNITIVE POLICE POST AT VILLAGE SAIDO AND OTHERS IN
LAHORE DISTRICT.

***36. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that punitive police post was quartered at villages Saido, Jaur Singhwala and Cheema, police station Patti, tahsil Kasur, district Lahore, between 1921 and 1924;
- (b) the date on which the police post was located, the date on which it was withdrawn, the detailed annual estimated as well as the actual costs of the police force and the total amount realized from the village residents on account of the punitive police post tax;
- (c) whether it is a fact that one S. Suja Singh and other residents of the aforesaid villages submitted an application to the Honourable Premier on the 20th April, 1937, claiming therein a refund of certain sum said to have been realized from them in excess of the actual costs of the police post borne by the Government; if so, with what result?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, for one year from the 20th February, 1923.

(b) The principal figures have been given in the reply to question No. 30³ put by the honourable member for Lahore City (General Constituency). As mentioned there, no figures are now available as to the actual outgoings.

¹Volume XXIX, pages 285-96.

²Page 322 ante.

³Page 283 ante.

(c) Yes. Considering that the petitioners themselves state that the realizations were completed in 1924, more than twelve years ago, Government are not prepared to re-open the matter or to make further inquiries.

PUNITIVE POLICE POST AT VILLAGE MATTA, TAHSIL KASUR,
DISTRICT LAHORE.

***37. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was quartered in village Matta, tahsil Kasur, district Lahore, in February, 1926, which remained there for a period of 2 years and that Rs. 8,898-12-0 was recovered from the village residents on account of the punitive police post costs ;
- (b) whether it is a fact that Nizam Din and others of the said village submitted an application to the Honourable Premier which was received by his office on the 9th April, 1937, in which they claimed a refund of Rs. 24,361 realized from them in excess of the actual costs of the police force sent to their village ;
- (c) if the answer to (a) above be in the affirmative, whether he will lay on the table (i) their original application and a statement showing the strength of the police force sanctioned by the Government to be stationed in the punitive police post of the village mentioned above, for each year, (ii) the strength of the police force which was actually sent to this punitive police post and which remained stationed there for the prescribed period, (iii) the detailed original estimates of expenditure of stationing a punitive police post there and its actual cost ;
- (d) if the answer to (b) above be in affirmative, (i) whether any enquiry has been made by the Government, (ii) if so, the result thereof, (iii) and the decision, if any, arrived at by the Government in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. The post was imposed for two years from the 15th February, 1926. The amount recovered was as stated.

(b) Yes. (The claim in the petition was for Rs. 2,476, not Rs. 24,361 as stated in the question).

(c) (i) A copy of the petition is laid on the table. The sanctioned strength of the post was one sub-inspector and six foot constables.

(ii) Information is not now available.

(iii) The calculated cost of the post was Rs. 4,540-2-0 for the first year and Rs. 4,298-10-0 for the second. As has been explained in replies to other questions, it is never possible to state the " actual cost " of a body of additional police with absolute precision. The essential figures have been given in the reply to question No. 90¹ put by the honourable member for Lahore City (General Constituency). As mentioned there, no figures are now available as to the actual outgoings.

[The Hon. Major Sir Sikander Hyat-Khan.]

(d) Recoveries on account of this post were completed in July 1929, nearly eight years ago, and Government are not prepared to re-open the matter at this stage or to institute any further inquiries.

Copy of petition from Nizam Din and others of village Matta, tahsil Kasur, district Lahore, dated the 5th April, 1937.

We the undersigned village residents of Matta, district Lahore, beg to bring it to your notice that Additional Police Post was quartered in our village,—vide General Notification No. 1174, dated 3rd February, 1926, and No. 363, dated 7th February, 1927, and a sum of Rs. 8,838-12-0 was recovered from the village residents as costs of the aforesaid police post.

2. Now on enquiry we have come to know that the Government had wrongly realized from us the calculated costs though legally it should have realized the actual costs of the police force located in our Additional Police Post.

3. From the statement of expenditure of the police force attached herewith you will find that the actual costs do not exceed Rs. 6,452 while Rs. 8,838-12-0 had been realized from us. Hence we pray that enquiry be made in our case and Rs. 2,476 be refunded, as this sum had been illegally recovered from us.

PUNITIVE POLICE POST AT VILLAGE VALTOHA, TAHSIL KASUR,
DISTRICT LAHORE.

*38. **Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any punitive police post was quartered at village Valtoha, tahsil Kasur, district Lahore, in October, 1925, which remained there for a period of 3 years ;
- (b) if the answer to (a) be in the affirmative, whether he will lay on the table a statement showing (i) the estimated as well as actual annual cost of the punitive police post for 3 years, (ii) the date of the punitive police posts arrival in the village, (iii) the date of its withdrawal, (iv) the name of the house-owner from whom the house was hired for the lodging of the police force, (v) the house-rent settled to be paid per month in the 1st, 2nd and 3rd year to the house-owner, (vi) the total rent paid to the house-owner annually during the stay of the punitive police post, (vii) the strength of the police force sanctioned by the Government to be sent to this police post, each year, (viii) the number of sub-inspectors of police, head constables and constables who actually remained on the service list of this police post in the 1st, 2nd, 3rd and 4th quarter of each year during the stay of the punitive police post ;
- (c) whether it is a fact that Babu Hans Raj and other residents of Valtoha, tahsil Kasur, submitted an application to the Honourable Premier on the 5th April, 1937, received by his office on the 9th April, 1937, in which they claimed a refund of Rs. 6,491-8-0 said to have been realized from them in excess of the actual cost of the punitive police force ;
- (d) if the answer to (c) be in the affirmative, whether he will lay on the table their original application and state (i) whether any enquiry has been made by the Government in this case, (ii)

if so, the result thereof, (iii) the decision, if any, arrived at by the Government regarding the refund of money claimed by the applicants, (iv) how far the statement of costs submitted by the aforesaid applicants has been found to be correct?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. From the 1st November, 1925, to the 31st October, 1928.

(b) (i) The total cost was calculated at Rs. 14,386-8-0. A statement giving details is laid on the table. As has been explained in replies to other questions it is never possible to state the "actual cost" of a force of additional police with exactitude, and actually no details of the outgoings are now available.

(ii) 1st November, 1925.

(iii) 31st October, 1928.

(iv) Not on record.

(v) Rs. 13 per mensem.

(vi) Rs. 156 per annum.

(vii) 2 head constables and 10 foot constables.

(viii) Information not available at this stage.

(c) Yes.

(d) A copy of the petition is laid on the table. It has been ascertained on inquiry that recoveries on account of this post were completed as far back as July, 1932. Government are not prepared at this stage to re-open the matter.

Dr. Gopi Chand Bhargava : Is there any time limit for the Government to pay back the money which they realize in excess?

Premier : The ordinary limit under the law I understand is three months.

Dr. Gopi Chand Bhargava : Does this limit of three months apply to punitive taxes or other taxes also?

Premier : The ordinary limit under the law is three months.

Lala Duni Chand : Can the Honourable Premier quote the law or rule in the matter?

Premier : The honourable member is himself a lawyer and he should know.

Lala Duni Chand : I am of opinion that there is no such limitation.

Premier : I am not prepared to take that opinion as final.

Dr. Shaikh Muhammad Alam : If the Honourable Premier is not prepared to accept that opinion as final, will he be prepared to quote the rule or law in the matter?

Premier : I am afraid I cannot give him the reference off-hand.

Diwan Chaman Lall : Is it contained in the Limitation Act?

Premier : Yes.

An honourable member : What section ?

Premier : I have already said that I cannot give him the information off-hand.

Dr. Shaikh Muhammad Alam : How, then, did you say that the limitation was three months ?

Premier : I made enquiries and was informed that limitation in these cases is three months.

Lala Duni Chand : May I point out to the Honourable Premier that there is no provision in the Limitation Act prescribing three months limitation for refunds ?

Premier : I am differently advised by my law officers and I prefer to accept their view and not of my honourable friend opposite.

Diwan Chaman Lall : May I ask the Honourable Premier whether on moral grounds it is not justifiable for Government to refund the money ?

Premier : In cases where it was considered equitable to refund the amount, it had been refunded long before these questions were conceived.

Dr. Shaikh Muhammad Alam : Will the Honourable Premier cite the instances in which refunds have been made ?

Premier : I refuse to answer that question.

Lala Duni Chand : Is it true that in the case of private persons such a conduct will amount to misappropriation ?

Premier : No.

Diwan Chaman Lall : On a point of order, Sir. May I draw your attention to the fact that the Honourable Premier stated that he refused to answer a question ? Is the Premier entitled under the rules to refuse to answer a question ? At the most he can only ask for notice.

Mr. Speaker : Yes, the Honourable Premier can refuse to answer a question if his answer would not be in the public interest.

Dr. Shaikh Muhammad Alam : Can the Honourable Premier simply refuse to answer a question or is he also bound to give his reasons for refusing to answer a question ?

Diwan Chaman Lall : Did the Honourable Premier refuse to answer the question in the present case on grounds of public interest ?

Premier : Yes.

Diwan Chaman Lall : What is the public interest involved ?

Premier : To avoid the waste of time of the House.

*Strength and cost of the punitive police post located at Valtaha village
in the Lahore district.*

FIRST YEAR.

| | Rs. | A. | P. |
|--|--------------|-----------|----------|
| 1 head constable, 1st grade at Rs. 40 per mensem | 480 | 0 | 0 |
| 1 head constable, 3rd grade at Rs. 30 per mensem | 360 | 0 | 0 |
| 10 foot constables at Rs. 18-8-0 per mensem | 2,220 | 0 | 0 |
| Annual total of salaries | 3,060 | 0 | 0 |
| 12 clothing at Rs. 15 per mensem | 180 | 0 | 0 |
| 12 foot equipment at Rs. 5 per mensem | 60 | 0 | 0 |
| 12 rewards at Re. 1 per mensem | 12 | 0 | 0 |
| Contingencies at 1/10th for salaries | 306 | 0 | 0 |
| Pensionary charges | 573 | 12 | 0 |
| Hutting (i.e., rent, rates and taxes) | 300 | 0 | 0 |
| Total annual cost | 4,491 | 12 | 0 |
| Initial charges :— | | | |
| 12 clothing at Rs. 15 per mensem | 180 | 0 | 0 |
| 12 foot equipment at Rs. 5 per mensem | 60 | 0 | 0 |
| 12 beds and boxes at Rs. 15 per mensem | 180 | 0 | 0 |
| Hutting (construction of building or putting existing building into a fit state for occupation) | 300 | 0 | 0 |
| Total | 720 | 0 | 0 |
| Grand Total (First Year) | 5,211 | 12 | 0 |

SECOND YEAR.

| | Rs. | A. | P. |
|--|--------------|-----------|----------|
| 1 head constable, 1st grade at Rs. 40 per mensem | 480 | 0 | 0 |
| 1 head constable, 3rd grade at Rs. 30 per mensem | 360 | 0 | 0 |
| 10 foot constables at Rs. 18-8-0 per mensem | 2,220 | 0 | 0 |
| Annual total of salaries | 3,060 | 0 | 0 |
| 12 clothing at Rs. 15 per mensem | 180 | 0 | 0 |
| 12 foot equipment at Rs. 5 per mensem | 60 | 0 | 0 |
| 12 rewards at Re. 1 per mensem | 12 | 0 | 0 |
| Contingencies at 1/10th for salaries | 306 | 0 | 0 |
| Pensionary charges | 573 | 12 | 0 |
| Hutting (i.e., rent, rates and taxes) | 300 | 0 | 0 |
| Total annual cost | 4,491 | 12 | 0 |

THIRD YEAR.

| | | | |
|--|--------------|----------|----------|
| 1 head constable, 1st grade at Rs. 40 per mensem | 480 | 0 | 0 |
| 1 head constable, 3rd grade at Rs. 30 per mensem | 360 | 0 | 0 |
| 10 foot constables at Rs. 18-8-0 per mensem each | 2,220 | 0 | 0 |
| Annual total of salaries | 3,060 | 0 | 0 |
| 12 clothing at Rs. 15 per mensem | 180 | 0 | 0 |
| 12 equipment at Rs. 5 per mensem | 60 | 0 | 0 |
| 12 rewards at Re. 1 per mensem | 12 | 0 | 0 |
| Contingencies at 1/10th of salaries | 306 | 0 | 0 |
| Pensionary charges and leave salary at 1/4th of salaries | 765 | 0 | 0 |
| Hutting (i.e., rent, rates and taxes) | 300 | 0 | 0 |
| Total annual cost | 4,683 | 0 | 0 |

Copy of a letter, dated the 5th April, 1937, from Hans Raj and other residents of Valtoha, district Lahore, to the Chief Minister, Government Punjab, Lahore.

We the undersigned residents of village Valtoha, tahsil and district Lahore, beg to state as follows :—

- (1) That additional police post was quartered in our village for the period of 3 years,—vide Government notifications Nos. S-8265/124-4-A—25, dated 13th October, 1925, and 3587, dated 11th October, 1927, the cost of the aforesaid punitive police post amounting to Rs. 14,386-8-0 were imposed and recovered from us.
- (2) According to the provisions of section 15 (3), Act 5 of 1861 Government was entitled to the actual costs of the police force which practically remained located at our village during the stay of the punitive police post but instead of actual costs calculated costs had been realized from us.
- (3) From the statement regarding the actual expenses of the police force attached herewith you will find that Rs. 6,491-8-0 have been realized in excess. Hence we claim the refund of the same. We paid the amount demanded by the Government under the impression that the Government was collecting the due costs but later on we have come to know that the Government has assessed and recovered calculated and not the actual costs of the punitive police post.

Under these circumstances we would request you to make enquiries in our case and refund the amount realized in excess shown per statement attached herewith.

Statement showing the cost of the punitive police post at Valtoha village, district Lahore, according to the version of the village residents.

FOR 1925-26.

| | | | Rs. | A. | P. |
|----------|---|----|-------|----|----|
| 1. | Pay of one head constable for 6 months | .. | 180 | 0 | 0 |
| 2. | Pay of one head constable for 12 months | .. | 360 | 0 | 0 |
| 3. | Pay of six constables for 6 months | .. | 1,224 | 0 | 0 |
| 4. | Punishing charges | .. | 335 | 0 | 0 |
| 5. | Contingency | .. | 150 | 0 | 0 |
| 6. | Uniform allowances | .. | 112 | 8 | 0 |
| 7. | Equipment charges | .. | 40 | 0 | 0 |
| 8. | House rent | .. | 90 | 0 | 0 |
| Total .. | | | 2,491 | 8 | 0 |

FOR YEARS 1926-27 AND 1927-28.

| | | Rs. | A. | P. | Rs. | A. | P. | |
|----------|--------------------------------|-----|-------|----|-----|-------|----|---|
| 1. | Pay of the two head constables | .. | 720 | 0 | 0 | 720 | 0 | 0 |
| 2. | Pay of the 6 constables | .. | 1,224 | 0 | 0 | 1,224 | 0 | 0 |
| 3. | Pension charges | .. | 370 | 0 | 0 | 370 | 0 | 0 |
| 4. | Contingency | .. | 60 | 0 | 0 | 60 | 0 | 0 |
| 5. | Uniform allowances | .. | 120 | 0 | 0 | 120 | 0 | 0 |
| 6. | Equipment charges | .. | 40 | 0 | 0 | 40 | 0 | 0 |
| 7. | House rent | .. | 180 | 0 | 0 | 156 | 0 | 0 |
| Total .. | | | 2,714 | 0 | 0 | 2,690 | 0 | 0 |

1. One head constable did not join the punitive police post for six months in the first year. (2) In the first half year 1925-26 the punitive police post remained located in a house owned by District Board, Lahore, just in front of the Police Station of Valtoha, for which

no rent was paid. (3) During the stay of the punitive police post reserve force was never required, hence no charges. Average attendance of the police constables never exceeded 5 but we have allowed the cost of 6 constables.

| | Rs. | A. | P. | | Rs. | A. | P. |
|---------------|-------|----|----|---------------|--------|----|----|
| Total cost .. | 2,491 | 0 | 0 | Recovery .. | 14,386 | 8 | 0 |
| | 2,714 | 0 | 0 | | 7,895 | 0 | 0 |
| | 2,690 | 0 | 0 | | 6,491 | 8 | 0 |
| | 7,895 | | | Difference .. | 6,491 | | |
| | | 8 | 0 | | | 8 | 0 |

(4) House rents of the 1st and 2nd year was Rs. 15 per mensem while in the 3rd year it was Rs. 13 per mensem.

(5) Contingency charges for the period of three years including the prices of charpies, boxes, one table and two chairs. No postage was required for the punitive police post as it was located at the same place that of the police station.

PUNITIVE POLICE POST AT VILLAGE BADRPUR, TAHSIL KASUR,
DISTRICT LAHORE.

*39. **Dr. Sant Ram Seth** : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was quartered in village Badrpur, tahsil Kasur, district Lahore, in December, 1926, for a period of one year and Rs. 7,563-8-10 were realized from the village residents by the Government as cost of the punitive police post between 1926 and 1931;
- (b) whether it is a fact that the village residents submitted a petition to the Honourable Premier on the 2nd December, 1936, in which they claimed a refund of Rs. 2,280-8-0 said to have been realized from them in excess of the actual costs of the punitive police post quartered in their village in 1926;
- (c) if the answer to (b) above be in affirmative, whether he will place on the table their original application, and state whether (i) any inquiry has been made by the Government and if so (ii) the result thereof, and (iii) the decision arrived at, if any, by the Government in this matter?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. From the 8th December, 1936, to the 7th December, 1937. The amount realized was as stated.

(b) An undated petition claiming a refund was received in the Secretariat early in January.

(c) A copy of the petition is laid on the table. It has been ascertained that recoveries on account of this post were completed more than five years ago and Government are not prepared to make further inquiries at this stage.

Dr. Gopi Chand Bhargava : The Honourable Premier was pleased to say that in certain cases which were time barred no refund could be given. I should like to know what he proposes to do to guard the interests of the public that excess amounts are not realized so that they may not be taken as lapsed money.

Premier : Rules have been amended to avoid that contingency in the future.

Copy of a letter dated the 6th April, 1937, from Dr. Sant Ram Seth, M.L.A., Amritsar City, to the Honourable Chief Minister, Government Punjab, Lahore.

It has been brought to my notice that an additional police post was quartered in village Baddarpur, Police Station Lulliani, District Lahore, *vide* Government Notification No. 10706 dated 2nd December, 1926, and Rs. 7,563-8-10 were recovered from the village residents as the punitive police post tax.

On the 15th December, 1936, Sardar Taba Singh and other residents of the aforesaid village submitted an application to the Honourable Home Member, Punjab Government, in which they claimed the refund of Rs. 2,280-3-10. Their claim was based upon two points: (1) less police force was sent to their village than the sanctioned one by the Local Government; (2) full calculated costs and not the actual costs of the punitive police post were realized from them which were far in excess of the actual cost borne by the Government. I also herewith attach a statement showing the actual cost of the aforesaid police post according to the version of the village residents. In the charge sheet attached herewith reserve force expenses including its uniform allowance have been omitted as no reserve force was ever called in for the aid of this police post during its stay in the village.

Now the village residents complain that their grievances have not been attended to and no reply has been sent by the Government to the applicants though more than 4 months have passed.

May I request you to look into the matter and see that speedy enquiry is made in their case. I would also request you to communicate to me the result of your enquiry and the decision arrived at by the Government along with the detailed accounts of the actual costs borne by the Government for the said punitive police post.

**PUNITIVE POLICE POST AT VILLAGE MAKHI KHURD AND MAKHI
KALAN, TAHSIL KASUR, DISTRICT LAHORE.**

***40. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was quartered at village Makhi Khurd and Makhi Kalan, tahsil Kasur, district Lahore,—*vide* Government Notifications Nos. B.2750 dated 30th November, 1921, and 4092, dated 21st April, 1925, for a period of 4 years;
- (b) if the answer to (a) be in the affirmative whether he will lay on the table a statement showing (i) the details of the estimated as well as actual annual costs of the police force for each year, separately, (ii) the rate of pay which the sub-inspector of police, head constables and constables received per month during each year;
- (c) whether it is a fact that owing to the press agitation started by S. Sajjan Singh, one of the village residents, in 1925-26, arrears of the punitive police post tax were written off and some amount refunded to the village residents in 1926.
- (d) if the answer to (c) be in the affirmative (i) the amount written off, (ii) the amount sanctioned for refund and (iii) the amount actually refunded in cash;
- (e) whether it is a fact that S. Lachhman Singh and other village residents of the aforesaid village submitted an application to the Honourable Premier on the 20th April, 1937, received by his office on the 21st April, 1937, claiming a refund of Rs. 14,972-7-4 as amount realized in excess of the punitive police post actual costs;

- (f) if the answer to (e) be in the affirmative, whether he will lay on the table their original application and state, (i) whether any enquiry has been made by the Government regarding the refund claimed, and (ii) the decision, if any, arrived at by the Government about the claims for the refund?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, from the 8th May, 1922, to the 7th May, 1926.

(b) (i) and (ii) The main figures have been given in the reply to question 80,¹ put by the honourable member for Lahore City (General Constituency). In this case the last recoveries were completed nearly eleven years ago. Government do not consider that they would be justified at this stage in attempting to collect the full details asked for in the question.

(c) A sum of Rs. 6,650-4-5, relating to initial charges and grain compensation allowances, was wrongly charged during the second and third year. This was subsequently adjusted. The attention of the honourable member is also invited to the reply given to question *6017,² put by Sardar Jawahar Singh Dhillon in the last autumn session of the old Council. As explained then, it was decided by Government to refund a small sum on account of the sale proceeds of the horses purchased for the post.

(d) (i) Rs. 5,243-5-7.

(ii) Rs. 1,406-14-10.

(iii) Rs. 1,406-14-10.

³(e) Yes.

(f) A copy of the application is laid on the table. In view of the length of time that has elapsed Government are not prepared to re-open the case or to make any further investigation.

Copy of a letter dated the 20th April, 1927, from Lachhman Singh and others, Makhi Khurd, to the Honourable Prime Minister, Government Punjab, Lahore.

We the undersigned residents of villages Makhi Khurd and Makhi Kalan, tahsil Kasur, district Lahore, beg to state as follows :—

(1) A punitive police post was quartered in our villages,—vide Government notifications No. B, 2750 dated 30th November, 1921, and No. 4092/25-4—A.-21 dated 21st April, 1925, for the period of 4 years. Though announcement was made in the Government Gazette on the 30th November, 1921, but practically the mounted police force consisting of one sub-inspector, one senior 3rd grade head constable, one junior 3rd grade head constable and eight constables was sent to the village in May, 1922, and Rs. 12,393-5-7 were annually imposed upon the residents as the punitive police post tax out of Rs. 37,180-0-9 demand for the three years, Rs. 36,677-11-2 were recovered from the village residents by the end of December, 1925. (Rupees 502-5-7 being shown as arrears of the punitive police tax on the recovery file, vide Deputy Commissioner's order dated 19th January, 1926). For the first 3 years mounted police force remained in our police post but foot police force consisting of one sub-inspector police 2 head constables and 8 constables was sent to our police post which remained stationed for the period of one year.

(2) The total recovery of the punitive police post tax has been put down as Rs. 36,630-5-2 in the recovery file of the punitive police post which is wrong. Out of Rs. 37,180-0-9 demand for the 3 years Rs. 502-5-7 are shown as arrears, therefore the total recovery does not come to Rs. 36,630-5-2 but to Rs. 36,677-11-2.

(3) In June, 1925, Sardar Sajjan Singh one of the village residents and one of the undersigned made an enquiry about the recovery and the demands by the Government regarding

¹Page 283 ante.

²Vol. XXIX, pages 286-37.

[The Hon. Major Sir Sikander Hyat-Khan.]

the punitive police post costs and he came to the conclusion that the price of the horses were included in the recoveries of 2nd and 3rd year which was illegal and unjust as no horses were purchased during the period. He started agitation in the press as a result of which the Government ordered the refund of Rs. 7,152-10-0 as follows :—

- (a) Rupees 5,243-5-7 punitive police post tax for 4th year written.
 - (b) Rupees 502-5-7 arrears of 3rd year written.
 - (c) Rupees 1,406-14-10 refunded in cash to the residents.
- (4) Now we beg to claim Rs. 14,077-1-2 as refund on account of the tax realized in excess or in violation of section 15 (3) of Act V of 1861.
- (a) The mounted police force consisted of one sub-inspector of police, 2 head constables and 8 constables whose full description is given on page 7 remained in our police post during the period of 3 years.
 - (b) All the police employees of the mounted police force with the exception of Nur Mohammad, constable were sent home without any reward or pension after the withdrawal of the mounted police post. Nearly all of them were *ex-military* men and were drawing pensions from the Military Department, the charges made by the Government for pension of this police force were illegal, 10 out of 11 were not in the permanent service of the Government, therefore Government had not to pay any amount to them on or after their retirement from the services. According to the section 15 (3), Act V of 1861 Government can demand only the actual costs of the police force.
 - (c) Rupees 47 being the difference of actual recovery made from the residents and the recovery put down in the recovery file while totalling the calculated costs of the Government for 4 years and the amount realized within three years. Out of Rs. 37,180-0-9 demand for the 1st three years Rs. 502-5-7 were shown as arrears. The actual recovery being Rs. 36,677-11-2 and not Rs. 36,630-5-2.
 - (d) Rupees 360 charged on grain compensation from the village residents to which the Government was not entitled as the police force was never sent to the village before the 31st March, 1922, but it was sent to the police station Valtoha from where it used to pay occasional visits to the villages. No grain compensation was paid to any Government servant during the year 1922-23 and no compensation was paid to any of the police employees of this police post.
 - (e) According to the announcement made in the Government notification No.B.-2750, dated 30th November, 1921, the "specified area" for the location of the additional police post was the estates of village Makhi Khurd and Makhi Kalan and it was necessary that the police post during the year 1922-23. Police post should have been sent to the village and should not have been allowed to stay at Valtoha Police Station for the period of one year, i.e., from 8th May, 1922, to 7th May, 1923. During this period the police force sanctioned for our police post remained busy in controlling and patrolling the whole area under the jurisdiction of Valtoha Police Station. Then why should the village residents of Makhi Khurd and Makhi Kalan be called upon to bear the costs of this period ?
 - (f) The horses and other furniture were purchased at the costs of the villagers but they were taken to the police headquarters Lahore. After the withdrawal of the police post some of the horses were auctioned but the boxes and the other furniture such as charpies, chairs, were never put to auction and the Government took it into possession for further use without any title or right.
 - (g) The village residents were charged at the rate of 1/10th of the total pay of the police staff as the contingency expenses. It was too high a rate. The same rate could not be allowed in the 2nd, 3rd and the 4th year as no new furniture was purchased for the police force during these years.
 - (h) From 1st March, 1925, to 30th April, 1925, the whole of the police force with the exception of one head constable Sultan Khan remained absent from the police post and it remained engaged in searching some dacoits and other outlaws in Police Station Bhai Phero and Ganda Singh Wala. The costs of this period realized from the village residents should also be refunded.

(6) As laid down in section 15 (3), Act V of 1861, Government was entitled to the costs borne by her on account of the police force which actually remained present in the village police post during the period of 4 years, i.e., 8th May, 1922, to 7th May, 1926.

(7) We may also bring to your notice that Mr. Beli Ram, Sub-Inspector, Police, was dismissed in March, 1923, and in his place Chaudhary Sultan Khan, Head Constable, Police (Civil permanent) was put in charge of the punitive police post for the period of about one year. Similarly M. Mohammad Sharif, junior Head Constable, was dismissed from the police post in the 4th quarter of the year 1923 most probably in November, 1923, and his vacancy was never filled during the stay of the mounted police force in our police post. We wonder why we were asked to pay the same amount every year when the Government had to bear less costs of the police post. Had the district authorities been wise enough to ask for a report for the actual costs of the police post before issuing orders for recovery such a blunder would never have been committed. The amount already refunded is Rs. 7,152 which was recovered as the initial charges and the compensation charges for the period of 2 years, i.e., 1923-24 and 1924-25.

(8) Hence we would request you to make enquiry in our case and refund Rs. 14,972-9-4 as laid down on page 11 realized in excess of the actual costs of the punitive police post or illegally for the same purposes.

PUNITIVE POLICE POST AT VILLAGES CHEEMA AND DOBLI, POLICE
STATION PATTI, DISTRICT LAHORE.

***41. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any punitive police post was quartered at villages Cheema and Dobli, police station Patti, district Lahore, in the year 1925, which remained there for 3 years ;
- (b) if the answer to question (a) be in the affirmative whether he will lay on the table a statement showing (i) the details of the calculated as well as (ii) the actual costs of this police post for each year ;
- (c) whether it is a fact that out of Rs. 17,998, total demand for 3 years, Rs. 388 were due from the village residents as arrears by the end of March, 1937 ;
- (d) whether it is a fact that S. Indar Singh and other village residents of the aforesaid village submitted an application to the Honourable Premier on the 21st April, 1937, in which they claimed a certain sum as refund said to have been realized from them in excess of the actual costs of the punitive police post imposed upon them ;
- (e) if the answer to (d) be in the affirmative, whether he will lay on the table their original applications and state (i) the result of the enquiry, if made, and (ii) the decision, if any, arrived at by the Government regarding the refund claimed ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, from the 1st June, 1925, to the 31st May, 1928.

[The Hon. Major Sir Sikander Hyat-Khan.]

(b) The principal figures have been given in the reply to question No. 30,¹ put by the honourable member for Lahore City (General Constituency). As has been explained in replies to other questions it is never possible to state the "actual costs" of a body of additional police with exactitude.

(c) The total demand for the three years was Rs. 17,323-12-9 and not Rs. 17,998 as stated in the question. Out of this, a sum of Rs. 388-14-5 is still recoverable. The question whether this outstanding balance should be remitted is already under the consideration of Government.

(d) Yes.

(e) A copy of the application is laid on the table. As already indicated, Government are considering the propriety of writing off the unrecovered amount. Otherwise they are not prepared to make any refund.

Copy of a letter, dated the 22nd April, 1937, from Indar Singh and others, village Cheema and Dohli, to the Honourable Prime Minister, Government Punjab, Lahore.

We the undersigned residents of village Cheema and Dohli, Police Station Patti, tahsil Kasur, district Lahore, beg to state as follows :—

(1) That an additional police post was quartered at our villages in 1925 for the period of 3 years. The Government imposed upon us Rs. 17,998 as punitive police post tax, out of which Rs. 388-14-9 are still being shown as arrears.

(2) From the statement attached herewith you will find that there is great difference between the amount realized from the residents and amount actually spent by the Government. We think that the Government was wrong in realizing the calculated costs of the punitive police post. Legally it was entitled to the actual costs of the punitive police post, though some times the number of the police constables was reduced to 5 or 6 but we have allowed the maximum number that was ever found present in the punitive police post.

(3) We may bring it to your notice that the punitive police post was divided into two groups. One group consisting of one head constable and 4 constables used to stay at village Dohli where the house rent was Rs. 10 per mensem while the other group consisting of one sub-inspector, police, one head constable and 4 constables remained quartered at villages Cheema where the house rent was Rs. 10 per mensem also. For some months in the 1st year 5 constables remained with the Cheema group but their number was sometimes reduced to 5 or 6 in the 2nd and 3rd year. Hence we request you to make enquiry in the case and refund Rs. 298-12-6 realized in excess of the actual costs of the punitive police post after deducting the present arrears .

At present our claim for refund consists of the following :—

| | Rs. | A. | P. |
|--|-------|----|----|
| 1. Difference between the recovery on the actual costs as given in the statements of costs | 2,881 | 12 | 6 |
| 2. Furniture taken to the police headquarters, Lahore after the withdrawal of the punitive police post | 100 | 0 | 0 |
| Total .. | 2,981 | 12 | 6 |

Costs of the Punitive Police Post at Dohli and Cheema (Lahore).

| Serial No. | Description. | 1925-26. | 1926-27. | 1927-28. |
|------------|---|-----------|-----------|------------|
| | | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| 1 | Pay of the sub-inspector, police .. | 960 0 0 | 960 0 0 | 960 0 0 |
| 2 | Pay of 2 head constables .. | 720 0 0 | 720 0 0 | 720 0 0 |
| 3 | Pay of 8 head constables .. | 1,632 0 0 | 1,632 0 0 | 1,632 0 0 |
| 4 | Pension charges | 662 6 6 | 662 6 6 | 662 6 6 |
| 5 | Conveyance allowance .. | 360 0 0 | 360 0 0 | 360 0 0 |
| 6 | Uniform allowance .. | 25 0 0 | 25 0 0 | 25 0 0 |
| 7 | Uniform of 2 head constables and 8 constables. | 150 0 | 150 0 0 | 150 0 0 |
| 8 | Contingency | 200 0 0 | 100 0 0 | 100 0 0 |
| 9 | House-rent | 240 0 0 | 240 0 0 | 240 0 0 |
| 10 | Equipment charges including the pay of sweeper and water carrier. | 60 0 0 | 60 0 0 | 60 0 0 |
| | Total .. | 5,009 6 6 | 4,909 6 6 | 4,909 6 6 |
| | | | | Rs. A. P. |
| | Recovery .. | | | 17,610 0 0 |
| | Grand total of costs .. | | | 14,828 3 6 |
| | Difference .. | | | 2,781 12 6 |

NOTE 1.—The pay of the sub-inspector, police, head constable and constable has been calculated at the rate of Rs. 80, Rs. 30, and Rs. 17, respectively, per mensem per head.

NOTE 2.—More money has been allowed for the contingencies of year 1925-26 as furniture was purchased for the punitive police post in this year but no furniture was purchased during the years 1926-27 and 1927-28, therefore, less money allowed.

PUNITIVE POLICE POST AT VILLAGES BHIKHIWIND, ETC., TAHSIL KASUR, DISTRICT LAHORE.

*42. Dr. Sant Ram Seth : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that punitive police post was quartered at villages Bhikhiwind, Bainska and Bler, tahsil Kasur, district Lahore, in 1922, which remained there for 4 years ;

[Dr. Sant Ram Seth.]

- (b) if the answer to question (a) be in the affirmative, whether he will lay on the table a statement showing the details of (i) the estimated as well as (ii) the actual costs of the punitive police post for each year, (iii) the sanctioned strength of the punitive police post for each year and (iv) the actual average monthly attendance of the head constables and constables of the punitive police post for each year ;
- (c) whether it is a fact that Bhai Lal Singh, Achhar Singh, Baghel Singh and other residents of the aforesaid villages, submitted an application to the Honourable Premier on the 22nd April, 1937, in which they claimed the refund of a certain amount realized in excess of the actual costs of the punitive police post ;
- (d) if the answer to (c) be in the affirmative whether he will (i) lay on the table their original application, and (ii) state whether any enquiry has been made by the Government in the matter, if so the result of the enquiry, and the decision, if any, arrived at by the Government regarding the refund claimed in the application ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes from the 9th May, 1922, to the 8th May, 1926.

(b) The principal figures have been given in the reply to question 301 put by the honourable member for Lahore City (General Constituency). In view of the time that has elapsed, Government do not think that they would be justified in attempting to collect the full details asked for in this question.

(c) Yes.

(d) A copy of the petition is laid on the table.

The recoveries in this case were not complete until comparatively recently, and Government are making certain further inquiries regarding it ; but I must make it clear that no sort of undertaking can be given at this stage that any refund will be sanctioned.

Copy of a letter dated the 22nd April, 1937, from Lall Singh and others, Lahore, to the Honourable Prime Minister, Government Punjab, Lahore.

We the undersigned residents of village Bhikhiwind, Bainska and Bler, tahsil Kasur, district Lahore, beg to state as follows :—

(1) That a punitive police post was quartered in our villages in March 1922 which remained located for the period of 4 years. Rupees 28,584 were imposed upon the village residents as the costs of the aforesaid punitive police post. out of this tax due Rs. 28,504 have been recovered and Rs. 33-12-0 are being shown as arrears.

(2) During its stay in our villages the punitive police post made its headquarters at village Bler. We also bring it to your kind notice that in the year 1922-23, i.e., between March, 1922, and January, 1923, the punitive police post was shifted to Police Station Khalra, about 8 miles away from these villages where it remained located for 10 months.

According to the provisions of section 15, Act 5 of 1861, the Punjab Government had announced the location of the punitive police post in the 3 villages mentioned above and not at Khalra Station as laid down in the Government notification. The specified area as defined in section 15 (2) of the General Police Act was the aforesaid villages and not Police Station Khalra. The shifting of the punitive police post to the Khalra Police Station was illegal and the period for which the punitive police post remained there the inhabitants of these villages could not be called upon to bear the costs of the punitive police post for this period though they have been

compelled to do so. Hence we can safely claim the refund of the tax realized from us for this period. No doubt the police force used to pay occasional visits to our villages but it also remained busy in patrolling the whole area under the jurisdiction of Khalra Police Station. No distinction being made between the various villages under Khalra Police Station the Government must bear the costs of this period.

(3) From the enquiry that we have been able to make we have come to the conclusion that the Government has realized more tax than the actual expenditure of the punitive police post. We wonder how the Government was justified in charging the same amount every year for the contingency expenses when it knew that no new furniture was purchased for the punitive police post during the 2nd, 3rd and 4th year of its stay in our villages. Even in the 1st year the charges for contingency at the rate of 1/10th of the salary of the police staff were too high.

(4) To the best of your recollection and knowledge the average number of constables in our punitive police post never exceeded 8. We think the Lahore District revenue authorities were greatly mistaken in demanding and recovering the calculated costs and not asking the police authorities to submit a report of the actual costs of the punitive police post for each year before issuing orders for the recovery of the punitive police post tax.

(5) From the statement of costs attached herewith you will find that Rs. 12,895-9-4 have been realized in excess which should be refunded to the village residents.

Another factor to be noted in this respect is that after the withdrawal of the punitive police post the *charpais*, boxes, and other furniture were taken to the Police Headquarters, Lahore, though they were the village residents property.

We also are entitled to its price.

(6) We should request you to make enquiry in our case and refund Rs. 12,895-9-4 due from the Government.

—————

JATS AND OTHER CASTES OF VILLAGE FATEHGARH, DISTRICT FEROZEPURE, DECLARED CRIMINAL TRIBES.

***43. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the Jats, Gujjars and Sweepers of village Fatehgarh Sabral, district Ferozepore, were declared criminal tribes in 1923 and every adult male resident of this village belonging to any of these tribes was not allowed to leave his village boundary without permission;
- (b) whether it is a fact that since the declaration by the Government mentioned in question (a) all the adult male residents of the aforesaid tribes, are made to attend the criminal tribe settlement office at the village twice a day for roll-call;
- (c) if the answer to questions (a) and (b) be in the affirmative, whether he will lay on the table a statement showing (i) the names of all the adult males of the aforesaid tribes to whom the Government declaration applied, (ii) the offence which each of them committed prior to the declaration of the Government, (iii) the number of convictions of each of these persons prior to the aforesaid Government declaration and the nature of the offences committed, (iv) the periods during which each of them was required to attend the daily roll-call, (v) the date on which permits were granted to each of them by the District Magistrate, Ferozepore, to leave their village boundary, (vi) the number of convictions made against each of them from the date of the Government declaration of 1923, under the Criminal Tribes Act, up to the 15th March, 1937, and the nature of offences committed by each;

[Dr. Sant Ram Seth.]

- (d) whether it is a fact that the village residents of the aforesaid village submitted an application to the Honourable Premier on 12th March, 1937, requesting Government to reconsider their case individually on merits and free them from the application of the Criminal Tribes Act ;
- (e) if the answer to (d) be in the affirmative, whether he will lay on the table their original application and also state (i) whether any enquiry has been made by the Government in this matter, (ii) if so, the result of the enquiry, (iii) the decision arrived at by the Government about this application, if any ;
- (f) what was the area of land under cultivation in 1923 and what was the area under cultivation in 1936, and reasons for the difference, if any ;
- (g) whether it is a fact that military pensioners, headmen and other residents who had committed no offence and were never convicted by any criminal court were not exempted from the roll-call ;
- (h) if the answer to (g) be in the affirmative the number of such persons ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) No. Altogether 150 persons have been registered up to date in pursuance of the Panjab Government notifications of 1923, but there are at present only 40 adults who are restricted under section 11 of the Criminal Tribes Act. Out of these 40, 28 reside in the village and attend the roll-call twice a day. The remaining 12 are :—

| | | |
|--|---------|---|
| In Reformatory or Industrial Settlements | .. | 8 |
| Absconders from the Reformatory | .. .. | 3 |
| In Jail .. .. . | .. .. . | 1 |

(c) The preparation of a statement spread over so many years will take a long time and will, I think, not serve any very useful purpose. But I may inform the honourable member that cases are constantly being looked into with a view to removal of restrictions. It may further be explained that the District Magistrate, Ferozepore, does not grant leave to persons restricted in this village. This is done by the Department.

(d) Yes.

(e) (i) The application referred to in the question is probably in the knowledge of the honourable member, but all the same I am placing a copy of it in the table. As stated in reply to part (c) above the Deputy Commissioner for Criminal Tribes is constantly examining the cases of these villagers individually. In the circumstances Government do not propose to make any other kind of investigation.

(ii) and (iii) Do not arise.

| | |
|--|--------------|
| (f) Area under cultivation in 1923 | 576 acres. |
| Area under cultivation in 1936 | 1,043 acres. |

The increase is due to the reclamation of waste land, which has been brought under cultivation by the efforts of the Criminal Tribes Department.

(g) and (h) The total number of military pensioners registered at any time in pursuance of the notifications was two and of headmen two. Of the former one was exempted after less than two months; the other, who has been suspected in a number of criminal cases, is still restricted to the village. The two headmen were registered in December, 1923, and January, 1924, respectively. The first was exempted three months later, the second in 1928.

Copy of a letter dated the 12th March, 1937, from the residents of village Sabrai Fatehgarh, district Ferozepore, to the Honourable Home Member, Government Punjab, Lahore.

We, the undersigned residents of village Sabrai Fatehgarh, thana Makhu, district Ferozepore, beg to submit as follows:—

(1) In the year 1923 our village was declared as a crime settlement and since then we have been subject to hardships.

(2) For more than 11 years we were compelled to be present twice a day at the roll-call and none of the residents was allowed to leave the village premises without permission.

(3) During the last three years some of the residents have been granted permits under section 6, Act No. 6 of 1924, but still their liberty is at the mercy of the police and the other executive authorities. This long detention of ours has made our lives miserable and wretched. Our lives are more miserable than the animals even. In the present regime the birds have the liberty to fly from one place to another but we are deprived even of this privilege.

(4) Great injustice has been done to the residents in declaring the village as a whole to be a criminal settlement. From the statement attached herewith you will find that 75 per cent. of the residents are such who have never been convicted for theft and similar other offences. Some of the persons were under teens when the village was declared as a criminal settlement, but no sooner they reach the adult age they are treated as criminals and deprived of their liberty without any fault on their part. They are being punished for their innocence.

(5) By this time most of the alleged criminals have amended their ways and have commenced cultivation most rigorously and in great earnest.

(6) We pray that enquiry be made in each individual case and those of the residents who have never been guilty of any offence should be liberated from the clutches of Act 6 of 1924.

As all the residents (*Jats*) are owner of the land and live upon cultivation, so they could be treated as a criminal tribe; hence we request for the withdrawal of order passed by the Government under Act 6 of 1924.

COMMUNAL REPRESENTATION IN SERVICES OF THE RESIDENTS OF MONTGOMERY DISTRICT.

***44. Mian Sultan Mahmud Hotiana:** (i) Will the Honourable Premier be pleased to state—

(a) how many residents of the Montgomery district hold gazetted provincial posts in the Executive and Judicial departments of the Government;

(b) what is the proportion that obtains as regards different communities in these departments, particularly of the Mussalmans of the Montgomery district;

(c) if the Muslim community in general and that of the Montgomery district in particular is not adequately represented, what the Government proposes to do in this connexion?

The Honourable Major Sir Sikander Hyat-Khan : (i) (a) Four but a good many others possess property in Montgomery and will probably reside there after retirement. Virtually, therefore, Montgomery may be regarded as well represented in these two branches of the service.

(b) The honourable member is referred to the History of Services of Gazetted Officers and the consolidated statement showing the proportionate representation of the various communities serving in the different departments of Government, copies of which are available in the Assembly Library.

(ii) In accepting candidates for appointment to the Punjab Civil Service (Executive and Judicial Branches) Government takes the following factors into consideration :—

(a) their merits,

(b) the religion they profess,

(c) whether they are agriculturists or non-agriculturists.

They cannot undertake to consider any other factor.

Chaudhri Sahib Dad Khan : Will the Honourable Premier please state the number of Muslims belonging to the Ambala division and their proportion to the whole cadre ?

Premier : If the honourable member gives me notice of that question I shall endeavour to collect the information.

BENCHES OF HONORARY MAGISTRATES IN MONTGOMERY DISTRICT.

***45. Mian Sultan Mahmud Hotiana :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Government contemplates constituting new benches of honorary magistrates in the Montgomery district ;

(b) if the answer to part (a) above is in the affirmative, whether the Government will consider the claims of the old established families of the district in their selection ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No such proposal is under consideration at present.

(b) Does not arise.

LAND IN THE NILI BAR COLONY.

***46. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue please state—

(a) how much land lies still undistributed in the Nili Bar colony ;

(b) whether the Government contemplates distributing such area in the near future ;

(c) whether at the time of allotment it is intended to compensate those zamindars whose lands have suffered through the action of the Sutlej ;

(d) whether Government is aware that there are old inhabitants of the districts of Multan and Montgomery, living on the banks of the Sutlej, who, though agriculturists, hold no land and live merely on the dairy products ;

(e) if the answer to question (c) is in the affirmative, whether the Government intends to consider their claim in the allotment of the land in the Nili Bar colony ?

The Honourable Dr. Sir Sundar Singh Majithia : It is regretted that the reply to the question is not yet ready.

NILI BAR BUFFALOES.

***47. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Development be pleased to state—

(a) whether it is a fact that the Nili Bar buffaloes are the best breed in the Punjab, and, if so, what measures the Government has adopted to protect this breed from extinction ;

(b) if no such measures have been adopted so far whether the Government proposes to take steps in this direction now ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The Nili Bar breed of buffaloes is one of the best breeds of buffaloes in the Punjab. But there are no valid grounds to suppose that the breed is threatened with extinction. Government have arranged for the conversion of the Bahadurnagar Grantee Cattle Farm in the Montgomery district into a buffalo-breeding farm, specially for the Nili and Ravi breeds of buffaloes.

(b) Does not arise.

RESIDENTS OF MONTGOMERY DISTRICT AND THEIR REPRESENTATION IN SERVICES.

***48. Mian Sultan Mahmud Hotiana :** (i) Will the Honourable Minister of Revenue be pleased to state how many residents of the Montgomery district hold gazetted posts in the Canal and Revenue Departments of the Government and what is the communal representation of those residents in those services ;

(ii) if the Muslim community of the Montgomery district is meagrely represented, what the Government proposes to do in this connection ?

The Honourable Dr. Sir Sundar Singh Majithia : (i) The honourable member is referred to the History of Services of Gazetted Officers, a copy of which is available in the Assembly Library and to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government on the 1st January, 1937, copies of which were supplied to all honourable members.

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

POLITICAL AND TERRORIST PRISONERS IN THE PUNJAB JAILS.

***49. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of political prisoners in the Punjab jails and the dates of the expected release of each of them ;
- (b) a similar statement as in (a) above about the terrorist prisoners ;
- (c) whether it is a fact that the terrorist prisoners are kept in cells at night and are not allowed to mix with other prisoners in the day time ;
- (d) whether it is a fact that many of the prisoners mentioned in (c) above have represented to the Government that their confinement in the jails, as conducted at present, amounts to solitary confinement, if so, whether the Government intends to remove this complaint of the prisoners ;
- (e) whether Government intends to release all the political and terrorist prisoners in the Punjab ;
- (f) the number of persons interned in the Punjab in their own villages and the offences for which they are so interned ;
- (g) whether Government intends to remove the restrictions imposed on persons mentioned in (f) above ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member is asked to see the reply given to question 5.¹

(b) The number of prisoners classed as terrorists is 49. Many of these prisoners are undergoing life sentences and it is not possible to mention a date when they are likely to be released.

(c) Yes.

(d) No.

(e) Government have no intention of making a general release of the kind the honourable member appears to have in mind.

(f) The number of persons at present interned in their villages under section 3 of the Punjab Criminal Law (Amendment) Act, 1935, is 15. They have been interned for having acted in a manner prejudicial to the public safety or peace, or in furtherance of a movement prejudicial to the public safety or peace.

(g) No.

Chaudhri Kartar Singh : Will the Honourable Premier please state under which law the terrorist prisoners are kept in solitary confinement ?

Premier : (*Beginning to answer in Urdu.*)

Diwan Chaman Lall : On a point of order, can the Honourable Premier speak in Urdu ?

Mr. Speaker : No.

Premier : I am afraid I cannot cite off-hand the law under which this is done. But if the honourable member will give me notice, I will be glad to supply the information.

M. Ghulam Mohy-ud-Din : On a point of order, cannot the Honourable Premier's answer be translated into Urdu ?

Mr. Speaker : No. I have already given my ruling on the point.

Chaudhri Krishna Gopal Dutt : I want to know whether an arrangement for a translator is made. You promised last time to make arrangements for a translator in this session.

Mr. Speaker : The honourable member, if he will please refer to the proceedings of the last session, will find that his impression is wrong.

Chaudhri Kartar Singh : Will the Honourable Premier answer the question personally or on the floor of this House ?

Premier : If the Honourable the Spoker wishes me to do so.

Lala Duni Chand : Has the new Government decided upon any particular policy with regard to the question of the release of political prisoners; and, if so, will the Honourable Premier please state what the policy is ?

Mr. Speaker : As notices of several questions on that subject have been received already, I would request the honourable member to wait till those questions are answered.

— — — — —
PRESS IN THE PUNJAB.

***50. Khwaja Ghulam Hussain :** Will the Honourable Premier be pleased to state—

- (a) the number and the names of the newspapers in the Punjab that were called upon to deposit security during the years 1934, 1935 and 1936, and also the places of publication of such newspapers ;
- (b) the number and the names of papers that have deposited the amount demanded and the amount so demanded from them ;
- (c) the particular reason for which each such newspaper was called upon to deposit the security ;
- (d) the number and the names of the newspapers that have failed to deposit the security so demanded and that went out of publication ;
- (e) whether this action of demanding securities was taken under the Indian Press (Emergency Powers) Act, 1931, and if so, what was the total amount forfeited ;
- (f) in how many cases the matter was referred by the aggrieved parties to the High Court and with what result ?

The Honourable Major Sir Sikander Hyat-Khan : (a) to (d) : A statement¹ giving detailed information is laid on the table.

(e) Yes. Total amount forfeited was Rs. 1,250.

(f) In two cases appeal was preferred to the High Court. One was rejected and the other is still pending.

¹Kept in the Assembly Library.

MUNICIPALITIES AND THE RESOLUTION DISAPPROVING OR WELCOMING
THE PRESENT CONSTITUTION.

*51. **Khwaja Ghulam Hussain :** (i) Will the Minister of Public Works be pleased to state—

(a) the names of the municipalities in the Punjab which passed resolutions for closing their offices and institutions under them on the 1st of April, 1937, to mark their disapproval of the constitution as contained in the Government of India Act, 1935 ;

(b) the number and the names of municipal committees which passed resolutions welcoming the constitution ;

(c) in how many cases the deputy commissioners exercised their powers under section 232 of Municipal Act and suspended the resolutions of the municipal committees ;

(d) whether any explanation was demanded from and submitted by the municipalities mentioned in (a), if so, the names of the municipal committees which submitted their explanations ;

(ii) will the Honourable Minister be pleased to lay such explanations on the table of the Assembly, if not, why not ;

(iii) will the Honourable Minister be pleased to state what have been the ultimate orders by the Commissioners or the Local Government (as the case may be) on the action taken by the deputy commissioners in each case ;

(iv) will the Honourable Minister also state whether confidential instructions were issued to the deputy commissioners directing therein to suspend such resolutions, and, if so, what were the reasons which led the Government to issue such instructions ?

The Honourable Nawabzada Major Malik Khizar Hyat Khan Tiwana : (a) The Municipal Committees of Ludhiana and Lyallpur.

(b) Two. The Municipal Committees of Rewari and Amritsar.

(c) Two.

(d) Yes. Municipal Committees of Ludhiana and Lyallpur.

(ii) The explanations of the Committees are laid on the table.

(iii) The Commissioners confirmed the orders of the Deputy Commissioners.

(iv) Government are not prepared to make a statement about confidential correspondence with Deputy Commissioners.

Khwaja Ghulam Hussain : Will the Honourable Member please state the reasons for not disclosing that correspondence ?

Minister : Public interest.

Copy of resolution No. 29, passed at an ordinary meeting of the Ludhiana Municipal Committee, held on the 9th of April, 1937, in the Town Hall.

29. Laid before the committee letter No. 2743, dated 31st March, 1937, from the Deputy Commissioner, Ludhiana, suspending resolution No. 1437, dated 30th March, 1937, re the closing of schools and municipal offices on the 1st of April, 1937, as a matter of protest against the inauguration of the New Constitution in India.

With proposal of Lala Tilak Ram seconded by Kh. Muhammad Azam and supported by Ch. Mehar Din that the following reply be submitted to the Commissioner as an explanation from the committee :—

The New Constitution which was to be enforced from 1st April, 1937, is against the public will. The country had decided to stop all business in protest on this date. The municipal committee is a representative body and the new Government of India Act also affects the municipalities in its operation. The committee, therefore, in recognition of its duty, had represented the true public opinion. This is why sixteen municipal commissioners including Hindus, Muhammadans and Sikhs participated in passing resolution No. 1437, dated 30th March, 1937. Only 4 nominated members voted against this resolution. There was no apprehension of any breach of peace by this resolution. In the opinion of the committee section 232 of the Punjab Municipal Act does not apply to such a resolution. The committee, therefore, requests the Commissioner that in view of the public opinion the resolution of the committee, dated 30th March, 1937, be upheld.

With proposal of Mian Raushan Din seconded by Haji Asghar Ali that the committee regarding the reasons, given by the Deputy Commissioner in his letter No. 2743, dated 30th March, 1937, as correct admits that the committee was wrong in passing the resolution in question and requests the Commissioner to kindly confirm the order of the Deputy Commissioner.

On being put to vote the proposal of Lala Tilak Ram was carried by a majority of 12 for and 4 against.

Copy of resolution No. 2, passed by the Lyallpur Municipal Committee in its ordinary meeting held on 14th April, 1937.

2. Resolution No. 2, dated 31st March, 1937, together with Deputy Commissioner's order of the same date suspending the above resolution by virtue of the powers vested in him under section 232 of the Punjab Municipal Act, 1911, on the ground that the carrying out of this resolution is likely to cause annoyance to the public and further requests that the explanation of the committee, if any, should be submitted within 15 days of the receipt of this endorsement, if no explanation is so received it will be presumed that the committee has nothing to say.

2. Proposed by Sardar Sant Singh that in reply to the letter No. 147-S. T., dated 31st March, 1937, of the Deputy Commissioner suspending the resolution No. 2, dated 31st March, 1937, by which the municipal committee decided to close the municipal office and other municipal institutions on 1st April, 1937, as a protest against the enforcement of the New Constitution, the municipal committee forwards the following justification for its motion :—

There has been several conflicts in the past in the interpretation of section 232 of the Municipal Act. Several municipal committees have successfully claimed the powers of the municipal committees to discuss and record their opinions and take suitable action on matters of public interest and importance. The municipal committee is a mouth-piece of the local public opinion and as such in our opinion is constitutionally competent to express such opinion.

Coming to the question now before the House, the closing of the municipal office and the institutions under the Municipal Committee in accordance with the public desire and in order to impress upon His Majesty's Government that the constitution as embodied in the Government of India Act, 1935, is not acceptable to the Indian people is within the competence of the Municipal Committee.

This has been a verdict of almost the whole of the political India and hence it was clear that such closing of the municipal office and other municipal institutions in Lyallpur could not obviously cause any annoyance to the public but on the contrary the action of the municipal committee was highly appreciated and welcomed by the public at large in Lyallpur.

The complete *hartal* that Lyallpur observed on the 1st April has amply proved that no annoyance was caused to the public and thus the opinion of the committee as embodied in the resolution has been fully justified by subsequent events. At the same time it will not be out of place to point out that Amritsar municipal committee actually closed its office and institutions on the 1st of April on the grounds of welcoming the constitution and yet this resolution was not suspended.

This act of Amritsar municipal committee was against the overwhelming opinion of the residents of that town and was more likely to cause annoyance and yet it was not suspended on that ground. Action at Lyallpur and non-action at Amritsar, the committee painfully notes is likely to create an impression of partisan spirit of the administration which the administration in their own interest should at all costs avoid.

SECONDED BY LALA BHAGAT RAM.

Proposal put to vote and carried by majority.

Members who voted in favour of the above proposal—

- (1) Sardar Sant Singh.
- (2) Lala Ganesh Datt.
- (3) Lala Ram Narain.
- (4) Lala Diwan Chand.
- (5) Lala Bhagat Ram.
- (6) Dr. Nand Lal.
- (7) Seth Banwari Lal.
- (8) Malik Mathra Das.

Members who voted against the proposal—

- (1) Mr. S. David.
- Malik Ishar Das, Sardar Sundar Singh and Malik Lakhmi Das remained neutral.

HARI SINGH OF VILLAGE SUNDH.

*52. **Sardar Hari Singh:** Will the Honourable the Premier please state—

- (a) whether it is a fact that Hari Singh of village Sundh, district Jullundur, was taken into custody by an official of the Punjab C. I. D. within the jurisdiction of police station Banga in district Jullundur, on 10th February, 1937, and taken away in a car to Phagwara in Kapurthala State;
- (b) whether any police official of Kapurthala State was present at the time of the said Hari Singh's arrest;

- (c) whether the arresting C. I. D. official was armed with an extradition warrant and the requisite requisition from the said State ;
- (d) the case in connection with which he was arrested ;
- (e) the date on which the said Hari Singh was transferred from the State custody to the custody of the Punjab police ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No.

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

(e) There was no such transfer.

DAMAGE BY HAILSTORM.

***53. Sardar Hari Singh :** Will the Honourable the Revenue Minister please state—

- (a) whether he is aware that considerable damage was caused by hailstorm on 18th April to wheat crops and mango blossom in certain parts of Hoshiarpur district ;
- (b) which of the villages are reported to be affected by the said calamity and the Government estimate of the extent of damage ;
- (c) what steps the Government propose to take to give relief to the peasants affected, and if no action is to be taken, the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The hailstorm on the 18th April caused some damage to wheat crop and mango blossom in certain parts of the Hoshiarpur district.

(b) A list of the villages affected by the hailstorm is placed on the table. In the Garhshanker tahsil except in very few villages damage caused was in appreciable ; in the villages of the Una tahsil damage caused was about annas 6 in a rupee of the average crop.

(c) Government have already issued instructions for the grant of relief in the affected areas and it is being given.

Sardar Hari Singh : Will the Honourable Minister be pleased to state whether any remission has been granted to the people of Hoshiarpur district in this revenue instalment ?

Minister : Yes.

Sardar Hari Singh : What is the amount of remission ?

Minister : I cannot give you the figure.

Sardar Hari Singh : I want this information here on the floor of the House.

Minister : I cannot give you that information on the floor of the House.

Sardar Sampuran Singh : Can the Honourable Minister give us any information whether any remission has been given in any part of the Punjab to the fruit orchards on account of the damage done by hailstorm ?

Minister : This matter would be covered by ordinary rules. I do not think I can give you any information.

Sardar Sampuran Singh : Can you tell us whether any remission has been given? If not, why not?

Minister : I am afraid the honourable member can only know about his own fruit orchards.

Chaudhri Kartar Singh (Urdu) : When remission has been given to all the districts in the Punjab, why is it that the case of Hoshiarpur district has not been decided yet?

Minister : Remission has been given, but I am afraid I cannot give you the figures.

Sardar Hari Singh : Will he please lay a statement on the table of the House to-morrow?

Minister : I cannot do that to-morrow.

Mr. Speaker : That is not a supplementary question, but a notice of a fresh question.

Sardar Sampuran Singh : Can the Honourable Minister say whether any remission has been given in any part of the Punjab?

Mr. Speaker : He has already answered that question—

Sardar Sampuran Singh : No, Sir, he has not answered that point.

Minister : I want notice of that question.

List of villages affected by hailstorm on the 18th April, 1937, in Hoshiarpur district.

| Serial No. | Name of tahsil. | Name of village. | Serial No. | Name of tahsil. | Name of village. |
|------------|-----------------|------------------|------------|-----------------|------------------|
| 1 | Garhshankar .. | Mohanwal. | 11 | Garhshankar .. | Bham. |
| 2 | Do. .. | Chahalpur. | 12 | Do. .. | Ajnaha. |
| 3 | Do. .. | Dhagam. | 13 | Do. .. | Jangaliana. |
| 4 | Do. .. | Khabra. | 14 | Do. .. | Thoana. |
| 5 | Do. .. | Rawalpindi. | 15 | Do. .. | Hakumatpur. |
| 6 | Do. .. | Bhadjar. | 16 | Do. .. | Kalewal. |
| 7 | Do. .. | Kot. | 17 | Do. .. | Mojo Mazara. |
| 8 | Do. .. | Maira. | 18 | Do. .. | Dihana. |
| 9 | Do. .. | Mehadwani. | 19 | Do. .. | Nadalon. |
| 10 | Do. .. | Manohlian. | 20 | Do. .. | Panjaur. |

| Serial No. | Name of tehsil. | Name of village. | Serial No. | Name of tahsil. | Name of village. |
|------------|-----------------|------------------|------------|-----------------|------------------|
| 21 | Garhsankar .. | Nangal. | 40 | Garhsankar .. | Thakarwal. |
| 22 | Do. .. | Chayar. | 41 | Do. .. | Badhel. |
| 23 | Do. .. | Thoh Pachrali. | 42 | Do. .. | Rupowal. |
| 24 | Do. .. | Thandal. | 43 | Do. .. | Birampur. |
| 25 | Do. .. | Badon. | 44 | Do. .. | Nangal. |
| 26 | Do. .. | Marula. | 45 | Do. .. | Khera. |
| 27 | Do. .. | Khanpur. | 46 | Do. .. | Barsain. |
| 28 | Do. .. | Bambeli. | 47 | Do. .. | Nasran. |
| 29 | Do. .. | Haveli. | 48 | Do. .. | Jandoli. |
| 30 | Do. .. | Sahriala Kalan. | 1 | Una .. | Joh. |
| 31 | Do. .. | Mango Patti. | 2 | Do. .. | Pirithipur. |
| 32 | Do. .. | Gopalian. | 3 | Do. .. | Maidangarh. |
| 33 | Do. .. | Kukar. | 4 | Do. .. | Babehar. |
| 34 | Do. .. | Garhsankar. | 5 | Do. .. | Daulatpur. |
| 35 | Do. .. | Kalewal. | 6 | Do. .. | Dangoh Khas. |
| 36 | Do. .. | Lalian. | 7 | Do. .. | Dangoh Khurd |
| 37 | Do. .. | Bagwain. | 8 | Do. .. | Chalet. |
| 38 | Do. .. | Laksibian. | 9 | .. | .. |
| 39 | Do. .. | Rehafi. | | | |

POLITICAL PRISONERS.

54. **Sardar Hari Singh**: Will the Honourable the Premier be pleased to state—

- (a) the number of political prisoners at present undergoing imprisonment including State prisoners, Martial Law, Babbar Akali and Conspiracy Case prisoners, category-wise, convicted by courts of the British Punjab, whether kept in the Punjab jails or outside;
- (b) the number of the said prisoners detained outside the Punjab with the places of their detention?

The Honourable Major Sir Sikander Hyat-Khan: There are at present 7 persons detained in jails in the Punjab as State prisoners by orders issued by the Governor-General in Council under Regulation III of 1818. Of the prisoners convicted by the Martial Law Tribunals in 1919

[Premier.]

twelve were still in confinement when the question was put. Of these six are in the Andamans serving sentences of transportation for life, the remainder in jails in the Punjab. I may add that orders were issued that they should be released immediately. If the honourable member will inform me precisely what he means by " Babbar Akali prisoners " and " Conspiracy Case prisoners " I will endeavour to furnish a reply to the remainder of the question.

Lala Duni Chand : What is the policy of the Government? Has the new Government decided upon any policy, particularly policy with regard to the release of political prisoners, and if the new Government has decided upon any such policy will the Honourable Premier be pleased to state that policy on the floor of the House?

Premier : Sir, I gave an indication of the policy of the Government on the opening day of the present session. I may inform the House, if they are not already aware, that all the Martial Law prisoners would be released immediately (*hear, hear, from Ministerial benches*). With regard to other political prisoners I also want to inform this House that their cases are examined periodically with a view to see whether in the interest of public safety they can be released. This policy will continue.

Sardar Hari Singh : The Honourable Premier has been pleased to remark that State prisoners are detained under the orders of the Governor-General in Council. I would ask the Honourable Premier to state whether they can be released under the orders of the Governor-General in Council or even by the Provincial Government?

Premier : I do not think we can supersede the orders of the Governor-General in Council, but I believe that the Punjab Government is in a position to recommend their release.

Sardar Hari Singh : The Honourable Premier has not said how many prisoners are kept outside the Punjab?

Premier : I am afraid I cannot give you that information.

Dr. Gopi Chand : At present or never?

Premier : At present.

Sardar Hari Singh : Am I to understand that this information cannot be given because you have no information in your possession, or is it because of public interest?

Premier : (*While sitting*). I have.....

Mr. Speaker : Will the Honourable Premier please answer questions standing?

Premier : I have already replied to that question. The information is not available at present. When it is available it will be communicated to the honourable member.

Sardar Hari Singh : Can I know the grounds on which the prisoners are kept outside the Punjab jails?

Premier : I am afraid I cannot give you that information offhand.

INTERNEES.

***55. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the names of persons interned in their residential towns or villages in the province and under constant police surveillance under the Criminal Law (Amendment) Act ?

The Honourable Major Sir Sikander Hyat-Khan : It is not in the public interest to divulge the names of these persons.

NEWSPAPERS AND PRESSES.

***56. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the names of newspapers and presses whose securities have been forfeited since 1930 with the amounts of these securities ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is laid on the table.

Statement showing the names of newspapers and printing presses whose securities have been forfeited since 1930, with the amounts of such securities given against them.

| Year. | Name of newspaper. | Amount. | Name of press. | Amount. |
|------------------------|------------------------------------|-------------|---|---------|
| | | Rs. | | Rs. |
| 1930 | 1. <i>Pratap</i> (Lahore) | 2,500 | 1. Parkash Steam Press, Lahore. | 2,500 |
| | 2. <i>Bande Matram</i> (Lahore). | 3,000 | .. | .. |
| | 3. <i>Vir Bharat</i> (Lahore) | 2,000 | .. | .. |
| 1931 | 4. <i>Nil</i> | <i>Nil.</i> | <i>Nil.</i> | |
| 1932 | 4. <i>Ahrar</i> (Lahore) | 500 | .. | .. |
| | 5. <i>Zamindar</i> (Lahore) | 1,000 | .. | .. |
| | 6. <i>Zamindar</i> (Lahore) | 2,000 | .. | .. |
| 1933 | <i>Nil.</i> | .. | <i>Nil.</i> | .. |
| 1934 | <i>Nil.</i> | .. | <i>Nil.</i> | .. |
| 1935 | 7. <i>Mushkil Kushi</i> (Qadian). | 250 | 2. Nav Yug Press, Lahore. | 500 |
| 1936 | 8. <i>Dukhi Kisan</i> (Jullundur). | 1,000 | <i>Nil.</i> | .. |
| 1937 (up to 15th May). | <i>Nil.</i> | .. | 3. Workers Press, Amritsar. | 2,000 |
| | | | 4. <i>Dukhi Dunia</i> Printing Press, Amritsar. | 1,000 |

RURAL DEBT OF THE PROVINCE.

*57. **Sardar Hari Singh** : Will the Honourable the Premier be pleased to state—

- (a) the Government estimate of the amount of rural debt of the province ;
- (b) the total amount claimed by (i) the private money-lenders and (ii) the Co-operative Societies and Banks, etc., respectively ;
- (c) what practical steps the Government propose to take to liquidate the rural debt ;
- (d) whether the Government has considered the question of the declaration of a moratorium for a number of years, if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) For the agricultural classes the last estimate of the debt made in 1931 is 140 crores. For 1929 the Punjab Banking Enquiry Committee estimated the debt at 135 crores. Both estimates are very tentative, and very possibly an over-estimate.

There is not even a tentative estimate of the debt of the non-agricultural classes.

(b) (i) No estimate is available.

(ii) Figures are given in statements A and B of the Co-operative Societies Department Annual Report.

(c) The honourable member's attention is invited to the Punjab Relief of Indebtedness Act, VII of 1934, and the Punjab Debtors Protection Act, II of 1936. Conciliation Boards under the former Act have been appointed and are working in five districts. Government understand that much old debt is being liquidated by mutual agreement between debtor and creditor.

(d) Government have no intention of declaring a moratorium.

Sardar Hari Singh : This question is against the Honourable the Premier. May I know if the Honourable Minister of Revenue is acting as a proxy for the Premier ?

Minister : No, it is my question.

Premier : The honourable member addressed the question wrongly.

Dr. Shaikh Muhammad Alam : A point of order. If the question is admitted in the form that the Honourable the Premier has to reply to it, can it then be answered by any other honourable member ?

Mr. Speaker : Yes, that is provided in the rules.

Sardar Hari Singh : The Honourable Minister of Revenue has been pleased to state that the figures of the total amount claimed by the private money-lenders and the Co-operative Societies and banks are not available. May I ask if the total amount claimed by the Co-operative Societies too is not available ?

Minister : I think he never asked that question. If he will give me a notice I will give the reply.

Sardar Hari Singh : My question has been on record already.

Minister : The information is not easily available, but I will try to get that information for the honourable member.

Sardar Sampuran Singh : That information is available in the Annual Report of the Co-operative Societies Department.

TAHSILDAR OF PHILLAUR.

***58. Sardar Hari Singh :** Will the Honourable the Minister of Revenue please state—

- (a) whether it is a fact that the Tahsildar at Phillaur, district Jullundur, committed suicide, as appeared in the press, in the third week of April last ;
- (b) whether it is a fact that the said official left behind a document explaining therein the circumstances that prompted him to commit suicide ;
- (c) whether an inquest was held into the matter, if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The document to which the question presumably refers purports to be a sort of application for leave and transfers and contains irrelevant matter which Government can now regard as explanatory circumstances clearly showing an unbalanced frame of mind which prompted the Tahsildar to commit suicide.

(c) The body of the deceased was carefully examined by the local doctor and an inquest was held by the Additional District Magistrate and the Deputy Superintendent of Police who all held that it was a clear case of suicide.

CHOS IN HOSHIARPUR DISTRICT.

***59. Sardar Hari Singh :** Will the Honourable the Minister of Revenue please state—

- (a) whether he is aware of the extent of the havoc wrought by the *chos* every year in Hoshiarpur district ;
- (b) the total area of land under cultivation, and the land under *chos* in the said district ;
- (c) whether the Punjab Government ever in the past considered the question of launching engineering schemes to put a stop to *cho* havoc or to minimise the damage done to agriculture by the *chos* in the said district, if so, what were the Government proposals and what prevented their execution ;
- (d) what the Government proposes to do now ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Exact figures of the total area of land under cultivation are not available. According to the figures supplied by the Deputy Commissioner, Hoshiarpur, the areas under *chos* and sand was 84,859 acres in the year 1927.

(c) and (d). Mr. Holland, Deputy Conservator of Forests, who examined the whole position on behalf of Government in 1928, reported that engineering works were not a practical proposition. Government followed up this report in 1934 by appointing Mr. Hamilton, Deputy Conservator of Forests, to devise ways and means for dealing with the whole problem, which is mainly one of afforestation. Various measures have since been initiated with the co-operation of the people, which Mr. Hamilton has been singularly successful in obtaining. These are described in the annual Land Revenue Administration Reports which are open for sale to the public. The attention of the honourable member is also invited to the answer given to part (d) of Council question No. *6098¹ in October 1936.

WATERLOGGING.

***60. Sardar Hari Singh :** Will the Honourable the Minister of Revenue please state—

- (a) the area of land affected by waterlogging in tahsil Dasuya, district Hoshiarpur ;
- (b) the extent of the economic loss suffered by the peasantry on account of the said waterlogging ;
- (c) whether the Government has considered the question of reclaiming the said waterlogged area and, if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The area now affected by *sem* (if this is what the honourable member means by waterlogging) is 751 acres.

(b) As waterlogging has existed for many generations, it is not possible to estimate the extent of loss without making an elaborate enquiry which would lead to no practical result.

(c) As a result of investigations by the Sanitary Department and the Punjab Drainage Board a drainage scheme has been introduced and other remedial measures adopted which have made the reclamation of large areas possible. The work on the scheme is still in progress and it is hoped further areas will be reclaimed.

Dr. Shaikh Muhammad Alam : What are the other remedial measures referred to by the Honourable Minister.

Minister : The Forest Department is taking necessary action about afforestation.

Dr. Shaikh Muhammad Alam : My question is, what is that necessary action ?

UNSTARRED QUESTIONS AND ANSWERS.

ADDITIONAL POLICE FORCE IN VILLAGES IN SHEIKHUPURA
DISTRICT.

31. Dr. Gopi Chand Bhargava : Will the Honourable Premier be pleased to lay on the table statement showing :—

- (a) the names of the villages in the Sheikhpura district in which additional police force was quartered between the years 1919 and 1936 ;
- (b) the period for which the police force remained quartered in each of these villages ;
- (c) the date of its location in and withdrawal from each such village
- (d) the annual estimated costs of each police post ;
- (e) the total amount actually recovered as costs of the police post in each village each year ;
- (f) the annual sanctioned strength of the police force for each of the police posts ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is appended.

Statement showing the names of villages in Sheikhupura district in which

| District. | Name of village. | Period of location. | DATE OF LOCATION AND WITHDRAWAL. | |
|-----------------|--|-------------------------|----------------------------------|---------------------------|
| | | | From | To |
| 1 | (a) | (b) | (c) | |
| Sheikhupura. | Isharke | 3 years .. | 23-9-22 | 22-9-25 |
| | Jandiala Sher Khan | 2 months .. | 2-2-23 | 31-3-23 |
| | Jatri Kohna, Jatri Nau, Lagar and Bohar. | 3 years and 6 months .. | 3-2-23 | 2-8-26 |
| | Kala Khatai | 3 years .. | 13-3-23 | 12-3-26 |
| | Ira Nangal | 2 years .. | 1-9-23 | 31-8-25 |
| | Bhuttar | 5 years .. | 15-9-23 | 14-9-28 |
| | Khal Kohna and Buoheke .. | 3 years .. | 1-12-23 | 13-11-26 |
| | Bhiki and Kharianwala .. | 1 year .. | 6-9-24 | 5-9-25 |
| | Warn | 4 years .. | 12-9-24 | 11-9-28 |
| | Kaloki and Jhamke | 2 years and 9 months | 15-4-25 | 14-1-28 |
| | Miranpur | 2 years .. | 1-7-25 | 30-6-27 |
| | Ratti, Tibbi, Burrowala and Dhabban Kalan. | 1 year .. | 15-8-25 | 14-8-26 |
| | Kurke and Ranke | 3 years .. | 1-9-25 | 31-8-28 |
| | Ghazikaka | 2 years .. | 13-3-26 | 12-3-28 |
| | Maddo, etc. | 2 years .. | 16-11-27 | 15-11-29 |
| | Mahmudpura | 6 months .. | 1-12-33 | 31-5-34 |
| | Mah Balochan | 2 years and 7 months | 15-4-34 & 15-4-34 | 14-11-34 & 14-11-36 |
| Burwala | 2 years .. | 1-1-36 | 31-12-37 | |

Additional Police posts were quartered between the year 1919 and 1936.

| Total cost of the post. | Amount recovered. | SANCTIONED STRENGTH OF THE POLICE FORCE. | | | | |
|-------------------------|-------------------|--|----------------|--------------------------|-----------------|-----------------|
| | | Inspector. | Sub-Inspector. | Assistant Sub-Inspector. | Head Constable. | Foot Constable. |
| (d) | (e) | (f) | | | | |
| Rs. A. P. | Rs. A. P. | | | | | |
| 12,810 10 5 | 12,810 10 5 | .. | .. | .. | 1 | 8 |
| 894 13 5 | 894 13 5 | .. | .. | .. | 1 | 8 |
| 28,173 11 1 | 28,173 11 1 | 1 | .. | .. | 2 | 16 |
| 16,394 3 3 | 16,394 3 3 | .. | .. | .. | 2 | 12 |
| 4,404 1 6 | 4,404 1 6 | .. | .. | .. | 1 | 4 |
| 5,713 1 6 | 5,713 1 6 | .. | .. | .. | 1 | 4 |
| 8,982 5 5 | 8,982 5 5 | .. | .. | .. | 2 | 6 |
| 8,851 9 7 | 9,127 6 6 | 1 | .. | .. | 2 | 8 |
| 22,464 8 0 | 22,464 8 0 | 1 | .. | .. | 1 | 10 |
| 18,456 3 2 | 18,456 3 2 | 1 | .. | .. | 1 | 12 |
| 10,111 12 0 | 10,111 12 0 | 1 | .. | .. | 1 | 8 |
| 8,755 3 2 | 8,755 3 2 | 1 | .. | .. | 2 | 16 |
| 7,864 13 6 | 7,676 12 1 | .. | .. | .. | 1 | 6 |
| 5,791 2 0 | 5,791 2 0 | 1 | .. | .. | .. | 6 |
| 15,815 11 0 | 15,815 11 0 | 1 | .. | .. | 2 | 12 |
| 1,878 15 8 | 1,878 12 3 | .. | .. | .. | 1 | 5 |
| 16,050 15 8 | 5,530 0 5 | .. | 1 | .. | 1 | 12 |
| 9,427 3 8 | 3,954 2 3 | .. | 1 | .. | 1 | 7 |

32 and 33—Cancelled.

FORFEITURE OF JAGIR OF SARDAR SARDUL SINGH CAVEESHER.

34. Lala Duni Chand : With reference to the answer given to a short notice question¹ in the last session of the Assembly

Will the Honourable Minister for Revenue be pleased to state—

- (a) whether his attention has been invited to the statement by Sardar Sardul Singh Caveesher published in a local newspaper on the 4th of May 1937 ;
- (b) whether it is a fact that the sentence of six months' rigorous imprisonment, in consequence of which the *muafi* granted to the said Sardar Sardul Singh was resumed, was not the first of its kind and that smaller sentences of rigorous imprisonment had been awarded to him on many occasions before ;
- (c) whether it is also a fact that this sentence of six months' imprisonment was awarded not for sedition but for picketting and that peaceful picketting was then allowed to Indians under the Gandhi-Irwin Pact ;
- (d) if the answers to (a), (b) and (c) above be in the affirmative, whether he has anything to add to the answer already given with regard to the resumption of *muafi* granted to Sardar Sardul Singh Caveesher ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes.

(c) Sardar Sardul Singh was convicted for picketting and for parading in a public street in an objectionable manner.

(d) No.

FORFEITURE OF JAGIR OF SARDAR SARDUL SINGH CAVEESHER.

35. Lala Duni Chand : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the payment of *muafi* granted to the family of Sardar Sardul Singh Caveesher was first stopped in 1931 pending final decision not for any political activity on the part of the said Sardar Sardul Singh but on account of a private dispute ultimately decided in favour of the said Sardar Sardul Singh ;
- (b) when a report was made to the Government for the first time recommending the resumption of the *muafi* and whether this report was made during the pendency of the dispute or after it had been decided ;
- (c) the reasons given by the officer recommending the resumption of the *muafi* ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The *muafi* was held in deposit since 1931 as it was in dispute between the Sikh Gurdwara Parbandhak Committee and Sardar Sardul Singh.

- (b) After the decision of the dispute in March 1936.
- (c) Contravention of the condition of good behaviour attached to the *muafi*.

FORFEITURE OF JAGIR OF SARDAR SARDUL SINGH CAVEESHER.

36. Lala Duni Chand : Will the Honourable Minister for Revenue be pleased to state—

- (a) the terms of the *muafi* granted to the family of Sardar Sardul Singh Caveesher and the particular term broken by the said Sardar Sardul Singh Caveesher ;
- (b) whether the final decision resuming the *muafi* was taken after having obtained legal opinion on the question that conviction for peaceful picketing amounted to a breach of any of the terms of the grant of the said *muafi*?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The grant was originally made in favour of Sardar Tara Singh, son of Sardar Gopal Singh, for his life and was to be continued after his death to his legitimate male issue in perpetuity subject to the payment of half revenue and good behaviour. The latter condition of good behaviour was broken by Sardar Sardul Singh.

(b) Government was advised that the conduct of Sardar Sardul Singh Caveesher constituted a breach of the condition of the grant and it was consequently resumed.

FORFEITURE OF JAGIR OF SARDAR SARDUL SINGH CAVEESHER.

37. Lala Duni Chand : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the Central Jail, Lahore authorities were asked to supply information as to the nature of the sentence awarded to Sardar Sardul Singh Caveesher ;
- (b) when such information was asked for from the jail authorities and when was the same supplied by them ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) An inquiry was made from the Superintendent of the Lahore Central Jail on this subject by the Deputy Commissioner, Gurdaspur, on the 6th November last. This was answered on the 17th November. It is not clear whether this is the inquiry which the honourable member had in view when he asked his question.

FORFEITURE OF JAGIR OF SARDAR SARDUL SINGH CAVEESHER.

38. Lala Duni Chand : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the order of the Governor in Council conveyed to Sardar Sardul Singh Caveesher in March last, resuming his *muafi* was that the *muafi* was resumed with effect from *rabi* 1931 ;

[Lale Duni Chand.]

- (b) whether it is also a fact that the sentence of six months' rigorous imprisonment forming basis of the resumption of *muafi* was awarded to the said Sardar Sardul Singh Caveesher nearly two years after *rabi* 1931, that is in 1933, the reasons for the disparity in these dates?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The *muafi* was in dispute between the Sikh Gurdwaras Parbandhak Committee and Sardar Sardul Singh Caveesher. When it was decided that Sardar Sardul Singh was entitled to the *muafi* it was found that Sardar Sardul Singh had committed breach of the condition of good behaviour attached to the *muafi* which was consequently resumed from the date it was not drawn, i.e., *rabi* 1931.

FIFTEEN PER CENT. CUT.

39. Khan Sahib Nawab Muhammad Saadat Ali Khan : Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that owing to the fifteen per cent. cut Government servants who were previously drawing Rs. 40 per mensem are now drawing Rs. 35, and those who were drawing Rs. 30 per mensem are now drawing Rs. 25 ;
- (b) how much money was saved last year or in previous years by the application of fifteen per cent. cut to the salary of low paid Government servants ;
- (c) whether Government declared in the beginning of 1931 that the salaries of low paid Government servants would not be touched ;
- (d) if the answer to (c) above be in the affirmative whether their grades have now been lowered ?

The Honourable Mr. Manohar Lal : (a) Fifteen per cent. reduction brought down a pay of Rs. 40 to Rs. 34. Revised rates of pay have now been fixed for subordinate services. A copy of the orders issued on the subject has been placed in the Library of the House. It will be observed that the scales of pay which formerly began with Rs. 40 or Rs. 30 have been revised so as to begin with Rs. 35 or Rs. 25, as the case may be.

(b) It is regretted that the information is not readily available and cannot be collected without a detailed enquiry which will involve an amount of labour incommensurate with the result likely to be achieved.

(c) and (d) Government had announced in the beginning of 1931 that the orders relating to fifteen per cent. reduction in pay for new entrants would not apply to inferior and menial posts. The rates of pay for these posts have not been revised.

DISTRIBUTION OF DHAL BACHCH.

40. Khan Sahib Nawab Muhammad Saadat Ali Khan : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that at the time of assessment for purposes of remissions *Dhal Bachch* is distributed later than the time appointed for recovery of land revenue, and as a result of this

the zamindars spend their money on their own requirements and are unable to pay the revenue due from them in time ;

- (b) whether Government are aware that this procedure also causes hardships to the lambardars of the villages concerned in so far as they find it difficult to collect the dues in time ;
- (c) what steps Government propose to take to ensure that the orders of remission be issued a few months before the recovery of land revenue ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, occasionally, due to unavoidable circumstances ;

(b) Government has no information .

(c) Every effort is made to declare remissions at the earliest possible date, but as the prices prevailing in the preceding year, or in the two preceding harvests, and sometimes even in the same harvest have to be taken into consideration for determining the remissions to be given, it is not always possible to issue orders very long ahead of the due date for the recovery of land revenue.

41, 42 and 43.—Cancelled.

TAHSILDARS AND NAIB-TAHSILDARS.

44. Dr. Gopi Chand Bhargava : Will the Honourable Revenue Minister be pleased to state—

- (a) whether there is an age limit after which tahsildars and naib-tahsildars cannot be selected for Extra Assistant Commissionership ; if so, what is the limit ; (ii) whether there are any minimum educational qualifications prescribed for such selection ; if so, what are they ;
- (b) whether it is a fact that during the last ten years either one, or both these conditions have been waived in the cases of several persons, if so, in how many cases and on what grounds ;
- (c) whether there are any tahsildars or naib-tahsildars who satisfy all conditions but who have been allowed to pass the specified age limit without selection, if so, their number divisionwise in the form of a statement ;
- (d) whether the Government proposes to go through the cases of all the persons referred to in (c) above individually and waive the age limit condition in hard cases ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Attention of the honourable member is invited to rule 7(i) of the Punjab Civil Service (Executive Branch), Rules, 1930, which prescribes the age limit of 35 years and the degree of a recognized university as the minimum educational qualification for tahsildars and naib-tahsildars to be selected to the post of Extra Assistant Commissioner.

(b) Yes, only in 7 cases the conditions were relaxed by the Governor in Council under rule 7 (1) of the Rules referred to in (a) above. Previous to this the conditions of the possession of a degree of a recognised university and the age limit were not deemed necessary for selection.

[Minister of Revenue.]

(c) Yes, 3 Tahsildars and 6 Naib-Tahsildars :—

| | Ambala. | Jullun- dur. | Lahore. | Rawal- pindi. | Multan. | Total. |
|--------------------|---------|-----------------|---------|------------------|---------|--------|
| Tahsildars.. .. | .. | 2 | .. | 1 | .. | 3 |
| Naib-Tahsildars .. | 2 | .. | 1 | 1 | 2 | 6 |

(d) No.

CHAKS PATHANTI AND ANDHAR IN THE GURDASPUR DISTRICT.

45. Chaudhri Ali Akbar : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is proposed that the surplus water of the river Ravi be taken from Madhopur head or its vicinity through the Naloha Nullah and be put into the river Beas at Bianpur ;
- (b) whether it is a fact that the surplus water of the river Ravi at Madhopur is at present used for the irrigation of the chaks Pathanti and Andhar in the Gurdaspur district ;
- (c) whether it is a fact that the land in the foregoing chaks is indicated as *nahri* in the revenue records ;
- (d) if the answer to part (a) is in the affirmative, its effect on the chaks Andhar and Pathanti ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, the proposal is under consideration.

(b) Yes, but only when the river rises sufficiently high.

(c) Yes, the area irrigated by private *kuhls* is shown as *nahri-zamindari* in the revenue records.

(d) The matter is being investigated.

NALOHA NULLAH IN THE GURDASPUR DISTRICT.

46. Chaudhri Ali Akbar : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that at different times and particularly in the year 1914 the zamindars of Dha or Beit Beas suffered heavily on account of floods in the river Beas ;
- (b) if the answer to (a) is in the affirmative, whether the lands of the zamindars of Dha or Beit Beas are even now exposed to danger ;
- (c) whether it is a fact that most of the villages situated in the Pathankot and Gurdaspur tahsils are irrigated by Naloha Nullah through watercourses dug by the zamindars and the revenue records indicate that the zamindars of that area are entitled to canal water ;

- (d) if the answer to part (c) is in the affirmative, the effect of the proposed diversion of the surplus water of the river Ravi into the Naloha Nullah upon them ?

The Honourable Sir Dr. Sundar Singh Majithia : (a) It is a fact that the zamindars of the Dhaya Bet Beas circle have suffered from time to time on account of floods in the river Beas, but no definite information in regard to the year 1914 is available.

(b) Yes, to the same extent as residents of all other riverain tracts.

(c) Only, a few villages of the Pathankot and Gurdaspur tahsils are irrigated from the Naloha cut and the revenue records show the area thus irrigated as nahri-zamindari.

(d) The matter is being investigated.

ABIANA FOR THE GARDENS.

47. Chaudhri Ali Akbar : Will the Honourable Minister of Revenue be pleased to state—

(a) if it is a fact that the Irrigation Department charges *abiana* for the gardens shown in *nahri chak-bandi* whether they are irrigated by the canal water or not ;

(b) if the answer to (a) above be in the affirmative, why Government charges *abiana* on the old gardens which do not require irrigation and which are not supplied canal water ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The answer is in the negative, but it follows that if a garden does not take canal water the extra *wari* sanctioned for it is cancelled.

(b) Does not arise.

DAMAGE CAUSED TO GRAM CROP BY LIGHTNING.

48. Mir Maqbool Mahmood : Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the zamindars of Amritsar and other adjoining districts have sustained a serious loss due to damage caused to their gram crop recently by the action of lightning ; if so, what action is contemplated to be taken by the Government in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready.

HEAD MASTER, DISTRICT BOARD HIGH SCHOOL, NATHANA, DISTRICT FERROZPORE.

49. Sardar Tara Singh : Will the Honourable Minister of Education please state—

(a) whether it is a fact that the District Board, Ferozepore, has twice passed resolutions demanding the transfer of the present headmaster, District Board High School, Nathana, and also that a deputation waited upon the Divisional Inspector of Schools to bring to his notice the abnormal decrease in the number of students during the said headmaster's tenure of office ;

(b) if the reply to (a) above be in the affirmative, the action which has been taken in the matter ; if not, why not ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The matter is receiving due attention. Steps will be taken to transfer the headmaster as soon as a suitable opportunity occurs.

ODES.

50. Sardar Tara Singh : Will the Honourable Minister for Revenue be pleased to state—

(a) whether Government have received complaints against the wandering tribe of Odes (who keep large flocks of sheep and beasts of burden and move from place to place in the province) in which allegations have been made that the activities of these Odes are a constant menace to the crops and peace of the agriculturists of the province ;

(b) if the reply to (a) is in the affirmative, what steps Government propose to take to put a stop to the activities and movements of the Odes in question ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The matter is under the consideration of Government.

OFFICE OF THE EXECUTIVE ENGINEER, KHANEWAL.

51. Tikka Jagjit Singh Bedi : Will the Honourable Minister of Revenue be pleased to state whether Government proposes to shift the office of the Executive Engineer, Khanwah division of Ferozepore Canal Circle, from Ferozepore to Pakpattan ; if so, when ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Does not arise.

MONEY SUITS AND DEBT CONCILIATION BOARDS.

52. Khan Sahib Chaudhri Fazal Din : Will the Honourable Premier be pleased to state the number of suits filed before the Debt Conciliation Boards, set up in the province since their establishment ; with the result in each case ?

The Honourable Major Sir Sikander Hyat-Khan : The latest figures available are as follows :—

| Name of the Board. | Cases instituted. | Date up to which the figures relate. |
|---------------------|-------------------|--------------------------------------|
| Kahuta | 1,553 | 15th March, 1937. |
| Amritsar | 2,507 | 31st December, 1936. |
| Garhahankar | 900 | 31st January, 1937. |
| Panipat | 2,723 | 31st December, 1936. |
| Jhang | 4,644 | 28th February, 1937. |

It would not be possible to prepare a statement showing the results of all these cases without an expenditure of time and labour out of all proportion to the results to be secured.

COURT-FEE AND DEBT CONCILIATION BOARDS.

53. Khan Sahib Chaudhri Fazal Din : Will the Honourable Minister for Finance be pleased to state the deficiency in the sale of court-fee in the financial years 1934-35 and 1936-37 separately in the districts in which Debt Conciliation Boards have been established.

The Honourable Mr. Manohar Lal :

1. Karnal District, Rs. 93,117.
2. Hoshiarpur District, Rs. 42,502.
3. Amritsar District, Rs. 46,096.
4. Rawalpindi District, Rs. 42,658.
5. Jhang District, Rs. 48,995.

SUB-JUDGES AND DEBT CONCILIATION BOARDS.

54. Khan Sahib Chaudhri Fazal Din : Will the Honourable Premier be pleased to state—

- (a) the number of sub-judges in 1934-35 and 1936-37 separately in the various districts where the Debt Conciliation Boards have been established ;
- (b) whether it is a fact that the number of suits filed in the courts at places where Debt Conciliation Boards have been established, has appreciably gone down ; and, if so, the number of sub-judges at such places has been reduced ; if not, why not ?

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

REDEMPTION OF MORTGAGED LANDS.

55. Khan Sahib Chaudhri Fazal Din : Will the Honourable Premier be pleased to give the number of cases in which mortgaged lands have been redeemed without payment of mortgage money according to the decisions of each Debt Conciliation Board ?

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

PAY AND PENSION OF DISTRICT OFFICE CHAPRASIS.

56. Pandit Shri Ram Sharma : Will the Honourable Minister for Finance be pleased to state—

- (a) whether it is a fact that chaprasis in the Government offices of the districts are getting Rs. 14-0-0 per month each as their salary ;

[Pandit Shri Ram Sharma.]

- (b) whether it is a fact that at the time of retirement they are entitled to five rupees per month pension only ;
- (c) the reasons why they are not allowed a pension at the rate of half of their salary like all other low paid servants of the Government ?

The Honourable Mr. Manohar Lal : (a) Yes.

(b) On retirement after completion of 30 years' service, a chaprasi gets a pension equal to half his pay subject to a maximum of Rs. 4 per mensem.

(c) Chaprasis in district offices are not treated differently from others employed elsewhere on the same rate of pay. They are classified as inferior servants whose pension is regulated by the provisions contained in Article 481 of the Civil Service Regulations.

PROFESSIONAL TAX.

57. Pandit Shri Ram Sharma : Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the Government have received a resolution from the District Board, Rohtak ; recommending professional tax on shoe-making and weaving ;
- (b) whether Government will elicit public opinion of the area so affected before giving or withholding their sanction ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) The proposals were published locally for objections and the objections were considered by the District Board before sending up the proposals for the sanction of Government. That sanction has already been given.

STUDENTS WHO APPEARED FOR THE MATRICULATION EXAMINATION
IN 1937.

58. Pandit Shri Ram Sharma : Will the Honourable Minister of Education be pleased to lay on table of the House statements showing—

- (a) the number of boys who appeared for the Matriculation examination in 1937 from Bilaspur and Nalagarh States, high schools and the other high schools of the districts of Simla, Ambala and Hoshiarpur in the Punjab ;
- (b) the number of boys who passed the Matriculation examination in 1937 from each of the schools mentioned in (a) above ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

GOVERNMENT HIGH SCHOOL, RUPAR.

59. Pandit Shri Ram Sharma : Will the Honourable Minister of Education be pleased to lay on the table of the House statements showing—

- (a) the total income from fees received in the year ending 31st March, 1937, in the Government High School, Rupar and the bill of the staff salary for the same period ;
- (b) the approximate figures of annual loss, if any, in running the Government High School, Rupar, for each of the years from 1920—1936 ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

NOMINATED AND ELECTED MEMBERS IN MUNICIPAL COMMITTEES AND DISTRICT BOARDS.

60. Malik Barkat Ali : Will the Honourable Minister of Public Works kindly lay on the table a statement showing the proportion of nominated and elected members in the different municipal committees and district boards of the province ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan, Tiwana : The information required by the honourable member will be found in Form I of the Reports on the working of Municipalities and District Boards in the Punjab for the year 1934-35. These Reports are available in the Punjab Legislative Assembly Library.

POOR HOUSES MAINTAINED BY MUNICIPALITIES.

61. Mr. C. Rai : Will the Honourable Minister of Public Works please state—

- (a) the number of first class municipalities in the Punjab that are maintaining poor houses ;
- (b) if any municipalities are maintaining poor houses, the annual cost for their maintenance in the case of each municipality ;
- (c) whether he intends to invite the attention of those first class municipalities which are not keeping any poor houses to the desirability of establishing such houses ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan, Tiwana : (a) None, but the Lahore Municipality gives grants to the Lahore Poor House and the Lahore Stranger's Home, which are privately managed institutions.

(b) Does not arise.

(c) No. Poor relief is a large subject which has not yet been considered by the present Government.

**BRAHMANS OF SIALKOT AND AMRITSAR DISTRICTS AND SAYADS
OF SIALKOT DISTRICT.**

62. Mr. C. Rai : Will the Honourable Minister of Revenue please state—

- (a) the number of villages in Sialkot and Amritsar districts that are entirely or mainly owned by the Brahmans and the total area so owned in each district ;
- (b) the number of villages in Sialkot and Amritsar districts the lands of which are cultivated by Brahmans themselves with the area of such lands ;
- (c) the total number of villages the lands of which are owned by Sayads in the Sialkot district and the total area of such lands ;
- (d) the total number of villages the lands of which are cultivated by Sayads themselves in the Sialkot district with its total area ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not ready.

**SANADS TO TEACHERS EMPLOYED IN THE AIDED PRIMARY
SCHOOLS IN RUPAR TAHSIL.**

63. Pandit Shri Ram Sharma : Will the Honourable Minister of Education be pleased to place on the table of the House—

- (a) copies of applications put up in the year 1935-36 for the grant of special *sanads* to teachers employed in the aided primary schools in Rupar tahsil with the remarks of the A. D. I., District Inspector concerned and the Inspector, Ambala Division, and the final decisions taken on all such applications by the department ;
- (b) a statement showing, classwise, the number of boys reading in the aided primary schools in the rural area of Rupar tahsil and the annual result of each of the primary schools, both private and those administered by local bodies, which contain four primary classes, with the pass percentage of each in the competition examinations ;
- (c) a statement showing the amounts of grants-in-aid given in 1933-34, 1934-35 and 1935-36 to the private aided primary schools in the Rupar tahsil and the reason for increase or decrease, if any, in the amounts of grants-in-aid in each case. The increase or the decrease may kindly be shown in separate columns ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

SCARCITY OF DRINKING WATER IN THE GURGAON DISTRICT.

64. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister of Education be pleased to state whether he is aware of the fact that there is a horrible scarcity of drinking water in the Gurgaon district; if so, whether he intends adopting relief measures such as digging tanks and wells, etc. in the said district?

The Honourable Mian Abdul Haye : Government are aware that there is a scarcity of drinking water in certain areas of the Gurgaon district. The Sanitary Board, Punjab, will be glad to consider any suitable scheme for relief measures which the Gurgaon District Board may recommend for adoption. The attention of the honourable member is also invited to the replies already given to his questions Nos. 1425¹ and 1426¹ in the meeting of the Punjab Legislative Council held in October, 1936.

GOVERNMENT HIGH SCHOOL, RUPAR.

65. Pandit Shri Ram Sharma : Will the Honourable Minister of Education be pleased to lay on the table of the House the following—

- (a) copies of the resolutions passed by the Municipal Committee, Rupar, from time to time regarding the conversion of the Government High School, Rupar, into a girls high school or an intermediate college;
- (b) a statement showing the action taken or proposed to be taken by the Government on these resolutions?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

MOTIONS FOR ADJOURNMENT.

FORFEITURE OF SECURITY DEPOSIT OF THE "SIYASAT".

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) :
I move—

That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the forfeiture of the security deposit as well as the press of the "Siyasat" of Lahore by order of the Punjab Government which the House considers to be a deliberate attempt by the Government to suppress the liberty of the Press of the Province.

Mr. Speaker : The honourable member's motion is not the first. The first adjournment motion is that of Sardar Hari Singh.

REMOVAL OF BAN ON KHAN ABDUL GHAFAR KHAN.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
I beg to move—

That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the unsatisfactory nature of the reply of the Leader of the House to the question of Lala Duni Chand on the 17th June last regarding the removal of ban upon Khan Abdul Ghaffar Khan of North-West Frontier Province with regard to his entry in the Punjab and the attitude and policy of the Government as revealed therein.

[S. Hari Singh.]

Sir, I submit that before the Chair gives its ruling as to the admissibility or otherwise of the motion, Government may be invited to raise objection on this adjournment motion and then the Opposition might be allowed to state their case. This is the usual procedure in the Central Legislature.

Mr. Speaker : The motion is based on the alleged "unsatisfactory nature of the reply of the Leader of the House." But one thing may be considered satisfactory by one gentleman and unsatisfactory by another.

Sardar Hari Singh : With regard to the point under discussion I would refer you also to certain rulings given in the Central Legislature, but before I do so I want to say one thing in regard to the intention of this adjournment motion that concerns me. The emphasis is not on the unsatisfactory nature of the reply given but on the attitude and the policy of the Government as disclosed therein. The words "unsatisfactory nature of the reply" are explanatory of what comes later on. I wish to draw the Chair's attention to two rulings given in the Central Legislature. One was on the 1st April, 1932, with Sir Abdul Rahim in the chair. An adjournment motion was sought to be moved in order to discuss the unsatisfactory reply of Government regarding the expediting of reforms with Mahatma Gandhi in jail, given in the course of supplementary questions on a short notice question asked on the previous day about a secret European circular regarding the reforms. The Government objected on the ground that the matter was neither definite nor of urgent public importance but after allowing some discussion, the Chair ruled the motion in order (pages 2721-23, 31st March, 1932, and pages 2785-88, Central Legislative Assembly Debates, dated 1st April, 1932.)

On the 12th September, 1933, Mr. B.R. Puri moved an adjournment of the House to discuss the unsatisfactory nature of the replies of the Government to a question relating to a scurrilous newspaper article and the attitude and policy of Government as disclosed in those replies. Mr. Puri explained that his object was to discuss the attitude of Government towards the publication of the article. The Chair held the motion in order (pages 1388-91, Central Legislative Assembly Debates, dated 12th September, 1933). I do not contend that the unsatisfactory reply by itself irrespective of the subject matter to which it relates was a sufficient ground for the leave being granted to this adjournment motion. My intention is not to censure the Government on the unsatisfactory nature of the reply but on the attitude and the policy of the Government as disclosed in the reply.

The policy of the Government with regard to this matter is not new. It was already there. What I wish to say is that the policy was disclosed to the House recently. On the 17th June we knew what attitude Government was going to adopt in the matter. We had been hoping that as the provincial autonomy had been set up, the Government would feel responsible to the electorate and this House would also revise the policy of their predecessors. We had been hoping this. But the policy of the Government is disappointing in that the Government are not prepared to lift the ban upon Khan Abdul Ghaffar Khan. This was only disclosed on the 17th June in reply to a question of Lala Duni Chand. There are precedents

and it has been the general practice in the Central Legislature. If you read the records you will find many other precedents.

Then with regard to the question of urgency, it may be contended that this question is postponable until an opportunity is provided by Supply. In our case we have got no Committee of Supply and if the budget discussion is substituted for Supply, the adjournment motion is not coming in the ordinary course of the duty of the Treasury. That is the view held in the House of Commons.

Mr. Speaker : Will the honourable member please quote his authority ?

Sardar Hari Singh : On 5th July, 1926, in the House of Commons (page 1621, Volume 197, 5th Series), Captain Benn wanted to move an adjournment motion regarding "the remission by the Treasury without Parliamentary sanction of a debt due from the Iraq Government to the Crown". The Speaker held the motion out of order on the ground of its postponability to Supply. This point will not come up ordinarily in the budget discussion and in the course of the duties of the Finance Minister. I refer to that ruling. The motion of Captain Benn was ruled out on the ground that the point would come up for discussion in the Committee of Supply and not otherwise. So, my adjournment motion does not come within the mischief of the anticipation rule. It is not a thing to come in the ordinary course of the duty of the Treasury, nor does it anticipate discussion of a motion on the order paper of the House or about which there is a reasonable probability of coming up at an early date. So, I implore that the remarks of other sections of the House may be invited on this point and at the end the ruling may be given as to whether the members of the House have got the rights and privileges to move an adjournment motion on the unsatisfactory reply of a member of the Government which discloses the attitude and the policy of the Government which may not be considered reasonable.

Lala Duni Chand : Sir, I beg to offer my remarks on this point.

Mr. Speaker : I am not going to allow any discussion at this stage.

Lala Duni Chand : I simply want to explain the word "unsatisfactory."

Mr. Speaker : No explanation is needed. The honourable member is not in order in standing up and making a speech.

Diwan Chaman Lall : On a point of order, Sir. May I request you not to speak with such emphasis when you make a speech.

Premier : What does the honourable member mean ?

Raja Ghazanfar Ali Khan : I just want to ask the honourable member, who has moved this motion, if he will be pleased to read the reply given by the Premier to the question he is referring, so that the House may be able to know.

Mr. Speaker : Will the honourable member please read the questions and answers which in his opinion are unsatisfactory or betray an undesirable attitude or policy of the Government ?

Sardar Hari Singh : Part (d) to which this adjournment motion relates is here :

"(d) whether the Punjab Government is contemplating the removal of ban upon Khan Abdul Ghaffar Khan of North-West Frontier Province with regard to his entry in the Punjab."

The answer of the Government was a categorical "No."

Mr. Speaker : On which questions and answers is the motion based ? That is the point I request the honourable member to make clear.

Sardar Hari Singh : I have read it out to you.

Mr. Speaker : That is all. Only one question and one answer ?

Dr. Shaikh Muhammad Alam : On a point of order, Sir. When an adjournment motion is before the House it is for you to decide whether it is in order or not. Although you have got the discretion of preventing members from entering into a discussion, my submission is that the view of other members must be heard.

Mr. Speaker : I made that mistake on the 17th instant. I am not going to repeat it.

Diwan Chaman Lall : Are you sure that you are not making a mistake to-day ?

Mr. Speaker : Order, order. The honourable gentleman is one of the leading members of the House. He should always be parliamentary.

Dr. Shaikh Muhammad Alam : I was going to repeat the request which was made by my honourable friend with this particular addition that, perhaps the Chair knows it very well, I had been suffering from heart disease in jail and—

Mr. Speaker : What is the honourable member speaking about ?

Dr. Shaikh Muhammad Alam : I was saying that sometimes the one and emphasis that the Chair adopts in replying to our requests is threatening.

Mr. Speaker : I hope the honourable member will be fair to me.

Dr. Shaikh Muhammad Alam : I request you to be fair to us also.
(Cries of order, order.)

Sardar Hari Singh : I rely on the answer of the Honourable the Premier already read out. There were also certain supplementary questions, but I do not base my adjournment motion on the answers to those questions.

Mr. Speaker : Will the honourable member please read out the question and the answer on which he relies for his motion ?

Sardar Hari Singh : The question was : " whether the Punjab Government is contemplating the removal of ban upon Khan Abdul Ghaffar Khan of North-West Frontier Province with regard to his entry in the Punjab." The answer was : " No."

I want to base the adjournment motion not on the unsatisfactory nature alone of the reply but on the policy disclosed therein. Khan Abdul Ghaffar Khan of the Frontier is called the second Gandhi. He is a man who has got a following of lacs of people in his own province. He is an

important person in the politics of India. He is also a man of international reputation. He is a gentleman of peaceful and non-violent nature. He is respected by the people all over the country. Is it right for the Government to ban the entry of such a man in the Punjab? It has created resentment in the minds of the people not only in this province but also all over the country. People of the Frontier take him as their *guru* and as their *autar* and *messiah*. I say that it will be highly detrimental to the relations between the people of this province and the people of the North-West Frontier Province if we go on banning the entry of such people—

Dr. Shaikh Muhammad Alam : Is it permissible for a visitor to make cartoons of the members of the House?

Mr. Speaker : Is it being done anywhere?

Dr. Shaikh Muhammad Alam : I raise the point of order seriously and I want a ruling from the Chair.

Mr. Speaker : No visitor is sitting inside the House.

Raja Ghazanfar Ali Khan : Can any honourable member be allowed to make reference to a person sitting in the gallery of the House?

Mr. Speaker : Will Sardar Hari Singh please proceed with his point.

Sardar Hari Singh : Now, the whole responsibility for the Government of the province including law and order is in the hands of the electorate and in the hands of the elected representatives of the people. I would like to say that the people of the Frontier Province are thinking that their great leader, hero and their *guru* is being kept outside the limits of the Punjab by the people of the Punjab, because it is the people of the province whose representatives have put the ban on the entry of Khan Abdul Ghaffar Khan. It may be said that autonomous Government of North-West-Frontier Province too is not allowing him to enter that province. I say that the conditions are quite different there. He is being kept outside the province by a party which is backed by the imperialist hand.

Mr. Speaker : May I ask the honourable member to answer one question? What answer would the honourable member have given if he were occupying the Premier's chair?

Sardar Hari Singh : I would have satisfied the public demand and lifted the ban on Khan Abdul Ghaffar Khan.

Dr. Gopi Chand Bhargava : I want to know one thing. I understand that there is a notice of another adjournment motion of a similar nature for permission to discuss this question. Are you going to allow the discussion on the question of admissibility of adjournment motion next time or are you taking both things together.

Mr. Speaker : When one of two substantially identical motions is disposed of, the other motion also shall be taken as disposed of.

Dr. Gopi Chand Bhargava : Am I to understand that when notice of a similar motion has been given by another member, you are not going to allow that member to place his point of view.

Mr. Speaker : Honourable members, it is with great regret that I have to rule the motion to be out of order. What the honourable member

[Mr. Speaker.]

says is that he wished his question to be answered in the affirmative ; but that, against his wish and expectation, its answer was in the negative, and unsatisfactory ; and that, therefore, the matter should be discussed by his adjournment motion. In my opinion the motion, as it stands and as explained by the honourable member, is out of order.

FORFEITURE OF SECURITY DEPOSIT OF THE "SIYASAT."

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) :
I beg—

That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the forfeiture of the security deposit as well as the press of the "Siyasat" of Lahore by order of the Punjab Government which the House considers to be a deliberate attempt by the Government to suppress the liberty of the press of the province.

Mr. Speaker : Is the honourable member prepared to say that the matter is not *sub judice* ?

Lala Deshbandhu Gupta : I do not think so.

Mr. Speaker : Does not an appeal against the order of the Government lie to the High Court ?

Lala Deshbandhu Gupta : The appeal has not yet been filed.

Mr. Speaker : Has the time for filing appeal elapsed ?

Lala Deshbandhu Gupta : They have not yet filed the appeal.

Mr. Speaker : Then, if the motion is allowed, the discussion in this House will relate to a matter, which though strictly speaking not *sub judice* to-day, may become *sub judice* to-morrow.

Diwan Chaman Lal : If, Mr. Speaker, there is a criminal charge and a motion is conducted in relation to that criminal charge,
12 NOON.
I take it that your ruling means that so long as he does not file an appeal the matter is to be considered *sub judice*. May I submit to you that if the matter is before the court, only then would that matter be *sub judice*. It cannot be considered to be *sub judice* if merely the right of appeal lies.

Mr. Speaker : May I request the Advocate-General to give his opinion ?

Advocate General (Diwan Ram Lal) : There is one matter in connection with this adjournment motion to which I would like to draw your attention, and that is the question whether in this matter there has been any departure from the ordinary administration of law. If there has been no departure from the ordinary administration of law, then—

Dr. Shaikh Muhammad Alam : On a point of order. Is the honourable gentleman speaking on the point as to whether the matter is *sub judice* or is he speaking on a different point ?

Advocate-General : My submission is this that if on the face of it the motion is out of order, then the question of whether it is out of order on another ground would be of purely academic interest. The submission which I was making was that in this particular case there has been no departure from the ordinary administration of law, and where there has been

no departure from the ordinary administration of law, no adjournment motion is in order. Under the provisions of the Press Act whenever any article which is objectionable is brought to notice, there the responsibility is laid upon the Government to take either security or having taken security to determine whether or not that security should or should not be forfeited. That is the responsibility which is placed on Government by an Act of 1931. (*A voice*: Is there no other course open?) Once the Government has taken that action under that law, then under section 23 of that Act the only remedy, the only manner in which that action of Government can be challenged is under section 23 of that Act wherein an application is made to the High Court and that is heard by a special Bench of the High Court praying that the order of security may be set aside and the Court decides that question by constituting a special Bench of three Judges. That is the position at law.

In this particular case the position in my opinion is perfectly obvious that the action taken by Government has been taken in due course of administration of law and there has been no departure from the legal procedure, and where there has been no departure my submission is that the motion is on the face of it out of order whether the action of Government is right or wrong.

Mr. Speaker : When another remedy is open about a certain matter, is an adjournment motion about it in order ?

Advocate-General : When a remedy is open, my submission is that the adjournment motion is out of order.

Lala Duni Chand : Will you please allow me to make a reply ?

Mr. Speaker : Strictly speaking no discussion on a point of law is in order. Therefore, I cannot allow the honourable member to speak.

Lala Duni Chand : Has not the Advocate-General been discussing the law point ?

Mr. Speaker : I have obtained the opinion of the Advocate-General on the law point. Will the honourable member please quote some precedent under which other members of the House can claim to take part in the discussion of the point ?

Diwan Chaman Lall : In the Central Assembly the Speaker has invited observations of members on the eligibility of a motion and we have been thankful to him for inviting members' opinions.

Mr. Speaker : I also allowed a discussion on the 17th (*laughter*).

Lala Deshbandhu Gupta (Urdu) : Mr. Speaker, I have no objection to—

Premier : Is the honourable member going to speak in Urdu ? He addressed the House in English just now.

Lala Deshbandhu Gupta : I only read out the motion in English.

Mr. Speaker : The honourable member does know English, but perhaps he does not know it sufficiently well.

Dr. Shaikh Muhammad Alam : For your information, on the last occasion he was allowed to speak in Urdu.

Lala Deshbandhu Gupta (Urdu) : Mr. Speaker, I have no objection to the fact that since this matter is *sub judice* leave cannot be granted to discuss it. But I would like to invite your attention to the fact that so far as this argument is concerned the Legal Remembrancer has not thrown any light on it. The honourable member, Diwan Chaman Lall has already said that if the editor and the proprietor of the *Siyasat* or either of them had filed an appeal in the High Court none of us could have given notice of such a motion.

Mr. Speaker : The honourable member may be quite right. I have every sympathy with him ; but the question is a question of procedure, not of the facts of the case. The point is whether, according to the procedure and rules in force, the adjournment motion is in order, when it can be discussed in the course of the budget discussion and very probably the matter will be taken to the High Court on appeal. Another point is, that in this case there is no departure on the part of the Government from the ordinary law.

Diwan Chaman Lall : You have made the position very clear in the explanation that you have offered to the House, and the House is grateful for the explanation. May I draw your attention to a similar adjournment that was moved on the 21st of March, 1929, in the Central Legislature by Pandit Moti Lal Nehru who "sought to move the adjournment of the House in order to discuss the policy of the Government in sanctioning wholesale raids and arrests in different parts of India, the day before."

Mr. Speaker : Had not the budget discussion been finished before the 21st March, 1929 ?

Diwan Chaman Lall : The budget was still under discussion. Not only was the budget under discussion, but also I believe the Trade Disputes Bill which excited a great deal of agitation in the country, that was also under discussion—

"Whereupon objection was taken that the matter was *sub judice*, and that the Court had taken cognizance of the cases and that therefore the motion was out of order under rule 23 (iii). It was, however, contended for the motion that the Court had nothing to do with the policy underlying the action taken by the Government" and that is all what the honourable member is seeking to-day).

"The President upholding this view rule : I am satisfied that the matter proposed to be discussed is a definite matter of urgent public importance. It is not denied that the matter is of recent occurrence. What is contended is that the matter proposed to be discussed is *sub judice*. As I understand the Opposition Benches, they propose to discuss the policy underlying this large number of raids and arrests, and not the merits of the cases that are to come before the Court of Law for adjudication. I am quite satisfied that the matter proposed to be discussed is not *sub judice* but I am bound to say that if, during the discussion of the motion for the adjournment in the afternoon, any attempt is made to discuss the merits of any of the cases that are proposed to be lodged, the Chair will take steps to see that such discussion is not permitted. I hope honourable members, when discussing this matter, will confine themselves strictly to the policy underlying these arrests and not refer to the merits of the cases that are to come before the Court. I rule that the motion is in order."

Mr. Speaker : The motion in question does not confine itself to the discussion of policy. It clearly and distinctly refers to the particular case.

Lala Deshbandhu Gupta : My respectful submission is that the matter under consideration is a very important one. It is the second case

of its kind in India and the first of its kind in the Punjab where not only the security deposited by a paper has been forfeited but also a security has been demanded from the press. It is a very important question and it is intimately connected with the policy of Government. I cannot congratulate the Government of my province on the action they have taken against the *Siyasat*.

Premier : The honourable member is making a speech on the merits of the case. However, I submit that it appears to me—I am a layman and speak subject to correction—that so far as the question whether the case is *sub judice* or not is concerned, since the case is not before any court yet, you may be pleased to rule that the motion is not barred on that ground.

Lala Deshbandhu Gupta : My object in giving notice of the motion which is before the House is to discuss the policy of the Government. I do not intend to bring under discussion the merits and demerits of the case. Our resourceful Government had several other means at its disposal and it could have punished the paper in some other way. But it is a pity that the Government has not done this. So far as I know the Emergency Press Act has been made use of only once and it was in connection with the forfeiture of the Naujiwan Press. Apart from this there is no other instance in which the powers conferred by this Act have been used by Government. This Act has not been put into operation except once since its enactment. (*Interruption*) Sir, my respectful submission is this.

Mr. Speaker : The motion for which leave is sought reads as follows :—

“ That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely the forfeiture of the security deposit as well as the press of the “*Siyasat*”, Lahore, by the order of the Punjab Government which the House considers to be a deliberate attempt by the Government to suppress the liberty of the press of the province.

Does any honourable member object to the grant of leave ?

(*Objection to the grant of leave being taken, members who were in favour of leave being granted were requested to rise in their places and as more than thirty members rose in their seats, the leave was granted. In consultation with the Leaders of the House and of the Opposition it was decided that the debate on the motion be taken up at 4.30 p.m. to-day.*)

STATEMENT BY THE PREMIER.

RE RIOT AT AMRITSAR.

Premier (the Honourable Major Sir Sikander Hyat-Khan): I think the House would like to have some information about the recent unfortunate incidents at Gujrat and Amritsar. I am awaiting details about the Gujrat incident. I may be in a position to make a statement before the House adjourns to-day. At the moment I propose to confine myself to the happenings in Amritsar. I hope I am voicing the feelings of all of us here in offering our deep sympathy to the victims of the riotous attacks in Amritsar and to the dependents of those people who have unfortunately lost their lives.

[Premier.]

Facts hitherto available about Amritsar rioting are that the body of one of the victims of the riot near Ala in Gujrat, who died in hospital, was brought to Amritsar and it was decided by the Sikh community to take it to the crematorium in a procession. The Sikh leaders saw the local authorities and gave an assurance that they would not allow any provocative demonstrations and would not take the procession through Muslim mohallas. In the morning before the body was removed to the crematorium a Diwan was held where some very inflammatory speeches were made with the result that despite the efforts of influential Sikhs who accompanied the procession to the crematorium there was trouble *en route*. According to the information I have received it appears that it was an unprovoked attack on Muslims on the way by unruly elements in the procession. Fortunately, the local authorities who were in touch with us here took immediate precautions to avoid further trouble. Troops were brought into the city and police reserves were also drafted from the adjoining districts to avert further trouble. It is a matter for gratification that both communities, or rather the leaders of both communities, are helping the authorities to restore peace and tranquillity in the city. I am grateful to them, and wish to take this opportunity of acknowledging publicly the good work they have done and are doing and to express my gratitude to these public-spirited gentlemen who are doing their very best to avoid any further trouble. (*Cheers*). The position in Amritsar up to 11 P.M. last night was as follows. Unfortunately the injured Muslim who was first reported to be in a critical condition and then improving has died in hospital. The funeral is likely to take place to-day. I hope, and pray, that the leaders of both the communities may be able to avert any untoward incident on the occasion. I have not hitherto received any further news regarding the funeral procession.

Another unfortunate incident which is not directly connected with the recent events in Amritsar happened yesterday. A Sikh driver of a tonga lost control and ran over three Muslim children. Two of them died in hospital. But so far as we are aware this was a pure accident. It is, however, unfortunate that it should have happened at a time, when feelings are already exacerbated. The order which the Deputy Commissioner passed immediately after the trouble under section 144 of the Code of Criminal Procedure is with me and if the House so desires, I will read it. (*An honourable member* : It has appeared in the press). Yes ; I think the honourable members must have seen the various orders published in the press. The position in regard to the investigation is as follows :—

| | | |
|---|-------|----|
| Number of cases registered hitherto | .. .. | 38 |
| 86 cases have been registered under sections 147, 148 and 307, Indian Penal Code, one under sections 324, 307 and one under section 302, Indian Penal Code. | | |
| Number of persons arrested up to date | .. .. | 22 |
| Absconders | .. .. | 2 |
| To be arrested, against whom sufficient proof has come forward | .. .. | 4 |
| Arrested under section 151, Criminal Procedure Code | .. .. | 1 |

The number of injured persons are as follows :—

| | | | | | |
|--|----|----|----|----|----|
| Total | .. | .. | .. | .. | 54 |
| Number of in-patients admitted into the hospital | .. | | | .. | 28 |
| Discharged | .. | .. | .. | .. | 5 |
| Out-door patients | .. | .. | .. | .. | 20 |
| Died in the hospital | .. | .. | .. | .. | 1 |
| (Since then, one more has died in the hospital). | | | | | |
| Simple injuries | .. | .. | .. | .. | 42 |
| Grievous injuries | .. | .. | .. | .. | 8 |
| Under observation | .. | .. | .. | .. | 8 |

This is all the information which I have received hitherto.

Before I sit down, may I make an appeal and solicit the assistance of all sections of this House to help us in eradicating communal views and cleansing the atmosphere which is unfortunately responsible for these riots? (*An honourable member* : Certainly.) I think that it may be useful to set up a small committee or a body comprising of members of all parties and communities, to keep a vigilant watch over the whole province, and if unfortunately any further untoward incident of this kind happens anywhere to immediately depute three or more members of that body to proceed to that place and try to placate the people, and also to bring us first hand information. The difficulty now is that in some cases members—I do not wish to attribute any uncharitable motive to any member—in their zeal and anxiety to show to their constituents or to their communities that they are wide awake and take sympathetic interest in them, rush to the scene and after hearing one side of the story, publish exaggerated accounts. This practice, I think, should stop in the interest of this province. I have also got to make a confession if you would allow me, Sir. I have a feeling, indeed, I have reason to believe that these riots are not spontaneous, they are not purely communal in the sense that the feelings of the different communities on a particular matter are spontaneously roused leading to a clash. As I have said I have reason to believe, and have also proof in my possession which I cannot divulge to the House, but if the honourable Leader of the Opposition or any other honourable member desires to know the details I shall be glad to give it to them. My information is that some people who should have a greater sense of responsibility are responsible for instigating trouble. As regards Gujrat I have already informed the House that I will take it into confidence when I have received fuller information. I have called for certain details. But there again I have reason to believe that the trouble did not originate on communal grounds. It was a dispute between the villagers themselves and since feelings had been running high between the communities for some time some short-sighted people deliberately went out of their way to fan the trouble in exploiting it for their own purposes. It is they who suggested and arranged the holding of a Diwan there while police investigation was going on, with a view to coerce the police and to influence the investigation of the case. That is a very unfortunate development, Sir, and I hope I shall receive the fullest support of the members of this House in suppressing and stopping such tactics in future. I do not think I need say anything

[Premier.]

more on this point. There in Gujrat you are aware that unfortunately rioting mobs attacked the jathas, which were proceeding to attend the Diwan, at several places ; and since the jathas were outnumbered by the rioters several people were injured and there was at least one death and the police were forced to open fire on more than one occasion. But let me inform the House that the officers in charge of the police escort, were all Muslims, and it was their duty to guard the Sikhs whom they were escorting to the Diwan, and they did not hesitate to fire at the Muslim crowd in spite of their being Muslims themselves which shows that the police had discharged its duty most creditably.

Sardar Sampuran Singh : Fifty-six bullets were shot and only two or three injured.

Premier : I am afraid the honourable member is again speaking on one-sided information which he may have received from his partisans. Four Muslims have died and several Muslims have been injured. That is my information. But as I have already stated I am awaiting further information to verify these facts. I think that I will have the sympathy and support of the House in attempting to stop a repetition of such distressing incidents in future. May I request the honourable members of this responsible Assembly that if in future any such untoward incidents happen, the leaders of the various communities here will not rush straight away to the site of occurrence and draw conclusions on one sided information, because that is what seriously hampers the investigation and our getting at true facts of the case. I think that this committee which I have proposed if set up will be in a better position to get at the truth, than an individual member. Before I conclude I am sure that the House would like me to convey our sympathy to the victims of the riotous mob and to the relations and dependents of the innocent people who have been done to death. (*Applause.*)

Dr. Gopi Chand Bhargava : If you permit me I would join hands with the Leader of the House in expressing sympathy with those who had to suffer owing to the actions of certain people. I cannot say what was the motive behind.

Mr. Speaker : A statement made by a Minister is not open to discussion.

Dr. Gopi Chand Bhargava : I am not going to discuss the statement.

Mr. Speaker : Is not the honourable member speaking ? To what motion, to what question is he speaking ? There is no question before the House.

Dr. Gopi Chand Bhargava : I wanted to explain that I welcome the statment made by the Leader of the House and I want to assure him—without expressing any opinion, because I do not know both sides of the question, I know only one side of it—on behalf of this side of the House that he shall have our full support (*"Hear, hear" from ministerial benches*) if he brings about communal harmony in the province. (*"Hear, hear" from Opposition benches*) (*A voice : If he brings about.*)

GENERAL DISCUSSION OF THE BUDGET.

Mr. Speaker : The Assembly shall now proceed to discuss the budget generally. As a large number of members wish to speak and as we have only three days of three and a half hours each, amounting to 10½ hours in all, I propose to fix the duration of speeches. It has been suggested that 25 minutes would be quite sufficient. If 25 minutes are allowed only 42 members out of 175 will be able to have their say, if everyone of them speaks for full 25 minutes. So I fix 20 minutes for the present.

Dr. Gopi Chand Bhargava : I would request you to permit Chaudhri Krishna Gopal Dutt to open the debate on my behalf.

Chaudhri Krishna Gopal Dutt (North-East Towns, General, Urban) : As decided by the Opposition, I have the honour to open the discussion on the budget, on behalf of the Opposition. It has been the convention in this House, Mr. Speaker (*At this stage the Honourable Premier left his seat*). Before I speak may I suggest that Honourable Ministers should be in their seats while the members of the Opposition are replying to the budget ? It is regrettable that the Honourable Premier has just left the House. I understand that in the last session you gave a ruling that Honourable Ministers should be in their seats when members of Opposition were speaking.

Mr. Speaker : That is the practice of the House. I hope the Honourable Premier will return soon.

Chaudhri Krishna Gopal Dutt : It has been the convention of this House to sing peans of praise, encomiums and congratulations to the Honourable the Finance Minister on the presentation of the budget, but in view of the treatment which is being systematically accorded us on this side of the House by the Government and in view of its bureaucratic attitude which is daily becoming stiffer and stiffer, I had decided to make a departure from this general convention of offering felicitations to the Honourable Finance Minister, but the other day when he was soaring high in the celestial regions of forensic oratory, I confess my heart succumbed and it went out to him to give him a telepathic message of congratulations on his masterly delivery and high-flown language which both were admittedly electrifying and vitalizing. I recognize that the Honourable Finance Minister must have put in hard labour in the preparation of this budget, but more than that I consider it my duty to appreciate the hardest labour of the staff of the Finance Department ("*Hear, hear*" from the Ministers) who have burnt midnight oil and sweated to exhaustion in collecting the mass of details and figures without which the preparation of the budget must have been impossible. In my opinion, as I have already said in the Press, this is the first time in the annals of this province that the budget has been presented by a person who enjoys the reputation of being one of the ablest economists in India (*hear, hear*) and a pupil, I should say a worthy pupil, of Professor Marshall, the father of modern Economics. But I hope the Honourable Finance Minister will not mind my observation that time alone will show whether he is an academic economist or a practical economist endowed with the breadth of vision of a statesman and the power of initiating bold economic policies for the welfare of this province. (*Opposition cheers.*)

I am prepared to recognize the difficulties which beset the path of the Finance Minister in managing the finances of this province. I know that he has

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to reckon with the factors of inexorable circumstances of floods, famines, and frosts which often upset all calculations of revenue and expenditure. The other difficulty in his way is that he has not got full control over the finances of the province. Another difficulty in his way is the injustice done to this province by Sir Otto Neimeyer who recommended that no subvention be given to this poor province by the Central Government. Another difficulty and in my opinion, the greatest difficulty before the Finance Minister of every province is the currency and exchange policy of the Government of India which has proved ruinous both to the industrialists and agriculturists. In these circumstances I put it to the Honourable Finance Minister whether it is not his first duty to approach the Governor for wider financial powers and to exert his influence on the Central Government so that the Government of India may reduce its top-heavy expenditure thus being enabled to give a substantial sub-vention to this neglected province and also to influence the policy of the Government relating to the currency and exchange. I would submit to him that even that interim Minister Mr. Jamna Das Mehta, the Finance Minister of Bombay, took the first opportunity after taking charge of ministership to tell not only his countrymen but also the Government that the Government was following a foolish policy in this respect and that so long as the Government do not bid farewell to that policy, no province could make any industrial and agricultural progress.

The Honourable Finance Minister seems to be jubilant that he has been very fortunate in balancing the budget and even working out a little surplus. But the Honourable Finance Minister must know that underneath this so-called surplus budget, lies the appalling and staggering poverty of the mass of the people in this province, which this budget is not calculated to alleviate. In the second instance he must know that this is not a surplus budget at all. A close study of the figures would reveal the fact that this is not a surplus budget. Sir, the budget is a sort of blinkers for us and it is difficult to see through the wood of figures what the actual thing behind it is. At an entertainment party, I was once asked by a conjurer to draw five cards out of a pack of 52 and place those five cards in the pocket of the conjurer which I did. He asked me to count the remaining number of cards and to my amazement I found, on counting, that the remaining number of cards was 52 (*laughter*). The Finance Minister can very aptly be described as a financial necromancer who manipulates, and plays with the figures as the conjurer does with the cards, and throws dust in the eyes of the unsophisticated people who are not conversant with the intricacies of the budget and their full implications. He is jubilant over the fact that he has produced a surplus budget. I submit that actually speaking it is a deficit budget (*hear, hear*). It makes no provision whatsoever for the two committees on "Resources and Retrenchment" and "Unemployment" and it does not provide for the allowances and salaries of the honourable members of this House. I submit that quite a large number of calculations into the details of which I am not prepared to go at present, will go wrong. I dare say that and I have reason to believe it. It is not my duty to refer to small things. That I might do when we move the cut motions. But here we have to enunciate the general policy which is commended by

the Opposition or we have to criticise the general policy which underlies the budget. Quite a number of calculations will go wrong and I believe that the deficit will be much larger than the Honourable Finance Minister imagines. But the trouble with this Honourable Finance Minister is that he takes shelter under certain modern theories of fiscal reform according to which unbalanced budgets are no longer to be dreaded as confessions of national bankruptcy. I acknowledge that, under certain circumstances, when a policy of carefully planned expansion of productive activity is followed, unbalanced budgets may not be dreaded and they may not be a source of anxiety. The Honourable Finance Minister must have heard the name of Mr. Rangaswamy Iyenger, the talented Editor of "Indian Finance"—the greatest authority on financial subjects. He is a recognised authority on financial questions not only in India but on the Continent and in America also. Mr. Rangaswamy Iyenger subscribes to this theory of unbalanced budgets. In one of his very interesting books entitled "Some Trends of Modern Public Finance," he says much in favour of this theory but he admits in that book that continuous deficits are not things to be proud of (*Hear, hear from Government benches*). What do we find in our province? Our province is suffering from the chronic disease of deficit budget (*Opposition cheers*). In fact it must be admitted that the previous governments had tried their level best to balance the budgets on paper just as the Honourable Finance Minister has done now. Here is a so-called surplus budget before you but what is the actual position? In reality it is a deficit budget. We are witnessing unbalanced budgets for the last five or six years (*Premier: Question*). If you are playing with the figures, I have nothing to say. But if you are a practical man and a practical economist and if you are not in the hands of your Finance Department or the Financial Secretary, you must know that the budgets which have been presented before this House have not been surplus budgets but they have been deficit budgets. If your conception of budget preparation is that two and two make four and minus 3 means one (*laughter*) (*Honourable Finance Minister: exactly*), when this is the policy, I think the Honourable Finance Minister stands condemned out of his own mouth. I may tell the Honourable Finance Minister that Mr. Rangaswamy Iyenger in the book to which I have already made a reference, *i.e.*, "Some Trends of Modern Public Finance," says that "if the backwardness of the community is perceptibly diminishing and the economic strength of the community is clearly growing, such disequilibrium should not cause anxiety." (*Cheers*). I am afraid the Honourable Finance Minister has enunciated dangerous principles of economics, dangerous modern principles of fiscal reforms. I do not say that I do not accept them under certain given circumstances but after having prepared a budget which is in fact a deficit budget, he goes on telling the world that unbalanced budgets are panacea for poverty. I am afraid it was my duty to call attention of the House and the province to this question because he has taken charge for the first time as Finance Minister. If the Honourable Finance Minister is going to act on those principles of unbalanced budgets, I am afraid there will be bankruptcy in this province (*hear, hear*). The first thing that I thought it my duty to bring to his notice was that for God's sake he should give up these dangerous principles. There are better principles to be followed. He must know that deficit budgets undermine the credit of the province for which he seems to be very particular.

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But, Sir, what would you say if the budget remains unbalanced—not on account of any policy of carefully planned expansion of productive activity but on account of senseless expenditure on unwanted things. (*Hear, hear*). That is the most important subject to which I want to draw the attention of the House. That is one thing to which the Opposition attaches utmost importance, i.e., the expenditure of the Government. What is the difference between this budget and the preceding budget? I would expect Sir Chhotu Ram to reply to this. He was responsible for telling the people of this province that the Government of this province was a topheavy government in expenditure and that peasants were being crushed under the cost of government. Now Sir Chhotu Ram is a fellow-bird of the Honourable Finance Minister. Birds of a feather flock together, pigeon with pigeon, hawk with hawk. I want to bring to the notice of the House that in every department of the Government there are Government officials who are absolutely unwanted. As a matter of fact they are absolutely useless and are parasites on the tax payers. Do you accept it (*voices from Government benches*: No). Then you do not know what you are saying. The House, I think, recollects that the Honourable Sir Chhotu Ram contributed a series of articles to the Press on the subject of "Radical Retrenchment" and in the course of those articles he made, I should say, very useful suggestions. If those suggestions are carried out, I dare say there would be a saving of two crores of rupees in the expenditure of the Government. That is what Sir Chhotu Ram should take note of and that is what every colleague of his should take note of. If effect is given to the suggestions contained in those series of articles written by him, I am sure there would be saving of two crores in the budget of the province.

Now, no gentleman in this House or outside would say that the Honourable Chaudhri Sir Chhotu Ram is a rash or irresponsible or an extremist gentleman as we are being described in the dinner parties of some blooming darlings sitting on the opposite benches (*Laughter and cheers*).

Sir, I would draw the attention of the House to those articles which were written by the Honourable Chaudhri Sir Chhotu Ram so that the members of this House should know—and if my voice reverberates outside this House to the province, the people should also know—that when a gentleman does not assume power he chooses different lines of thought and action and when he assumes office he forgets his past ideals. But since these articles are very useful I may draw the attention of the House towards them.

Premier : I should be grateful if the honourable member would also mention the dates of the articles.

Chaudhri Krishna Gopal Dutt : I will certainly give the dates if the Honourable Premier gives us an assurance that he would go into the matter and also if he would try to show that there has been some retrenchment since then. The articles were written in the end of 1931 and since then the expenditure of the Government has been increasing and the same arguments hold good even to-day. I say that expenditure is daily increasing and there does not seem to be any end to it. The Government have not provided money for the beneficent departments by any retrenchment.

They are robbing the Famine Relief Fund. They are getting something out of it. They are getting something also out of the debt consolidation scheme and then they say that they have given 20 lakhs for the beneficent department. What is all that? That is fraud. (*Cheers*).

Now, Sir, I would draw your attention to a few passages from a series of articles written by Chaudhri Sir Chhotu Ram—

"I can imagine the flutter in service dovescoats which is bound to be caused by any proposals aiming at a substantial reduction in salaries. I can also imagine the argument which will be put forward against any reduction in the salaries of existing incumbents. But these arguments, however, sound in normal times, cannot be allowed to stand in the way of retrenchment when the whole economic fabric of the country is in serious danger of imminent collapse, and when refusal to respond to the insistent and inexorable demands of entirely novel economic forces may lead to a cataclysm at any moment. And I am sure that under the scale of reduction which I desire to propose officers will suffer no serious inconvenience beyond lowering their standard of life to a reasonable level."

Just imagine the salaries they are drawing.

"The present standard of life in eating, drinking, entertaining and dressing is unduly high and extremely artificial. As ill luck would have it, this standard has proved catching in our province. Most of the Indian officers serving in these departments have been all too keen to imitate the highly expensive ways of life current among their European colleagues. The result is that official salaries, fat though they are, do not give any comfortable bank balances to our public servants, but are frittered away in vain pursuits of fashion and frivolity." (*Cheers*).

"Deplorable as it may seem, society has come to worship false gods, and, though groaning under the tyranny of fashion cannot yet make up its mind to throw off the galling yoke. It is true that there is sullen discontent against the exacting demands of fashion, but the discontent is still of the acquiescing and tolerant type. It is, again not open to question that there are almost universal murmurings against the current expensive social usages, but these murmurings have not gathered sufficient strength and intensity to affect the course of social ways."

I will refer to another thing which he said :—

"To crown all this the crushing burden of a costly administration".

Mark the words "costly administration."

"the costliest in the world—weighs most heavily on a section of the population least able to bear it. This burden must be relieved to a very substantial degree, and relieved immediately and permanently."

Mind you, "relieved immediately and permanently".

"Paliatives will not do, temporary expedients will not suffice, nor will a policy of tinkering meet the needs of the situation."

I would draw the attention of honourable members to what he said in the end of these articles. With regard to the salaries and high allowances drawn by some of the Government servants he said :—

"Here are over a dozen of them—horse allowance, house allowance, deputation allowance, duty allowance, personal allowance, officiating allowance, acting allowance, local allowance, bill allowance, jungle allowance, secretariat allowance, judicial allowance, compensatory allowance. Special pays are also freely and frequently allowed. The number and character of these allowances and the huge aggregate amounts which are spent under these heads, from year to year will show clearly how the services are nursed and pampered. All these special pays and special allowances should be swept out of existence without a moment's hesitation."

Mark the words 'all these allowances should be swept out of existence without a moment's hesitation.' Then he goes on :—

"If my memory serves me right most, if not all, of these special allowances can be abolished by local Governments without any reference being made to any outside authority. If so, this should be done without even waiting for the reports of Retrenchment Committees."

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I would also request the Government that some of these allowances should be abolished altogether without waiting for the recommendations and the results of the Resources Retrenchment Committee which was announced the other day. I appeal to the members of the Unionist Party that they should consider this question wisely. I am not trying to instigate them against the Government. I am putting the question before them and they should consider it reasonably, particularly when their own Leader outside this House had himself written a number of articles on the subject. He says that the expenditure of this Government is top-heavy and a drastic retrenchment is needed. You won these elections on certain planks. When your Ministers have not been able to act according to their planks and platform, is it your duty to support them. If you owe obedience to the likeable and loveable personality of the Honourable Premier, I have nothing to say. But if you owe obedience to something greater, that is, to your masters outside, to your voters who are wallowing in the mire of poverty then I must ask you to think ten times before voting for this budget. There is no appreciable difference between this budget and the preceding budgets. You should consider this yourself. I would appeal to you that you should give a careful consideration to this point. The other evening I met a friend of mine and he said 'What do you think of the budget?' I said 'I did not give my attention to it.' He said 'Why?' I said 'Because I heard the speech of the Honourable Finance Minister and I did not find anything characteristic about it. There was nothing extraordinary about the budget.' All the same, I had to go through the heavy books called the budget.

We know that the Government have given 20 lakhs for the beneficent departments. What is 20 lakhs in a budget of over 11 crores. I ask you where is the greatness in giving only about 2 lakhs more to the poor ministry of education and about 3 lakhs for the opening of an industrial exhibition. Do you think you can manage the development of industrial schemes with this increase of 3 lakhs and 26 thousands? This is tinkering. You have been able to give a few thousands to one department and a few thousands to the other. How will this sort of thing help the beneficent departments? Will the Honourable Finance Minister rise with his head erect and tell us whether he has been able to make any achievement in this direction and whether he has got any money? If he is not going to provide money then how will he be able to give effect to laudable schemes of primary education and industrialisation of the Province.

I think he was once a President of All-India Economic Conference when he said that the pressure on the agricultural population was increasing. This is the greatest problem before every province in India. Is it not a fact that this pressure on agricultural population is increasing?

(At this stage the Assembly adjourned for lunch.)

The Assmably re-assembled at 2 P.M. Mr. Speaker in the chair.

Chaudhri Krishna Gopal Dutt : Before I proceed further with my observations on the budget, I would like to make one thing clear, and that is, that it was not expected from the present Cabinet that they would give effect to all their idealistic proposals immediately. I am prepared to give

them time. I do not want to be very harsh in my criticism: but I am placing the views of the Opposition before them so that when they decide upon political and economic policies, they should take into serious consideration the views of the Opposition and they should give effect to the proposals which they put forward before the public before they got elected and before they assumed charge of Ministership.

Now, I would like to say something about the land revenue policy which is being followed by the Government. I want to make it clear that we on this side of the House utterly disapprove of the policy which the Government is pursuing in this behalf. The question of land revenue is a very important question. This is the largest item of revenue in the Budget. Therefore I would request the Government to give their serious consideration to the views that we express on this important question. We on this side of the House believe that the system of land revenue as practised by the Government is most iniquitous and oppressive. Age in this respect is no consideration for me. The fact that this land revenue system is in vogue for the last hundreds or thousands of years does not give it any sanctity in my eyes. The peasant has been crushed and consistently crushed under false and orthodox principles of economics. To-day liberal students of agrarian reform are sufficiently aware of the danger to modern civilisation involved in continuing to keep the poor peasant in subjection, in serfdom and in poverty. The hideous fall in the agricultural prices is a challenge to the entire fabric of economic society and a serious menace to modern civilisation. No body will deny, Sir, that the Punjab peasant is in terrible plight. It is known to every member of the House that, in the West, industrial countries are heavily protecting their agriculture and as a result of that the wheat export of the Punjab has practically been killed. There are only two staple exports of the Punjab: wheat and cotton. The export of wheat is practically finished and cotton export is face to face with a new danger. I am glad that the Minister in charge of the Finance knows very good deal of economics and is in touch with the latest tendencies in the economic life of other countries. I am sure he knows that the export of cotton is to-day face to face with a new danger. Japan is one of our best customers but now Japan has decided not to place too much dependence on India, so far as the import of cotton is concerned. It must be known that Japan is creating and developing new sources of cotton supply in Manchuko. It is also a fact that there is a new agreement between China and Japan, according to which China will export 50 per cent of the requirements of Japan—fifty per cent of the entire quantity which Japan imports from India and America combined. And then, Sir, you are aware of the fact that Japan has got a peculiar talent of switching off from the use of the Indian cotton to that of America. Under these circumstances the Punjab peasant is face to face with a danger of the severest magnitude. In the face of these hideous facts how is it possible that the poor peasant will be able to pay land revenue. All notions of taxation of land revenue must undergo a radical change. In the past the poor peasant has been trying to meet the demands of the Government by selling his gold and ornaments. Some gentlemen who are not conversant with these facts challenged this statement. They say that the sale of gold by the peasant was not due to the fact that he had to pay land revenue. This statement was once challenged in this House a few

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years ago and I regret that the gentleman who made the statement did not attempt to make any reply to it. Perhaps he was not in full possession of facts I think it is absolutely clear. I would draw the attention of the House to the fact that an enquiry was held into this question by the Board of Economic Enquiry, Punjab, of which Mr Darling, the Financial Commissioner is the President. The result of that enquiry you will find in a publication entitled " Sale of Gold and Ornaments in 120 villages of the Punjab" and this enquiry was made by the Inspectors of Co-operative Society. Those Inspectors were responsible people who were in touch with the things which were happening : they were the people who were in touch with the daily life of the peasant : they were the people who were in touch with the needs and the requirements of the peasant, as well as the difficulties of the peasant. For the purposes of that enquiry 120 villages were chosen as representing the entire rural life of the province. The report says that most of the gold was sold in order to pay land revenue to Government. Just imagine, Sir, in the past he has been paying land revenue by selling gold but now he has got no gold whatsoever : absolutely no gold, and he is being asked to pay 25 per cent. of the net assets. He is not in a position to pay. His taxable capacity is absolutely at the lowest ebb : I would say that his taxable capacity is absolutely nil. He is practically starving, and you expect 25 per cent. of the net assets from him. You have to take into consideration all these things. Under these circumstances the Government ought to have considered this question. I place before you certain facts and figures relating to this question. Land revenue for the year 1935-36 is Rs. 9 lakhs more than was expected granting the fact that no special remissions were granted on account of the low level of prices for kharif 1935. The revised estimate for 1936-37 was 21 lakhs more than was expected in spite of the fact that allowance had been made for remissions necessitated by the introduction of a sliding scale system of assessment in the Lyallpur district. In the present year there is, no doubt, no increase but it is practically the same. After giving remissions you have got practically the same amount of revenue. If you had not made remissions, land revenue would have been greater. You first try to kidnap a man and then release him by asking for ransom (*cheers*). Just as in the Frontier some people kidnap a person and then show mercy by returning him on payment of ransom. I am afraid you do no better than that. Is there any one in this House who would dare challenge this statement. It is required by the law that land revenue should be 25 per cent. of the net assets. I submit that in order to get 25 per cent. of the net assets all the factors of cost of production should be taken into account. But they are not. The Government should seriously consider this. It is most imperative that the Government should appoint an Independent Inquiry Committee, so that the entire question may be fairly fully thrashed out. You must know that they are no laymen who are thinking like this. There is a man in our Province who is an independent economist, a man of very high intellectual calibre and that is Professor Brij Narain who holds this view. When we discuss the matter with Government members, they tell us that they themselves are laymen, they do not know the technique of the question and that there should be an Inquiry Committee consisting only of official experts. I may tell the Government that we are not going to be satisfied with that sort of Inquiry Committee. I would say that Government

appointed inquiry committees on sources and Retrenchment and Unemployment. Are they not technical subjects? I have been told by certain Government members that the land revenue question is a very technical question. No body knows it. Very few members of Government are conversant with the question and very few gentlemen in public life know anything about it. They hold therefore that it is necessary that an Inquiry Committee is appointed consisting of official experts to study the statistical side of the question. I must tell them that this is officiousness. Government will appoint preferably men like Mr. Darling and others to study the statistical side of the question. If such an Inquiry Committee is appointed, we will not be satisfied and it is not going to satisfy any section of public opinion in the province. The land revenue question is the most important question. This is much more important than the question of sources of revenue and retrenchment and the question of unemployment. Whenever the question is raised, we are told that the Government is considering the question on the statistical side, as if there is no professor of Economics, or no man in public life, or no member of this House who is fit to tackle the statistical side of the question.

As I have called into question this 25 per cent. net assets, I again draw the attention of the House to this thing, that when those assets are calculated the wages of the labourers are not taken into consideration. (*A voice*: The honourable member has already over twenty minutes).

Mr. Speaker: Please let the honourable member finish.

Chaudhri Krishna Gopal Dutt: Not for the man who has been appointed to lead the Opposition. So it is my challenge to Government and it is for them to prove. I refer to a report which was published in the "Civil and Military Gazette" by the Settlement Officer of Lyallpur district—Mr. S.S. Kirpalani—when certain questions were put to him regarding these commutation prices, regarding the fall in prices and as to whether the sliding scale system was going to help the peasant. There is one gentleman who writes under the nom-de-plume of "Justice," he writes one article and Mr. Kirpalani replies to it. But when counter-questions are put by Professor Brij Narain, then the entire Government keeps mum.

The Honourable Dr. Sir Sundar Singh Majithia: Wait. You will get a reply to that.

Chaudhri Krishna Gopal Dutt: I may wait till doomsday (laughter). I suggest that that Government official ought not to have discussed the question in the Press if he was not competent to do so, but once he did he ought not to have kept quiet and mum after certain counter-questions were placed before him. That means that he could not reply to the charge laid by Professor Brij Narain that these net assets were not 25 per cent. Realising my full responsibility I say before this House that these net assets are not 25 per cent., they are more than 25 per cent. (*A voice*: they are much less). Taking into account all factors of the cost of production, I dare say with full sense of responsibility that they are 100 per cent. (*cheers*).

I would refer to one more fact and I shall have finished. I would like to refer to the General Administration and under that I would like to discuss the political policy which is being pursued by this Government. I regret to say that even in this matter there is absolutely no difference between the

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preceding Government and the so-called reformed Government. I am addressing the Honourable Premier.

Mr. Speaker : The honourable member should address the Chair.

Chaudhri Krishna Gopal Dutt : I am addressing the Chair, but my remarks are meant for the Honourable Premier. I was discussing his political policy and I was submitting that I regret to say that in this matter also there was absolutely no noticeable, no appreciable, no perceptible difference between the preceding Government and the reformed Government. There is the same officialism, there is the same stereotyped and reactionary character of the Government, there is the same imperviousness to reason and commonsense and sympathetic outlook, there is the same readiness to attack the civil liberties of the people (*cheers*). Political prisoners continue to rot in jails and they are groaning under the iron bars of cells and dungeons. Respectable citizens including an elected member of this House continue to be kept behind the prison bars even in the present sweltering and roasting heat of the plains without any trial. Does not the Government realise that the return of Sardar Teja Singh is a direct censure against the Government? (*A voice : Was he elected to censure the Government?*) Yes. The Government claim to represent the people and I now recollect that an honourable member on the opposite side who is likely to become a Secretary to the Minister had the audacity to say that this Government was a government of the people, for the people and by the people; I think honourable members know that Lincoln, one of the greatest statesmen of the world, was the author of this sublime dictum that democracy was a government of the people, for the people and by the people. And I should tell you that I called the spirit of Lincoln through the efforts of a medium and when I questioned him on this point, he said: "I am ashamed of having been the author of such a noble definition of democracy which is being exploited by the Hitlers and Mussolinis of the Punjab."

Under these circumstances, if it were in my power I would throw out the whole budget and refuse to vote supply of a single pice, not because we are irresponsible people, not because we take pleasure in throwing out budgets, not because we are enamoured of creating deadlocks, but because we want to bring Government to its senses, because we want the Government to be amenable to the dictates of the greatest deity of the twentieth century, *viz.*, reason, and because we want to make the Government responsive to public opinion. (*Cheers*).

Before I close my remarks, I would request Honourable Premier while replying to the debate to throw light on one fact, as to how he is carrying on his Cabinet so far as the relations of the Cabinet with the Governor are concerned. That is one of the questions which is agitating our minds and I assure the Honourable Ministers that if there has been any case of interference on the part of the Governor we would be the first to uphold their cause (*hear, hear*). We have been told that there have been one or two cases of gubernatorial interference, but since we have not been able to verify those cases to our "entire" satisfaction—may be to our satisfaction, though not to our entire satisfaction, we are not prepared to disclose those cases.

on the floor of this House, but we understand that there have been one or two cases in which the Governor has utilised his special powers.

Premier : No, Sir.

Chaudhri Krishna Gopal Dutt : I am glad to hear that. When you make such a categorical reply of 'no, no,' you provoke me to tell that thing. I would not, however, tell that, but I may say that it is an important thing and if I say that on the floor of the House it would create a first class sensation not only in this province, but in the whole country. But having a sense of responsibility, I would be the last person to tell the House unverified facts.

One thing more before I resume my seat. I would appeal to the Honourable Finance Minister to realise, as he himself says and as the Government itself tells us, that we are now under a new regime of provincial autonomy. If he realises that fact, I would appeal to him not to create certain conventions in this House which are undemocratic. On the strength of that I would appeal to him that he should place the Finance Bill before this House. That is one thing which we shall appreciate. I do not know whether that is constitutionally allowed or not. I have still to go through that question. We will go through that question and study it. But I understand that in Bombay under the constitution prior to the present one the Government used to place the Finance Bill before the legislature. I hope our Finance Minister also will come before this House with a Finance Bill. (*Cheers*).

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : It is with a sense of justifiable pride that I rise to participate in the general discussion on the first budget of the first national Government of the Punjab—(*Hear hear*). (*Interruption*)—national by the verdict of the electorate and not of the self-assumed spokesman. The general discussion of the budget is the time for the annual stock-taking and it is customary on such an occasion to review the administration of last year and to make suggestions for the ensuing year. But to-day we have to speak under a double handicap. The new ministry has been in office for just about two months and it would not be fair to criticise it for the past omissions and commissions which are not theirs. As to the future, Honourable Premier on the very first day of his assumption of office made a declaration of the policy in which he placed the ministry before God and man to explore all possible avenues for reduction in expenditure, for relief of taxation on the poorer classes, to the expansion of the beneficent activities and to tap all possible new sources of revenue. I submit that nothing better can fairly be suggested or expected for the future. In the few observations which I have to make to-day I wish to take the position which is intended to be in the nature of a friendly suggestion which should help the Government in the early fulfilment of the Premier's declaration of the 1st of April last.

From my honourable friend on the Opposition, who I regret to find is now not in his seat, we had a very good speech. I congratulate him on it. He is a great orator, but unfortunately even the best of oratory cannot absolve the staring figures of the budget. I shall examine the three main charges which he brought against the Finance Minister which forced him to withhold his congratulations from the Honourable Finance Minister.

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The three charges he brought up were, firstly that the administration is top-heavy and that there is no provision for retrenchment in the budget ; second, that a substantial portion of the 20 lakhs provided for new expenditure on beneficent departments has been taken out of the Famine Insurance Fund ; and thirdly, that this year's budget is in fact a deficit budget and that we have had chronic deficits in the past which have been through financial jugglery made out as surplus. I shall take all these three charges one by one.

With regard to the first, I am sure that the Ministry which has been in office only for the last two months and which on the very first day of assumption of office declared its intention to appoint a committee to suggest all possible retrenchments and which they have since appointed and on which we are happy to find the Honourable Leader of the Opposition and two renowned economists of the province, what better proof do you want of the *bona fides* of that Government in its desire for retrenchment. I am sure when on a matter of that nature the attack comes from the Opposition, it takes away the force of other constructive suggestions which may come from that quarter. I appeal to the Honourable Leader of the Opposition who has in the past laid a precedent of fair play to dissociate himself with that aspect of the criticism. (*An honourable member* : Yes.) I am glad that my honourable friend the Doctor nods assent to my suggestion.

The second point which has been suggested is with regard to new expenditure of 20 lakhs which it was suggested has been substantially taken from the Famine Insurance Fund. It is a pity that my honourable friend appears to have misread or ignored paragraph 23 of the speech of the Honourable Finance Minister. He definitely stated there that out of the additional sum taken away from the Famine Insurance Fund 5½ lakhs were being given for avoidance of debt and 2½ lakhs over and above the 20 lakhs already budgetted for were for district boards for roads and one lakh in addition to the 20 lakhs was budgetted for rural sanitary works. More than that he made it clear in that statement that the Government had carefully examined and found on the advice of experts that the allotment of the present figure of ten lakhs for Famine Insurance Fund was considered to be adequate and that therefore the additional fund instead of being allowed to remain there had been used for protective and useful purposes. I am further reinforced by the suggestion of the Honourable Finance Minister that not a penny has been taken from this fund in addition to the 20 lakhs which have been taken for beneficent expenditure.

Now, I come to the third and the greatest charge on the Government, namely that the Government have in their budget successfully concealed the chronic deficits and given them out as surpluses. I must confess that I was a bit startled at that, because as a student of public finance I had learnt from the speeches of no less a patriot than the late Mr. Gokhale that the duty of public workers in examining the budgets of the Government is to find out whether there are surpluses and to expose the real surpluses even in the so-called deficits and thereby claim additional money for remission of taxation or for beneficent activities. (*Hear, hear*). I hope, in spite of the oratory of my friend opposite, to show that we have had, owing to normal

circumstances series of surpluses which justify the consideration of the question of taxation in the light of the declaration of the Premier which was made on the 1st April. When the honourable member in order to safeguard his position told us that although the Government has shown all *bona fides* to carry out all possible retrenchments there is no surplus in the budget, I shuddered, on what ground can I and others support a scheme for remission of taxation. Here I am tempted to cry out with the poet—

دل کے پیہو لے جل اُتے سینے کے داغ سے
اس نہر کو آگ لگ گئی نہر کے چراغ سے

But I would like to examine the figures of the last two years and I claim as I originally claimed that given normal circumstances on the revenue account we have a recurring surplus which should be utilised as had been utilised in the budget for the remission of taxation and for beneficent activities. I would begin with the year 1923-24. From that year till the year 1927-28 we have had five surpluses which yielded 2 crores and 95 lakhs on actual account and in addition we have had 4½ crores under extraordinary receipts.

(At this stage Mr. Speaker left the chair and it was occupied by the Deputy Speaker.)

Now, Sir, when my honourable friend tells me that there have been chronic deficits and all these actual figures and the money which they have given us in the treasury are a fiction, I am reminded of the story of that weaver in the village who got an arrow struck and every time he touched it and saw the blood said :

خدا کرے کہ یہ جھوٹ ہی ہو

Now I hope that my honourable friend does not want us to believe that all these surplus moneys which we have actually received and taken account of in the treasury are merely—

خدا کرے کہ یہ جھوٹ ہی ہو

Take the next year 1928-29. That year we had an abnormally bad rabi crop and almost a complete failure of the cotton crop. In 1929-30 we had unprecedented floods and 1930-33 we had depression all the world over due to agricultural prices. Therefore, I submit that these years of deficits were in reality years of abnormal circumstances and not of normal circumstances. Moreover the extraordinary receipts which we received in these years more than balanced the loss which we had on the revenue account. Thereafter we returned to normal conditions again and in 1933-34 and 1934-35 we had a surplus of 34 lakhs and 43 lakhs, respectively. Then coming to the year 1935-36, the Honourable Finance Minister stated in his remarks that the actual deficit is one of two lakhs. But I submit that even that small deficit of 2 lakhs is not a normal deficit because in that year we made an abnormal payment of 15 lakhs towards the adjustment of road fund account and if it had not been made in that year even that year there would have been surplus. Coming to the last year we have been told that there is an actual surplus of 23 lakhs and in the current year. I submit that instead of calling it a deficit budget it is in effect a budget which ordinarily would have

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given us 47 lakhs of surplus. But 25 lakhs have gone in remission and 25 for new expenditure and two lakhs, the Honourable Minister with remarkable frankness has told us, is reserved for items which cannot be foreseen. Therefore I submit that in spite of the oratory of my honourable friend who has just preceded me it is no mean achievement that within the few months of their coming into office the new ministry, the new Finance Minister, gives us a budget in which without any additional taxation except possibly a duty on charas which I do not count as taxation, they have given us 20 lakhs of remissions and 20 lakhs for additional new expenditure for beneficent departments. This is an achievement which would place the budget along the best budgets of its kind (*Hear, hear*) and on which the Honourable Minister for Finance and the ministry concerned are entitled to our grateful appreciation. More than that I beg to associate myself with a slight observation with the mead of praise to the Finance Secretary and his staff which have with a very clear memorandum made the budget read like a fiction even to a layman like myself. I wish to make one submission on the general frame of the budget debate. The new Government has on more than one occasion declared that they are out to receive constructive suggestions for the service of the province and I hope that all speakers on the general discussion on both sides of the House will vie with each other in offering constructive suggestions for the service of the province to the ministry. It is in that spirit that I wish to make some observations from this side of the House now.

The first point which I wish to make is this. What we need is a definite and cautious planning of a five years' programme for the province. The start of 20 lakhs on beneficent departments on new expenditure is a welcome enough start. But what the province needs is a clear cut plan, a worked out plan, by which we may be able to judge and test the pace of our speed and direct all our efforts. I appeal through you to Honourable Premier that he may constitute various boards of agriculture, boards of industries and various other committees to draw up the various aspects of this programme and submit them for the consideration of the Government. It may be asked what is the main problem of the Punjab to which we wish the Government to apply themselves to draw out a plan of action. I would deal with that in three clear-cut aspects. I will deal first with the question of the population and production. The Punjab is primarily an agricultural province. We have a rural population mainly dependent on agriculture and it has been calculated that the average annual income of a Punjabi is below the cost of food and clothing of a Punjabi prisoner. Comment is unnecessary. More than that our population is fast increasing. In the 30 years from 1881 to 1921 it rose by 43 lakhs. In the last decade, 1921—31 it rose by 34 lakhs, an increase of $1\frac{1}{2}$ per cent. of the population every year. More than that the dependence of the population on agriculture is also increasing, coupled with the fact that agriculture is susceptible to the vagaries of the weather and to the law of diminishing returns. Forty years ago, 61 per cent. of the Punjab population depended on agriculture, 30 years ago it rose to 66 per cent. and in 1921 it was 72 per cent. In the last census it is even higher. (*An honourable member* : That is why you are doubling the revenue?). I will give specific suggestions and not deal with

hollow rhetoric (*An honourable member* : Of which you are yourself guilty) and if you are patient you will get some facts. There is also a common danger. We have no less an authority than the Director of Agriculture in the agricultural reports and the statement of Mr. Darling in the Banking Enquiry Committee that the rate of increase of production in the Punjab is not as rapid as the rate of the increase of our population. This is a serious problem to which the Government should, and I hope they would apply themselves in all earnestness. The question calls for a careful consideration of the whole economic life of the province on the industrial and agricultural side. More than that it involves consideration of questions like international exchange, the question of freight on raw products, the question of subsidies when prices fluctuate and so on and some of these matters, even if they need a person of great ability, could not be dealt with by a better leader than our Premier and by a better economist and financier than our Finance Minister. At this stage I wish to take a few minutes of the House with regard to certain questions regarding the land revenue policy which was referred to by the honourable speaker who preceded me. I am entirely at one with him and I am sure many members on my side of the House will agree that we are all anxious that there should be a thorough revision of the revenue policy and nobody desires it keener than Honourable Premier and his ministry. In fact it is an open secret that they have already started looking at the question from that point of view. But miracles cannot be wrought in administration over-night and in matters of this nature all the *pros* and *cons* have to be carefully considered before any definite step is taken and in this connection I am reminded of that famous remark of Lord Hailsham when he was appointed War Minister in England and that is when he received all suggestions, all schemes of reforms, all pertinent and impertinent schemes, to be launched, his master reply was, "you should treat the new Government and myself like a coy shy maiden and give me the usual nine months to show the results."

Now with regard to the sliding scale of land revenue, I am one of those who at one stage criticised this sliding scale and I am beholden to Mr. Darling and few other friends who have helped me to understand it.

If my honourable friends of the Opposition will look at the memorandum of the Financial Secretary they will find in paragraph 29 that the actual receipts from land revenue and abiana which are the principal sources of income in the Punjab are actually less than they were previously to the paper propositions to which they have referred in the budget. The slow increase is primarily due to the working expenses in the Irrigation which is accountable for that increase. With regard to the sliding scale they will also find that there is a fall on the last year's income to no less than 17 lakhs so far as the assessment of Lyallpur is concerned. But I would submit that the question of sliding scale is a complicated matter and I would appeal to the Honourable Minister for Revenue that he should take the Revenue Committee of this House in his confidence in trying to explain the effects of that system and invite suggestions for improving it. I am sure that this is a matter in which the members of the Opposition as well as members of this side can join each other in arriving at a constructive solution which may relieve the land revenue burden on the peasantry of the province. I was dealing with the problem of the Punjab and I dealt with the production

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and population aspect of this problem and I am now dealing with the second aspect of it, the question of indebtedness. We have a chronic and heavy debt and it has been calculated that the average load is Rs. 92 per head which is perhaps higher than that which any other peasantry in the world has to bear relatively to its economic position. This calls for a constructive solution and tackling from the Government and I feel confident that consistently with the declaration of their policy they will apply themselves to it. I recognize that debt relief legislation has done a great deal in the right direction, but what we need is a constructive and a bold scheme of land mortgage banks, of properly controlled credit and marketing facilities in which the zamindar may not be forced to sell his produce at the lowest price and to buy it back at the highest prices. In this connection we appeal to the Honourable Minister for Agriculture, I speak with due deference, that he would not do better than to take over the recommendation made by the Honourable Premier in his report on the rural credit side of the Reserve Bank and I would appeal through you to the Honourable Premier that he will make other suggestions and give effect to them. I come next to the acutest side of the Punjab problem, the problem of our growing unemployment. It is a truism that the graduates of the Punjab have been seen cleaning shoes on the streets of the towns in their search for livelihood and we have had the knowledge of promising young Punjabis, the hopes of their sacrificing and poor parents placing their heads in desperation under the wheels of moving engines.

Sardar Partap Singh : What have you done for them ?

Mir Maqbool Mahmood : It is that problem which I want the Opposition and this side to join in solving. The first thing is the announcement of the appointment of an Unemployment Committee. I hope my friends of the Opposition will join us in suggesting necessary taxation of the richer classes including landlords and the urban classes and all classes wherever there is room for taxation to relieve unemployment. I hope that when the time comes and Honourable Premier brings forward a legislation, the Opposition would be equally enthusiastic in welcoming it. Now, Sir, coming to that question I submit that the question of unemployment can only be solved through joint national efforts. I would therefore appeal to the Honourable the Premier and his Government to expedite the announcement of the appointment of an Unemployment Committee and to give it a very wide term of reference and to make it possible for the province to welcome its report towards a courageous and bold tackling of this delicate problem. It may be asked of me, how do I propose to find funds for these various problems which I have referred to. I shall try to make specific suggestions out of the budget proposed. I will start with the beneficent departments. The Honourable Finance Minister rightly claimed credit for the past Governments for having raised the allotment for beneficent departments from 170 lakhs to 290 lakhs in 15 years. I submit that this increase of 120 lakhs is indeed very welcome.

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

But the critics of the old regime may well state that in these 15 years you secured a remission of 188 lakhs from the provincial contribution and

even the whole of it has not been ear-marked for the beneficent departments. In order to ward against any such accusation in future I would appeal to the Honourable Finance Minister and I am sure considering his policy he will welcome it that the new Government should have a separate account opened of all new income from the income-tax returns and new sources of taxations and savings from salaries or retrenchment and these should be ear-marked for beneficent departments or relieving unemployment and for giving relief to the poorer classes in regard to taxation wherever possible. I have one specific suggestion now to make with regard to the application of the last year's surplus. Last year's surplus is 23 lakhs and it is proposed to apply 15 lakhs out of it towards the payment of arrears of interest on the Hydro-Electric Scheme. I submit that our capital account position is very sound. We have a very small unproductive debt of 12 lakhs only. During the last 15 years we have utilized 9 crores of our Extraordinary Receipts towards capital expenditure more than that till very recently rent on temporary cultivation of crown lands has been credited towards capital account. For these considerations I submit with due deference that it would be over prudence to spend even these 15 lakhs in one year towards arrears of interest on Hydro-Electric Scheme. I fully recognize the special conditions cited by the Honourable Finance Minister in his speech, but I would appeal to him that the payment of that interest may be made in two years and that 7½ lakhs released out of that and 5½ lakhs proposed to be taken out of the Insurance Fund towards the debt account and 8 lakhs towards the balance of surplus should be put into a pool which should be used partly for the remission of taxation and partly for interest on sinking fund and for alleviating unemployment and for encouraging beneficent departments and productive schemes and for giving advantages to the electorate. This I submit would give us a substantial help for the next year and we should ear-mark 6 lakhs a year so that in 45 years this item will be wiped out along with other debts. One more word and I have done. The honourable member who opened the debate referred to the injustice done to the Punjab in the Neimiyer Enquiry Report. I wish to associate myself wholeheartedly with his remarks (*hear, hear*). I would go a step further and say that we have been treated very step-motherly in the adjustments preceding the inauguration of the constitution. It has been estimated that out of 822 lakhs, the share of the Punjab the share given to us has been only 1,17,000, one-fifth per cent. of the whole lot and out of the allotment to be given in the next ten years out of 1,422 lakhs the Punjab will only get 3½ per cent., this is in addition to the amount of 7 lakhs which is proposed to be taken out of excise duty. I ask, is this the reward of our war services and of our working diarchy with the constructive spirit? I speak with due deference, but, I feel, I owe it to the electorate of the province to make a stronger appeal to the Premier who happens to be in the position of the uncrowned king of the Punjab to use his courage and tact and tell the Right Honourable the Secretary of State that the mere verbal appreciation of the Punjab's working the constitution will not do and that to-day the policy of constructive co-operation sponsored by his Government and his party will suffer an irretrievable loss and will stand discredited and condemned before the electorate unless justice is done, and I hope that when he takes up this question the whole of the House, the Opposition as well as this side of the House, will stand behind him.

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In conclusion, Sir, there is one thing that I wish to submit. The province continues to spend a large proportion of its revenues on law and order. The maintenance of law and order is indeed the supreme function of every civilised government, but expenditure on this item is to a great extent conditioned by policy and I beg to associate myself with the Honourable the Premier's appeal that both sides of the House and the people of the country should join hands to reduce the expenditure which becomes necessary, to our shame, due to communal riots (*hear, hear*). I submit that this is a spectacle of which the best of the Punjabis, including myself, have reason to be ashamed that innocent Muslims, innocent Hindus or innocent Sikhs—perhaps the sole breadwinners of their families—who go out to earn their livelihood, should be wounded without any provocation. These things can no longer and will no longer be tolerated in the Punjab of to-day and I appeal in fairness to all sides that we should approach the Premier, whose genuine affection for communal goodwill is known to all, that this question should be tackled in all its aspects. The time has come when an attempt should be made to bring all parties together under the aegis of non-communal government to find a solution of the communal problem and differences that divide us. We merely fight on the question of services, but it has been calculated that only two out of a thousand are taken as Government servants.

On the preventive side I would appeal to the Government to introduce legislation whereby heavier punishments including whipping and confiscation of property be inflicted on communal offenders and give special compensation to Hindus, Muslims or Sikhs who may be innocent victims. I would invite legislation to ask heavy securities for good behaviour from communal mischief-mongers. With this I hope it will be possible for us to contribute our best in the service of the Punjab so that Punjab may be able to give its best in the service of humanity. (*Cheers*).

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban): I am told that it is a convention, which has been handed down to us, to compliment the Honourable Finance Minister and his department for the preparation of the budget and then to begin mercilessly criticising them. Frankly speaking I have not been able to induce myself to the adoption of this obviously inconsistent course of blowing hot and cold in the same breath, but as the force of custom is so strong in our province, I feel that some sort of appreciation for the labours of the Finance Department is called for.

Coming straightaway to the budget, it is true that this is the first budget which, after the inauguration of the Reforms, has been presented by a Punjabi Finance Minister to a popular Assembly and the budget has emanated from a Government which, according to the representations that have been made to us, is of the people and exists for the people. In my humble opinion this budget is exceedingly important and deserves consideration for more than one reason. I listened with rapt attention, to the Budget Speech which was delivered on the floor of the House and then I read it. I felt that the speech was just like a very learned discourse which was delivered by some very learned Professor of Economics and in my humble opinion it would do a lot of good to the students of Economics who are studying in

B.A. or M.A. classes (*hear, hear*). If one wanted to discover any bold, original, sound and constructive economic planning, then one was bound to be disappointed. As a matter of fact this constructive planning has been delegated to a Committee the personnel of which was announced almost simultaneously with the release of the Budget Speech in this Assembly. I have read budget speeches delivered in the Central Assembly as well as in the provincial legislature and one feature which is invariably common to these speeches is that after a comprehensive survey and complete diagnosis of the economic structure, the Speech proceeds to give concrete and definite suggestions for the future fiscal policy of the government. Let me point out that this feature is conspicuously absent from the speech of our Honourable Finance Minister. Was it that the Honourable Finance Minister was not alive to this aspect or was it that he was not competent to deal with it? He is an able economist and a very learned man, and he could certainly have dealt with it. In my opinion it was fear of adverse criticism which was responsible for a scrupulous avoidance of the discussion of this aspect. It was, in my opinion, the job of the Honourable Finance Minister and his staff to tap fresh sources of income without, of course, burdening the people who are already over-taxed and in my opinion it was his job to find out fresh economies, and to effect reductions wherever possible but instead of doing that, the job has been left to a Committee. With regard to the recommendations of this Committee, it will be very well for the Honourable Finance Minister and his department to say that "if there is any discredit it must go to Dr. Gopi Chand and we are not responsible for it." The other aspect of the Budget Speech is the adroit manner in which a surplus budget has been presented before this House. The subject has already been partially referred to by Mr. Krishna Gopal Dutt that a couple of lakhs have been taken from the Famine Relief Fund and apportioned in the budget. (*Honourable the Premier*: Nothing of the sort. Not a penny.) I must frankly admit that I am not well versed in the jugglery of figures. Let us admit that 1,72 thousand is the surplus that is shown. We are also told that there are certain items which are not included. If these items are included in all fairness to the Assembly, you will find that it is a deficit budget and that there is no surplus left. But even if it is a deficit budget, the Honourable Finance Minister does not leave us in the wilderness. He has sugared the pill and has come to our rescue by quoting extensively from eminent writers. He tells us that with the expanding of State activities, deficit budgets are no longer regarded as objects of dread. Next time he might say that they are positively objects of welcome and who knows the Honourable Finance Minister next time may come with the remark that every civilized nation is actually dying for unbalanced budgets.

Then we have also heard a sermon with regard to our credit and we are told that because our credit is very high in the market, therefore, we should indiscriminately borrow and soar high. I fail to understand this logic. Borrowing in haste and repenting at leisure is a bad policy and it never works. We have already borrowed 8 crores for the Hydro-Electric Scheme. We have borrowed a good deal for the irrigation schemes and now we are told to borrow once again. (*A voice*: You are getting a return for that.) Return we are getting.

3 P.M.

[Khawaja Ghulam Hussain.]

Let us examine the return. We have to pay interest. Then this borrowing is not like an ordinary zamindar's borrowing. (*Laughter.*) We have to repay it. We must find out funds for repaying it.

Sir, we have been told by the honourable speaker who has preceded me that constructive suggestions should be made on the floor of the House. Let me give some constructive suggestions. We could have affected economy in the various departments of Government. We have been told by the Honourable Finance Minister that in the Irrigation Department a good deal of economy has been made. But I submit that with a little more vigilance on the part of the Executive Engineers and the Superintending Engineers of the Irrigation Department, it will be possible to effect more economy. We can make economies in various other departments also. On the Forest Department, we are spending more than we earn. This should also be put in order.

Then I come to second aspect of my speech and that deals with the remarkable achievements of the Government party. I have read some of the papers which have given in bold headlines the remarkable achievements of the first autonomous Government. We are told even on the floor of this House that those remarkable achievements are, first, that remission of Rs. 25 lakhs have been given to the zamindars along with other relief, and secondly, an increased grant to the extent of 20 lakhs has been allowed by the Honourable Finance Minister to the beneficent departments. Now, first, with regard to the remission of 25 lakhs we are told that this policy of granting such a large amount of remissions, is, a very bold, generous and expedient policy and it has also been represented to us that perhaps never before in the history of this province remission has been granted on such a large scale. The honourable House will be disillusioned to know that this statement is absolutely incorrect. I will refer to the speech of an honourable member of this House, Nawab Muzaffar Khan, who was the Revenue Member in 1936. In 1936 when there was general discussion of the budget Government was accused of lack of sympathy for the people and in repelling that attack the Honourable Nawab Muzaffar Khan said :—

“ With regard to land revenue I would say that from 1930 to 1935 remissions amounting to Rs. 1,77,00,000 have been given. It would, therefore, not be fair to say that Government have no sympathy for the zamindars.”

Premier : That is not correct. Much more was given away. *

Khawaja Ghulam Hussain : If you will work out the figures you will find that it comes to about 30 lakhs in a year. This is not a remarkable achievement of the Government.

Premier : May I inform the honourable member that remissions and concessions during those years amounted to more than 6 crores.

Khawaja Ghulam Hussain : Well, this is the authority from which I am quoting. There may be some better authority which Honourable Premier may be able to quote. If it were 6 crores, it means at the rate of 1 crore per year ; even then yours is not a remarkable achievement.

Now with regard to the grant to the beneficent departments, I have to quote the speech of Mr. Ram Chandra, our popular Finance Secretary. He told us in the course of his speech in the Legislative Council that the

Government, in the course of 3 years, have increased the grant to this department by 32 lakhs and in 1921-22 it was 1 crore and 70 lakhs and in the course of six or seven years that was raised to 3 crores and 23 lakhs. So, again, you will find that there is no remarkable achievement, as is being maintained. Be that as it may, my submission is that this is no criterion by which we are going to judge the doings of our Finance Department or of our Government. That was the standard, Sir, by which we could have judged Sir Donald Boyd or Sir John Maynard. They could have claimed credit for such remarkable achievements. We would have certainly given them credit. Old standards have been abrogated and we are now under a new regime. This is the Government of the people, by the people and for the people. We are not going to judge you by those standards by which we used to judge the alien Government as you call it. We shall judge you by different standards. What are these standards? I shall briefly give you the broad outlines, because the time at my disposal is limited. I will only mention the chief features of the suggestions which are constructive suggestions according to me. In this connection the first thing which I wish to urge upon the Treasury benches is that without any delay they should raise the level of prices of agricultural commodities. This is absolutely essential. Now the question is how is it possible to raise the level of prices of agricultural commodities? In my humble opinion, Sir, it is possible only in two ways (1) either we should create markets in foreign countries for our products or (2) we should find some other methods by which we may be able to absorb these commodities in our own country. As regards the creation of markets in foreign countries this is a notoriously well-known thing now that since the Great War every country is cultivating the policy of self-sufficiency. They have created high walls of tariff and it is not possible for us to send our products to those countries. Our only hope lies in devising measures to absorb the commodities in our own country. That can be possibly done only in one way and that way lies in the development of industries. If ours were an industrial country then it will be possible for us to absorb these products which will bring wealth to zamindars, which will raise the standard of living and remove unemployment from the country, will also bring wealth to the Government.

Now, Sir, what have we been doing with regard to industry up till now? As to the policy of the Government, I have only to quote the candid admission of Dr. Sir Gokul Chand Narang, the Minister of yesterday and the nationalist of to-day (*laughter*). He very frankly admitted in the debate on the budget that it was not possible for us under the then existing circumstances to give any protection to our industries. He candidly admitted that Government could not do anything. He was kind enough to give us hope that the future autonomous Government of the country might be able to extend some protection to our industries and then it may be possible for us to make our country an industrial country. Now, Sir, is the time, now is the opportunity for this Government of the people that something should be done for the people. I would therefore respectfully urge upon the Treasury benches to consider, and consider deeply this aspect of the problem. If industries are not developed and no proper protection is given to them we are nowhere and our country will be going down and down every day.

[Khawaja Ghulam Hussain.]

Then, Sir, the second suggestion which I wish to make in this connection is the devising of means for the relief of rural indebtedness. It has been frankly admitted even by the honourable Mir Maqbool Mahmood that the figure at which our rural debt stands is simply staggering. It is more than 1,40 crores, as has been elicited by interpellations this morning. We are told at the same time that it is not possible for us to introduce any catastrophic change. "That Rome was not built in one day." This is the maxim quoted to us. I would submit that the disease is so serious that drastic remedy is needed. The figure at which agricultural debt stands should certainly be brought down.

Then the third suggestion which I wish to make is with regard to the repeal of repressive measures and the release of political prisoners. Enough has been said on this subject, and I have only to repeat and to endorse the views which have been expressed.

Then the fourth suggestion is with regard to decreasing the cost of litigation in this country, and on this subject I have only to quote from the speech of that eminent Englishman who in my humble opinion has done more than any one else for purging the administration of justice of so many evils, I mean Sir Douglas Young. In his speech delivered on the 14th February at the annual dinner of the Judicial Service, Sir Douglas Young said, "the cost of litigation in this province is much too high and must mean in some cases denial of justice.... There is no excuse for Government making profit out of it."

Mr. Speaker : The honourable member will, please, not refer to the Honourable Chief Justice.

Khawaja Ghulam Hussain : I am only referring to his speech.

Mr. Speaker : To no other matter ?

Khawaja Ghulam Hussain : I am only quoting from his speech to show that such an eminent authority as the Chief Justice of the Punjab, even says that the cost of litigation is most prohibitive and must be brought down.

Then, Sir, I shall skip over to the domain of education. First of all there is primary education. It must be free and compulsory. We will be told, Sir, that in order to make it compulsory the cost will be simply staggering, and it will not be possible to find money with our present resources. I would therefore submit that we should introduce compulsion on a modified scale. I am told, Sir, that in the province of Madras they have a sort of compulsory primary education and the compulsion exists only in this respect that once a child enters first primary class he is not permitted to go away until and unless he has completed the course. We can profitably introduce this system here and it will at the same time prevent lot of wastage which is going on at present. I am told that now out of the boys who enter first primary class only 25 per cent. go to the fifth primary, with the result that a lot of wastage is going on. The second point which I wish to urge in this connection is that something should be done to increase general literacy in the province. I understand, Sir, that efforts are being made

on a very small scale of course and are at an experimental stage to do something about this matter. Of course the idea of an adult school as we understand it and of asking elderly people to join the schools to read A, B, C, is simply nonsense and cannot work. If we increase general literacy then it will be possible to increase the standard of education in this country. I have also a word with regard to co-education. I fear, Sir, our present system of education needs overhauling and I am gratified to note, Sir, that the Honourable the Minister for Education, as judged by his public utterances has promised to carry out a complete overhauling of the department. I may suggest for his information that in the primary department, at any rate, our system is highly defective. Male teachers, I will submit, do not attract students nor can they keep them. We should emulate in this connection the example of civilised countries and should try to increase the number of female teachers as far as possible. I know, Sir, this task is not free from difficulty in a country like ours, but if efforts are made properly, it will be possible in due course of time to so change our educational method as to put it in line with other civilised countries.

Premier : I believe the honourable member means western countries. Our civilisation is comparable to any other in the world.

Khwaja Ghulam Hussain : Now, I have to make some observations for the consideration of the Honourable the Premier with regard to public services and in particular the police. It does not involve any expenditure, Sir. My submission is that very strict instructions should be issued to all the members of the public services and they should be told definitely that they are servants of the public and not officers of the public (*hear, hear*). What is the condition now. If a poor ignorant zamindar goes to the police station he is maltreated. He is not listened to and is abused. I can quote instances after instances of respectable people who have been maltreated by the police and other executive officers. This is a matter which is becoming scandalous in our province. Public servants all over the western countries do realise their responsibility towards the public and due courtesy and due deference is shown by them to the members of the public. But in our country the case is altogether different. Now with a changed regime and with the changed circumstances, this mentality must change, and our public servants in future should know that they have to serve the public and not to rule over them.

Then with regard to the Minister for Public Works, I have to make a number of suggestions for the consideration of the Honourable the Minister for Public Works. There is the Executive Officers Act which means a complete negation of the very idea of local self-government. The operation of this Act is so detrimental to the growth of self-government that it is impossible to tolerate the existence of this Act on the Statute Book. I wonder under what circumstances this Act was passed, and I am told that members of the Unionist Party themselves were opposed to the passage of this Act in the Legislative Council. It is time for them to reconsider the question.

Minister for Public Works : The matter is under consideration. .

Khwaja Ghulam Hussain : I am really glad to know that it is under consideration and hope that the Act will be repealed. .

Mr. Speaker : Two members—the last speaker and the honourable gentleman who is now addressing, have considered the necessity for legislation in their speeches ; they have made references, they have made suggestions. I might point out that in discussing the budget the honourable members have to discuss it according to the law as it is and not according to the law as it should be. In Parliament the necessity for legislation as well as any other matter involving legislation is not discussed on the discussion of the budget.

Khwaja Ghulam Hussain : I would not proceed with the discussion of that Act but I will certainly make suggestions that it is up to the present Government to foster the growth of the spirit of self-government, and whenever they find that this spirit is being checked, it is up to them to come forth and help the people in developing that spirit.

Then there is the Irrigation Department. I am sorry that the Honourable Minister for Revenue is not here to listen to my submission.

Premier : I am here to listen to that.

Mr. Speaker : The honourable member has had exactly half an hour.

Khwaja Ghulam Hussain : I shall be finishing in one minute.

With regard to this department, I have to make only one suggestion, and that is with regard to the removal of corruption. I belong to a district which is a colony district and it is my personal experience that corruption is rampant in this department. If proper steps are taken it shall be possible to check it. The corruption takes place on account of the several executive measures undertaken by this department, for instance, in connection with remodelling which is so inefficiently done higher officers having once ordered the remodelling never care to go to the spot and see for themselves. The overseers and the sub-overseers take very exorbitant money from the poor public.

Rai Sahib Lala Atma Ram (Hissar North, General, Rural) : First of all I congratulate the Honourable Finance Member on the ability and lucidity with which he has presented the budget for the year 1937-38. It goes without saying that he is one of the ablest men the Punjab has ever produced. He has very ably shown how the provincial finance was, at first, dependent upon the Central authority and how by a series of steps it separated and that it now enjoys independence. It is gratifying to note that in spite of recent calamities that visited the province, for which the Government had to make large revenue remissions and other grants for relief, the Honourable Minister has shown a surplus budget.

A cursory glance at the budget will show that the amelioration of masses and the general betterment of the province have been kept in view. A sum of Rs. one lakh has been provided for well sinking in the Nili Bar Colony. The provision for rural sanitary scheme has been increased by Rs. one lakh. A special grant of Rs. 1½ lakhs has been made to the district boards for the improvement and development of roads. A provision for expenditure of Rs. 60 lakhs has been made for the Haveli Project. A mention has also been made of the Thal Project, which if carried out after examination will bring blessings of water to Mianwali and Muzaffargarh districts, but I am

sorry to say that the Honourable Minister has not at all referred to the Bhakra Dam Scheme which proposes to irrigate the districts of Hissar, Rohtak, Karnal, etc. The Bhakra Dam Scheme has been talked of since 1921, but it is unfortunate that its construction has not yet been taken in hand. If Government thinks that the Bhakra Dam Scheme, for want of consent from Bilaspur State, is impracticable, then it should adopt other measures for irrigating the poor and famine stricken district of Hissar. The Hissar district is very dry and is visited by famine after famine, and its people are crying for irrigation and drinking water supply. The people of this district are proud to be British subjects, but it is a pity that their interests and welfare are altogether being ignored by the Government. The Government ought to have provided in this budget something for the irrigation and drinking water supply for the Hissar district.

Dr. Shaikh Muhammad Alam (Rawalpindi Division Towns, Muhammadan, Urban) : Sir, as every one in the House very well knows I am neither a paid financial expert, nor am I a very sound economist, but all the same I look at the budget from a different point of view, as I am proud to call myself an Indian working in the cause of the freedom of the country. And it is with that point in view that I am looking at the budget, not the budget but more correctly speaking at the policy underlying the budget. I was absent when the so-called eloquent speech by the Finance Minister was made whilst presenting the budget. That was a misfortune, but I am not to regret that misfortune. I am glad that I was away, because when one is away from the scene he feels less than he feels when he is at the scene of disappointment. Certainly so far as the budget is concerned, it does not require a great financier to know that budgets can be manipulated to produce several results and even to show a surplus. There is a propaganda of figures in all budgets and possibly we will not be able to reconcile the two sides, specially on the question whether there was a propaganda of figures or not for one purpose or the other. All we know is that mathematically the figures given are correct and if we are to go by the certificates of ability which are given by different members of this House to the Honourable Finance Member, I think he is well justified to have been appointed a Minister of the Government. But this is not the thing. What we have to see is, whose budget it is that has been presented to us. We were expecting, after all these long years, and in spite of what is wrongly called provincial autonomy which has been given to us in the garb of reforms, that the Government would be presenting a budget on behalf of free men of the Punjab as a part of India. Unfortunately we find that we have been presented with what I may term a 'slave man's budget.' It is the budget of a slave country, prepared by a slave minister with his trembling hands always pausing here and there under the influence and threat of his master. That is the first impression that I get when I looked at the budget. This is not the budget that we wanted to have and as long as any one who has any feeling for freedom feels that it is a budget of a slave man, it is up to him and it is his duty and right to throw it out without even having a glance at it. (*Hear, hear*). It is with that point of view that I advocate the throwing out of the budget in the very first instance, without even reading it through and without examining the figures. It is not worth even looking at.

[Dr. Sh. Muhammad Alam.]

There are two tests, as every one knows, by which we can come to a conclusion as to whether a budget is a slave man's budget or a free man's budget. In the case of a slave country first of all there is no question to consider the position or the capacity of the people to pay a certain amount. There is borrowing and there is taxation and there is robbery and after all that robbery there is expenditure and squandering of money and if there is any little thing left then it is proclaimed from housetops, "here is a surplus." It is not the question of surplus that we have to consider. What we have to consider is, how are you taking money, by what means, from whom and under what circumstances? Then, the second test that I would submit is that in the case of a "slave man's budget" you do not look at the question of income at all. First you decide about the expenditure. So much money is required for subjects which are not votable. So much is wanted for the ministers. So much is wanted for those departments on which the bureaucracy really depends. After deciding what amount is required for all this expenditure, you look at the question "where to find the money". If there is no other source from which to find the requisite money, then you levy further taxation. We hear of non-votable items on expenditure side. I wish there were non-votable items on income side also. While we are barred from touching the non-votable items of expenditure, is there any provision that more than such and such amount the Government cannot tax or that more than a particular amount the Government cannot levy cesses and so on? So far as items of expenditure are concerned there are non-votable items, but so far as income is concerned there is no such restriction on the Government. The expenditure on non-votable items alone come to more than several crores of rupees. We cannot interfere with that expenditure. Our business is only to provide income to meet that expenditure.

Mr. Speaker : Is the honourable member discussing the Government of India Act or the budget that has been presented to the House?

Dr. Shaikh Muhammad Alam : I think so far I have not even mentioned the Government of India Act. I do not mean to refer to it.

Mr. Speaker : But it is the Government of India Act which prohibits the consideration of certain items of expenditure.

Dr. Shaikh Muhammad Alam : I am not suggesting that we should be allowed to vote upon all those items which are now non-votable. I am only submitting that I look at the budget from the point of view of whether it is a free man's budget or it is a slave man's budget, and because there are non-votable items in the budget, without blaming the Finance Minister at all and without bringing into discussion the Government of India Act, I am asking my friends here, the honourable members of the House, to throw out the budget, because it is not worth their consideration.

Now, let us examine under what circumstances this budget has been prepared. The Honourable Finance Minister, I submit, has had really very little say in this matter. He had only to sign the memorandum drafted by Mr. Ram Chandra. I do not know why those honourable members who gave certificates to the Honourable Finance Minister forgot that the statement which he presented was really prepared by Mr. Ram Chandra. In fact with all the limitations on his powers, with all the restrictions on

his powers, he was not in a position to prepare a budget that could be called the budget of the people. This is certainly not the budget of the people. This is the budget of the ruling class, or if you prefer another phrase, it is the budget of the bureaucracy. It makes very little difference to me whether it is a white bureaucracy or brown bureaucracy or a mixed bureaucracy, whether it is Khattar bureaucracy or Tiwana bureaucracy or Shamla bureaucracy. The question is one of the bureaucracy.

Minister for Public Works : Or Alam bureaucracy.

Dr. Shaikh Muhammad Alam : Certainly Alam's bureaucracy will be a poor man's bureaucracy. That will be democracy. There will then be socialism and we will not be making these speeches which are like after dinner speeches. If this is how our constitutional advice is welcomed by the other side, if this is how we who believe in non-violence are treated by the other side. This day is not far off when the revolutionaries would wrench the Government from the hands of bureaucracy by lathies and swords. It is really to prevent that catastrophe, it is really to prevent that revolution overtaking India that we have been trying to introduce constitutional improvements. If this is really the sort of budget we are to have under restrictions and limitations on the very poor powers of the cabinet of a province, may I know whether the Congress is not justified, in spite of the title of provincial autonomy given to the Reforms, to refuse to form ministries unless assurances were given to them by the Governors of the six provinces in which they are in majorities? As a matter of fact if my friends on the other side wanted to know what really should be the budget of a poverty-stricken province, they might have waited for a few months more. They might have found some loophole in the Government of India Act under which they might have waited just as the Governors found some loophole by which they were enabled to form interim ministries. Then, they would have seen what the budget of the poor people would be and they would then have been in a position to see the Congress budget and to adopt it as the model budget.

Sir, the thing that I was submitting to you was that this is really not the budget of the people. This is, if we could use a Simla term, not the budget of the rickshaw coolies, it is a budget of the rickshaw riders and if you want an illustration of that it is provided by the Unionist party themselves. That they take the expenditure first and then they come to the consideration of income is well illustrated by their conduct in a particular instance. We know that this instance is being generally talked about. It is no secret. It is talked about by members of the Unionist party themselves that as long as they are members of the Unionist party they are entitled only to a salary of Rs. 125 a month but when they are taken to the ministerial benches at once they become entitled to Rs. 5,000 a month. The difficulty is that expenditure was first settled upon and now the members are told that there is no income to meet their demand of a better and reasonable salary. I have got no sympathy with the members who ask higher salaries. If anything, I am for reduction of their salaries as well as the salaries of the Ministers. But the question is this. They follow wrong course. They first decide about the expenditure and then they come to the question of income. Really what should be the principle underlying a budget is this "this is our income and how are we to spend it." My submission, therefore, is that this

[Dr. Sh. Muhammad Alam.]

budget is not the people's budget at all. This is a budget of those who squander away the money of the people. The second impression that you get from this budget is this. This is really not the poor man's budget; it is a rich man's budget, with all those utterances, announcements, manifestos and even now what we are told in this House is that the Unionist party desires to do this for the people and to do that for the people. So far as the budget is concerned, we do not find any item there which is really for the advantage of the poor man. So much is talked about unemployment. But we do not find there any item given for its removal.

Khan Bahadur Nawab Muzaffar Khan : It is a question of eyes and no eyes.

Dr. Shaikh Muhammad Alam : Certainly. But as the proverb goes the majority are blind and not the minority. But if it is a question of eyes and no eyes it is only one's conscience that can decide it as to who have the eyes and who have not. However even if my humble friend had no eyes I will still say that he had eyes, on account of regard for him. So much has been talked about surplus and beneficent departments. But one paragraph of the speech of the Honourable Minister will clear up the whole position of eyes and no eyes.

"Providing for a small surplus of Rs. 1,72,000. This small surplus is liable to disappear because in the present estimate of expenditure no provision is made for the two Committees, one on 'Resources and Retrenchment' and the other on 'Unemployment.'

So this one lakh and odd has to go towards providing relief for unemployment and for the Committee on Resources and Retrenchment, and so far many other things. Again—

"Nor was it possible in the estimates to make adequate provision for the salary and allowances of the honourable members of the assembly."

So the contemplation is there that out of this sum the honourable members of this Assembly have also to be provided for. Again it reads—

"as the report of the Committee appointed to determine these was made only a few days ago, and has not been yet considered by this House. There is a likelihood that some other items of expenditure directly connected with the introduction of the present reforms may be exceeded."

That excess has also to be met from this surplus of one lakh. A portion of it has to be spent on Unemployment Committee, a portion on Committee on Resources and Retrenchment, a portion on the salary and allowances of members and "there is a likelihood that some other items of expenditure directly connected with the introduction of the present reforms may be exceeded, which it should meet while it is also feared that the estimate of expenditure under Legislative Assembly suffers from being an under-estimate." So that consideration has also to be kept in view. Again it reads—

"These represent now definitely foreseeable matters which will affect the budgeted surplus and probably convert it into an actual deficit unless some items of income show unexpected yields in the upward direction. If such a deficit should appear, due, as I have said, to factors now foreseeable, we need have no fear, particularly as this year's revenue has suffered so heavily because of unusual calamities in hailstorm, cyclone and untimely rains. The deficit would indicate no normal or permanent feature of our finances."

This is with regard to the surplus of one lakh. But what about the proposals which have been advanced from the other side? How to find money for those proposals? Not by reduction of expenditure. One of our

friends, the honourable Mir Maqbool Mahmood said, "suggest constructive methods," suggest him such methods which should not decrease expenditure, which should provide them with more income so far as the expenditure is concerned they must have it. Such methods are thus counted which should naturally increase taxation and land revenue. All the same suggest constructive methods with all these restrictions and they are prepared to carry them out. The only constructive method is that instead of robbery by taxation bring money where it is found and spend it on essential purposes only.

Mr. Speaker : The honourable member's time is up.

Dr. Shaikh Muhammad Alam : May I know what is the time limit you allow ?

Mr. Speaker : Twenty minutes.

Dr. Shaikh Muhammad Alam : Will you exclude the time taken by interruptions or not ? Even when there has been no interruption you have been pleased to allow more time to some members. I am not anxious to make this speech unnecessarily, but I feel painful to talk on the subject.

Mr. Speaker : The honourable member may finish in a few minutes.

Dr. Shaikh Muhammad Alam : I do not want to accept that charity.

Mir Maqbool Mahmood : I wish to make a personal explanation. Very likely my honourable friend misunderstood me. I never said that expenditure should not be reduced. What I said was that within a day of taking over power, the new Ministry had announced its intention to reduce expenditure in all possible ways which fact was supplemented by the appointment of a Committee on which to prove their *bona fide*, the honourable Leader of the Opposition and Professor Brij Narain and another Professor were appointed.

Dr. Shaikh Muhammad Alam : Were you, Mr. Speaker in the Chair when the honourable member, Mr. Maqbool Mahmood spoke? I am afraid I do not know whether you were in the chair or the Deputy President was. Anyhow, do you like me to reply to his point, because you do not know the facts of the case (*laughter*).

Mr. Speaker : No.

Sardar Sahib Sardar Gurbachan Singh (Jullundur West, Sikh, Rural) : Sir, I congratulate the Honourable Finance Minister and his able Secretary for the pains they have taken in preparing this budget. Though the surplus is small, yet for this year it is rather creditable for the heavenly elements have shown their wrath in such a forceful manner. I also take the opportunity of offering my sincere congratulations to the new Government for their prompt action and the most liberal manner in which they have given relief to suffering public in this great disaster (*cheers*). It was feared that owing to the large remission in land revenue and water rate it would be rather difficult to balance the budget, but it is a matter for consolation that the budget is not a deficit one. As a layman I wish to make a few observations. Under the new constitution no Government could be popular unless it is prepared to help agriculture and industry in the province and also provide sufficient funds for all other beneficent departments. All this means an increase in the expenditure while on the other side our income is sure to decrease, because every one of us here has made definite promises

[S. S. Gurbachan Singh.]

to our electorates for lessening the burden of land revenue and water rate and we can only partly fulfil our promises by exercising strict control and economy over our expenditure. I may mention here that last year during the general discussion on the budget I pointed out the careless and the extravagant manner in which our budgeted expenditure was used and explained it by giving concrete examples. What I mean to say is that the heads of departments should make strong endeavours to get the best value for the money by trying all markets. With the change of the constitution this change must also come, because it is now we who are going to spend our money and not the third party. The cart is still in the old ruts and it is not an easy matter to take it out. The Hydro-Electric Department is the one which requires strictest control, because there is no reason why our capital and recurring expenditure should be on a higher scale than in the neighbouring province of United Provinces. I hope the Honourable Minister of Public Works will pay a visit to the United Provinces and see the difference for himself. Not only, that he will be pleased to see how the Hydro-Electric energy is made available for the development of agriculture and industry in that province, he will be no less pleased to see how the zamindars are being educated in the uses of electricity. I can assure him, if assurance is needed that he can do a world of good by only changing the short-sighted policy, of catering electricity for luxury purposes, into one, of using electricity for productive purposes and thus help agriculture and industry, which will no doubt add to the wealth of the province and also.....

Minister for Public Works : It is under consideration and we intend to adopt these lines.

Sardar Sahib Sardar Gurbachan Singh : Thank you. It will also be of great help to the poor zamindars. I have no knowledge of the two big electric schemes mentioned by the Honourable Finance Minister in his budget speech, but, Sir, if they are the same schemes which were rejected by the Finance Sub-Committee of the old Council on the ground that that money would be better used for completing the rural extension schemes, then I will certainly request the Honourable Minister for Public Works to take a firm stand and see that the rural extension schemes are completed before any other scheme is taken in hand (*hear. hear*). Again, the construction of the Haveli Project is going to be taken in hand, and large sums of money are going to be spent on it ; so I would make the same request of affecting economy there to the Honourable Minister of Revenue. Next coming to the communications I see that extra money has been allotted to the district boards for repairing their roads. I for one cannot support this proposal. The District Board roads in my district are in a terrible state and in my opinion the Public Works Department should be asked to take over charge of the district board roads, because they have tarred all the roads under their control and the recurring expenditure for their upkeep is not so very great. Therefore the Public Works Department should now handle all the district board roads and the district boards should be asked to divert their energy to the village to village roads and thus give some relief to the villagers. Sir, 84 lakhs granted to the district boards is a sheer waste because the roads remain as bad as ever. So this Assembly should positively refuse any more money to be wasted. Last but not the least I wish to sound a note of warning

that our most fertile lands of the Doaba, that is the districts of Jullundur and Hoshiarpur are being converted into barren and waste lands by the alarming rapidity with which water level in the wells is falling. I will not be far out if I say that 90 per cent. of the old wells have gone dry and the new ones are following suit. I think the time is not very far

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when there will be a scarcity of water even for drinking purposes. Something will have to be done and that too without any further delay if these two districts are to be saved, which were called as "Baghs" (gardens) of the Punjab. I may be allowed to say that half-hearted measures will not do and the time for an eye-wash like "Wat Bandi" is gone.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) : Mr. Speaker, I thought I would speak to-morrow, but since I have been called to speak now, with your permission, I shall make a few observations. I would not like to enter into formalities with regard to the praise that has been showered in this case on the Honourable Finance Minister with regard to the budget that has been prepared or to the other things, but will only confine myself to the merits of the figures that have been given in these volumes. It has been pointed out by the other side that this is a budget of the National Government. If by National Government it is meant that freedom of speech is not to be given, or that freedom of associations is not to be given and that the jails are to be made the abode of the political workers and those who hold forward policies are not to be released and are to be interned, then in that case I agree with the definition of the National Government which has been so styled to-day. In the speech made by the Honourable Finance Minister the other day, reference has been made to the policy that is going to be followed with regard to the attitude of this National Government towards the public. The speech reads as follows :—

"A reduction was anticipated in the strength of the Additional Police, but this could not be effected on account of unfortunate incidents at Panipat and Kot Fateh Khan. Nor has communal tension entirely disappeared, and there are signs of recrudescence of unlawful subversive activities in parts of the province."

It appears that proclamation is already made in the budget for the prosecutions that are to be launched against the political workers. Another reference of the same type is made at another page so that we should not resent if the Government at a later stage takes to a policy of burdening the public with additional taxes because it is said that taxes increase as the desire for the liberty in the people enhances. Now if the desire of liberty increases the taxation, then in that case there should have been a clear declaration of policy by the Government. We see that, as a matter of fact, liberty is not being given but is being snatched away whatever little there was during the past regime. The speech in this case with regard to increase of taxation is also inconsistent. You will see that in this budget provision is also made with regard to terrorists. There is not much of difference in this budget if we compare it with the budgets that used to be introduced previously. There was no provision made in the previous budgets with regard to the maintenance of terrorists but during the present regime provision has been made with regard to the maintenance and allowances that are to be given to the terrorists. I should understand by this that the Government is contemplating having this provision as a permanent measure.

[Pandit Muni Lal Kalia.]

(Premier :—I hope not). That is what one can understand from the provision made. Never was a provision made with regard to terrorists but in this case provision has been made to show that the Government in this case is contemplating to make it a permanent feature.

On the Education side you will see that there is no constructive programme placed before the House. Figures, as they used to appear in the previous budgets, have been maintained and the policy is also the same. If we are to see what is the policy of the present government and what was the policy before, we can very well refer to the previous figures. No change has been made with regard to the primary and secondary education and, as a matter of fact, a large sum has been increased under the sub-head "Inspection." It would have been better if money had been provided for technical education and other things but instead of this we find that provision has been made for "Inspection" and a proportionate decrease has been made on the other side.

With regard to roads and other things, a reference has been made from the other side that the amount allotted for repairs of roads is not adequate. If the honourable members of this House picture the condition of the roads in different villages, they will simply be shocked to find that no villages, excepting those that are situated on the main roads, have got any roads during the rainy season or the dry weather. It would have been much better if the Government on the other side would have thought out of a plan of constructing roads and at least each village should have been provided with one road. Each village is connected with adjacent villages and out of four roads if during the first two years of the present Government's regime, adequate provision had been made for the construction of one or two roads, it would have been a constructive programme. It would be asked from the other side that the Opposition benches should place before the House some constructive programme but when suggestions for the constructive programme come from the opposite side, then there is no answer to it but some sort of criticism is made from the Unionist benches at that time and a statement made that the matter is under consideration. If everything is under consideration and if committees are to be appointed, then what is this budget for, if the matter has not been finally and fully considered. If the reports of those committees are not before the House then the Government should have waited for a few months more and the budget could be placed before the House at that time. Surely there was no hurry about it. The experience of the last 83 or 84 days with regard to the administration of the province is not sufficient for them to place a final and considered budget with some sort of reasoning. It is not a sound policy to place a budget before the House which is gathered from the figures of the previous Government. This only shows that no pains have been taken on the other side because from a cursory reading of the figures we find that figures as they used to stand in 1935-36, 1936-37 and the revised budget, have been taken and only in some cases the expenses which have been incurred during the transitory period of four months have been multiplied by 3 which shows that no effort has been made at all with reference to any constructive work. If action were to be taken with regard to the construction of roads, imparting technical education, removing unemployment and many other things, there should have been considered rearrangement of the figures.

They have only a sort of routine work and official business, and no real and genuine efforts have been made by the so-called National Government for the zamindars and for the people whom they claim to represent. Under these circumstances my submission is that the House should make a careful survey of this budget and each item of it. It is the duty of the honourable members to consider whether any effort has been made by the Treasury benches to justify the figures that they have placed before the House for the financial year under discussion.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh Urban) : Mr. Speaker, the Honourable Finance Minister, Mr. Manohar Lal, his Secretary and other officials of his department do deserve our sincere thanks for the great pains they have taken in preparing this budget. Mr. Manohar Lal lays down truly democratic doctrines at the end of his speech, when he says :—

“To-day the ministry approaches the question of finance under the directions of this Assembly to carry out the popular will. They have undoubtedly to work under limitations, no large or catastrophic changes can be effected rapidly without undue risk, for however much it may be desirable to transform our world, the House would not wish us to act otherwise than as practical men in close touch with the hard facts of life. But the Ministries' main solicitude is to study and as far as possible to carry out the least wish of this popular Assembly ; nor can they remain unaffected by progressive programmes and the rising tide of opinion in other parts of this great country.”

These doctrines, so far as they go, are quite alright, but I need hardly remind the Honourable Member that we shall have to judge his work more by his actions rather than by words. It is quite true that he had not had enough time at his disposal to show some tangible results of his working but I do feel all the same that even within this short time, he should have been able to tell us what retrenchment or reduction he has been able to make. There is no doubt that at the very commencement of this ministry a retrenchment committee has been formed. This was again a step in the right direction, but I put it to the Honourable the Finance Minister and his colleagues that they should have been able to do something on their own initiative and without waiting for the report of that retrenchment committee. My honourable friend, Chaudhri Krishna Gopal Dutt, on the other side, only this morning, quoted chapter and verse, from the writings of no less a person than the Honourable Minister of Development, the Honourable Chaudhri Sir Chhotu Ram to the effect, that there were many departments in which retrenchment could be made immediately, but nothing towards that end seems to have been done. I am sorry that I cannot go into details as the time at my disposal is short, but all the same I did expect that some indications will at least be given in the budget, for us to see what the ministry was doing in the desired direction. One goes however in vain into the budget for finding out any reduction or retrenchment. The budget is the same stereotyped document as it used to be in the days of former Government. There should have been some notable change in it and it is disappointing to find that there is none. The Honourable the Finance Minister should have given us a lead as to how to prevent the foreign exploitation of the province, how to husband our resources and further how to cut down our expenditure.

Coming to Ministers' salaries, I may frankly say that I was hoping—although it may be hoping against hope—that our Ministers will be pleased

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to come forward of their own accord with a reduced demand for their salaries, notwithstanding that the Assembly had sanctioned a higher salary for them. I do not say that they do not deserve what they are paid. They deserve perhaps more, but it is only because of the poverty prevailing in the province and the miserable plight our masses live in, that I wished them to put up a reduced demand for themselves, in order to set an example for others. (*Cheers from the Opposition*). (*A voice*: They cannot make reductions in the salaries of the Indian Civil Service people.) It is argued on the other hand that they cannot make any reductions in the salaries of the Indian Civil Service people because they cannot lay their hands on them. May I point out that that is perhaps not a very sound reason. We must carry out whatever retrenchment we possibly can, in the right spirit, without of course sacrificing efficiency and the rest will follow. (*A voice*: Which party's views are you representing?) They are my personal views. They are not the view of my party. We are told that a reduction has been made in the salaries of new entrants. To my mind that is not enough. There should have been some reduction also in the case of those who are drawing very big salaries.

It is said that a large sum is provided for the beneficent departments. I may tell the Honourable the Finance Minister that by 2, 3 or 4 lakhs given in driblets, the industries will not reach the level we wish them to. You have got to improve your industries thoroughly. You have got to improve everything. For all this, you need money. So you will have to cut down your other expenditure with a view to help the beneficent departments and this is a matter which must engage the collective as well as the individual attention of the honourable members of the cabinet.

Well, I must congratulate the Honourable the Revenue Minister, Sir Sunder Singh Majithia, for the great promptitude with which he had his investigations carried out regarding damage to the crops, and the cabinet for the liberal relief of 25 lakhs which was paid on the occasion. I believe that in other matters also the same promptitude will be shown by the Ministers.

There is a big project which is being undertaken this year, I mean the Haveli project. The expenditure on that project will be very considerable and I feel sure that it will bring prosperity and plenty to that arid land which badly needed this relief. I must however sound a note of warning and it is this, that we must take steps to prevent the scandalous waste which we made in the case of supplies for the Hydro-Electric department. One of my friends, a man of high position, of course not an official, told me this morning that in the Hydro-Electric scheme, an engineer was imported from Madras. He indented for swadeshi things but his officers were not satisfied. They ordered foreign goods which were not as durable or reliable as the swadeshi articles though more expensive, with the result that the Madras engineer had to go back disgusted. I request the cabinet and the Member in charge to take steps to see and issue full and categorical instructions to the departments concerned that nothing but swadeshi articles are purchased. It is only in this way that we can hope to improve the industry of our province and help it. We should purchase foreign articles

only when swadeshi goods are not available. I hope the Ministry will have some regard for this request in the interests of the province and that they will so far as possible indent and buy only swadeshi articles.

Premier : Which particular item has the honourable member in view ?

Sardar Sahib Sardar Santokh Singh : Anything that might be required by Government. This should be the general principle that we should buy swadeshi articles so far as possible. (*Premier :* We are doing it.) I am very glad to hear that.

I should also make some observations on corruption prevalent in several of the Government departments. There is no denying the fact that there is a great deal of corruption in some of these departments. The Police Department tops this list. The difficulties which our people are having with the police are well known. I hope this will engage the attention of the Ministry and that they will take steps to eradicate the evil, and put the police on the same level as in foreign countries. The contrast between the Indian and English police is too apparent to need any mention and I do hope that the cabinet will do something to see that we have some relief in the required direction.

Several remarks have been made about communal troubles. It is a pity that notwithstanding the most emphatic pronouncements by the Premier and other members of the Cabinet there have been very serious communal clashes lately. To my mind it appears that the solution of all this evil is joint electorate (*hear, hear*) with reservation of seats, if necessary. I think separate electorates are the chief cause of this trouble. We are returned on communal tickets and we have got to satisfy our own community however wrong they may at times be. I do believe that this must be the opinion of some other honourable members also though they may not admit it so candidly as I have done. In my opinion the only remedy is joint electorate, if necessary, with reservation of seats. I hope this will engage the attention of the Government.

Then, Sir, there is the question of the release of political prisoners. The Honourable Premier has said that he was periodically examining this question. Let me tell him respectfully that we used to get the same reply from the former Government. I would request him that instead of periodical examination of the cases he will have all these cases immediately examined by himself and by his advisers and wherever it is not incompatible with public safety, he should release those prisoners forthwith. One of the honourable members on the other side referred to the question of the Executive Officers Act. I submit, Sir, that I claim to have some experience of the working of the municipalities. The municipalities have been reduced to the position of a farce on account of the Executive Officers Act. There is absolutely no power or initiative left with the committees and still we call it local self-government. Some radical change is necessary in the Executive Officer Act, if it can't be repealed. In most of the municipal committees the appointment of Executive Officers has done nothing except saddling them with considerable additional expenditure. The resources of the committees are limited and the Government have not been slow to take away some of those heads of income by transferring them to pro-

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vincial revenues. In Amritsar the municipal income from sale of property has been taken away from the committee and transferred to provincial exchequer. Motor tax is being similarly dealt with. The levy of this tax was left to the municipal committees: now it is contemplated to take it away to the coffers of the Government. You have thrust upon the committees an Inspector of Local Bodies, thereby very much increasing their expenditure, while on the other hand you are reducing their sources of income. The work of municipal elections was very well done hitherto by the Deputy Commissioner and notwithstanding the protest of the committees you now thrust upon them a special officer for this purpose and require them to pay for his maintenance. The municipalities have on one hand been reduced to the position of a farce and on the other hand, you are saddling them with further expenditure, with the result that they cannot spend much on their beneficent departments.

STATEMENT BY THE PREMIER.

Re. RIOT IN GUJRAT.

Premier : Sir, there are one or two matters about which I have to make an announcement. I stated this morning that I was awaiting further information with regard to the unfortunate incident at Gujrat, and that I would make a statement at the close of the day.

Chaudhri Krishna Gopal Dutt : I think he should make his statement to-morrow.

Mr. Speaker : Will the Honourable Premier make his statement to-morrow ?

Premier : I have no objection to that course if that is the desire of my honourable friends. I am prepared to abide by the wishes of the House.

Mr. Speaker : Does the Leader of the Opposition want the statement to be made to-day ?

Dr. Gopi Chand Bhargava : Yes, I want the statement to be made to-day.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : The facts are that on the 3rd of June, 1937, Sahib Singh, a Nihang Sikh of Ala, in the Gujrat district, disappeared from his house and, on a search being made, his dead body was recovered from a canal by the residents of the village. The body bore marks of injuries on the head and it was suspected that Sahib Singh had been murdered due to enmity on account of litigation proceeding between the Nihangs and certain Hindus of Ala with whom the Muslims of the village were in sympathy. Enquiries into the murder were undertaken by the police but no clue of the identity of the culprits has so far been obtained. The Sikhs made various allegations, implicating a number of Hindus and Muslims of Ala, but these accusations were not substantiated. The dead body of the murdered man was brought in a procession to the town of Mandi Baha-ud-Din where it was duly cremated.

In the meantime an agitation was started by the Sikhs of Ala and its neighbourhood against the Muslims generally. The Sikhs condemned the ill-treatment of the Hindus and Sikhs by the Muhammadans of the

district and threatened retaliatory measures against them. In furtherance of this agitation, the Sikhs of Ala decided to convene a *diwan* and to take out the Granth Sahib in a procession from the village *dharmsala* to a building outside the village where the *diwan* was to be held. An Akhand pathh was started at Ala on the 11th of June. It appears that the Muhammadans of Ala and its neighbourhood objected to the holding of the *diwan* and the procession, but the district authorities met a number of leading Muslim and Sikh gentlemen who gave them an assurance that peace would be maintained on the occasion at Ala. A guard, consisting of 75 police, under the command of the Deputy Superintendent of Police, was posted at Ala as a precautionary measure to preserve order and guard the approaches to the village. The District Magistrate and the Superintendent of Police paid personal visits to the village on the 12th and 15th of June.

The first indications of trouble were noticed on the 13th of June when certain Muslims of Khanana, on hearing of the intention of the Sikhs to hold the *diwan*, warned the Sikhs of their village not to contribute towards the expenses of the *diwan* or else they would be severely dealt with. Alarmed by this warning, a few Sikhs left the village to inform the Sub-Inspector of Police Station Kuthala Sayadan of the attitude of the Muslims. When the Sikh party reached the Harya railway station, they were met by about 100 Muslims of Khanana, who were armed with *lathis* and axes. The Sikhs, to avoid trouble, boarded a railway train but were set upon by the Muslims who caused more or less serious injuries to members of the Sikh party. The exact number of Sikhs who received injuries is not known but it is reported that at least three Sikhs were wounded. The railway police were informed of the occurrence by the Station Master and immediately took up the investigation of the case under the supervision of the Assistant Inspector-General of Police, Lahore.

On the 14th of June, several parties of Muslims armed with *lathis* were found converging on Ala with the object of preventing the Sikhs from holding the *diwan*. At about midday a lorry carrying a number of Sikhs arrived at Ala from Mandi Baha-ud-Din. The lorry was stopped by some Muhammadans who assaulted and injured two of the Sikhs. Another party, consisting of about two hundred Sikhs, left Mandi Baha-ud-Din for Ala for the purpose of participating in the *diwan*. A small police guard under a Muslim Sub-Inspector of Police accompanied the party from Mandi Baha-ud-Din to ensure that no disorder should take place. It appears that the party was held up at several places *en route* by the Muhammadan residents of village Kuthala Sayadan and a determined attack was made by the Muhammadans on the Sikhs. The Sub-Inspector in charge of the police guard was compelled to open fire with the object of protecting the Sikhs and the police from grave danger from the infuriated Muslim mob.

During the disturbance nine Sikhs were injured by the mob and two Muslims were killed and two wounded as the result of police firing. When the information of this riot reached the District Magistrate and the Superintendent of Police at Ala, a Magistrate and police reinforcements were despatched to the scene of trouble. They were faced by a determined mob of Muhammadans, who refused to disperse and were bent upon trouble. The Magistrate, therefore, had to order the police to open fire on two different

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occasions. Another party of Sikhs, which had detrained at Ala railway station on their way to the village, was assaulted by a Muhammadan mob with the result that one Sikh was killed and seven Sikhs injured during the rioting. Here again the police had to open fire to control the disturbance. While the wounded Sikhs were being escorted to the hospital by a small guard under a Muslim Head Constable of Police, a mob of about 1,000 Muslims made another assault on the Sikhs and the police had to open fire once again in self-defence.

The exact number of casualties is unknown but from the information at present available it appears that one Sikh was killed and sixteen wounded by the rioters and one of the wounded Sikhs later succumbed to his injuries. The casualties due to police firing are reported to be four Muslims killed and five injured. It is possible that there may be other wounded who are not coming forward out of fear of legal action against them. Altogether the police opened fire on five different occasions.

The district authorities had to face a most difficult situation and in the circumstances did all that lay in their power to suppress very serious disturbances as expeditiously and with as little loss of life as possible. The situation at Ala is now reported to be quiet and a magisterial enquiry is at present in progress to investigate the circumstances leading up to, attendant upon and following the firing by the police. The Sikh *divan* terminated on the 16th of June without any further interruptions. No procession of the Granth Sahib was, however, taken out.

Sardar Sampuran Singh : The earlier part of the statement is incorrect. It seems to be a one-sided version.

Premier : This is not the Muslim version. It is the official version.

DEMANDS FOR GRANTS—ORDER OF DISCUSSION.

Premier : Might I make another announcement? After consultation with my honourable friend the Leader of the House (*A voice : Opposition*)—he might be Leader of the House one of these days for ought we know (*laughter*).

Dr. Gopi Chand Bhargava : If you resign, I am not going to accept office (*laughter*).

Premier : After consultation with my honourable friend opposite we have decided that we will begin with demand No. 1 this year, that is start at the very beginning.

MOTION FOR ADJOURNMENT.

FORFEITURE OF SECURITY DEPOSIT OF *Siyasat*.

Lala Deshbandhu Gupta (South Eastern Towns, General, Urban):
Sir, I beg leave to move—

That the Assembly do now adjourn.

Raja Ghazanfar Ali Khan : On a point of order. I have no intention of criticising the ruling given by you on this motion, but I would

request you kindly to see that during the course of the debate no reference is made either to the case—

Dr. Gopi Chand Bhargava : Is that a point of order ?

Raja Ghazanfar Ali Khan : I was saying that no reference should be made either to the case or to the policy underlying the Press Act. (*Interruptions*). My submission is that discussion of this motion should not be permitted because—

Dr. Gopi Chand Bhargava : It has already been admitted.

Raja Ghazanfar Ali Khan : If you will kindly give me permission, I will read out to you a ruling from the—

Mr. Speaker : No.

Diwan Chaman Lall : Can the honourable member challenge your ruling ?

Mr. Speaker : The honourable mover agreed that he would discuss only the policy of Government with regard to the freedom of the Press and that that part of the motion which related to *Siyasat* he will not discuss at all. That is what he said, and it was for this reason that very hesitatingly I allowed his motion. However, I hasten to add that that ruling shall not form a precedent, as I do not consider it to be a sound and correct one.

Mr. Maqbool Mahmood : If new facts emerge, is it open to any member to bring those new facts to your notice? (*A voice* : This is questioning the ruling of the chair).

Raja Ghazanfar Ali Khan : You gave your previous ruling on a certain ruling of the Assembly. There is a later ruling of the Speaker of the Assembly against that ruling (*A voice* : There is bound to be).

Mr. Speaker : I did not give my ruling on the strength of the Assembly ruling which was quoted. The honourable mover of the motion undertook not to touch the *Siyasat* question. As to discussing the policy of the Government it should be discussed on a substantive motion ; but as the minority wanted it, I gave my ruling in their favour rather hesitatingly. It is incorrect, but I think, I should stick to it now. I may point out that no body on this side, not even the Leader of the House, has objected to my ruling. But I must say that it will not form a precedent.

Premier : I hope that the mere demand on the part of the minority will not create a precedent, because—

Mr. Speaker : The Honourable Leader of the House should have raised his objection earlier.

Premier : I certainly did.

Lala Deshbandhu Gupta (Urdu) : Before I begin my speech I request you, Sir, to permit me to express my gratitude to you for granting me the privilege of moving this adjournment motion, in spite of the efforts of the Treasury benches to get it ruled out of order. I am also grateful to the Honourable Premier that despite the objections raised by the Advocate-General against my motion, he has not opposed it.

[Lala Deshbandhu Gupta.]

I would like, at the very outset, to remove any misunderstanding which the motion, now before the House, may give rise to. In moving this motion it is not my intention to justify objectionable articles or to speak in favour of them. My object is to throw light upon the action which the government have taken under the Press Act and to invite the attention of the House in general, and of the Treasury benches in particular, that it was only a few weeks ago that they assumed office but even in such a short period of time they have made an attempt to suppress the liberty of the Press. Lord Zetland has quite recently paid compliments to the government of our province and expressed warm appreciation of its policy. But it is a pity that ours is the first province that has brought into operation an act which was only meant to be employed under exceptional circumstances. This point is worthy of note that the Government have taken action under the Press Act soon after they had assumed the reins of government.

The Indian Penal Code embodies several sections which could be used most conveniently against the Press, but it is regrettable that the Honourable Premier and his colleagues have been hasty in so far that they have taken an action against a paper, which is unrivalled in the press history of any other province in India.

Mr. Speaker : The honourable member should confine himself to the discussion of the policy of the Punjab Government with regard to the freedom of the Press in the province. He should not discuss the particular case.

Raja Ghazanfar Ali Khan : May I draw your attention to the fact that it is the duty of the Speaker to see that on every motion before the House there is a reasonable chance of having a fair debate before that motion is put to vote. There is a ruling to the effect that when the Speaker feels that under certain restrictions he will be depriving the members of their right of fair debate he can stop that motion and rule it out of order. In this connection I would refer you to the debate on the Safety Bill in the Central Legislature. When no reference can be made to this individual case and the policy underlying the forfeiture of the security of the *Siyasat*, then I would request you kindly to inform the House what we are to discuss.

Mr. Speaker : The honourable member will please proceed with his speech.

Lala Deshbandhu Gupta : I am taking exception only to the penal action which the Government have taken under the Press Act against a paper and I strongly protest against it. I am really surprised to hear what the honourable member Raja Ghazanfar Ali Khan has said.

Mr. Speaker : We are discussing the general policy of the Punjab Government and not the case of the *Siyasat*.

Lala Deshbandhu Gupta : My object in pressing this motion is to invite the personal attention of the Honourable the Premier to the discussion which took place in the Central Assembly on the occasion of the introduction of the Press Emergency Powers Act in the said Assembly. The non-official members of the Central Assembly vehemently opposed the Bill and it was definitely made clear by the Government that the Act in question would be used only under special and exceptional circumstances. I submit that

the Honourable Premier and the government should realise the difficulties of the Press. I am a journalist myself and I assure you that any newspaper which publishes objectionable things surely reviles the profession.

Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana : If you take this view we will go with you.

Lala Deshbandhu Gupta : I submit that it is necessary for those persons who claim to be the leaders of the public and who hold the reins of the government in their hands to be thick-skinned. I ask them, "Are they not liable to commit mistakes?" I admit that newspapers and journalists do commit mistakes, but I would urge that ministers also commit mistakes and commit more mistakes than journalists. I want to tell them that if there is any power which can drive them to the right path, if there is any power which can save them from temptations, intoxicated as they are with power, it is the power of the press and press alone, and in this connection the much maligned journalists have to perform an extremely unpleasant duty.

On the day when the Honourable Premier assumed office he issued a statement to the press in which he invited the co-operation of the journalists. He should not have so easily forgotten that, in addition to the Press Act there were other laws under which action could easily be taken. (*An honourable member.*—What are those sections?) An honourable member who is a lawyer and who is in the habit of meticulously going into every detail of a matter, has inquired from me about those sections. May I draw his attention to sections 500 and 504 of the Indian Penal Code and inquire from him that if any newspaper indulges in personal attacks on a minister, whether action under these sections can be taken against it or not.

I am bound by a limitation, *viz.*, that I should not go into the merits of the 'Siyasat' case. I will not, therefore discuss the merits of the case. I cannot say in plainer words than these that action could be taken against the 'Siyasat' under the sections referred to above. I will prove to your satisfaction that action could easily be taken under these sections of the Indian Penal Code. I am under a limitation, *viz.*, that I should simply discuss the policy of the government and should not bring under discussion the merits or demerits of the case ; so I will confine myself to the discussion of the principles alone.

I submit that when the Press Emergency Act was framed, it was definitely made clear that if a paper sponsored a movement, which was likely to lead to murder and violence then alone action would be taken against it under the provisions of this Act. Does poking fun at the ministers or ridiculing them come within the purview of this Act. I am personally unaware of the things or articles which have led the government to take this action. I think that ridiculing or even calling names do not come within the purview of this Act.

Maulvi Ghulam Mohy-ud-Din : On a point of order. Is not the honourable member referring to the case ?

Premier : I may say for the information of the honourable member that action against the paper has not been taken because of its views against an individual member. As a matter of fact under the Act you cannot take action for offence against an individual.

Chaudhri Krishna Gopal Datt : The difficulty is that we do not know what the action is for.

Premier : Then you should have waited till you knew.

Lala Deshbandhu Gupta : I am grateful to the Honourable Premier for he has cleared one misconception, *viz.*, that the Press Act was not brought into action because the paper had ridiculed a minister. Under these circumstances may I inquire whether section 124-A. exists in the Indian Penal Code or not, because I am firmly of the opinion that action could have been taken under that section.

May I also inquire the nature of the circumstances that have arisen in the Province to-day which necessitate the taking of so drastic an action against a newspaper. I would have been glad if the Honourable Premier had taken the Indian Journalist Association into his confidence. If he had done so he would have obtained their moral support. What was there to prevent him from taking them into his confidence? Had he taken them into his confidence his hands would surely have been strengthened, and he would have obtained their co-operation. I assure him that even to-day there is no dearth of journalists in the country who can perform their duties conscientiously and with a due sense of responsibility. I am afraid the Treasury benches have no journalist among their ranks. Only one of them, the Honourable Chaudhri Sir Chhotu Ram has worked as a journalist. He has been editing the "*Jat Gazette*." If you look up into its old files you will find that the same kind of action could be taken against it as has now been taken in the case of the "*Siyasat*."

I submit that the Government should not be impatient. It should not be too thin-skinned. The Government should realise its responsibilities and it should not use its wide powers against the press in the manner of a Hitler or a Mussolini. The principle I am discussing is the privilege of the press. Let the Treasury Benches realise their responsibility and at the same time I would advise them not to be so thin-skinned. I would say, "Allow the press to criticise your actions and professions freely. This is the time when you should walk warily and every step that you take, should be taken after due consideration and reflection." The manner in which action has been taken against the "*Siyasat*" does not become the Government. The Honourable Premier must realise that his action will in no way add to his prestige or dignity. Our Province has already earned a bad name for itself. Other provinces are much better off as compared with ours. You should not take any step which would disgrace our province in the eyes of others.

I respectfully appeal to the Premier to reconsider his action. If he feels no concern for the liberty of the Press, he should at least uphold the dignity and prestige of his own name. The attitude he has adopted in this case reminds me of the couplet:—

نہ تڑپنے کی اجازت ہے نہ فریاد کی ہے
گہمت کے مر جاؤں بہہ مرنے کی ہے

Mr. Speaker : The motion is —

That the Assembly do now adjourn.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural): I am working under a great handicap in taking part in this discussion. I have listened with great interest to the speech made by the honourable mover of this adjournment motion. What I discovered in the speech was that he was merely indulging in generalities and abstract theories. I personally consider there is nobody in this House who would not whole-heartedly agree with me that the liberty of the press should not be restricted (*hear, hear*). The press should have full freedom to criticise the actions of the Government. (*hear, hear*). But, Sir, what we strongly object to is the misuse of this liberty which can become very dangerous in a province like the Punjab where the percentage of educated people being very small they are ready to believe all that is published in the press. It is unfortunate that I am debarred from discussing the merits of the case under reference. If I had the liberty to do so, I could assure you and I could assure the honourable members of the House that I could prove to their entire satisfaction that the articles written in the paper against which action has been taken were such that any Government which is worthy of being called a government would have taken a similar action against such a paper.

Mr. Speaker: Will the honourable member please not refer to it?

Raja Ghazanfar Ali Khan: The other question is of policy. I do not know what is meant by policy. Policy underlying the Press Act or any other policy? If we are discussing the policy underlying the Press Act then I would submit that that is too big a question to be discussed on an adjournment motion. On the other hand if we are discussing the policy that the Government should not, in the ordinary administration of law, take action against any press under this particular section, then I am afraid of being pulled up by the Chair and told that I cannot discuss this. Therefore, the whole debate centres round one point and that is whether the Government under any circumstances are entitled to take action against the press or not. I personally consider there will be very few honourable members of this House who would like to commit themselves to this theory that whatever the papers may write, whatever the policy of the papers may be, whatever mis-statements a paper may persist in publishing, however objectionable the articles may be whether they are intended to create hatred and contempt against the Government or between the different communities, the Government should sit tight and take no action against such a paper, I do not think if there is any honourable member who would support such a statement.

(*Voices from Opposition benches:* Who said that?) Then I am very glad to have this assurance from the benches opposite that they are not prepared to commit themselves to this theory that no action should be taken against a paper which misbehaves like this. (*Voices:* Who said that?)

I would like some honourable members opposite to tell me what they are murmuring about.

Mr. Speaker: I think the object of the motion was that the policy of the Government in the matter of treating the Press should be liberal.

Raja Ghazanfar Ali Khan: When action is taken against one individual how can it be described as a policy? (*Interruptions.*) If action is taken against one paper in plain English it only means that action is taken

[Raja Ghazanfar Ali Khan.]

against that particular paper and is not a matter of policy, particularly when it has not been shown that there are other instances also.

Mr. Speaker : Will the honourable member try to finish his speech ?

Raja Ghazanfar Ali Khan : I was being constantly interrupted by some members of the Opposition, there was some murmuring which I could not catch, therefore I gave way to enable the members of the Opposition to tell me what they were talking about so that I may reply to it. I would submit that when this is admitted that circumstances may arise when the Government is forced to take action although very much against their own wishes against a particular press or paper then the only question that remains to be decided is whether they were justified in taking this particular action or not, and if we come to this we cannot proceed further. And what is the object which the mover of the motion has ? That the Government be censured for doing what ? For doing something about which there can be no debates and to which there can be no reference. I shall be really surprised to know that there are any honourable members in this House who would like to walk into the same lobby with my honourable friends opposite when no case has been made out to believe that the action taken by the Government against any particular paper was wrong. After all the object of an adjournment motion is merely to invite the attention of Government.....

Dr. Gopi Chand Bhargava : On a point of order. Is the honourable member criticising or discussing the advisability of admitting the adjournment motion or speaking on the question under discussion ?

Raja Ghazanfar Ali Khan : I am only trying to prove to the House and prove it to you that it is impossible to carry on any fair debate on this motion under the restrictions that have been placed and in view of that I would still appeal to you that it is open to the Chair and the Chair has power to intervene in the debate at any stage and stop the discussion when the Chair is convinced that no fair debate or discussion can be held on a particular motion, and if you are still open to conviction and prepared to listen to that argument I would develop it further and prove it to your entire satisfaction that it is high time that the Chair intervenes and stops this discussion.

Dr. Gopi Chand Bhargava : We are discussing an adjournment motion which has been moved and to move which leave has already been granted. Now to waste our time and try to debar us from exercising the privilege which we have derived by the admission of this motion and discussing the point whether a debate would be held or not should not be permitted.

Raja Ghazanfar Ali Khan : I have not been able to catch the point of order. What I was submitting to you and what I would once more submit is that if we had the liberty to discuss the merits of this case—

Mr. Speaker : No.

Raja Ghazanfar Ali Khan : I have no other option but to bring my remarks to a close with an appeal to the members of this honourable House that an adjournment motion is something very important and something very sacred, if it is misused, if adjournments are brought without

any sufficient ground, almost every day it becomes a sort of daily occurrence and naturally does not attract so much attention as it would do otherwise.

Dr. Shaikh Muhammad Alam : Is it not challenging the ruling again ?

Diwan Chaman Lal : Is the honourable member relevant to the motion before the House ?

Raja Ghazanfar Ali Khan : I admit that Diwan Chaman Lal is a great parliamentarian and he knows that this discussion is absolutely meaningless. He having a personal knowledge and experience of such debates should not get up just because he is sitting on the Opposition benches and raise points of order.

Mr. Speaker : The honourable member will please speak to the motion.

Raja Ghazanfar Ali Khan : I will request honourable members to consider seriously that their giving any support to this motion will be committing themselves to one general principle that the Government under no circumstances should take action under the Press Act against any newspaper. Communal trouble is going on in the province due to this unhealthy press. If the press were assured that whatever they may write, they are immune from any action being taken against them under the Press Act, I can assure you that under the present circumstances and the atmosphere now prevailing, we will be doing the greatest disservice to our province. I have great regard for the Press. I am one of those people who consider that the Press is doing a lot of service to the people of this country. I personally believe that the responsibility of educating the vast masses of illiterate people lies on the shoulders of the press. I am one of those people who would (*Dr. Gopi Chand Bhargava :* Support the Press Act) advocate large amount of liberty being given (*Dr. Shaikh Muhammad Alam :* Less than three-quarters of liberty ?) if I were to use that word. The Opposition should calmly consider whether the papers which publish such trash and irresponsible statements and mean articles, should not be discouraged. A distinction ought to be made between a good paper and a bad paper. The Opposition should not encourage the publication of such articles.

Dr. Gopi Chand Bhargava : It is wrong to say that we encourage the publication of such articles. But we are against the Press Act.

Raja Ghazanfar Ali Khan : Knowing the honourable Leader of the Opposition as I do and several other friends opposite I know that there will not be even half a dozen members amongst the Opposition benches, who would not strongly condemn this paper if the articles we take objection to were read out to them (*interruptions*). I know that we are debarred from making any reference to the articles. I know that Dr. Alam and Diwan Chaman Lal—in fact every one on the Opposition benches—would have condemned in stronger terms any paper publishing such irresponsible and mean statements.

Lala Duni Chand (Ambala and Simla, General, Rural) : I personally wish that whenever the Honourable the Premier or any other member of the Government is referred to or spoken of in the press, he should be referred to or spoken of in a proper, respectful and dignified language (*hear, hear*), though at the same time I am of opinion that the Government or the Prime Minister should be denounced when it is legitimate to do so and the official

[Lala Duni Chand.]

actions should be criticised as severely as the circumstances may permit. The real question for the consideration of this House is what effect the particular action taken by the Punjab Government, that is the subject matter of this discussion, will have on the liberty of the press and what effect it will produce upon the general morale of the press. The action that has been taken.....

Minister for Public Works : Which action ?

Lala Duni Chand : The action of confiscation of the security of Rs. 4,000. Sir, I am entitled to refer to this particular action in order to discuss the question as to what effect it will have upon the liberty of the Press. To that extent I am entitled to refer to this particular action. (Voices : No). I am not entitled to say whether this particular action was proper or not. What I am entitled to say is that this particular action will have a disastrous effect on the liberty of the press (Voices : Which action ?)

Maulvi Ghulam Mohy-ud-Din : The honourable mover of the motion has made a clear statement that he would not refer to the case and you have been pleased to allow discussion on the clear statement that he would discuss only the general policy and not refer to the case. Is my honourable friend Lala Duni Chand now entitled to refer to that case ?

Chaudhri Krishna Gopal Dutt : Nor was Raja Ghazantar Ali Khan when he referred to that paper.

Lala Duni Chand : To my mind, as a lawyer, it appears, and it should equally appear to all other lawyers in the House, that the reference to this particular action is perfectly relevant for the purposes of discussing what effect this action will have on the Press. If I am not allowed to discuss the action even to this limited extent, in that case the adjournment motion should very well have been rejected. The whole issue before the House is as to how far the particular action is going to affect the liberty of the Press.

Mr. Speaker : Which action ? I disallow any reference to that action. I think the honourable gentleman is an able lawyer and a politician of old standing. The House has been discussing the budget and also discussing the principles underlying it. Has reference been made to any particular item ? Why cannot the honourable member discuss the principle underlying the policy without referring to any particular case ?

Lala Duni Chand : Let me propound and enunciate my legal proposition and if after that you are of opinion that I am wrong, I shall not say a word. The legal proposition that I place before the House is that a particular action has been taken under the Press Act against the paper *Siyasat* which is going to deprive the Press to a great extent of the liberty that it enjoys.

Mr. Speaker : If the honourable member will again persist in irrelevancy, I may have to request him to resume his seat. (Hear, hear).

Lala Duni Chand : I have already submitted that if you will rule out the proposition, I shall not say a word.

Mr. Speaker : It is not a question of overruling. That was what the mover of the motion voluntarily and of his own accord agreed to.

Lala Duni Chand : I was agreeable to obey the ruling of the Chair. I had expressed that intention and after the expression of that intention it was unnecessary for the Speaker to be hard upon me. (*Voices : Order, order.*)

Mr. Speaker : The honourable member is not in order.

Lala Duni Chand : I beg to submit that while the dignity of the members of the Government is to be maintained, at the same time it is also necessary that the liberty of the press should also be upheld as far as possible. The Press in this country is discharging a very important duty under the most difficult circumstances. The privileges of the press should not be trampled upon in a light-hearted manner. I understand if the Press Act is severely applied, it will be very difficult for the press in the Punjab to exist. The Press is very often required to express fearlessly its opinion regarding certain actions of the Government. If the Press Act is not administered in a liberal, magnanimous and forbearing spirit, then the press will not be able to discharge the duties that it is supposed to discharge.

The press now is treated in a light-hearted manner and the newspapers will think twice before publishing anything against any member of the Government. On the other hand if the Press Act is administered in the spirit in which it is being administered, it appears that in that case the press and newspapers will think that their only duty is to sing the praises of the Government and if they do not sing the praises of the Government then they will stand the risk of their securities being forfeited. The whole question, as I have put before the House, raises a most important question of the liberty of the press and whether by adopting this motion we will not be helping the principle of the liberty of the Press. I do fear that if actions like these are taken and if the Press Act is administered in that light-hearted manner, the liberty of the press whatever of it remains in this province, will be gone.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*): The motion of the honourable member reminds me of a few couplets from Akbar Allahbadi which I think, might well have been composed under similar circumstances. They are :—

نغمے دور کی خیر بارو مذاق — گلے میں جو آتیں وہ تانیں آزار
 کہاں ایسی آزادیاں تھیں میں — انا الحق کہو اور یہاں سی نہ پاؤ

I do feel that liberty is the natural privilege of every human being and the desire for liberty is an instinct with him. The liberty enjoyed by a person is his prerogative as long as it does not interfere with other people's liberty. If you give a licence of liberty to everybody in accordance with his wishes he will be ridiculing others and if you prefix the words "Madar Pidar" before "Azad," they will truly depict the conception of liberty held by some people.

We admit that for the political progress of a country, freedom of the press and speech is essential, but under the present circumstances we should proceed methodically with the political training of the country and we should express our opinions keeping in view the political situation of the country. In my opinion the number of literate people in this province is very small and they are apt to be easily impressed by news papers. If the press indulges

[K. B. Mian Mushtaq Ahmad Gurmani.]

in such trash, there is every possibility of an outcry being raised against such obscene writings. (*Voices* : What sort of trash!)

It depends upon one's choice. Some people like obscene writings, while others do not. Sir, the action which the Punjab Government has taken under the Press Act was absolutely necessary under the existing circumstances.

Mr. Speaker : Order, order. No reference to Siyasat is allowed.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : It should be brought home to the Press that under the present circumstances, we are not going to tolerate any nonsense. If newspapers do not pollute the political atmosphere and do not ridicule respectable persons, the Government too will not curtail the liberal concessions allowed to the press. It behoves those persons who are interested in some papers to realise their responsibilities in the matter of keeping political atmosphere as a whole free from things that stink in one's nostrils. I think that those who have moved this motion, also feel that the country should not be misled and the general consensus of opinion is that a proper political outlook should be developed in the country. (*Voices* : Hence the Press Act is necessary).

An honourable member raised the objection as to why action was taken under the Press Act and not under section 124-A of the Indian Penal Code.

Mr. Speaker : To which section is the honourable member referring?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : The honourable member on the opposite benches perhaps means that if a paper commits a mistake in future, that is publishes improper articles, then action should be taken under the ordinary law of the land, i.e., under section 500 or 124-A, and not under the Press Act. But if a paper writes anything which is calculated to disturb the peaceful atmosphere of the country then it would be more befitting that action should be taken under the Press Act and not under the ordinary law. I hope and trust that this matter would be given serious consideration and that honourable members would not indulge in irresponsible talk.

Maulvi Mazhar Ali Azhar : What are you referring to ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I want to bring to your notice the cases of other countries such as Italy. Owing to political differences with England it was decided that no news about the coronation should be published in Italian papers and the people complied with the decision of their Government. They thought that in obeying their chief they were safeguarding the honour of their country.

Dr. Sir Gokul Chand Narang : Sir, on a point of order. I want to ask you whether the adjournment of the House can be moved at this stage because you will agree with me that whole debate has become futile and absurd.

Mr. Speaker : I agree with the honourable member.

Dr. Sir Gokul Chand Narang : I have already said that owing to the restrictions imposed the whole debate had become futile and absurd.

(*Voices* : Question may now be put.)

Dr. Shaikh Muhammad Alam : May I know which is the matter of definite importance on which we shall vote ?

Premier : I hope we are going to vote on this motion. I should, certainly, like to have the views of the House. (*Interruptions*).

Sardar Hari Singh : Dr. Sir Gokul Chand Narang remarked that the debate has become futile.

Mr. Speaker : What is the honourable member's view ?

Sardar Hari Singh : That it is not futile.

Mr. Speaker : The question is—

That the Assembly do now adjourn.

Diwan Chaman Lall : Do I take it that the debate continues ?

Mr. Speaker : I think the ayes have it.

Mir Maqbool Mahmood : On a point of order. We have raised the point that the question be now put. (*Interruptions*).

Mr. Speaker : Is it the suggestion of the honourable member that I should first put the question that the question be now put and then put the adjournment motion ?

Dr. Shaikh Muhammad Alam : You have already put the motion.

Mr. Speaker : I thought that that was the wish of the whole House and therefore I did not put the question that the question be now put. I understood that the whole House was in favour as it was pointed out that the discussion was futile.

The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : The question is—

That the Assembly do now adjourn.

The Assembly divided : Ayes 85, Noes 97.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Ghulam Hussain, Khawaja.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.

Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Alam, Dr. Shaikh.
Muhammad Hassan, Chaudhri.
Muhammad Ittikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Parbati Devi, Bibi.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghbir Kaur, Shrimati.
Ram Narain Virmani, Seth.

Rur Singh, Sardar.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.

Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Aziz, Mian.
Abdul Haye, The Honourable
Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Bakhsh Khan, Mr.
Ahmad Yar Khan Daulatana,
Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Baha-
dur Nawab Malik.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Ashiq Hussain, Captain.
Atma Ram, Rai Sahib Lala
Balbir Singh, Rao Bahadur Cap-
tain Rao.
Balwant Singh, Sardar.
Basakha Singh, Rai Bahadur Sar-
dar.
Bhagwant Singh, Rai Sahib.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable
Chaudhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
Farman Ali Khan, Subedar Major.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazl Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Ghazanfar Ali Khan, Raja.
Ghulam Mohy-ud-din, Maulvi.
Ghulam Rasul, Chaudhri.
Girdhari Das, Mahant.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib
Sardar.
Habib Ullah Khan, Malik.

Haibat Khan Daba, Khan.
Hans Raj, Bhagat.
Hari Chand, Rai.
Harnam Das, Lala.
Harnam Singh, Lieutenant Sodhi.
Het Ram, Rai Sahib Chaudhri.
Indar Singh, Sardar.
Jagjit Singh, Sardar.
Jagjit Singh Bedi, Tikka.
Shah Nawaz, Mrs. J. A.
Jahangir Khan, Chaudhri.
Jalal-ud-Din Amber, Chaudhri.
Jogindar Singh Man, Sardar.
Jugal Kishore, Chaudhri.
Khizar Hayat Khan Tiwana,
The Honourable Nawabzada
Major.
Kishan Das, Seth.
Manohar Lal, The Honourable Mr.
Maqbool Mahmood, Mir.
Mubarik Ali Shah, Sayed.
Muhammad Akram Khan, Khan
Bahadur Raja.
Muhammad Ashraf, Chaudhri.
Muhammad Faiyaz Ali Khan, Na-
wabzada.
Muhammad Hayat Khan Noon,
Nawab Malik Sir.
Muhammad Hussain, Sardar.
Muhammad Nawaz Khan, Major
Sardar.
Muhammad Saadat Ali Khan,
Khan Sahib Nawab.
Muhammad Sarfraz Khan, Chau-
dhri.
Muhammad Sarfraz Khan, Raja.
Muhammad Shafi Ali Khan, Khan
Sahib Chaudhri.
Muhammad Wilayat Hussain Jee-
lani, Makhdumzada Haji Sayad.
Muhammad Yasin Khan, Chaudhri.
Muhammad Yusaf Khan, Khan.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.

| | |
|---|---|
| Muzaffar Ali Khan, Sardar. | Roberts, Professor W. |
| Muzaffar Khan, Khan Bahadur Captain Malik. | Sahib Dad Khan, Chaudhri. |
| Muzaffar Khan, Khan Bahadur Nawab. | Santokh Singh, Sardar Sahib Sar- dar. |
| Narendra Nath, Diwan Bahadur Raja. | Shahadat Khan, Khan Sahib Rai. |
| Nasir-ud-Din, Chaudhri. | Shah Nawaz Khan, Nawab Khan. |
| Nasrullah Khan, Rana. | Sikander Hyat-Khan, The Honour- able Major Sir. |
| Nawazish Ali Shah, Sayed. | Singha, Mr. S. P. |
| Nur Ahmad Khan, Khan Sahib Mian. | Sultan Mahmood Hotiana, Mian. |
| Pir Muhammad, Khan Sahib Chaudhri. | Sumer Singh, Chaudhri. |
| Pritam Singh Sidhu, Sardar. | Sundar Singh Majithia, The Hon- ourable Dr. Sir. |
| Ram Sarup, Chaudhri. | Talib Hussain Khan, Khan. |
| Ranpat, Chaudhri. | Tara Singh, Sardar. |
| Ripudaman Singh, Thakur. | Ujjal Singh, Sardar Sahib Sardar. |
| | Umar Hayat Khan, Chaudhri. |
| | Uttam Singh Dugal, Sardar. |

The Assembly then adjourned till 11 A.M. on Tuesday, 22nd June, 1937.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 22nd June, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

SUGARCANE AND SUGAR-MILLS.

***61. Sardar Hari Singh :** Will the Honourable the Minister of Development be pleased to state—

- (a) whether it has come to his notice that sugarcane sold by the agriculturists to the sugar mill-owners or their agents in the United Provinces and certain other provinces or parts of India has a statutory minimum price ;
- (b) whether it is a fact that the price of sugarcane sold to the sugar-mills or their agents in the Punjab falls below the said statutory minimum price ;
- (c) if answers to parts (a) and (b) be in the affirmative, whether the Government propose to fix the minimum price of sugarcane in the Punjab in order to help the peasants ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes.

(b) No. A statement showing prices paid for cane delivered by Central Sugar Factories during November, 1936, to January, 1937, is laid on the table. In the largest group areas the most common rates paid for cane were $4\frac{1}{2}$ annas to $5\frac{1}{2}$ annas per maund. The rates in the Punjab varied from Re. 0-5-1.8 per maund to $5\frac{1}{2}$ annas per maund which are almost at a par with the United Provinces rates.

(c) Does not arise.

*Statement showing prices paid for cane delivered by Central Sugar
Factories during the period November, 1936,
to January, 1937.*

| Price for cane delivered at the factory. | NOVEMBER, 1936. NUMBER OF FAC- TORIES IN EACH GROUP BY WHICH PAID. | | | DECEMBER, 1936. NUMBER OF FAC- TORIES IN EACH GROUP BY WHICH PAID. | | | JANUARY, 1937. NUMBER OF FAC- TORIES IN EACH GROUP BY WHICH PAID. | | |
|---|--|----------|----------|--|----------|----------|---|----------|----------|
| | Group A. | Group B. | Group C. | Group A. | Group B. | Group C. | Group A. | Group B. | Group C. |
| Below 4½ annas | .. | .. | .. | .. | .. | .. | .. | 1 | .. |
| Between 4½ × 4½ | .. | .. | .. | 1 | 4 | 14 | 1 | 4 | 17 |
| Between 4½ × 5 | 4 | 1 | 2 | 5 | 2 | 5 | 9 | 4 | 4 |
| Between 5 × 5½ | 5 | .. | .. | 7 | .. | 1 | 5 | 3 | .. |
| Between 5½ × 5½ | 1 | 1 | .. | .. | 1 | .. | .. | 1 | .. |
| Between 5½ × 5½ | 1 | .. | .. | .. | .. | .. | .. | .. | .. |
| Between 5½ × 6 | 1 | 1 | .. | .. | .. | .. | 1 | .. | .. |
| Between 6 × 6½ | .. | .. | .. | .. | .. | .. | .. | 1 | .. |
| Between 6½ × 6½ | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Between 6½ × 6½ | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Between 6½ × 7 | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Between 7 × 7½ | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Above 7½ | .. | .. | .. | .. | .. | .. | .. | .. | .. |

Group A.—Punjab, Sind and West U. P.—(West U. P.—Dehra Dun, Saharanpur, Musafar Nagar, Bijnor, Meerut, Naini Tal, Pampur, Etah).

Group B.—Central U. P.—Bareilly, Pilibhit, Kheri, Shahjahanpur, Sitapur, Hardoi, Lucknow, Cawnpore, Gonda, Allahabad.

Group C.—Eastern U. P.—Barabanki, Baraich, Jaunpur, Basti, Gorakhpur.

For Q. *62, vide the Debates of 5th July, 1937.

SUB-SOIL WATER IN THE JULLUNDUR AND HOSHIARPUR DISTRICTS.

***63. Sardar Hari Singh :** (a) Will the Honourable Minister of Revenue please state—

(a) whether it is a fact that the level of sub-soil water in the Jullundur and Hoshiarpur districts is falling lower and lower at a dangerous rate every year ;

(b) whether it is a fact that some years ago the Government appointed an enquiry committee of expert engineers to fully investigate into the matter and report to the Government ?

(ii) if the answer to part (b) above be in the affirmative, will the Government please place a copy of the said report on the table of the House ?

(iii) what action does the Government propose to take in this matter to alleviate the sufferings of the poor agriculturists ?

The Honourable Dr. Sir Sundar Singh Majithia : (i) (a) It is correct that the water-table has fallen seriously, but the fall has been arrested in parts of these districts in the last few years.

(b) No enquiry committees have so far been appointed, but many officers have reported on this problem.

(ii) Does not arise.

(iii) Afforestation of the hills and *watbands* are believed to be the only promising measures and steps have been taken to give effect to these measures.

Sardar Hari Singh : Does the Honourable Revenue Minister think that the remedy suggested by him will be sufficient to meet the desperate situation ?

Minister : So far as I think that is the only remedy.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that a scheme was considered to stop all the water of *chos* and run a canal through the doab to bring the water level up ?

Minister : I cannot say off-hand. If the honourable member gives me notice of that question, I shall supply him the necessary information.

Chaudhri Kartar Singh (Urdu) : Will the Honourable Minister be pleased to state whether it is a fact that Bhakkra Dam Scheme which was proposed to control the water of *chos* and irrigate the *ilaga*, had been under the consideration of the old Punjab Legislative Council ? If so, what steps have been taken by him in that connection ?

Minister : A question on the subject is already there on the agenda and it will be answered later on when it is reached.

(*Sardar Hari Singh and Sardar Sahib Sardar Gurbachan Singh both rose at the same time to put supplementary questions.*)

Sardar Hari Singh : It is my right to put supplementary questions.

Mr. Speaker : If they are allowed by the Chair.

Sardar Hari Singh : Am I to understand that the Honourable Revenue Minister does not subscribe to the view that desperate situations require desperate remedies ?

Minister : It is a very big question for me to answer.

Sardar Hari Singh : Am I to understand that Government's equanimity of mind is not going to be disturbed by the fact that a smiling garden is slowly being converted into a forest ?

Minister : Everybody has got sympathy for it.

Sardar Hari Singh : Lip sympathy ?

Minister : Very deep sympathy.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that even a survey was made for that canal ?

Minister : I cannot give an answer off-hand. If the honourable member gives me notice, I will give the information.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that there was under consideration a scheme to pump up water from the river Beas and run a canal through the Doaba to stop the water level from falling ?

Minister : I think it was considered ; but I cannot give him definite information about it.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that Mr. Ferguson both as Deputy Commissioner and as Commissioner did suggest this scheme ?

Minister : Possibly he may have done it.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that a special staff was appointed to look into the fall of the water level ? If that information is available, will the Honourable Minister please lay it on the table ?

Minister : I have stated in reply to the question that individual enquiries have been made by some officers. But it could not be said that a special staff had been appointed.

Sardar Sahib Sardar Gurbachan Singh : Does not the Government consider that an enquiry should immediately or as soon as possible be made into this matter ?

Minister : Yes, that will be made.

SIMLA EXODUS.

***64. Sardar Hari Singh :** Will the Honourable the Finance Minister please state the total amount of expenditure incurred by the Punjab Government on account of its summer exodus to Simla last year ?

The Honourable Mr. Manohar Lal : The expenditure incurred last year on the move of the officers and establishment required to accompany Government to Simla was Rs. 1,45,047.

Syed Amjad Ali Shah : How much of this expenditure is incurred on behalf of the Ministers ?

Minister : The expenditure incurred by the Ministers was Rs. 6,095.

Diwan Chaman Lall : May I ask what are the items which are included in this expenditure—this particular expenditure ?

Minister : I have already explained that this is an expenditure involved by the move of certain officers called 'required officers' and their establishment to Simla. If the honourable member requires me to go into all the several items, I am prepared to do so.

Diwan Chaman Lall : The point is this. Does it include also the extra allowances that are paid to the staff when they move up to Simla or just the expenditure of moving to Simla ?

Minister : It includes all the extra allowances, travelling allowance of the establishment. Officers do not get extra allowance because of the move to Simla.

Diwan Chaman Lall : Does it also include the return journey?

Minister : Naturally; people who come up have to go back.

Diwan Chaman Lall : Does it include the rents that would ordinarily be chargeable if the houses were not occupied by the staff?

Minister : I do not quite follow the honourable member.

Diwan Chaman Lall : May I explain? There is a lot of property that is utilised as offices, etc., in Simla by the Secretariat and by the staff. Is the item of rent which would be ordinarily chargeable for this property, if it were not utilised by the staff, included in this estimate or not?

Minister : The only way that I could answer that question is this; that certain parts of the property owned by the Government which are occupied by the officers of the department have to pay rents therefor. But if the honourable member wishes to ask me whether, for example, Ellerslie could have been let for a particular amount and whether that is included in it, then I say that is not so. It is quite possible that Ellerslie could have been let for a certain amount. But that is not expenditure directly incurred by certain officers and their establishment coming up to Simla, if I may say so, nor is any deduction made for the rent which the Government receives from some of its officers for occupying Government property. That is not deducted from this amount of Rs. 1,45,000.

Diwan Chaman Lall : May I know how it is possible to deduct that item for the rent which would be chargeable for the property occupied? Is it not correct to say that would be an extra item?

Minister : If this is the total expenditure involved by the move of certain officers and their establishment to Simla, it would be practically easy arithmetic to make a deduction of the amount which Government receives from letting out the property belonging to it. I do not see there is any arithmetical difficulty in doing so. But the question was intended to ascertain exactly what the officers and their establishment cost.

Diwan Chaman Lall : Do we take it then that if the Government did not move up to Simla, this item of expenditure would be a gain to the Government, plus any sums that might be receivable for letting the property owned by the Government?

Minister : This is the exact cost which is incurred as direct expenditure by the move to Simla. As to whether the whole of it or any part of it would be saved by the Government not moving to Simla, I think the Honourable Premier the other day in answer to a question suggested certain considerations which should be taken into account.

Diwan Chaman Lall : May I know whether those considerations were arrived at after a due and careful enquiry by any committee?

Minister : Yes, I am sure they were.

Diwan Chaman Lall : By a committee ?

Minister : Which committee ?

Diwan Chaman Lall : Any committee ?

Minister : Yes, the Retrenchment Committee that sat some years ago. It went into the whole matter as to what it might cost to the Government if certain properties were not actually let or otherwise utilised. But the honourable member would remember that many factors have to be taken into consideration if Government or anybody wish to come to a definite conclusion as to what the precise cost might be if the exodus were given up.

Diwan Chaman Lall : Is the Honourable Minister prepared to set up a committee to go into all the various considerations mentioned by the Honourable Premier ?

Minister : Government will be quite glad to consider the propriety of setting up a committee.

Mr. E. Few : Does the expenditure also include white washing ?

Minister : It is not a matter to which I have found it necessary to address my mind.

Sardar Hari Singh : What is the estimated expenditure for the current-year under the same head ?

Minister : There is no such head as that. But if the honourable member desires to know what is the possible estimate of the expenditure during the year 1937-38 it would mean an elaborate enquiry.

Sardar Hari Singh : In view of the huge expenditure involved in exodus to Simla, is the Honourable Finance Minister prepared to advise the Honourable Premier to give up exodus to Simla ?

Syed Amjad Ali Shah : What single department is responsible for the largest expenditure ?

Minister : It appears that the Public Works Department, Irrigation Branch, which, as the honourable members know, is the greatest revenue yielding agency, costs the Government more than any another single department. It costs us about Rs. 32,000.

ELECTION PETITION OF CHAUDHRI NASRULLAH KHAN.

*65. **Sardar Hari Singh :** Will the Honourable the Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Commission appointed to inquire into and report upon the petition of Chaudhri Nasrullah Khan against the election of Sardar Amar Singh to District Board, Hoshiarpur, held the said election valid and recommended the rejection of the said petition ;
- (b) whether it is a fact that the Deputy Commissioner, Hoshiarpur, and the Commissioner, Jullundur division, concurred with the findings of the said Commission ;
- (c) the grounds on which the Honourable Minister turned down the Commission's recommendation ;

- (d) in how many cases during the last five years did the Ministry of Local Self-Government reverse the decisions of Election Commissions appointed to inquire into petitions against elections to district boards in the Province?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No. The Commissioner and Deputy Commissioner expressed no opinion.

(c) The nomination papers of the petitioner, Chaudhri Nasrullah Khan, were held to have been incorrectly rejected.

(d) In three cases.

Diwan Chaman Lall : What were those cases?

Minister : I am not in a position to state the name, but the information can be supplied.

Dr. Shaikh Muhammad Alam : When did those cases take place?

Minister : Within the last five years.

Dr. Shaikh Muhammad Alam : Can you say when each of these cases took place?

Minister : I can give dates and names after enquiry if notice is given.

Diwan Chaman Lall : Can the Honourable Minister give reasons for rejecting the evidence of the election petitions?

Minister : As already stated nomination papers were held to be correct.

Diwan Chaman Lall : Was there any other case?

Minister : I have not got papers here with me but can supply the information if notice is given.

REPRESENTATION IN SERVICES OF THE RESIDENTS OF MONTGOMERY DISTRICT.

*66. **Khawja Ghulam Husain :** Will the Honourable Premier be pleased to state—

(a) the percentage of Muhammadan inhabitants in the total population of the Montgomery district;

(b) whether it is a fact that no Muhammadan has been posted to this district for the last several years as Sessions Judge or as Deputy Commissioner or as Superintendent of Police and that no Muslim Additional District Magistrate has ever been posted to this district since its creation;

(c) whether it is a fact that the present Deputy Commissioner and Additional District Magistrate of Montgomery are proceeding on leave;

(d) how Government propose to fill these posts when they fall vacant?

The Honourable Major Sir Sikander Hyat-Khan : (a) 69·77 per cent.

(b) No, except that the post of Additional District Magistrate, which was created for the first time in December, 1928, has not yet been held by a Muslim officer.

(c) Yes ;

(d) Postings have already been made. Mr. Bueh will relieve Mr. Thapar and Rai Sahib Lala Nand Lal Manchanda has taken over as Additional District Magistrate. I should perhaps explain that in filling posts on the district staff care is taken to see that no preponderance of any one community is posted to a particular district and that the staff as a whole is fairly representative.

Lala Duni Chand : Is it a fact that it is not the practice of the Government to distribute officers according to communities in each district ?

Premier : I have nothing to add to the answer given to the honourable member.

For Q. *67, *vide* the Debates of 5th July, 1937.

CONFISCATION AND SALE OF LAND, ETC., DURING CIVIL DISOBEDIENCE
MOVEMENT.

*68. **Dr. Gopi Chand Bhargava :** Will the Honourable the Premier lay on the table of the Assembly a statement showing the amount realized by sale of land or property confiscated by Government during the Civil Disobedience movements of 1930 and 1932 ?

The Honourable Major Sir Sikander Hyat-Khan : A sum of Rs. 750-1-9 was realized by sale of land or property confiscated by Government during the Civil Disobedience movements of 1930 and 1932. This amount was realized from sale of property attached for non-payment of fines inflicted by courts in criminal cases.

Lala Deshbandhu Gupta : Were these fines realized from such persons who had already undergone imprisonment in lieu of these fines ?

Premier : I have no information.

Lala Deshbandhu Gupta : Will he kindly make enquiries ?

Premier : If the honourable member gives me notice.

For Q. *69, *vide* the Debates of 5th July, 1937.

PUNITIVE POLICE POST AT VILLAGE SURSINGH, TAHSIL KASUR.

*70. **Dr. Gopi Chand Bhargava :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that a mounted additional police post was quartered in village Sursingh, tahsil Kasur, between 1914 and 1917 for a period of two years ;

(b) (i) the strength of the police force sanctioned by the Government for the purpose ;

- (ii) the strength of the police which actually remained posted there and its actual costs ;
- (iii) the yearly estimate of expenses to be recovered from the village residents on account of the additional force and the amount actually realized from the village residents excluding the prices of horses and furniture ; and
- (iv) the amount charged as price of horses, furniture, etc ;
- (c) whether it is a fact that horses and furniture were taken to the Police Headquarters, Lahore, after the withdrawal of the punitive police post ;
- (d) whether it is a fact that Sardar Thakar Singh and other residents of the village submitted an application to the Honourable the Premier, Punjab, Government Lahore, on the 8th April, 1937, claiming the refund of the sale price of the horses and furniture ; and if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, from December, 1915, to December, 1917.

(b) and (c) In view of the fact that nearly 20 years have elapsed since this post was removed, Government do not think that it would be worth while to attempt to collect particulars regarding it.

(d) Yes. No action is contemplated.

Dr. Gopi Chand Bhargava : Were the horses and furniture auctioned by Government or kept for their own use and if they were kept for their own use were they kept free or paid for ?

Premier : I believe the honourable member will find all the information in the statement furnished in reply to the question. Three statements were laid on the table in answer to the unstarred question by the honourable member.

Dr. Gopi Chand Bhargava : I have not received any reply to the above question.

Premier : I will make inquiries if the honourable member will give me notice.

Diwan Chaman Lall : On a point of order. May I ask whether statements are laid on the table of this House in the Assembly Chamber or not ?

Mr. Speaker : They are.

Dr. Gopi Chand Bhargava : Is the Government prepared to return the excess charged in these cases ?

Premier : I am afraid it is much too old a case to be investigated into. It is twenty years old.

Dr. Gopi Chand Bhargava : The Government sold the horses, etc., in 1925 in Makhi Khurd. The Honourable Premier was pleased to promise yesterday that a refund would be granted in that case. Why does the Government make this distinction in this case and Makhi Khurd ?

Premier : It is merely a question of period. If we can get at the account and we think it is equitable to refund the money or to waive the arrears which are outstanding, we do so. But in this case it is a matter of 20 years and it is impossible to get hold of the papers.

Dr. Gopi Chand Bhargava : Yesterday you were pleased to say in a case where punitive police post had been posted in 1930, that no refund could be given, whereas in another case you promised a refund for a matter relating to 1925.

Premier : Because in that particular case the matter had been under consideration and had been going on without any final decision having been arrived at.

PUNITIVE POLICE POST AT VILLAGE SURSINGH, TAHSIL KASUR.

***71. Dr. Gopi Chand Bhargava :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that an additional police post was quartered in village Sursingh, tahsil Kasur, district Lahore, from 1924-25 to 1927-28 for a period of four years ;
- (b) if the answer to (a) be in the affirmative—
 - (i) what was the strength of the police force sanctioned by the Government for the purpose, and
 - (ii) what was the estimated as well as actual cost of the police post and what amount was realized from the residents on account of pay of the sub-inspector, police, pay of the head constables, pay of the constables, pension charges, uniform allowance of the sub-inspector, police, uniform allowances of the head constables and constables, contingency, equipment charges, hut charges and conveyance allowance of the sub-inspector, police ;
- (c) whether it is a fact that the authorities having found out that they had realized more money than actual costs for 1929 to 1933 proposed this excess to be adjusted by realizing less amount for the year 1929-30 ;
- (d) whether this adjustment was made during the course of realization of this amount by December, 1936. If not, when Government proposes to refund this excess to the residents ?

The Honourable Major Sir Sikander Hyat-Khan : The reply given to question *361¹ (Dr. Sant Ram Seth) has in effect dealt with this question.

For Q. *72 and *73, vide the Debates of 5th July, 1937.

PUBLIC SERVICE COMMISSION.

***74. Mir Maqbool Mahmood :** Will the Honourable Premier be pleased to state whether under section 264 (2) of the Government of India Act, 1935, it was agreed upon between this Province and the North-West Frontier Province, to have a joint Public Service Commission for the two provinces ; if so, whether he will please lay a copy of the terms of the agreement on the table of the House ?

¹Vide the Debates of 12th July, 1937.

The Honourable Major Sir Sikander Hyat-Khan : Yes. A copy of the agreement, which has been executed by the two contracting provinces, is laid on the table.

Raja Ghazanfar Ali Khan : Will the Honourable Premier please state whether when they arrived at a ratio of 1 to 5 of expenditure to be incurred by the Punjab Government and the North-West Frontier Province, was it then contemplated that there would be two men from the other province ?

Premier : The expenditure was calculated on the number of districts in the provinces and not on the basis of members, because if the North-West Frontier were to pay on the number of members, the Chairman of the Commission was appointed by His Excellency the Governor of the Punjab.

Dr. Shaikh Muhammad Alam : As we do not find the statement on the table, will the Honourable Premier read the statement ?

Premier : It is not a statement, it is an agreement.

Diwan Chaman Lall : May I request that when statements are said to be laid on the table of the House in reply to questions, they should be placed on the table before the question is asked ?

Secretary : That may be arranged.

Draft agreement under section 264 (2) of the Government of India Act, 1935.

1. An agreement under section 264 (2) of the Government of India Act, 1935, made this day of 1935, between the Governors of the Punjab and the North-West Frontier Province (hereinafter called the Contracting Provinces).

2. Whereas the Contracting Provinces have agreed in pursuance of sub-section (2) of section 264 of the Government of India Act, 1935, that there shall be one Public Service Commission to serve the needs of both Provinces and whereas it is necessary to make certain incidental and consequential provisions, for giving effect to the purposes of the agreement.

3. It is hereby mutually agreed and declared by and between the Contracting Provinces as follows, that is to say :—

- (1) This agreement shall come into force on the execution of these presents.
- (2) The Punjab and North-West Frontier Province Joint Public Service Commission (hereinafter called the Commission) shall for all the purposes of Chapter III of Part X of the Government of India Act, 1935, be deemed to be the Public Service Commission for the Punjab and North-West Frontier Province.
- (3) The Commission shall consist of six Members of whom four shall be appointed by the Governor of the Punjab and two by the Governor of the North-West Frontier Province. The Chairman shall be appointed by the Governor of the Punjab.
- (4) The Governor who shall discharge the functions described in section 265 of the Government of India Act, 1935, shall in respect of any Member be the Governor who under clause 3 has appointed such Member, and in respect of the staff of the Commission shall be Governor of the Punjab.
- (5) The Governor who shall make regulations under section 266 (3) and shall refer matters for advice under section 266 (4) shall be in respect of the affairs of the Punjab the Governor of the Punjab and in respect of affairs of the North-West Frontier Province the Governor of the North-West Frontier Province.
- (6) The Governor whose previous sanction is necessary under the provisions of section 267 to the introduction of a bill or to the moving of an amendment providing for the exercise of additional functions by the Commission shall be in respect of matters relating to the Punjab the Governor of the Punjab and in respect of matters relating to the North-West Frontier Province, the Governor of the North-West Frontier Province.

(7) The total cost of the Commission shall be borne by the contracting parties in the following proportions :—

| | | | | | |
|--------------------------------------|----|----|----|----|--------------|
| Punjab | .. | .. | .. | .. | five-sixths. |
| North-West Frontier Province | .. | .. | .. | .. | One-sixth. |

Provided that all expenditure shall in the first instance be met from the revenues of the Punjab, the share of the costs payable by the North-West Frontier Province being recovered in accordance with such terms as may be agreed upon between the Contracting Provinces in respect of inter-provincial adjustments.

(8) The headquarters of the Commission shall be in Lahore.

(9) This agreement shall remain in force up to the thirtieth day of April, 1939.

VISIT OF MINISTER OF DEVELOPMENT TO HISSAR.

***75. Pandit Shri Ram Sharma :** Will the Honourable Revenue Minister be pleased to state—

(a) whether it is a fact that the Tahsildar, Hissar, issued an order to the village officials to come and bring others to Hissar on the occasion of the visit of the Minister of Development to Hissar on the 4th May, 1937 ;

(b) under what rules the tahsildar called the village people in this way ;

(c) whether he will lay a copy of the said order on the table of the Assembly ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) and (c) Do not arise.

Pandit Shri Ram Sharma (Urdu) : Did not the naib-tahsildar issue any such order ?

Minister : My reply is quite clear. I cannot add anything to it.

ARYA SAMAJ, FARIDABAD, AND NAGAR KIRTAN PROCESSION.

***76. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that licence for taking out the *nagar kirtan* procession from 3 p. m. to 8 p. m. on 24th April, 1937, was refused to the Arya Samaj, Faridabad, and if so, why ;

(b) whether it is also a fact that the said Samaj was allowed to take out the *nagar kirtan* procession last time in 1930, between these hours ;

(c) whether Government intends considering the claim of the Faridabad Arya Samaj, and allowing them to take out the procession between 3 p. m. to 8 p. m., if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes : The change in the timings of the procession was an innovation and a breach of the peace was apprehended.

(b) In 1930 a licence was granted for taking out the procession from 4 P.M. to 9 P.M., the previous practice being to have it from 8 A.M. to 12. This change in the timings of the procession met with strong opposition as it clashed with the timings of prayers and a serious breach of the peace was apprehended. In the year 1931 an offer was made to the organisers of the procession to take out a licence for the procession from 8 A.M. to 12 noon but they refused to accept the licence on these terms, and since then no procession has been taken out.

(c) Government is not prepared to allow an innovation as it might result in a breach of the peace and communal bitterness.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state whether it is not the general practice throughout the province to take out such *nagar kirtan* processions in the evening and it was merely by accident that one year the procession was taken out between 8 A.M. and 12 noon?

Premier : No, it is the other way about.

Lala Deshbandhu Gupta : Is it not the general practice throughout the province that Arya Samajists take out *nagar kirtan* processions in the evening?

Premier : I am afraid I cannot answer that question. Probably the honourable member knows better than I do.

Lala Deshbandhu Gupta : Is it not the general practice everywhere throughout the province that *nagar kirtan* processions are taken out in the evening and there is no reason why this particular city should not have that privilege.

Premier : Because this particular town agreed to take out the procession from 8 A.M. to 12 noon.

Lala Deshbandhu Gupta : But that was under pressure.

Premier : I refuse to accept that opinion.

Pandit Shri Ram Sharma : Is it a fact that before the year 1930 the *nagar kirtan* procession always used to be taken out at noon?

Premier : I have already said in my reply that the previous practice was to take out the procession from 8 A.M. to 12 noon. It was only in one year that by mistake that previous practice was abandoned. As there was opposition to it and there was apprehension of the breach of the peace, the authorities had to revert to the old timings.

Mr. Speaker : I have to invite the attention of the House to the fact that Lala Deshbandhu Gupta is quite capable of making excellent speeches in English. I would, therefore, request him not to address the Chair in Urdu.

Dr. Shaikh Muhammad Alam : I had pointed out to him before you did that he should not run this risk (*laughter*).

SECTION COPYISTS AND COPY CLERKS.

***77. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that from November, 1986, the section copyists and copy clerks have been amalgamated into one branch of the district establishments in the Punjab ;
- (b) whether any distinction is maintained between the salaries of the two classes of public servants now grouped in one class ;
- (c) whether the old copy clerks continue to draw the same fixed pay at Rs. 30 per mensem ; and, if so, why ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) No.

(c) Yes, because it has been decided to treat copy clerks on the same lines as section copyists, in whose case the pay of Rs. 25 per mensem has been fixed for new entrants only.

SECTION COPYISTS AND COPY CLERKS.

***78. Pandit Shri Ram Sharma :** Will the Honourable the Minister of Revenue be pleased to state whether it is a fact that during the month of November, 1985, a circular letter was issued from Financial Commissioner's office requiring that the present copy clerks be absorbed in the permanent district establishment ; if so, how many of them have been so absorbed so far ?

The Honourable Dr. Sir Sundar Singh Majithia : The reply to the first part of the question being in the negative, the second does not arise.

SECTION COPYISTS AND COPY CLERKS.

***79. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that after the fixation of their pay the number of copyists in the district establishments has been reduced and that they have now to turn out double and sometimes three times more work than before ;
- (b) the reasons why the same treatment of granting time-scale of pay has not been accorded to these copyists as was accorded to the old examiners on their being brought in to the list of the permanent district staff and has always been accorded to even junior clerks in that staff ;
- (c) whether it is also a fact that a list of distinction is being maintained between the copyists employed before 1980 and those employed after that year ; if so, why ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The number of copyists in the province was reduced as it was found to be far in excess of actual requirements worked out on the basis of the standard output prescribed by Government after consulting the commissioners and the deputy commissioners in the Punjab. This incidentally cheapened the cost of copies regarding which there were widespread complaints from the Bar and the litigant public.

(b) See reply to question No. *80.

(c) No.

VERNACULAR COPYISTS.

***80. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state whether vernacular copyists serving in the district offices are included in the list of Government servants; if so, the reasons for which they are not allowed time-scale of pay, pensions and similar other concessions?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. These copyists are non-pensionable Government servants at a fixed pay of Rs. 25 per mensem. Government consider these terms of service to be reasonable in view of the quality of the work expected from them. It may be mentioned, however, that copyists, both English and vernacular, who have the necessary qualifications, are eligible for promotion to the pensionable cadres of the district establishment with graded pay.

A, B, C AND D CLASS CO-OPERATIVE SOCIETIES.

***81. Pandit Shri Ram Sharma :** Will the Honourable the Minister of Development be pleased to state—

- (a) the number of A, B, C and D class co-operative societies in the Punjab and their debts separately;
- (b) what concession the department has made to the debtor zamindars in the days of economic depression, and the time of a great fall in the prices of agricultural products?

The Honourable Chaudhri Sir Chhotu Ram :

(a) (i) *Classification of Societies as on 31st July, 1936 :—*

| A Class. | B Class. | C Class. | D Class. |
|----------|----------|----------|----------|
| 101 | 2,139 | 12,021 | 2,718 |

(ii) On 31st August, 1936, loans due from Societies aggregated :—

| | Lakhs. |
|-------------------------------------|---------------|
| | Rs. |
| A, B, and C class | 297 |
| D class | 78.02 |
| Societies under liquidation | 21.98 |
| Total | 397.00 |

[The Hon'ble Chaudhri Sir Chhotu Ram.]

The information as to debts due by A, B and C class societies separately is not available. To obtain this information would entail a reference to all central co-operative banks and unions in the province and would take a disproportionate time to collect.

(b) Several measures have been adopted to help the societies, some of the most important are as follows :—

- (1) The general rate of interest has been lowered from 12½ per cent. to 9½ per cent. Taking 9½ per cent. as the maximum, reductions have further been made according to the owned funds of each individual society. Thus societies having 75 per cent. owned capital were allowed to reduce their rates to 4 per cent. societies with 50 per cent. owned funds to 5 per cent. and societies having less than 50 per cent. owned funds to 7 per cent. No limit was imposed on societies which are working entirely on their own funds.
- (2) The societies were also allowed to sanction two different rates of interest—one for the old loans and the other for the fresh ones. The rate of old loans is lower than the one on fresh ones.
- (3) In certain bad areas the societies were also encouraged to credit 50 per cent. of the members' payments to principal and the remaining 50 per cent. to interest.
- (4) Weak societies where the members have poor assets are encouraged to allow the reduction in the rate of interest with retrospective effect for the last 2 or 3 years.
- (5) In case of majority of D class societies, the central banks have been advised to credit all payments to principal provided the societies extend the same concession to their members. Thus these societies enjoy the concession of having their payments credited to principal.
- (6) In some cases the societies with indivisible profits have been allowed to adopt by-laws of divisible profits so that a portion of the accumulated profits may be utilised in adjusting their loan accounts.
- (7) In exceptionally weak cases, members, who repay at least half the interest due from them are allowed 3½ per cent. rebate. This is done where the interest in arrears has grown abnormally high.
- (8) Instalments on old loans have been greatly extended, demands being adjusted to the members' capacity to repay.
- (9) Central institutions have all been advised to reduce their lending rates. This has been accepted by all the banks. It has helped the societies in lowering their rate of interest.

NOTICE TO THE SECRETARY OF STATE BY ONE SAYAD KHURSHID ALI.

*82. **Pandit Shri Ram Sharma** : Will the Honourable the Minister of Revenue be pleased to state—

- (a) whether it is a fact that one Sayad Khurshid Ali, son of Najib Hussain, of village Barwala in the district of Hissar has given a notice for damages to the Secretary of State for India ;
- (b) whether the notice is in connexion with the damage done to his cultivated field by the Canal Department ;
- (c) whether the department obtained his permission for digging up his field for earth ;
- (d) whether previous to his giving notice to the Secretary of State the man applied to the Canal Department and the Deputy Commissioner for compensation ;
- (e) if the answer to (b) and (d) is in the affirmative, whether the Government propose to give suitable compensation ;

(f) whether any action is proposed to be taken against the officers responsible for the loss and trouble to the man ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes.

(c) No. Under the Canal Act officers of the Canal Department are empowered to dig up earth from fields for emergent works. In this case a breach was apprehended.

(d) Yes.

(e) Yes.

(f) None, as the officer acted properly to prevent a possible breach in canal.

—
AHERIS OF HISSAR DISTRICT.

***83. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Aheris of district Hissar are included among the criminal tribes ;

(b) whether it is a fact that four successive Deputy Commissioners of Hissar, i.e., Khan Bahadur Mian Abdul Aziz, Rai Bahadur Lala Arjan Das, Messrs. Jones and Gill, recommended to the Government for removing them from the list of criminal tribes ;

(c) whether these recommendations have been accepted by the Government ; if not, why not ;

(d) whether a copy of the recommendations will be placed on the table of the Assembly ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Under Punjab Gazette notification No. 65-Police/6, dated the 5th January, 1917, Aheris generally throughout the whole province (not merely in the Hissar district) were declared to be a criminal tribe.

(b) to (d) The honourable member is asked to see the replies given to questions *4562¹, *5224² and *5944³ in the old Punjab Council. As stated in reply to the last of these questions Government cannot undertake to disclose the recommendations of particular officers in this or any other case. The whole question of the Aheris in Hissar has lately been examined by the Deputy Commissioner for Criminal Tribes in consultation with the local officers. On the basis of their reports Government have come to the conclusion that there is no case for cancelling the notification under section 3 of the Act, which as already explained relates to Aheris generally over the whole province and not merely those in Hissar. The Deputy Commissioner has, however, been instructed to examine the individual cases of all members of the tribe in his district, village by village, and to cancel the registration of all those who have earned such treatment under the rules. When all the Aheris in any village have been removed from the register in accordance

¹Vol. XXVII, page 30.

²Vol. XXVIII, page 87.

³Vol. XXIX, page 196.

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with this process it is intended to cancel the notification under section 3 of the Act so far as that village is concerned. The Deputy Commissioner for Criminal Tribes and the local officers have been instructed to complete the examination of individual cases as expeditiously as possible.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Minister be pleased to state whether it is a fact that the last four Deputy Commissioners made reports to exclude Aheris from the criminal tribes ?

Minister : I have no information on the subject.

Pandit Shri Ram Sharma (Urdu) : I mean the report that was made by the last four Deputy Commissioners in Hissar.

Minister : I have given the reply. I am not going to place those replies on the table.

Dr. Gopi Chand Bhargava : Who are the local officers who are consulted by the Deputy Commissioner for Criminal Tribes ?

Minister : Deputy Commissioner of Hissar and the Superintendent of Police.

Dr. Gopi Chand Bhargava : Is it not a fact that last time when the Deputy Commissioner for Criminal Tribes went to Hissar, the Deputy Commissioner was out of station and the decision arrived at by the Deputy Commissioner for Criminal Tribes was not known to the Deputy Commissioner, Hissar ?

Minister : I am not keeping a diary of the Deputy Commissioner's movements.

Dr. Gopi Chand Bhargava : I think the Honourable Minister is expected to know these things and he should give a reply if information is asked for ?

Minister : I will make enquiries.

Lala Deshbandhu Gupta : Can the Honourable Minister give reasons as to why he is not prepared to disclose the report of the Deputy Commissioner ?

Minister : That cannot be done as some public interest may be involved.

Diwan Chaman Lall : Does the Honourable Minister mean that there is some public interest involved in not disclosing the report ?

Minister : Yes.

Diwan Chaman Lall : Then why does the Honourable Minister say that there may be some public interest involved in disclosing it ?

Lala Duni Chand : We want to know what is the public interest involved and if there is no public interest involved in this report, then will the Honourable Minister say that there is no question of public interest being involved ?

Minister : It is the general policy of the Government.

Diwana Chaman Lall : Is he going to change it? May I ask the Honourable Minister the definition of "public interest"? Is public interest, in the opinion of the Honourable Minister, merely the desire of the Honourable Minister in charge not to give an information? Is there any danger of public peace in the disclosure of this information?

Mr. Speaker : Order, order.

VERNAICULAR TEACHERS IN THE INDUSTRIAL DEPARTMENT.

***84. Pandit Shri Ram Sharma :** Will the Honourable the Minister of Development be pleased to lay on the table a statement giving—

- (a) a list of those vernacular teachers in the Industrial Department who came under retrenchment in 1982, with their qualifications, the post they held and the period of their service ;
- (b) a list of those vernacular teachers who came under retrenchment but who were subsequently recalled, their qualifications, the post they held, and the period of their service ;
- (c) a list of those craft teachers, including drawing masters, whose services were dispensed with, their qualifications, the post they held, and the period of their service ;
- (d) a list of craft teachers who are in service with their qualifications, the post they held, and the period of their service ?

The Honourable Chaudhri Sir Chhotu Ram : The information is not readily available and the expenditure of time and labour involved in compiling it would be out of proportion to the value of the result. In the circumstances the Government regret that they are unable to supply the required information.

OFFICIALS TRAVELLING IN LORRIES.

***85. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it has been brought to the notice of the authorities that officials in general and those of police force in particular travel in licensed lorries free of charge and that this practice offers inducements to the lorry drivers to carry more passengers than allowed by the licence ;
- (b) what steps the Government propose to take to put a stop to this practice ?

The Honourable Dr. Sir Sundar Singh Majithia : This question is identical with question *26,¹ to which a reply has already been given.

EMBEZZLEMENT IN BHIWANI MUNICIPALITY.

***86. Pandit Shri Ram Sharma :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Audit Notes for the year 1982-83 regarding Bhiwani Municipal Committee pointed out an embezzlement of 78 tins of kerosene oil ;

[Pandit Shri Ram Sharma.]

- (b) whether it is a fact that the Examiner also certified in his report to this embezzlement in 1935 ;
- (c) what action the Municipal Committee has taken in this matter, if no action has been taken so far, the reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hyat Khan, Tiwana : (a) No.

(b) The Examiner stated that the cases of misappropriation of the sale-price of kerosene oil tins had since been decided and the amount should be written off under competent sanction.

(c) The Municipal Committee, Bhiwani, reported the matter to the police. The official at fault was convicted and sentenced to 2½ years' rigorous imprisonment.

FORFEITURE OF THE PENSIONS OF SIKH MILITARY PENSIONERS.

***87. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable the Premier be pleased to state—

- (a) the amount of pension and the number of Sikh military pensioners whose pensions were stopped during the Akali movement at the instance of the Punjab Government ;
- (b) the amount of their pension and the number of the Sikh military pensioners whose pensions were subsequently restored after the Punjab Sikh Gurdwaras Act was passed ;
- (c) the amount of pension and the number of such military pensioners whose pensions have not yet been restored ;
- (d) whether the Punjab Government has recommended or proposes to recommend to the Government of India the restoration of these pensions ?

The Honourable Major Sir Sikander Hyat-Khan : Orders for the forfeiture or restoration of military pensions can only be passed by the Army authorities. In certain cases the Government of the province concerned is consulted, but the Punjab Government maintain no complete record of recommendations made by themselves or their officers in cases of this kind and at this distant date it is doubtful if even approximate correct figures can be collected.

RELIGIOUS HOLIDAYS IN THE PUNJAB JAILS.

***88. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that in the Punjab jails, convicts are not allowed any religious holiday excepting the Christian holidays ;
- (b) whether he is aware that important religious holidays are allowed in the jails of other provinces ;

- (e) what he intends to do in respect of the grant of important Muslim, Hindu and Sikh holidays to prisoners in the jails of the province ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member will find the rules on the subject in paragraph 671 of the Punjab Jail Manual.

(b) Information is being collected regarding the number of holidays allowed in other provinces.

(c) The question will be examined in the light of the information on the subject received from other provinces.

INTRODUCTION OF ELECTION SYSTEM IN PINDIGHEB MUNICIPALITY.

***89. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the election system as against the system of nomination has not yet been introduced in Pindigheb Municipality in spite of several representations to that effect by the residents of the town ;
- (b) whether it is a fact that out of the nominated members two members belong to the same family ;
- (c) whether it is intended to introduce a system of election in Pindigheb Municipality ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Yes.

(c) Not at present.

PECULE SYSTEM IN JAILS.

***90. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that a system of pecule prevailed in the Central Jail, Lahore, and other jails of the Punjab for many years but it has been given up for the last 10 or 12 years ;
- (b) whether the question of reintroducing this system is being considered by Government ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The pecule system was introduced in the Punjab jails in 1926. It proved an expensive failure and was abolished in 1931.

(b) No.

SHORT NOTICE QUESTIONS AND ANSWERS.

GRIEVANCES OF LITIGANTS AND THE COPYING DEPARTMENT.

Sardar Gurecharan Singh : Will the Honourable Minister of Revenue please state what steps Government have taken to remove the grievances of the litigant public in connection with the Copying Department with

[Sardar Gurcharan Singh.]

reference to the statements made by Mr. A Latifi, Financial Commissioner, Revenue, on 23rd March, 1936, in the Punjab Legislative Council (Volume XXVIII, pages 823—25) ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member presumably refers to the discussion on the cut motion moved by Sardar Arjan Singh in respect of the grant for the Copying Agency Establishment " with the object of drawing the attention of Government to the excessive rates and to the complaints of the litigant public in connection with the obtaining of copies." These complaints were that—

- (a) the abolition of the system under which copies could be secured by value payable post was causing much hardship ;
- (b) the system of levying an advance for the cost of copies, combined with the delays in giving refunds was very irksome ;
- (c) the cost of copies in the Punjab as compared with those prevailing in other provinces, particularly the United Provinces, were excessive.

2. Mr. Latifi, Financial Commissioner, Revenue, replying to the debate on behalf of Government admitted that the existing arrangements for the supply of copies to the public were wholly unsatisfactory. He stated that the matter had already been engaging attention, and the only reason why it had not been set right was that the case was very complicated and time was needed for a complete cleaning out of what might be called an Augean Stable. He promised that no time would be lost in setting matters right.

3. The honourable member will be glad to learn that the promise has been fulfilled in the spirit and the letter. The value payable post system has been reintroduced in all the districts of the Punjab, and so no applicant for a copy need now deposit an advance.

4. With regard to the chief grievance—the excessive cost of copies—we had to do one or two things : either give up some portion of the Government revenue—which we could not afford to do—of reduce the cost of producing copies and give reasonable consequential relief to the litigant public. The latter was the course adopted. After inquiry and practical experiments the Financial Commissioner found that on the basis of a reasonable daily outturn of copying work only 332 copyists were required in the place of the 664, who were actually employed to do the work in district offices. There was thus a load of 332 superfluous men on the shoulders of the litigants. Most of these superfluous men, who were inefficient or overage or removable without undue hardship, have been discharged.

5. Again, under the old system copyists, were not government servants, but piece-workers, who pooled the money they realized for the price of copies, and after deducting one-third as a contribution to Government on account of record-room charges, supervision, etc., divided the rest among themselves. It was found that in some districts the average amount earned by a copyist was as much as Rs. 80 a month, while in others it was only about Rs. 15 or so. This system has been abolished. Copyists have been made into Government servants at a fixed salary of Rs. 25 per mensem which, I may mention, is also the salary of paid apprentices in the district offices. Unnecessary hardship to old employees has been avoided by giving them additional pay up to a maximum of Rs. 25 per mensem, i.e., Rs. 50 in all.

All copyists have also been given the benefit of regular leave rules and the provident fund. Orders have been issued that no one should be recruited as a copyist who does not possess the qualifications necessary for employment in the district office, and the avenue of promotion on to the district establishment has been thrown open to qualified and deserving copyists; and so while a large sum has been saved by the reduction of salaries, the position of copyists as a class has, by a simple re-adjustment been made, in most cases better than what it used to be before this reorganization.

6. It is not possible at this stage to give exact figures, but about Rs. 1,50,000 per annum will be saved, which sum will be further increased by about Rs. 82,000 as old copyists with additional pay retire and new hands are engaged in their stead at Rs. 25 per mensem. All this saving will help in scaling down the cost of copies to reasonable rates.

7. The rates tentatively agreed between the Financial Commissioner and the High Court are given in the statement attached to this reply. These rates have already been tried with success in the Lahore, Amritsar and Ferozepore districts. They will shortly be extended to the Gurdaspur, Sialkot, Gujranwala, and Sheikhupura districts, and it is hoped to extend them as soon as practicable, with such modifications as further experience may make necessary, to the remaining districts of the province.

8. The honourable member will observe from the statement attached to this reply that apart from the reduction of rates a further boon has been conferred on the public by the fixing of flat rates of fees in as many cases as possible. An additional facility will be the system of payment of copying fees by means of judicial stamps, which also has been found successful in the experimental districts.

Revised experimental rates for copies to be supplied in the districts of Ferozepore, Lahore and Amritsar and proposed to be introduced shortly in the districts of Gurdaspur, Sialkot, Sheikhupura and Gujranwala.

| | Rs. | A. | P. |
|--|-----|----|----|
| (1) Civil suits and appeals valued up to Rs. 1,000— | | | |
| Judgment | 1 | 8 | 0 |
| Decree (including grounds of appeal) | 1 | 0 | 0 |
| (2) Civil suits and appeals valued over Rs. 1,000 up to Rs. 5,000— | | | |
| Judgment | 2 | 8 | 0 |
| Decree (including grounds of appeal) | 1 | 4 | 0 |
| (3) Civil suits and appeals valued at over Rs. 5,000— | | | |
| Judgment | 5 | 0 | 0 |
| Decree (including grounds of appeal) | 1 | 8 | 0 |
| (4) Revenue cases of Assistant Collector— | | | |
| Judgment | 1 | 8 | 0 |
| Decree (including grounds of appeal) | 1 | 0 | 0 |
| (5) Revenue cases higher than those of Assistant Collector— | | | |
| Judgment | 2 | 0 | 0 |
| Decree (including grounds of appeal) | 1 | 0 | 0 |
| (6) Criminal Judgments— | | | |
| (a) First Class and Section 30 Magistrates | 3 | 0 | 0 |
| (b) Second and Third Class Magistrates | 2 | 0 | 0 |
| (c) Criminal Appellate Judgments | 3 | 0 | 0 |
| (d) Sessions cases | 5 | 0 | 0 |
| (7) First Information Report for accused persons | 0 | 12 | 0 |
| (8) Each deposition or plaint, etc., up to 10 pages | 1 | 0 | 0 |

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| | RS. A. P. |
|---|-------------------------|
| (9) All unattested copies, plaints or exhibits— | |
| (a) Where there is a stenographer and application is made beforehand | 0 4 0 |
| (b) Otherwise | 0 8 0 |
| | (Up to 10 pages.) |
| (10) Contested mutations | 2 0 0 |
| (11) Uncontested mutations | 1 0 0 |
| (12) <i>Khasra Paimaish</i> .. 3 pies per <i>khasra</i> number subject to a minimum of 6 annas. The amount to be calculated to the nearest anna. | |
| (13) <i>Khatasuni Paimaish</i> .. 2 annas per khata subject to a minimum of 6 annas. | |
| (14) <i>Parcha Tasdiq</i> | 1 8 0 |
| (15) Plans, Pedigree table and <i>Musavi Akas</i> and other Miscellaneous papers. Fees will be assessed by officer in charge of the Copying Agency. | |
| (16) Letters | 0 12 0 |
| (17) Award— | |
| (a) Agreement for reference to arbitration | 0 8 0 |
| (b) In suits and land acquisition files | As for Civil judgments. |
| (c) Private award | 3 0 0 |
| (18) Registered Bonds | 1 0 0 |
| (19) Mortgage and sale-deeds | 1 0 0 |
| (20) Compromise deeds | 1 0 0 |
| (21) Intermediate orders— | |
| Up to one page | 0 8 0 |
| More than one page | 2 0 0 |
| (22) Final order in execution and objection cases— | |
| Up to one page | 1 0 0 |
| More than one page | 2 0 0 |
| (23) <i>Post-mortem</i> Report | 1 0 0 |
| (24) Report of officers in <i>lambardari</i> , <i>zaildari</i> , <i>chaukidari</i> , <i>muafi</i> , criminal and civil cases, if allowed— | |
| <i>Chaukidara</i> | 0 8 0 |
| Others | 2 0 0 |
| (25) Bahi transliterations— | |
| Up to two pages | 1 0 0 |
| Above two pages | 4 0 0 |
| (26) <i>Khasra-khana shumari</i> in Hindi or Urdu | 0 12 0 |
| (27) <i>Rivaj-i-'Am</i> | 1 0 0 |
| (28) <i>Fard</i> for bidding | 1 0 0 |
| (29) Register 'Am | |
| (30) Register <i>Nikah</i> | |
| (31) Register of Stamps | |
| (32) <i>Goshwara</i> | |
| (33) Warrant of arrest | 0 10 |
| (34) Warrant of attachment | |
| (35) Warrant for possession | |

| | Rs. A. P. |
|--|-----------|
| (36) Warrant for search | |
| (37) Summonses | |
| (38) Notices | |
| (39) <i>Muktarnama</i> | |
| (40) <i>Vakalatnama</i> | |
| (41) Cards | |
| (42) Telegrams | |
| (43) <i>Darkhawast Itlai</i> | |
| (44) Order on <i>Darkhawast Itlai</i> | |
| (45) Miscellaneous applications | |
| (46) <i>Robkars</i> | |
| (47) Report of Civil Peon | |
| (48) Field <i>Kanungo's</i> report | |
| (49) <i>Talbana</i> | |
| (50) Receipt | 0 10 0 |
| (51) Bonds | |
| (52) Issues | |
| (53) Inspection Notes | |
| (54) Pronotes | |
| (55) Hundis | |
| (56) <i>Naqsha Marg</i> | |
| (57) <i>Fard Hulia</i> | |
| (58) <i>Fard Jama Tilashi</i> | |
| (59) Charge Sheet | |
| (60) Medical Result | |
| (61) Finger Print Bureau's Report | |
| (62) List of witnesses | |
| (63) <i>Misal Hissa Kashi</i> (for each separate copy) | |
| (64) Statement in <i>Muafi</i> cases | |
| (65) Proclamation notices | |
| (66) Final order passed such as "For reasons recorded in my judgment in suit so and so, I dismiss the suit." | 0 4 0 |
| (67) Final orders confirming the preliminary decree | 0 4 0 |
| (68) Order by which the final order is amended or modified | 0 4 0 |
| (69) Succession certificates | |
| (70) Guardianship certificates | 1 8 0 |
| (71) Adjudication orders in insolvency cases | |
| (72) Order in <i>Mustajri</i> cases | |
| (73) Miscellaneous orders on miscellaneous applications which are not intermediate orders. | |
| (74) Rent deed | |
| (75) List of documents | |
| (76) Auction certificate | |
| (77) Commissioner's report | 0 10 0 |
| (78) Copy of Will deed | |
| (79) Deed of agreement for partnership | |
| (80) Office reports in execution cases and objection cases | |
| (81) Order of permanent injunction | |
| (82) <i>Tanqih Haquq Muzarian</i> | |
| (83) <i>Shart Wajib-ul-art</i> | |
| (84) <i>Naqsha Chahat</i> | |
| (85) All miscellaneous copies not included in above | 0 10 0 |

NOTE.—(1) Copies of judgments and documents in guardianship, insolvency and probate cases, etc., will be charged at the same rates as in suits.

(2) All copies coming under head 8 (depositions and plaints, etc.), and those coming under head 9 (unattested copies) where the copy exceeds 10 pages will be charged extra at the rate of annas eight and four per page respectively, exceeding 10 pages.

(3) All copies coming under heads 21, 22, 25 and in other cases not specially provided for, where the copy exceeds 15 pages will be charged extra at the rate of annas eight per page exceeding 15 pages.

(4) The urgent fee is rupee one extra for each copy.

(5) For the purposes of note 4 the extra fee to be charged shall be for each paper which can properly be regarded as a separate paper, e.g., every deposition of a witness or written statement of a party or order of the court is a separate paper. In cases of doubt as to whether a paper is separate or not, the officer-in-charge shall decide.

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- (6) If two or three English type-written copies of a document are asked for, there should be only one "urgent" fee. If the copies asked for are from four to six, the urgent fee should be twice as much, and so on. In the case of Urdu (vernacular) script urgent fee should be charged for each copy. A remark to this effect should be given in the remarks column of Register C. D. 2.

HAPPENINGS AT PANIPAT IN CONNECTION WITH HOLI FESTIVAL.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

- (a) whether he has received the report of Mr. Askwith regarding the unfortunate happenings at Panipat connected with the last Holi festival;
- (b) if so, whether he will place the same on the table of the House or make a statement embodying his main findings and recommendations?

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

(b) A statement embodying conclusions of the Government will be published in due course. I have not had an opportunity, so far, of discussing the matter with my honourable friend the Leader of the Opposition.

Dr. Shaikh Muhammad Alam : Is it not already over-due in view of the promise?

Premier : But unfortunately we could not meet.

Dr. Shaikh Muhammad Alam : Can the Honourable Premier give us the limit of 'due course'?

Premier : After discussion with my honourable friend.

Dr. Shaikh Muhammad Alam : Any idea of time for meeting him again?

Premier : I am afraid I have to suit his convenience. I requested him to come to me at Panipat but unfortunately, on account of other engagements, he could not come. Lala Deshbandhu Gupta also could not, unfortunately, meet me at Panipat and, therefore, I had no occasion to discuss the matter, as was promised in the previous session of the Assembly.

GENERAL DISCUSSION OF THE BUDGET.

Mr. Speaker : The House will now resume the general discussion of the budget.

(Sardar Sampuran Singh rose to move his adjournment motion.*)

Mr. Speaker : The honourable member Sardar Sampuran Singh's adjournment motion is out of order inasmuch as the matter is not of recent occurrence. If the honourable member came to know of it only to-day, even then his adjournment motion is out of order. If an event which took place six years ago, came to the knowledge of the honourable member yesterday, it cannot be said to be of recent occurrence, because its knowledge of the honourable member is recent. Recency is to be judged by time and not by knowledge.

Sardar Sampuran Singh : Sir, I want to explain—

Mr. Speaker : The rule is that the matter proposed to be discussed, must be of recent occurrence, and not a matter, which has come to the knowledge of an honourable member recently though it occurred a long time ago.

The House will now resume the general discussion of the budget.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural) : It was said yesterday that this budget was presented by the first national Government. I submit, that assertions like these do more harm than good. To call a government, that can be made and unmade by the will of one individual, a national government, I think is height of misrepresentation. The people who form the nation are the least heard in connection with the budget. Where is the nation that is being represented, as my friend Mir Maqbool Mahmood said, by the verdict of the people. That nation, I submit, resides in cottages in very humble and poor cottages and has done so, for the last 80 years or so. That very nation remains where it was after having paid the revenue demanded of them during these 80 years ; and if that is the criterion of the national government, would they come out and give their support to the Unionist government which has not said a single word for the direct relief of these poor peasants *Minister for Revenue* Question) I am coming to that. My revered friend Honourable Sir Sundar Singh Majithia is referring to the twenty lakhs which he had to pay, not for the relief of the peasant but for the reason that the milch cow that has been supporting this government for nearly a century past may continue to pay. It is not for direct relief but for indirect relief which may be called famine relief. I ask, is there a single item promised by the Premier ? In my own constituency there is an ilaqa of about 23 villages called Shaina. Except that they are made to pay the revenues, they are unknown to the other parts of the world. There are no roads and there is no change whatsoever uptodate ever since the British Government came to rule there. They live in those humble hamlets in the same way. That ilaqa is about 50 miles from Ludhiana and is controlled by one police station. It is surrounded by native states and the sub-inspector exercises the rule according to his own will.

Minister for Revenue : Does my friend want more police stations there ?

Sardar Lal Singh : I will tell him what I want. One has to spend about six hours in reaching those far off villages. To-day crores of rupees are being spent but not a single road has been built there. There is not one road whereby the zamindars can bring their produce by which they have got to pay revenue to the State.

Minister for Revenue : Does my friend know that the ilaqa is surrounded by native States ?

Sardar Lal Singh : I know that but that is no reason why there should be no roads. If it is surrounded by native States there is more reason why there should be roads—

Minister for Revenue : You have to get the concurrence of the native States for the construction of roads.

Sardar Lal Singh : There is no pucca road at all. If you study the geography you will find that there are some villages surrounded by native States and no road has to so far been constructed. Then, Sir, what do we find in the budget ? As my friend the opener of the debate said, it is simply taking with one hand from the villager and giving it with the other to the cities. There is no reason why the income from the hydro-electric scheme and the advantages from the scheme should not also be extended to the villages. (*Minister for Public Works.* It is going to be done.) We are discussing the budget and there is not a single item where you have given any indication of doing so.

Out of the total revenue of about 11 crores, about 7 crores come directly out of the pockets of those people and out of the remaining four crores I think indirectly about one half comes out of the pocket of these villagers and peasants. It is true—I must do justice to the new ministry—it has been pleaded on their behalf that the Ministry is new and that they have had a short time. That is true, but it cannot be said that the Unionist ministry have not been tucking up their sleeves for the last seven or eight months.

Minister for Revenue : I question that it is a Unionist ministry.

Sardar Lal Singh : I suppose you are not on the Unionist ministry.

Minister for Revenue : No, I am not.

Maulvi Mazhar Ali Azhar : He is not on the Unionist ministry, he is under the Unionist Ministry.

Minister for Revenue : I am with the Ministerial party. (*A voice* A socialist party).

An Honourable Member : Your party might have been absorbed by the Unionist party.

Premier : I believe it is possible to absorb several members in my party.

Mr. Speaker : Honourable members should not be personal.

Sardar Lal Singh : After having made that promise to the agriculturists, it was pleaded by my friend Mir Maqbool Mahmood that a Committee has been set up, that is to say, a Retrenchment Committee has been set up. The mere promise that the agriculturists would be granted relief is not enough. I do not think it is sufficient that the condition of the granting of relief to the agriculturists depends upon finding money elsewhere. It is not so. What I plead for the poor agriculturists is whether you find money elsewhere or not, whether the Committee you have set up, is able to affect retrenchment or not, I think the burden of the agriculturists has been so heavy and so much injustice has been done to him, that his relief is due and has been long overdue. In that matter the very policy that was set up when the Ministers' Salary Bill was discussed, is partly responsible for what is going on now. I think that the Ministry set a wrong pace in pitching their salaries too high. Imagine what a big gap there is between the Ministers and the poor agriculturists, eight out of ten of whom are heavily indebted. They live just from hand to mouth. Their children are suffering from malnutrition and they are not able to feed and clothe themselves properly, and

there is the Ministry which, regardless of what sort of a budget they were going to have, regardless of the fact whether there was money or not, regardless of the promises that they gave to the agriculturists to give relief to them, set their pays so high simply for the sake of dignity or I do not know what, may be to make it equal to the other civilised countries. They pitched their salaries too high, and the result is that there is a very big gap, a very unbridgeable gap between the poor agriculturists of the province and the ministers who are responsible for, or who are supposed to look after, their finance and to look after them. It has been stated even on the floor of this House that there is no proportion between their average incomes. Only the other day one of the friends on the opposite side said that we are living in an atmosphere of unreality. If there is any reality it is that the peasant has had to pay for the last eighty years taxes higher than are paid in any other civilised country and therefore relief is due to him. That is one reality and the other reality is that instead of bridging that gulf between the poor man and the ministry that gulf is being widened. I do not intend at all to minimise the honest attempt on the part of the ministry—they would not be worth their salt if they did nothing—but what we complain of is that the budget which the present ministry have put forward is a mere replica of what it used to be. Mr. Speaker, I ask them to show a single item which is an improvement on the last. It was fortunate that the prices have improved. It was fortunate that the Finance Minister did not have to pay anything towards debt, and then the budget is self-balanced. Even in that case I should think that the Ministry should have made a beginning. There ought to have been some relief given to the agriculturists. In a country as big as Germany without any army to support and without any navy to build what do we find? We find that on Health and Sanitation it spends 1·5 per cent. I may be wrong but these are the figures I have. It spends 1·5 per cent. out of the total revenue on Health and Sanitation of villages which are the mainstay of this Government and which live in a state of continuous disease and are surrounded by insanitation. There is absolutely no sanitation, nor has any attempt been made to improve it.

Then again, on the so-called Beneficent Departments in which is included Education, it spends only 20 per cent. whereas there are countries which spend on Education alone much more than that.

Then again, leave alone the question of granting relief to the agriculturist. The only other department which would have given any benefit to the agriculturist or the villager was the Rural Reconstruction. What do we find there? I suppose that Rural Reconstruction goes under co-operative credit work. What do we find there? Direction 98,000, Superintendence 10,80,000, Grants-in-aid one lakh and odd. That is according to the Punjabi proverb: *Darhi nalon muchhan wadian*. The actual propaganda that has to be done costs only one lakh, whereas direction and superintendence comes to 11 lakhs. And what is direction and superintendence—the pay and tour allowance of officers who go round and give directions or perhaps control the Rural Reconstruction Department. From their reports we are at a loss to get any light. They write reports which only show that so many societies have been added, even though each society may have five or six members or at the most ten members.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhaminadan, Rural): As was stated by Mir Maqbool Mahmood yesterday morning in his speech, this is the first budget which is being presented by a national Government. The speaker who preceded me challenged that statement. Let me assure him that as long as the present constitution continues, the only criterion of judging whether the Government is national or not is the party which enjoys the confidence of the electors. There cannot be any other criterion. This budget being the first budget of the first national Government requires a very careful examination. I personally draw two lessons from this budget. The first is that there is a very strong desire on the part of the Finance Minister to spend as much money as he possibly can on nation building departments. That is the first lesson that we can draw from this budget and I will presently prove that the Finance Minister has done his very best to satisfy the public demand in that respect within his own limitations. The second lesson, which is still more important, is that provincial autonomy, so far as fiscal policy is concerned, is absolutely a shadow. I know that the Unionist Party never made a secret of the fact that provincial autonomy did not at all mean complete self-government. (*An honourable member* : Shame). I entirely agree with the honourable member. (*Hear, hear*) in claiming that the provincial autonomy is by no means complete self-Government. I personally feel that anybody who tries to examine this budget from an unbiassed point of view will notice that the hands of the Finance Minister are tied. The number of non-votable items in the budget is very large. The country is suffering from acute poverty. There is already over-taxation. But I would ask my honourable friends sitting on the opposite benches to tell me how much they could do for the public of this province if they were to walk over to this side of the House and take charge of the finances of the province. (*An honourable member* : A good deal more). I expected this reply. But in the speeches that have been made so far I have tried to find out what concrete suggestions they made which could do enormous good to the province. The only good they could have done was either by radical retrenchment of expenditure or by more taxation. Now, I should like to have a reply from the Opposition as to what course they would have taken. As far as retrenchment is concerned we know our limitations. Not only can we not touch the non-votable items which form a major portion of the budget, but even the services are earmarked for a particular class of community. This is the sort of provincial autonomy which we have got to work. But as practical men the only course open to us is to make the best of a bad bargain. (*Hear, hear*). I am very anxiously looking forward to the day when the Congress will accept offices in those six provinces where they are in a majority in the legislatures in order to see what sort of a budget they would present to their legislatures. (*Hear, hear and cheers*). But I may assure the House that there will not be more than a few thousands difference in one item or other. There may be some political stunts which would make attractive headlines in the newspapers. But coming to realities I am sure that there will be very little difference. Therefore while examining the budget we must bear in mind that under the present constitution there are good many limitations on the Finance Minister. As far as retrenchment is concerned, no man who has any experience of administration would suggest that the Government can just sit down for

ten minutes and strike off certain posts and effect retrenchment of expenditure. That is absolutely impossible. The only way to do it is to appoint a committee which should closely and carefully examine the question keeping always in mind that the object of the appointment of the committee is to make substantial retrenchment in the expenditure. We all know that those days are gone when questions could be shelved by the appointment of committees. The country is wide awake. The mere appointment of a committee with some very noble objects and with very good terms of reference will not satisfy the public. We are all conscious of it. Those gentlemen who are now occupying the Treasury benches know more than anybody else that to satisfy the public something practical must be done. The other day some quotations were read from the speeches delivered a few years ago by the Honourable Minister for Development. I can assure the House that if the Honourable Minister were now sitting on the Opposition benches he will repeat the same things which he said ten years ago. But when he is faced with realities and when he is surrounded by his well-trained I. C. S. secretaries and when he finds that certain things, whether he considers them good or evil, have been in existence for a large number of years, he will realise that it is not easy to get out of them. But what I beg to submit is that the Government has done its best to do what it can within the means open to it.

I would compare this provincial autonomy with a court of wards. I personally feel that we are placed under a court of wards, the British Government still being the authority in charge of the wards. (*Opposition: Hear, hear*). The only difference is that it has appointed the wards as co-managers of the estate. I may assure the House that my conception of this provincial autonomy does not go an inch beyond that. Therefore we have got certain limitations to face whether we like them or not. Just take the case of a man who is philanthropic by nature and is passing by a roadside. He finds people sitting on the road, some lame, some blind, some deaf and some incapacitated in some way or other. He wants to give them all as much as he can, but he finds that he has got only five or six pice in his pocket. While he would like to pay several rupees to each of them he has to be satisfied with paying only one pice each. The same is the case with the Finance Minister of our Government. There is not a single item of nation building which he has left out of his consideration. He has given a few thousands to one department and a few lakhs to another, but all this within the small amount of 20 lakhs. What else could any other Finance Minister have done. I would challenge the Opposition to show by actual figures how much more they could have spent on nation building departments within the frame work of this constitution.

Now, leaving aside all these generalities, I would like to come to some concrete figures. There are a few matters on which I should congratulate the Government. The first is the arrangement for practical training for ten graduates for two years in agriculture.

That, Sir, is a demand which the zamindars have been making for a long time and I am sure that if this experiment is carried on a larger scale, it will do a lot of good to agriculture in this province. The second is the research on technical problems connected with reclamation of kallar soils on departmental farms. This is another serious problem of the province and I am

[Raja Ghazanfar Ali Khan.]

sure that the enquiry will not be confined merely to the departmental farms but will be carried out more extensively. The third is the provision of a sum of Rs. 50,000 towards the improvement of Minto Park for sports for students in Lahore. This is the greatest need of the day and the Government's having taken the step of providing a sum of Rs. 50,000 is a good thing. The education in Lahore Colleges is not merely confined to the students belonging to the Lahore city but students come to Lahore from practically all over the Punjab. The next is the restoration of grants to district boards for cattle breeding purposes. Then consolidation of holdings is another very noble object which can be of great benefit to the zamindars, but I am afraid the progress which this scheme has made so far is very meagre and unsatisfactory and I hope the Government will seriously consider whether they cannot give more impetus to his noble object. Then, Sir, is another important question of providing protection to bunds and embankments in Kahan Nala. At present they are confined to only one Nalla, but let me inform the Government that this trouble is becoming very serious in the different districts of the Punjab and I hope the Government will pay very serious consideration to this problem... (Interruption). The Honourable Minister reminds me of Pind Dadan Khan water supply scheme. So far it is all in the air and I am sure if the Honourable Minister will see that the water supply comes into effect before the winter sets in, he will be earning the gratitude of the people of Pind Dadan Khan. We are badly in need of water supply and people have been dying for sweet water. I did not mention it because there was no mention of it in the budget. Then the next thing in the budget is improvement and equipment of dispensaries under the control of local bodies. Here I would request the Honourable Minister in charge to see that the tahsil dispensaries are also provincialised at as early a date as possible because tahsil dispensaries are generally managed by second class municipalities which have very meagre funds at their disposal and they are unable to maintain them satisfactorily.

There are many other points which I could quote from the budget to show that the Government has given proof of their *bona fides* and their earnestness to do something for the public. But the time at my disposal being very short I would leave it at that. There is one item in the budget to which really a serious objection can be raised and which every one of us desires should be reduced considerably if it were possible. That is the item relating to Administration of Justice and Police. Whenever the budget is discussed in the central legislature it is the military budget staring us in the face. Here in the provincial budget it is the police budget. But no man who has the welfare of the province at heart would suggest retrenchment of a single farthing under the head Police as long as the present communal tension and the present state of affairs continue in this province. Therefore, if we all really want to do some good to the province, if we really want the Government to spend more money on nation building departments, the only thing we can do is to make a joint attempt to create an atmosphere in this province where the need for additional police and other police in such large numbers is diminished. But as long as this unfortunate communal tension remains it is impossible to suggest any retrenchment under the head Police. There are many ways by which the honourable Finance Minister

can improve the finances of the province and can add to the happiness of the people. I would like to make a few suggestions for his consideration. But before I do that—I am not sure whether my time is up or not.—I would like just to make one remark. Let me appeal to the Honourable Finance Minister and other ministers—it is not the Finance Minister who is concerned with the budget perhaps he is the least concerned about it because other members of the Government make proposals for expenditure and retrenchment—I would make an appeal to the Honourable Finance Minister and other ministers before I sit down that this budget is such as could be presented with an apology. We are all aware of the fact that the Government has been in office hardly for three months within which they had to prepare the budget. This is a fact that within the short period of three months Government could not possibly make any radical changes in the administration which existed before the provincial autonomy came into being. But when the Honourable Finance Minister presents his budget next year he should be prepared to face very strong criticism from us all because I may assure him that the country is suffering from a terrible disease. There is any amount of unemployment, people are very poor, the peasant proprietors and the tenants all want immediate relief and we cannot face them merely with the Government of India Act and say we cannot give you relief. If we want to carry on as a government we will have to make revolutionary changes in the administration (*hear, hear*), not only in the policy of taxation but also through vast retrenchment. Look at the number of districts; look at the number of departments which have emerged during the last few years. I personally consider that there is a big room for retrenchment, but to expect the Government to have embodied these retrenchments in the present budget within a period of three months is really unreasonable. A committee has been appointed and I am sure the committee will provide such material that it will enable the Government to frame such a budget next year as will show that there is a big difference between the budget presented under the reforms and the budget presented previously. (*Cheers*).

Pandit Shri Ram Sharma (Southern Towns, General, Urban), (*Urdu*): Sir, I would like to commence my speech on the general discussion of the budget with a couplet by Ghalib. It is as follows:—

آج ہم اپنی پریشانی خاطر ان سے
کہنے آئے تو یہ پر دیکھئے کیا کہتے ہیں

At this time only two-thirds of the budget for the year 1937-38 is under discussion, the remaining one third has already been passed under the special powers of His Excellency the Governor. This two-third of the budget is also based on the one-third that has already been passed. If one were to go into the details of income and expenditure it will be found that the figures given in the present two-third budget have been generally doubled. Much has been said in praise of this budget. The Honourable Minister for Finance has spoken very highly of his department and the Government in their turn have praised him to the skies. Now the question is what should be the criterion for judging this budget. I think, there are only two ways of doing it. The first is that since it has been submitted by the bureaucratic government, it should be considered as a bureaucratic budget, and treated as such.

[Pandit Shri Ram Sharma.]

Secondly, it should be considered from the autonomous and national point of view. I will presently go into the details of the budget and I will show you whether the Government is deserving of our congratulations or not. The present budget is in reality a deficit budget. The so-called surplus of Rs. 1,70,000 is merely an eye-wash. It will be observed that only a few lines lower down it is stated that expenditure to the tune of Rs. 1,70,000 has yet to be incurred. It would have been much better if the Government had shown a surplus of Rs. 5 crores and stated afterwards that expenditure would exceed the surplus by Rs. 6 lakhs.

There is another remarkable feature of this budget, and it is this. As compared with the budget figures of last year, the income shows a decline, while there has been an increase in the expenditure. If the income is Rs. 4 lakhs, the expenditure is Rs. 25 lakhs. On the whole there is a deficit of Rs. 71 lakhs in the provincial budget. The Honourable Finance Member to the Punjab Government has been pleased to tell us that a deficit budget is not a bad thing. This is a remarkable feature of modern finance. We know that this deficit has been accumulating from year to year. The budget of 1928-29 was a deficit budget; and so were the budgets of 1932-33 and 1935-36. The budget of 1936-37 too showed a deficit. During the Montford Reforms promises were held out by Government for ameliorating the condition of the poor peasantry and improving the financial position of the province and that no stone would be left unturned for helping the poor peasantry but all these promises have remained unfulfilled. We have been facing deficit budgets year after year. Even to-day we are told that a deficit budget is a blessing in disguise. I am afraid that we cannot be satisfied by mere verbosity. The Government realised a sum of Rs. 10 lakhs by the sale of crown lands and it is a matter of surprise for us that these extraordinary receipts too have been expended on, goodness knows, what. And yet it is a deficit budget. We fail to understand how the present Government can be called a national Government. It would be an insult to call it an autonomous Government. Can you by any stretch of imagination call it the budget of an autonomous Government? Everybody knows that expenditure must have precedence over income. Expenditure is incurred in the first instance and then ways and means are found for meeting it. When the ministers were selected, the Government provided huge sums of money for them. The Government has got into the habit of fixing unheard of salaries in the first instance and then attempts are made to find ways and means for meeting the charge. No nation can rise or progress in the world if its government follows a policy of drift. Attempts have been made to-day to silence the voice of criticism by extolling to the skies the good points of this budget. We all know that there is nothing new about it. The Government has been following this policy for the last 175 years.

I should like to draw the attention of this house to another funny thing. We are told by Government that they have appointed committees or commissions. This too has been going on for the last 175 years. We know the inner meaning of the appointment of such committees and we know the value to be attached to the promises held out by Government. We know what the appointments of commissions and the enquiries made by them mean.

These are attempts on the part of Government : to beguile the unwary. These promises are mere shadows without any substance. I am reminded of a couplet by Ghalib :—

توے وعدہ پر جئے ہم تو یہہ جان جہوت جانا
کہ خوشی سے مر نہ جائے اگر اعتبار ہوتا

Now let us cast a glance on the so-called good points of the budget. We are told that zamindars have been granted a remission of Rs. 20 lakhs. When the crops of zamindars have been totally destroyed by hail-storm what can you expect from them ? Do you think that they are capable of paying Government dues ? Had Sir Donald Boyd been incharge of the portfolio of Finance, would he not have done the same ? There is nothing to be proud of so far as this remission of Rs. 20 lakhs is concerned. Another 20 lakhs will be spent on productive departments.

Premier : Not on productive departments but on beneficent departments.

Pandit Shri Ram Sharma : If an autonomous government spends Rs. 20 lakhs on beneficent departments, it is not a matter over which the province should feel jubilant. Education has special importance in all free countries. A nation draws its life-blood from education. I would, therefore, urge upon the Government the necessity of spending more money on female education. I might also draw the attention of Government to the fact that a good deal of money is being spent on departments other than the beneficent departments. For example, the departments of Education, Industries, Agriculture, Veterinary and other beneficent departments are being starved. On the contrary senseless expenditure is being incurred on many departments. For example, a good deal of money has been mis-spent in establishing a co-operative centre in the Ambala Division. This senseless waste of money has never resulted and will never result in anything good and will never prove conducive to the progress and welfare of the country. The Government is spending a sum of Rs. 1½ lakhs on an exhibition which is shortly to be held at Lahore. May I know what is the use of spending such a large sum of money on an exhibition, when the Government itself is as good as an exhibition ? Two-third of the population of India is pulsating with new life in its veins. The Viceroy is about to broadcast his message to India, but the Punjab is unchanging and is unchanged.

I have explained at some length the good points of the budget. Now I will turn to the general administration of the country. We are told that since April 1st, 1937, the province has been placed under the aegis of an autonomous government. I should like to enquire from the Honourable Premier through the Honourable Speaker as to what real change has taken place in the administration of the Punjab since 1st April, and what good has come out since the inauguration of provincial autonomy ? The arrogance of police officers continues unabated. The poor people are coerced. *Begar* is still being taken from *harijans*. (*hear, hear*). There is no department which is free from corruption. Previously we used to complain that we had no effective control over the administration. But now when the so-called national and autonomous government has come into power,

[Pandit Shri Ram Sharma.]

our worries and miseries have not ended and our hardships have not been lessened by one jot or tittle. Outwardly our ministers tour the country-side but they are quite unaware of the fact that in certain districts of the province there are some tahsils where no case in a court of law can be settled without giving illegal gratification to the magistrate concerned. I would point out every honourable member of the House, whether he is a member of the Unionist party or whether he belongs to some other group, that if we pass this first budget of the so-called national Government it would be tantamount to cruelty and injustice to the poor masses.

Now I would like to make a few observations in regard to the Famine Relief Fund and the question of reduction of salaries. I will take up the Famine Relief Fund first. Formerly this fund consisted of a little over twenty lakhs of rupees. Out of this a Famine Relief Fund of 10 lakhs has been set apart and Rs. 9½ lakhs have been expended in paying off certain debts. The balance has been divided amongst some Government departments. Now let us examine the reduction in the salaries of services. We are told that a substantial economy will result from this reduction but the real effect of the economy will manifest itself when all the present incumbents have retired. I fail to see any room for further reduction in the salaries of subordinate or menial servants. The ministers themselves draw fat salaries of three to four thousand rupees per mensem but it is not felt necessary to use the axe in their case. The honourable members sitting on the other side should compare dispassionately the average income of a poor man and the enormous expenditure incurred by Government members. For each member of the Assembly Rs. 18-8-0 has been fixed as daily allowance but it is a thousand pities that no sooner do some members among us assume the office of ministership than their expenditure per diem increases from 100 to 150 rupees and they convert their palatial residences into boarding houses for members and others. (*Laughter and loud cheers*).

Sir, mention has been made of the Haveli Project in the budget. I am not against this scheme, on the other hand it appears to me a laudable effort. But it is an irony of fate that in the budget where the Haveli and Thal projects have been mentioned, not a single word has been said about the Bhakhra Dam Scheme. I come from an ilaqa, the inhabitants of which have elected me as their representative. I fully realise their hardships. Since the Great War, successive Governors of the province have been assuring the people of that ilaqa that they will soon be rewarded and a canal will be dug in their Hilafa.

During the Montford Reforms, ministers and ex-ministers cried themselves hoarse in announcing that the Bhakhra Dam Project would be taken in hand as soon as possible. But now that they have got an opportunity, and hold the reins of the autonomous Government in their own hands they have not taken the trouble to make even a passing reference to this scheme in the budget. What can the inhabitants of ilaqa Haryana expect from the Government? They cannot be satisfied with the lip sympathy of Chaudhri Sir Chhotu Ram, the Development Minister.

I would request the zamindar members and representatives of rural interests as also other members of the House that if they have the amelioration and prosperity of the poor masses at heart, they should throw out this

budget. The funniest thing about this budget is that though it really is a deficit budget, we are told that it is a surplus one. Treasury benches have waxed eloquent about the good points of the budget and many of them have sermonised us about the principles of economy. They have called this budget the budget of the first national and autonomous Government. But the honourable members should know that there is absolutely no difference between the present and previous budgets. This is merely old wine put into new bottles. (*Laughter*). In reality these bottles are also old.

I commenced my speech by quoting a couplet from Mirza Ghalib. It is proper that I should finish my speech with a couplet by the same celebrated poet. If the Government persists in its present attitude and the ministers too do not turn over a new leaf and the worries of the poor masses are not removed then in the words of Ghalib :—

تمہیں کہو کہ کدارہ صدم پوستون کا
بتوں کی ہوا کو ایسی ہی خو تو کیونکر ہو

(*Loud Cheers*).

Begum Rashida Latif Baji (Inner Lahore, Muhammadan Women, Urban) (*Urdu*): I have stood up neither to make a parade of my oratorical powers nor with any desire to receive encomiums from the honourable members. I shall put before the House certain proposals and make some suggestions on behalf of the dumb community whom I have the honour to represent here in this Assembly. I hope the honourable members will consider them favourably and sympathetically. This will provide them with an occasion for showing generosity to a cause which deserves well of every right thinking man or woman. It appears from the budget of 1937-38 that an additional sum of Rs. 20,000 has been provided under the head "Female Education" and this amount will be utilized in opening two vernacular middle schools and one anglo-vernacular middle school at different places. Besides, it is proposed to open another High School in a rented building at Lahore in October, 1937, and to provide the Maclagan High School with a library. Further an additional sum has been granted for the construction of a new school building and for repairs of other school buildings. My dumb community and myself feel much grateful for this assistance and we owe a debt of gratitude particularly to the Honourable Premier and the Honourable the Finance Minister who, while preparing the budget, have not lost sight of the wherewithals for imparting and extending the scope of female education.

But it will be observed that for such a large province as the Punjab, the sum provided is too small and the number of schools too inadequate. Take, for example, the case of Lahore, the capital city of the province, with a population of several lakhs. There are only two girls high schools, the Maclagan High School and the Victoria High School for girls. But in both of these schools the accommodation is very limited. The admission is practically closed although a very large number of girls is anxious to seek admission. Such being the situation, I am constrained to remark that there should be, at least, one girls high school inside every gate of Lahore. But in view of the practical difficulties that may confront the Government, I would reduce my demand to this, *viz.*, that two girls high schools may be opened from

[Begam Rashida Latif Baji.]

October, 1937. Moreover, Sir, the Lahore College for Women is the only college in the province where girls from all over the Punjab come for higher education. It is a thousand pities that even the building of this college is inadequate to accommodate all the girl students. The rooms are very small and ventilation arrangements are poor. The boarding house is still in a worse condition. In this hot weather the beddings of the resident girls are arranged at night near the kitchen which is open to the gaze of people living in the adjoining houses. This lack of accommodation compels the Principal to refuse admission, every year, to a large number of girls who desire to join the hostel as well as the college. In view of the facts stated above, I would submit that a magnificent building should be constructed for the college, which should be in keeping with the dignity of the province and quite adequate for the needs of the girls. This new building of the college should also be provided with a boarding house large enough to accommodate a large number of girls that would be coming there from all parts of the province.

Moreover, Sir, I must point out that the women of Lahore are anxious to add to their general knowledge and acquaint themselves with all the new discoveries and inventions of the day. But unfortunately there is no library at Lahore which would serve this purpose. Consequently I would humbly suggest that a library for women may be founded at Lahore which should be equipped with upto-date books on every subject proper for the female sex. This library should also be provided with a big hall for women to address female gatherings therein. In addition to this, a girls high school may be opened in every district of the province. Instructions may also be issued to every district board to open a middle school for girls in every town under their jurisdiction. Female education may be made free in the high schools, and even in the colleges a very moderate rate of fees should be charged. But orphan and poor girls should be granted full fee concessions.

Another important matter to which I wish to draw the attention of the House is that Government should make arrangements for the safe conveyance of girls to and from schools and colleges. Very moderate rates should be charged for the vehicles employed for this purpose. I am compelled to request for so many facilities because I am painfully aware of the fact that parents in India pay very little attention towards female education. Where they may spend Rs. 50 on the education of a boy, they would be reluctant to spare even Rs. 5 for a girl. It behoves the Government, therefore, to show an active sympathy towards women.

I quite realise that large funds amounting not only to several thousands but running into lakhs of rupees will be required to carry out these proposals into effect. But I would urge upon the government the necessity of giving preference to this most urgent need of the day to all other proposals, because the want of female education alone is responsible for the manifold ills from which our country is suffering. Believe me, Sir, that a country whose women are illiterate and ignorant can never progress. If you wish to see your country making rapid strides on the way to progress, if you desire that your nation should become prosperous and if you are really anxious for the welfare of your country, then make it a point first to set your home in order and impart education to women.

Sir, the two wheels of the carriage of human life consist of a man and a woman. If one wheel of the carriage is broken, the other wheel is also rendered useless. In order to keep this carriage going on the high road of progress, both the wheels should be kept in good repairs and made equally efficient. But it is a pity that this view has altogether been neglected in our country.

The first school of a child is the lap of his mother and if the mother is educated she can impart to her child as much education through conversation within five years as would be impossible for a teacher to impart to a student in several years. But thanks to the ignorance of Indian mothers a baby receives his first training in cowardice. As the child cries and annoys his mother, she tries to silence him by creating imaginary fears in his mind and this affects the innocent mind of the child very adversely and ultimately weakens his physical and intellectual powers. Such a child learns to dread even a briskly blowing wind. He shies at shadows. He is afraid of even his own shadow. Can a child brought up under such circumstances, I would ask, Sir, grow up to be anything but a coward and a slave? A well educated mother alone can impart healthy education to her child. I would like to assure the House that the secret of progress of a man lies in the welfare of a woman, but alas, men are unmindful of this, that is why our country is going from bad to worse every day. Mr. Speaker, men may not realise this, but we women are painfully conscious of the fact that so far as women-folk are concerned, men exercise the powers of a Hitler and Mussolini over them. Notwithstanding all this, the women of India have excelled all the women of the world in fidelity, obedience, selflessness and self-sacrifice for the sake of their men. The women of other countries are unable to show a parallel to the fidelity of Indian women. But it is a sad commentary on the great qualities of head and heart of the Indian woman that her true worth is not recognised by her Indian husband. It is the unfortunate woman of India whose rights and privileges have been trampled under foot by selfish men. Another reason why Indians are reluctant to give education to their women-folk is that they think that after receiving education women would cease to be obedient and would go into open revolt against them. Let me tell them that they need have no fears on that score. An Indian woman is after all an Indian. She would never prove faithless to her husband. On the other hand she would become all the more sympathetic and helpful to him. The greatest calamity resulting from the prevalence of ignorance in the country is the multiplication of diseases. There is no way out of them. If one epidemic disappears another follows upon its heels and some of these have come to stay, so that there is no running away from them. Thousands of precious lives are lost on account of them. The Government is spending large sums of money to cope with epidemic diseases and that is why the Public Health Department was established. But it has not proved of much use to the country. As the women-folk are ignorant of even the elementary principles of health, they look upon the instruction given by a doctor as a piece of oppression. They try to conceal the incidence of infectious diseases until a large number of persons fall a prey to them. Instead of opening dispensaries it would have been a thousand times better if Government had spent this money on female education. Even now I would suggest that if funds are not available for carrying out my proposals, reduction may be

[Begam Rashida Latif Baji.]

effected in the Public Health Department and the resulting savings be spent on female education. When women are educated they would keep their homes neat and clean. They would also exhort their children to observe cleanliness. This will naturally put a stop to epidemics in the country. To impart education to the mistress of the house is ten times better than starting the movement of Rural Reconstruction. Had she been educated, she would have set her house in order and would also have reformed her village. Besides, the educated son of an educated mother would not steal, rob, murder, or take part in riots or unlawful assemblies. He would not indulge in vituperation in the streets. In short, peace and order will prevail in the country if female education is made universal. And if you succeed in carrying the light of knowledge to every household these ever-recurring communal riots and communal disturbances between Hindus and Muslims would cease altogether. It cannot be denied that people would still be fighting for principles, but these fights would be fought in a civilised manner, involving no disturbances of the peace. In modern civilised society people do not use even undesirable epithets for each other, which are likely to lead to trouble or give offence to anybody. It is an axiomatic truth that education is the panacea for all evils. Education can remove the poverty prevailing in the country, and if you were to reduce your expenditure and turn your whole-hearted attention towards the spread of education in the country, you will soon realise the advantages of this course of action.

When the number of riots in the country is reduced the need for keeping a large police force would naturally be reduced. If the number of offences in the country is less, the number of jails will have to be reduced. If the number of indictable offences is reduced the number of courts of law will have to be decreased. The greatest advantages which will accrue to the country would be that the number of sick persons will go down and this will result in a decrease in the number of hospitals. If this programme of spreading female education on a large scale is carried into effect the expenditure on various Government departments would naturally be reduced.

Next comes the question of curriculum of education. It is an extremely important subject and requires careful thought. I would, however, confine myself to saying that the Government should appoint a committee at its earliest convenience, and well educated ladies may be asked to give evidence before this committee; because I am firmly of the opinion that so far as matters relating to the female sex are concerned women know better and can deal with them in a better way than men.

Sir, the Muslim community is a poor community. They are steeped in debt, that is why they have not been able to start a woman's college of their own. On the other hand other communities have got a number of denominational colleges of their own in Lahore, where education is being imparted to female scholars on the most modern lines. Unfortunately Muslim girls have no other college to go to except the Government College for Women. I would, therefore, request that special concessions be given to Muslim girls and they may be allotted at least 60 per cent. share in admissions to the Lahore College for Women and the boarding house. May I hope that all

public-spirited gentlemen and all those honourable members who claim to support the rightful claims of down-trodden communities will extend their support to my proposals.

Before I finish my speech I would like to make an appeal to all the honourable members of this House, and it is this. Please do not treat my submissions as a piece of romance. Please treat my proposals as the stepping stone to India's progress. May I again request you kindly to give my proposals precedence over all beneficent activities and translate them into action at a very early date.

Shrimati Raghbir Kaur (Amritsar, Sikh, Women), (*Urdu*): Sir, something has been said from the opposite benches about the liberty of women and I would request them to come over to this side, if they are really desirous of getting liberty, but, alas they are tied by the chains of slavery. (*Cheers*).

1 P.M.

The attention of the Government has just now been drawn by an honourable lady member to the subject of female education and I should like to add one thing more to it. It is this. All the towns and cities in the province are badly in need of hospitals. Nurses are not available in most of the towns, and that is the reason why death rate amongst the female population has assumed such alarming proportions. This reflects but little credit on the Government in as much as death-rate amongst infants and young children is already very large. May I respectfully draw the attention of the Government, through the Honourable Speaker that the time has come when something should be done for reducing the death rate among the female population. In the new budget a very small sum of money has been allocated for female education and female hospitals. I would remind the house that the number of females in this province is no less than the number of males, perhaps it is larger. Much greater attention should, therefore, be paid to the needs of the female sex.

Karl Marx and Lenin have expressed the opinion that a nation which is desirous of gaining liberty should first properly educate its women-folk. My honourable sister opposite remarked that it is only the mother who is responsible for making a child courageous, brave and bold. If the women-folk are uneducated they would try to terrify their children to sleep with frightful lullabies of the devil (*Hawa*) and this *Hawa* would haunt them throughout their lives. When an uneducated mother brings up her children under such frightful conditions, it is no wonder that they grow up to be effeminate weaklings.

I again draw the attention of the Government towards the necessity of female education so that the sooner they are freed from the chains of ignorance the better it would be. Hospitals should also be opened in towns in accordance with the needs of the women-folk.

I have nothing more to say and with these words I resume my seat.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P.M. of the clock. Mr. Deputy Speaker in the Chair.

Diwan Bahadur Raja Narendra Nath (East Punjab, Land holders) : Sir, I wish to offer a few remarks. My speech will be a short one, as some of my friends who have been associated with me in the previous sessions of the Council know my speeches have always been short. They have been singularly free from unnecessary flourish. I confine myself to realities and facts. I have a scrupulous regard for relevancy and lack the art of amplifying the speech which the introduction of irrelevant matter brings about. I am in the habit of weighing pros and cons of a speech like that and a habit of mine like that may be unacceptable to the members of the Opposition. Judicious temperament may be a demerit in their eyes, but I am glad to say that it is a not a demerit which has so far disenfranchised or has led to my being disqualified for membership. Last but not the least has been my reluctance to deliver a speech in a house in which I see some of my friends occupying the opposite benches. I am not referring only to the lukewarm critics of Government, such as the honourable members for Lyallpur and Montgomery, but also the active members of the opposition, amongst them also I have some personal friends for whom I have great regard. With the predecessors in the past generation of some of them I was associated in many ways, but a duty has to be performed however unpleasant it may be to the Opposition.

The budget debate has been going on for some time and various points have been raised. I am not prepared to deal with all of them. I confine myself to some of the more important aspects of the speech of Mr. Krishna Gopal Dutt who opened the debate on behalf of the Opposition. I listened carefully to his eloquent speech. I admired his enthusiasm and patriotism. Had I known that he possessed such qualities of head and heart as he has shown I might not have contrived to oppose him in his election. (*A voice* : You have made many mistakes like that). However I find that the speech that he delivered and the criticism that he made was urged from a higher plane. It was based on the assumption that India enjoyed fiscal autonomy and dominion status. He forgot for the time that the Finance Minister of the Punjab or for that matter even the Premier was not responsible for the currency policy of Government, if it is not conducive to the benefit of India. Neither the Finance Minister nor the Premier is responsible for the export of gold or for regulating the export of cotton and wheat. These are matters which have to be dealt with by the Federal Assembly and by the Federation.

Federal finance and provincial finance are not isolated from each other. The one is inter-dependent on the other. We cannot remove unemployment to any material degree. We cannot afford material relief to the poor unless we enjoy fiscal autonomy. In this view I am confirmed by the opinion referred to by some of the members of this House, of Professor Brij Narain who is certainly one of the most independent economists in the province. Therefore if the measures proposed by the Finance Minister for removing unemployment and for giving relief to the poor are inadequate, the limitations under which he is placed should not be forgotten.

The question of fiscal autonomy cannot be separated from the question of dominion status. I do not think we can have fiscal autonomy unless

we have dominion status as well, or independence if you like to call it by that name. What are the prospects of our achieving dominion status at an early age ?

I have been reflecting very painfully on the communal clashes that have taken place within the last three or four months. I will not describe each incident in detail, but I draw the attention of the House to one important point and that is this. The inquiry at Kot Fatch Khan and the trial are held by a European Magistrate.

The Honourable Major Sir Sikander Hyat-Khan : The inquiry was held by an Indian Christian and the trial is going to be held by a European.

Diwan Bahadur Raja Narendra Nath : The Panipat affair led to an independent inquiry and we know what that independent inquiry meant. It meant the deputing of a European officer to inquire into the whole question. The Premier has promised to make an independent inquiry into the Ala affair. Let me test the patriotism of this House if they can unanimously elect an Indian Officer in which all communities have confidence. (*Hear, hear*) If they cannot, does it augur well for the achievement of dominion status. When I heard of these clashes, I reflected on the situation and I considered in my mind the question whether these communal clashes would accelerate the achievement of dominion status or whether they would retard it. My answer obviously was that they will retard it. There is a school of politicians which thinks that we can bring about communal unity by pacts and agreements, by apportionment of civic rights, throwing some loaves and fishes in certain proportions to one community and in other proportion to another community and so on.

Pacts and agreements of this kind imply mutual distrust and will not bring us nearer the goal which we aim at. (*Hear, hear*). In this view I agree with Pandit Jawahar Lal Nehru entirely. My friend, the Premier wishes to promote amity. I wish him all success. I shall be very glad if he is able to promote amity. I am prepared to help him as far as I can in this respect. (*Hear, hear*). But I am sure that he will not be able to achieve it. The utmost that he will be able to achieve will be a stable government for five years or at the most ten years.

An Honourable Member : God forbid it.

Diwan Bahadur Raja Narendra Nath : His successors may not follow his policy. What then ? The truth is this. You cannot promote amity and you cannot bring about harmony unless you minimise the points of difference which lead to conflicts. That is a process which takes a long time and involves a process of evolution. (*Hear, hear*). It is therefore unnecessary to urge criticism which would be justified only if the country enjoyed fiscal autonomy.

Mr. Krishna Gopal Dutt laid great stress on the appalling poverty of the masses. We are all aware of it. We know that India is very poor, the income per head being very small as compared with other countries. But there are two problems connected with this question of poverty to which I wish to draw the attention of the House and also of the Cabinet. Those

[D. B. Raja Narendra Nath]

problems are the growth of population and the devolution of property by inheritance. (*Hear, hear*). Now, no Government whether democratic or bureaucratic can devise means for checking the growth of population when the people are not prepared for it. I invite the attention of the House to vital statistics of the world for the last one hundred years. I find that the population of Asia has been increasing while the population of Europe has been declining. The mode of living in Asia has remained more or less stationary. Now, poverty means lowering the mode of living, because we find that even in India the population is increasing and we are aware that the masses live like so many beasts. So the question of population comes before us when we examine the question of poverty.

The next question is that of the personal laws of us all, whether Hindus or Muhammadans. These laws were framed under economic conditions which have since become obsolete. Fragmentation of property by succession must be stopped. We must frame our laws of inheritance according to the economic needs of the times in which we live. Are we prepared for it? I am sure that neither the Hindus nor the Muhammadans, neither the urban people nor the rural classes are prepared for it. You cannot check poverty and you cannot improve the conditions of the masses unless you find a satisfactory solution for these two problems. Therefore a great deal depends on our own personal efforts; whether it is a question of fiscal autonomy or improving the conditions of the poorer classes, these two factors must be borne in mind.

Dr. Shaikh Muhammad Alam : The new Government promised that it would check poverty.

Diwan Bahadur Raja Narendra Nath : It will not be able to check it.

Premier : You must first check the growth of population.

Diwan Bahadur Raja Narendra Nath : I am aware of the fact that two committees have been appointed to tackle the question of source, of revenue and retrenchment. I will not prejudge their recommendations, but I cannot expect much from these committees, because the sources of taxation are so exiguous. What are you going to tax? There is not much to tax. Where is the money to come from? How are you going to sustain the top heavy administration which is necessitated by your own divisions and by your own quarrels?

Just a few words with regard to the criticism hurled against the Honourable Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) I know he used to indulge in tall talk when he occupied the Opposition bench (*Laughter*). I am glad that the Premier has given him an opportunity of giving practical shape to his ideals. (*Hear, hear*.) I will see how far he is able to give effect to his ideals. But one thing I can say about him and that is this, that we now look upon him as a representative of all of us, not only of the rural classes, but of the urban classes also. (*Hear, hear and cheers*). He will not hereafter rob Peter to pay Paul. I am sure he will not adopt that policy. He will find when he is saddled with responsibility how difficult it is to adopt that policy. Such a policy frustrates its own

purpose. Now I am an old man, I am nearly 73 and I do not expect to live long enough to see Mr. Krishan Gopal Dutt and Dr. Gopi Chand holding offices of ministers.

Premier : Let us hope you will live long.

Diwan Bahadur Raja Narendra Nath : But I am sure that when they come to occupy the Treasury benches they will find how difficult it is to stick literally to those ideals which they profess to hold now when sitting on the Opposition benches. (*Hear, hear*). I may cite here an instance from English History. Mr. John Morley used to say that the House of Lords should be ended or mended. When he was raised to peerage a correspondent of the *Tribune* remarked that he should be given the title of Lord Morley of Endham and Mendham. That has been happening all through political history of the whole world. Gladstone was not able to carry out all that he professed when he was in the Opposition.

I want honourable members of the Opposition to bear in mind the limitations and handicaps of the Finance Minister. I do not propose to examine the details as to how much he has given to one department or another and on that score to congratulate him for these trifles. But I am sure that placed as he is under certain limitations which the constitution imposes, he could not have presented a better budget than he has done (*cheers*). I therefore join with the chorus of felicitations which have been offered him.

(*At this stage Mr. Speaker resumed the Chair.*)

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*) : Sir, many honourable and learned members of this august Assembly have expressed their valuable views on the budget presented by the existing Government. I admit I am not a student of Economics but in spite of this handicap I would like to say a few words about the present budget. I will divide my remarks into two parts. The first part of my speech relates to the general character of the budget. Sir, with your permission I will say that the whole budget can be described in one word. Some years back the Honourable the Premier had been one of the Directors of the Peoples Bank of Northern India which incurred the odium of the public by issuing fictitious balance sheets showing a profit, while in reality the Bank was suffering heavy losses. The Bank has now gone into liquidation, and my fear is lest our present ministry should meet a similar fate. The Government has presented a budget showing an excess of income over expenditure. In other words it is a surplus budget, but I would like to warn you against over-budgeting lest you should be declared insolvent in a year or two.

Minister for Development : How ?

Chaudhri Kartar Singh : The Honourable Chaudhri Sir Chhotu Ram like myself fortunately belongs to the Jat community. I should like to warn him that if his Government acting upon the policy chalked out by the British bureaucracy goes on exploiting the poor peasantry of the Punjab, the day is not far off when it would meet the same fate as has befallen the Peoples Bank.

[Chaudhri Kartar Singh]

Sir, in the present budget there is a provision of Rs. 50,000 for the Minto Park, and my honourable friend Raja Ghazanfar Ali Khan proudly remarked in his speech that our Government has sanctioned Rs. 50,000 for the improvement of the Minto Park. It is very strange that as soon as the members of the party who claimed to represent the poor cultivators have come into power, they have begun to squander public revenues contributed by the poor peasants, on Europeans and people living in urban areas. And now, Sir, these representatives of the poor agriculturists are blindly following the policy chalked out for them by the white bureaucracy and have provided Rs. 50,000 for the improvement of the Minto Park. In fact our brown bureaucracy is acting in the way in which the white bureaucracy would have acted.

It is only two months ago that the present Government came into powers, but its budget bears the imprint of the old brainy bureaucracy. The present ministry has only given its name to the budget. I would submit that it is very painful for me to find that these capitalists, who have risen to their present position, thanks to the sacrifices made by our youngmen, who smilingly kissed the halters round their necks, have joined hands with the white bureaucracy in wasting public revenues on Minto Park and on their own fat salaries. It has been said that the next budget would show a larger surplus than the present one. Anyhow, Sir, we hope and trust that radical changes would be made next year, but may I enquire what amount you have set apart for the Bhakra Dam Scheme, when you have made a provision in the budget of Rs. 60 lakhs for the Haveli Project? At Katar Dhar drinking water is not available within a radius of 15 miles. It was up to the Government to sink wells in that area and supply the people of that area with potable water. I would be glad if the present Government succeeded in constructing new canals. But I am sure that these canals would only benefit the Noons, the Tiwanas and the Knights and the poor peasants would again be left in the lurch as happened in the case of Montgomery district. The present Government has no right to call itself a government of *Asians* or cultivators. It is a government of Nawabs, Knights and the Tiwanas who entering into an alliance with Europeans are robbing the poorer classes of the province. I am sure, that the present Government will never be able to ameliorate the condition of the poor peasants. Let us recall the events of the last five years. The Bombay port has its own tale to tell. It would surely furnish you with facts and figures showing how much gold has been exported to foreign countries during these years. From what place or source that gold came? It came from villages. The Punjab peasants paid the land revenue and other government dues by selling the trinkets of their wives. What have you done for these poor peasants, who not only sold their bullocks but also the jewellery of their wives in order to pay off Government dues? The Honourable the Revenue Minister, for whom I have great respect, informed the House that the government had granted remissions to the extent of Rs. 25 lakhs. What right have the Government to demand land revenue from those who are starving for want of food, whose crops have been totally destroyed by visitations of nature? The Government are boasting that they have granted remissions. Go to the country-side and see with your own eyes the miserable plight of those who contributed

towards the raising of palatial bungalows of the capitalists who paid the latter to buy motor cars and who subscribed towards the construction of your macadamized roads. And now the self-same poor agriculturists are too poor to pay the land revenue. Do you call it a *dan* (charitable act) if after a long period of 80 years you have granted remissions to the extent of Rs. 25 lakhs only? Are you by any means under the impression that you have beaten the record of Raja Kiran?

Minister for Revenue : There is no question of any '*dan*'. We have done our duty.

Dr. Shaikh Muhammad Alam : Not in a proper way.

Chaudhri Kartar Singh : Sir, my heart is heavy and it is painful for me to find that I cannot vote for the present budget. I am confident that other honourable members would also do the same.

Now I take the second part of the budget. It is worse than the first part. The estimate about the reduction of salaries that has been submitted by the Finance Minister is merely a reduction in the salaries of those people who are already low paid. It is very painful for me to compare the lot of ministers with low paid Government servants. The ministers draw Rs. 8,000 a month. They have palatial houses to live in and rickshaws to ride about and what is more, they are being fawned upon by all sorts of people. Against this just consider the amount of salaries which is being paid to poor chaprasis. They work the whole day long in the offices and in the evening they have to distribute letters. Previously they used to draw Rs. 15 per mensem. Now they are getting Rs. 14 only. I can never congratulate the Government for this reduction in the salaries of low paid ministerial staff.

Premier : The pay of the menial servants has not been touched. (*An honourable member :* The salaries of middle class Government servants have been touched).

Chaudhri Kartar Singh : Now I want to say a few words about the policy of the Government. It is said that communal feelings are rife in the province which ultimately lead to communal disturbances and riots, and hence the maintenance of the additional police force is absolutely essential.

When I was quite a young politician and had not been elected a member of the Council I often thought that with the coming of Sir Sikander Hyat-Khan to power, all communal disturbances and riots will cease at once. But that proved to be merely a will o' the wisp. I still hope and trust that if he commands the province properly, communal disturbances will certainly disappear. Communal riots and disturbances are the result of that factious spirit which was working behind the scenes during the Shahid Ganj agitation.

Communal disturbances and riots that are now occurring in different parts of the province proceed from the same source. If the Deputy Commissioner of a district happens to be a capable and wide-awake man, there can be no possibility of a communal disturbance or riot in his district.

My humble submission is that the Criminal Investigation Department is really a very intelligent department. The members of this department can find out that in a certain village and in the house of a certain person

[Chaudhri Kartar Singh]

such and such things were cooked. They know whether a certain person cooked *dal* or some other thing in his house. If this department is so very intelligent that it can procure information about the most trivial and insignificant things, I fail to understand why a deputy commissioner who is in sole charge of a district is unable to obtain information about the events happening under his very nose. About 15,000 people gathered together at Ala in Gujrat district and the Deputy Commissioner knew nothing as to what was happening at that place. I would strongly recommend to the Honourable Premier that the Deputy Commissioner of Gujrat may be appointed a Sessions Judge. If strong action is taken at one place, I am sure that communal disturbances will never break out in any other part of that district. Time after time appeals are addressed to us to join hands with the Government for suppressing communal feelings and to set right the affairs of the province. You have power in your hands and a powerful man needs nobody's help.

A special sum has been earmarked in the budget for additional police. Its only object is to suppress any and every patriotic movement.

Premier : Who is responsible for the present day communal tension and disturbances ?

Chaudhri Kartar Singh : My submission is this, appoint me as the deputy commissioner of a district and I will show you how peace and order can be maintained in that district. (*Laughter*). Mr. S. Partap, I. C. S., very ably controlled the situation at Lahore during the Shahid Ganj agitation. I am not praising him, what I am driving at is, that if an Indian I.C.S. can control a dangerous situation, what is there to prevent European deputy commissioners from doing the same. If they check all subversive activities and keep the dangerous elements under control, I am sure that no communal disturbance will ever occur.

That is all I have to say about the additional police. I appeal to the honourable members on the opposite benches to reject the budget. A budget in which provision has been made for additional police force is not at all necessary. I was under the impression that with the inauguration of provincial autonomy a change will occur in the political horizon of the Punjab. But it was merely a dream. The speeches that are delivered in the Assembly, and the answers to the questions bring afresh before us the memory of the old administration. The only difference that has taken place is, that instead of the white bureaucracy a brown bureaucracy has assumed power. No doubt you can pass the budget because you have the majority at your back. But you should bear in mind the plight of the Czar. He, like you, was in the habit of squeezing money out of the poor people, because he had the whip and never cared for them and untold cruelties upon them. In this connection I should like to draw your attention to a very pertinent fact. The ministry which has just now assumed power should not estimate the strength of the Opposition by their own. Had the Czar correctly estimated the power which stood opposed to him perhaps he would never have met the fate which he subsequently met with.

The zamindars of the Punjab are poor. You should have regard for the woeful times through which they are passing. If the condition of 90 per cent. of the population of the Punjab remains unchanged, I am afraid that this brown bureaucracy will meet the same fate that befell the Czar.

Let the country make progress according to its own lights. Do not hinder the spirit of freedom. A great responsibility lies on your shoulders. Use your powers freely and independently and rid the government of the slave mentality.

A sufficient sum of money has been set apart for the improvement of the Dajal breed of cattle in the Dera Ghazi Khan district. Provision has also been made for additional grants for the improvement of cattle in the Rawalpindi district. A sufficient sum has been provided for the encouragement of well sinking in the Nili Bar Colony. New canals are being dug for the convenience of agriculturists in some parts of the province. And all this clearly proves the truth of that Punjabi saying :—

اِنَّا وَدَّعَ رِيْزِيَّانَ مَتْرَ مَزْ كَهْرَ دِيَّانِ نَوْنِ دَے

I have already requested Chaudhri Sir Chhotu Ram and I request him again not to lose sight of the sad plight of the Hoshiarpur district. The Ghos have literally ruined the people. The areas of land in possession of the people range from one acre to five acres, so much so that the number of well-off zamindars can be counted on one's fingers. May I ask why this step-motherly treatment has been meted out to this district? Am I to take it that they have been treated in this way because they take a lion's share in all patriotic movements and they are perpetually coming into conflict with the government? Is it for this reason that nothing special has been done for these people?

Chaudhri Sahib Dad Khan : What about Haryana?

Chaudhri Kartar Singh : I am speaking for the whole of the Hoshiarpur district.

Khawaja Ghulam Samad (Southern Towns, Muhammadans, Urban) (Urdu) : Sir, very little time has been allotted for the general discussion of the budget and during this short period no pertinent criticism can be made. The budget itself was published on 26th May, 1937. The Secretary, Legislative Assembly could very easily have supplied the members with advance copies of the budget if he had so wished and the result of it would have been that the members would have been enabled to criticise it freely (*Ironical cheers*). If there are any rules and orders to the effect that the copies of the budget should be distributed amongst the members only at the time of the budget speech then it is a different matter. However, I would humbly submit that such rules and orders ought to be instantaneously amended.

My friends sitting on the opposite benches have explained their viewpoints but in their speeches they have not thought proper to congratulate the Finance Minister on the uphill work he has done in connection with the preparation of the budget. But I submit that he really deserves our congratulations and the Opposition must not forget the old adage :—

مَنْ لَا يَشْكُرُ النَّاسَ لَا يَشْكُرُ اللَّهَ

“ He who is not thankful to people cannot be thankful to his God.”

[Khawaja Ghulam Samad.]

It is surprising to find that my honourable friends have not thought it proper to congratulate the Finance Minister on the labour and hardwork he has put in connection with the budget. He is certainly worthy of our heart-felt gratitude and deserves the highest mead of praise at our hands. The honourable members of the Opposition have pointed out certain defects in the budget and I too agree with them, but in spite of all this he deserves our thanks for the pains he has taken and the immense amount of energy he has put in connection with the preparation of the budget and the surplus of Rs. 1,72,000 which he has exhibited is certainly praiseworthy. The surplus though a nominal one is nevertheless a surplus. My friends, Chaudhri Krishna Gopal Dutt and Pandit Shri Ram Sharma, in the course of their speeches pointed out that the so-called surplus is merely a chimera.

Sir, my humble submission is that the surplus does really exist. It is a true surplus and it can be enhanced in the following manner. Let the honourable members of the Opposition co-operate and join hands with the party in power and the necessity for additional police will vanish and the sum of Rs. 1,32,515 which has been earmarked for it can very easily be converted into a saving. In the same way much saving can be effected in other items and thereby a good deal of retrenchments can be made in the expenditure.

The responsibility for communal disturbances that are occurring now a days wholly lies on the shoulders of those who deliver fiery speeches on the floor of this House but very carefully avoid mentioning communal fracas and do nothing to prevent their occurrences. I hold them responsible for these disturbances on this ground also that ever since the inauguration of the new constitution there has been some sort of communal fracas in some part A of the province which clearly indicates that it is they who are responsible for it. There is no gainsaying the fact that they are men of influence yet they do nothing to stop the occurrence of communal disturbances.

The first session of the Assembly was held on the 5th April, 1937. A few days previous to it, i. e., on the 27th March, 1937, the police had to open fire on Muslims of Panipat. After the session of the Assembly had commenced there came the news of the incident at Kot Fateh Khan. (*An honourable member*: Then this Assembly is an ominous one). Again, when the session of the Assembly was about to be held at Simla, disturbances once more broke out at Ala in Gujrat and at Amritsar. Do not these disturbances indicate that these very people are responsible for producing communal tension and riots? All these incidents prove conclusively that these people are out to destroy the peace of the province and they are not willing to do any constructive work for the benefit of the masses. But they should know that it is the will of God that this Cabinet must succeed and the credit for it must go to Sir Sikander and his fellow ministers. If you join hands with him surely great savings can be effected.

Mr Speaker: The honourable member should address the chair.

An honourable member: The Honourable member should withdraw the words he has used against the Opposition.

Khwaja Ghulam Samad : I am relating true facts. These disturbances indicate that there is something wrong in the matter. If they are not responsible for these disturbances I fail to understand why these communal riots occur just when the Assembly is about to hold its session. The firing at Panipat took place on the occasion of the celebration of the 'Holi' festival. Then riots took place at other places without any rhyme or reason. If the Opposition have not instigated these communal disturbances and riots they have at least carefully turned their eyes away from them.

A cursory perusal of the budget has shown me that it contains several defects, on which I will move cut motions, and bring certain sums of money under the searchlight of criticism at the proper time. At this stage I would only submit that sixty lakhs of rupees have been sanctioned for the Haveli Project to benefit that part of the province the inhabitants of which are already very rich and prosperous, and which abounds in canals. The Thal Project too is receiving the earnest attention of the Government.

The people of the Ambala Division expect a great deal from the Honourable Chaudhri Sir Chhotu Ram. When he visited Hissar to attend a meeting of the zamindars, I requested him to bear in mind the Bhakra Dam Scheme as well. He is well acquainted with the conditions prevailing in that division though the other Ministers may not be. If they too were to visit that area, they would come to know the plight of the people living there. Hundreds of thousands of men die of starvation. Were the Bhakra Dam Scheme to materialize, and supply of water assured to that area, the poverty of its people would be converted into abiding prosperity. A mere mention in the budget of the Bhakra Dam Scheme would have given some consolation to the people of the Ambala Division. But here I see the working of that principal just referred to by my friend, that every body distributes sweets among his own relations.

The people of the Ambala Division are extremely poor, destitute and famine-stricken. It is highly deplorable that nobody pays any heed to them. So I request the Honourable the Premier, Honourable Chaudhri Sir Chhotu Ram and the other Ministers to show us the same generosity which they have exercised in the case of other parts of the province, which already in affluent circumstances. In view of the extreme poverty of the Ambala Division, they should strive hard for its betterment, so that its poor inhabitants too may have something to keep body and soul together. I would end my speech by saying :

گل پھول کے لئے اوروں کی طرف بلکہ نہر بھی

اسے خانہ پر انداز چمن کچھ تو ادھر ہی

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, permit me to begin my speech by paying compliments to the lady colleague of ours on the opposite side of the House for her maiden speech advocating the cause of women in the Punjab and administering the Government a well-deserved though implied rebuke. I may also give a reply to the honourable Diwan Bahadur Raja Narandra Nath, who was

[S. Hari Singh.]

pleased to attack the opening speech on the budget discussion made by my honourable friend Chaudhri Krishna Gopal Dutt, when Chaudhri Krishna Gopal Dutt was not in the House. I regret that the Raja Sahib is not present to hear the reply. I can dismiss the remarks of the Raja Sahib by replying that his whole ideology is deplorably out of tune with the spirit of the times, and that the youth of the nation and the youth of the Punjab has no longer any faith in the exploded doctrines of the elderly politicians. (*Interruptions*).

Mr. Speaker : I have to inform honourable members that a large number of members are yet to make speeches. If the time limit of 20 minutes is continued, I think in 3 days we shall not be able to finish the budget discussion. May I reduce the time limit to 15 minutes? (*Voices : Yes*).

Sardar Hari Singh : Sir, through you, I will request the honourable members sitting on the Treasury benches not to set a bad precedent by continuous interruptions in the speeches of speakers on the opposite benches. They can give replies to our criticisms and to our charges when their turn comes.

Without casting any reflection on the motives of the members sitting behind the Treasury Benches, without animadverting on their sincerity, I am constrained to say that the Government is fortunate in possessing a brilliant array of speakers who are past-masters in the art of side-tracking and befogging the real issues before the House, so that the House may be misled into giving a wrong judgment.

Mr. Speaker : The honourable member is going too far.

Sardar Hari Singh : The real issue that concerns us during the general budget discussion is the policy and the principle underlying the budget. We are not concerned with individual items that are contained in the budget. We are concerned with the policy underlying the budget and we have to see what is the touchstone on which that policy is to be tested. What is the touchstone on which we have to judge the merits of the budget. Sir, ours is a slave country. The all important, the all-absorbing and the all-embracing issue is the issue of freedom. Freedom *versus* slavery. We have to test the principle underlying the budget on the touchstone of the issue of freedom. So far the discussion has been directed in wrong channels. Sir, whether we should accept this budget or reject it, the real issue we have to consider is whether the policy underlying the budget is calculated to bring us freedom or is designed to postpone the day of the advent of freedom and emancipation of the masses of the country. Certainly, Sir, we have to see whether the policy and principle underlying the budget is calculated to prolong and perpetuate exploitation of the masses or to end it.

Before I fire the first shot on the budget presented by the Honourable Finance Minister, let me make it clear that my attack on his budget is directed from a nationalist stand-point. My attack is based, not on any wild theory, not on any idealistic philosophy, but it is directed from a nationalist

point of view and it is founded on certain frank admissions, contained in the budget speech of the Honourable Finance Minister. I refer you to page 8 of the speech of the worthy Finance Minister. He says :

“Secondly further as the Budget in the main has any how to be ready well in time before its consideration is taken up in the Legislature, it follows that the present Ministry had almost entirely to work upon estimates which stood compiled before they assumed office.”

In another place in the same context referring to the fact that His Excellency the Governor had to authorise expenditure for four months, he says :

“The indirect effect of this inevitable transitory provision would any how be to some extent to fix the general pattern of the present budget.”

Now, here Sir, there is a frank admission and frank confession by the Honourable Finance Minister that he may not retract now. It is clear that this budget is cent per cent the creation of the bureaucracy. It has been imposed upon our Finance Minister and he has adopted it as his pet child. This is a budget which has been imposed by the bureaucracy and is now being sought to be imposed upon this House. If it is imposed upon this House then it is sought to be imposed upon the vast number of electorate, upon the vast number of naked skeleton peasants of the Punjab. I say without fear of contradiction that this budget is bureaucratic from cover to cover, bureaucratic through and through, bureaucratic in form and content, bureaucratic in tone and spirit, bureaucratic in colour and complexion, bureaucratic in character and outlook and bureaucratic in cause and effect. This document is the heritage which the Finance Minister got from the bureaucracy. It is a legacy from the old regime. It is a gift from those hands which forged fetters for my country-men. I shall not even touch such a document. I will kick it away. There are only two alternatives before me to deal with it, either I will throw it down the slope to the *Annundale* to be trampled mercilessly under the hoofs of the race-horses ; or make a present of it to the rickshaw coolies of the Honourable Finance Minister or the Honourable Premier — the choice may be made between them — to make a bonfire of it on a cold chilly night. (*Interruptions*) I shall be obliged if honourable members do not indulge in interruptions.

Mr. Speaker : I request the honourable members not to interrupt.

Sardar Hari Singh : Sir, in the month of March we had a calamity. This province was visited by a natural calamity. That was a natural calamity, and the simple unsophisticated rural people of the Punjab said let God's will be done because that was a calamity sent by God. Two months after that calamity another calamity in the shape of this budget is going to be inflicted upon the poor peasants of the Punjab, not by nature but by the the cruel hand of man (*hear, hear*). Sir, this calamity is going to be far greater in magnitude, in scope and in effect. Yet we are asked by the people opposite to hug the delusion that we are living under a government which is people's government. Sir, our sadness is deepened when we study further the speech of the Finance Minister. In the same paragraph on page 8 he says—

“Sir Donald Boyd carried on faithfully the fine traditions of sound finance in this Province built up by a notable succession of Finance Members.”

[S. Hari Singh.]

Later on in the same paragraph he goes on to say—

“ We have now entered upon a fresh chapter in the custody of our finances, and I trust it may be given to succeeding ministries in autonomous Punjab steadfastly to bear in mind the high ideals of finance inherited from their distinguished predecessors.”

Mark the words ‘high ideals of finance.’ The Finance Minister wants to continue the traditions at the expense of the starving naked peasants of the Punjab. Sir, the words which I have just quoted from the speech of the Finance Minister are amenable only to one and one interpretation and that interpretation is that in the succeeding years too there is going to be no departure from the policy of the bureaucracy. The present government is not prepared to leave the traditional moorings of the bureaucracy. We are in effect going to live under the same bureaucracy, and that bureaucracy has only changed its form, that Dame bureaucracy which has sucked the lifeblood of the Punjab peasants is going to continue in this land of five rivers under a new name and in a new shape. May I say, to use a metaphor, that the Lama of dyarchical bureaucracy is going to be re-incarnated in the Lama of provincial autonomy bureaucracy. Sir, the financial policy of a Government embodies and expresses its political and economic philosophy. If we are to judge the future policy of the Government from its financial policy which has been enunciated by the Finance Minister, we are not going to have any change in the old regime. Sir, the whole thing is reduced to this according to the enunciation of the Finance Minister: the bureaucracy says to the people of the Punjab, constitutions may come, and constitutions may go, but I shall go on for ever. This truth is driven home to us in its hideous nakedness when we look at the state of affairs in the Punjab. The same old policy of repression the same old policy of taxation, the same old mentality of the revenue and the police subordinate servants. Sir, I shall be thankful to the gentleman who can give me a more euphemistic term than robbery. I submit, Sir, that robbery in the shape of this budget is being sought to be legalised through constitutional forms and ceremonies. We cannot submit to this brigandage whether it is in a constitutional form or not. I shall say to the House that we shall refuse the supplies. How can we supply? Look at the staggering figure of Rs. 7,11 lakhs out of Rs. 10,97 lakhs to come direct from the pocket of the Punjab peasants in the shape of land rate and water rates. Can we acquiesce in this robbery which is sought to be legalised through constitutional forms and ceremonies. How can we go to the Punjab peasant who is burdened through land taxation policy, who has been robbed of his scanty livelihood and scanty earnings and from whom a major portion of his net assets, has been taken away in the form of land revenue? How can we supply so much money to the Treasury without robbing the peasant? How can we supply so much money without robbing the peasant baby of its spoon of milk and the peasant child of the morsel of bread? We cannot be so inhuman and so cruel that we should go to the peasants of the Punjab and ask them to pay so much money to the Treasury, when, Sir, we know that the Punjab peasant in order to pay the land revenue has sold his milch cow, sold the strongest head of his plough-team, when the last *ratti* of his gold has found its way into the gold hoards of New York; when we know that the peasant has parted with his precious acre of land which he inherited,

the ancient land that enshrines the ashes and bones and memories of his ancestors, which he has parted to the local bania, whether he is an agricultural bania, or a non-agricultural bania, in order to pay the debt he contracted at the time of land revenue payment.

Mr. Speaker : The honourable member's time is up.

Sardar Hari Singh : I shall be obliged if five minutes are allowed to me as I wish to speak on one or two other matters.

Professor W. Roberts (European) : Mr. Speaker, it is a great pleasure to me as a member of a minority community to be able to congratulate the Honourable Finance Minister on the very business like budget which he has presented to this House. I think I can congratulate him also on behalf of the whole Hindu community for they have been honoured in the fact that he holds, probably in some respects, the most important port-folio in the Punjab Government, and besides he is the first Minister to introduce a budget under the Reforms. Our worthy Premier and the whole Unionist Party deserve credit on the statesmanlike action in proving to the province that a member of a minority community can take a real part in the government of the future. It augurs well for the future Government of the Punjab that this broad-minded view is prevalent to-day.

It seems to me that in this budget, the Finance Minister has been fettered a great deal in initiative. It is really an eight-month budget,—four months have been certified already by His Excellency the Governor—and it stands to reason that budgetting for the remaining eight months of the year restricts very severely his initiative. I consider that honourable members on the opposite benches should have been a little more generous in their attitude, remembering this fact and this limitation, in the budget this year.

Again in spite of inheriting certain disadvantages in the form of the rather ungenerous Neimiyer award and the unprecedented hail in March resulting in heavy remissions, the Finance Minister has presented a budget which shows that the province is perfectly sound financially and able to shoulder the burden ahead of it.

The most important feature, in some respects, of the budget is the starting of the Haveli Project. Any other scheme or any other proposal that might be put forward for ameliorating unemployment and the relief of the agriculturists of this province will appear to be small compared to this big project. Further, we have had indications that another big project, the Thal Project, is likely to be started fairly soon. It is obvious to anyone reading the Memorandum so ably prepared by the Finance Department that this province must, in the near future, borrow at least 10 or 12 crores of rupees and I am very glad to see that the Finance Minister realises the vital importance of the State's credit being good, because if it is not good and if the finances are not sound then we have to borrow money at a higher rate of interest. Even 1 per cent. difference in the rate of interest on ten crores of rupees is going to cost this province ten lakhs per annum, and I have not the slightest doubt that some of the ideas which have been expressed by my friends on the opposite side would raise it not by 1 per cent. but by 2 or 3 per cent. In that respect it is very, very important that when you are going to borrow money to develop the province, you should prove to the world that your finances are in careful and in moderate hands.

[Prof. W. Roberts.]

Before going on to deal with further matters, I should like to answer one or two points raised by my honourable friends opposite. My friend Chaudhri Krishna Gopal Dutt mentioned that the cotton export position of the Punjab was in a poor state owing to Japan not requiring Indian cotton. The real facts are, that the last year, that is the year which is just ending, has been the most prosperous year we have had for at least eight or nine years, and the year in which we have produced the largest crop ever produced in the Punjab. The crop of cotton according to the " Press Returns " is practically fifteen lakhs of bales. Each bale is worth at least Rs. 100. It means that 15 crores worth of cotton must be exported from the Punjab during the current season.

My honourable friend also mentioned that wheat export was less. It is unfortunate that he happens to mention this in this particular year, because in the year ending 31st August, 1936, the exports from Karachi were 200,000 tons, 197,000 tons to be exact worth one and two-thirds crore. In the present season already 200,000 tons of wheat have been sold for export, and probably the total export will be between 300 and 400 thousand tons.

There is another point of criticism which has been offered by some of my honourable friends opposite. It has been hinted by more than one speaker that this budget is the budget of bureaucracy, the budget according to one speaker prepared by the permanent officials. I think that it is to be deprecated that the permanent officials should be discussed at all on the floor of this House. They are the most loyal body of men and there should be some convention, in my opinion, to protect them from being mentioned or discussed in any way on the floor of this House, but they have been mentioned and the Finance Minister has been accused of slave mentality. It seems to me that the slave mentality is among the Opposition for they cannot apparently conceive the budget being prepared by a non-official. The House should realise that this budget has been prepared and has been put forward by the Finance Minister and by no one else, and he and the Punjab Cabinet are responsible for it.

I would like also, having dealt very briefly with the main features of the budget to offer, if I may, one or two criticisms. Projects like the Haveli and the Thal, while they are undoubtedly very sound, have been passed fairly easily or will be passed fairly easily, probably because they have not to be referred to any authority outside the province. I feel that there is a very great danger in the future that some project or some scheme may be launched which may cripple the finances of the Punjab for a generation and I would suggest that somebody outside the province should be appointed to scrutinise and criticise these schemes thoroughly and give us outside reliable advice to enable us to avoid making serious mistakes. Now the only body that could possibly deal with this is the Central Board of Irrigation. But that Board has no officer corresponding to, say, the Inspector General of Forests or the Agricultural Adviser to the Government of India. Yet the revenue from Irrigation is probably five times what comes from Forests without accounting at all the indirect revenues which it gives. Though Agriculture relates to the whole country, the budget for it is a very

small one as compared with Irrigation. I therefore recommend strongly that the Punjab Government in their own interests, and for the protection of the future of this province, should bring this matter up in as serious a form as they can and try to get some reliable authority of the nature of the Inspector-General of Irrigation appointed, who would be an insurance against big mistakes in the future.

One other point I would like to touch and it is this. A sum of 8½ crores has been taken over by the province from the Provident Fund and so on, from the Government of India. There is an item of 9.6 lakhs debited to interest which apparently has to be provided annually as a liability of this fund. This sum of 8½ crores seems to me as part of the debt of the Punjab. It has been rightly deducted from that due to the Government of India in consolidating the debt outside the province, but this contingent liability I do not see in the statement of accounts. It is not clear where it is definitely laid down as a capital debt. In the case of private concerns the administration of provident funds is regulated by all kinds of rules and the moneys have to be put in certain Government securities. I would like to say with some emphasis that in the accounts of the Government this fund, this liability of capital as well as interest should be very clearly laid down.

Another point I should like to refer to is, the audit fees charged by the Punjab Provincial Co-operative Union Banks for the audit of the Central Co-operative Banks. This is a small matter. Still it is an important matter. At present they are charging 10 per cent. of profits. If the Central Bank makes a profit of a lakh, the audit fee comes to Rs. 10,000 which is more than the Imperial Bank pays for its audit. It is really ridiculous that such a small concern as a Central Bank should have to pay such high audit fees when Commercial Concerns such as Punjab National Bank, with so many branches is paying a lower figure. This prevents the reduction of interest to primary societies which should be the main object of the co-operative movement. (*Hear, hear*).

Mir Maqbool Mahmood : I wish to raise one point of procedure. Now that we have a very limited time and there are many members on both sides who wish to speak, may we request that double the number of speakers on this side may be allowed to speak considering that our number is much larger than the opposite benches.

Mr. Speaker : I will consider the honourable member's suggestion.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban): A good deal has already been said since yesterday on both sides both in support of the budget and also criticising it. What we have really to see is whether this budget presented to us is a proper budget, whether any economies have been effected or whether it is only a balancing budget as it is supposed to be. At the outset I would point out that this big book of 288 pages contains items of new expenditure instead of showing any retrenchment. If the Honourable Finance Minister was not able to give a book of equal size showing retrenchment effected he might at least have supplied us a book of at least 100 pages. If he had shown that much of retrenchment at least it would have satisfied us to a very great extent. The public has been clamouring that the exchequer of the Government has been burdened with top heavy

[Mian Abdul Aziz.]

expenditure. We have no doubt to make both ends meet ; but at the same time it goes without saying that you must have some saving, a big margin of saving in order to provide for such unfortunate calamities as overtook this province when the new constitution came into force. Since this new Assembly came into being there have been unfortunate incidents such as the riots at Panipat, the destruction of crops in several district by hailstorms, the communal troubles at Ala, Amritsar and so on.

I have to submit that these are considerations which ought to have been kept in view by the Finance Minister in introducing this budget so that he ought to have shown a much larger surplus to be used in case of necessity. God forbid that in future there will be such like things. I wish there may be no happenings of this kind. I wish to deal with this question also. I think there is no doubt that after all it was the ministry who had to see to all these things. Among the Honourable Ministers here we see only two of them are new ones. Four of them are old ones. They are tried members ; they are experienced persons. They know all the ins and outs. They know what are the difficulties of the public. They also know how the budget should have been prepared, particularly when they find that the present government calls itself the government of the people, for the people. It was at this moment that they ought to have shown a very big saving and a very big retrenchment. It is being said that the Opposition benches are only trying to criticise the budget and that they are not trying to show any constructive form in which the budget should be framed. Undoubtedly it is not for the Opposition benches to do so. It is the Ministerial benches who are responsible for the preparation of the budget. It is for them to see that the budget is prepared properly, particularly when we find that four of the Ministers are old and experienced gentlemen who have not only been Revenue Members but who have seen all phases of life in the last governments. I therefore submit that as a matter of fact this budget as it is prepared is unfortunately not a satisfactory budget, although I do concede one point in favour of the Honourable Ministers or the Ministerial benches, that it is not an easy task to prepare a budget in these circumstances (*Hear, hear from Government benches*). I know that they have their difficulties. I know they have to consider all these matters. I know that by just one stroke of the pen they cannot retrench all the posts. (*Hear, hear from Government benches*). I know also that they cannot do very many things. But at the same time I expect them to have done something to show to the public that they are exactly the people (*hear hear from the Opposition benches*) who are interested in the public, who have mainly the interest of the public in their mind and that they want to make saving in the budget instead of merely following the previous budget. It should not be the policy of the present Government to follow the traditions of the last Government.

I should have expected some retrenchment. But what do we find? Instead of retrenchment at the proper place we find that the poor people drawing from Rs. 50 to 100 have been retrenched. I wish they had seen that there are several posts existing under the Government which are superfluous which as a matter of fact are highly paid and which I consider are merely post offices, having no work. (*Khan Bahadur Mian*

Mushtaq Ahmad Gurmani; For example?) I will give you examples and you will see. I hope you will have the patience. I submit to my honourable friend if he hears me to the end, if he has the patience, he will have all these things. It would have been proper if they had consulted some members of the Opposition or some of the members who had some independent views. They should have consulted them though in an informal way. Had they done so several of these grievances would have been remedied by this time. (*Interruption*). Yes, I am going to show them. I submit that the so-called help rendered to the zamindars or the people especially as it is alleged to have been given during the hailstorm days, is not much. I have had an opportunity of talking to the agriculturists in two of the districts, *viz.*, Montgomery and Jullundur and I tackled them to see whether they had been duly compensated or not. Their grievance was that instead of being compensated they were harassed by the treatment meted out to them by the patwaris and girdawars and such other persons concerned, who had to make reports about the standing crops, whether there has been some destruction to them or not, and it was only through these patwaris, &c., that all these officers learnt as they themselves were not able to go from field to field. The officers had to depend on the patwaris and their reports and if these zamindars made a complaint to the officers, the patwaris would turn against them in future. I have heard that in those places where there were rich zamindars who could afford to give them something, the reports were in their favour, though their crops had not been entirely destroyed. It is no use saying that the Government has given this help, because I can say that if you distribute these 20 lakhs over 300 or 400 villages, what will be the portion allotted to each zamindar; it may not be more than Rs. 10 or 20. That is not a great help (*An honourable member*: "What do you suggest?") It is not for me to suggest. I am not the Revenue Member; I am not the Financial Commissioner; I am not the person in charge of any district. It is for the Government benches to find the ways and means as to how to compensate those people who have suffered. (*Hear, hear from the Opposition benches*). We are prepared to help you to any extent (*Hear, hear, from the Government benches*), provided you care to hear us. (*Hear, hear, from the Opposition benches*). I certainly think that mere destructive policy is not a good policy. (*Hear, hear from Government benches*). Both parties, the Ministerial as well as the Opposition, ought to co-operate with each other, (*Hear, hear*) trust each other. Trust begets trust and if you trust the Opposition benches, the Opposition benches will trust you (*Hear, hear*). Sir, I would submit for the consideration of this House that we would have been able to suggest several means, had the answers and replies to our questions been given in a straightforward manner. (*Hear, hear, from the Opposition benches*). What do we find are the replies to our questions? (a) No.; (b) yes; (c) does not arise; (d) is not ready; (e) Government cannot disclose it, and so on. But when it suits the Ministerial benches they would be prepared to make a long statement of two or three pages. (*Hear, hear, from the Opposition benches*). Sir, this is not the proper policy. I hope the Ministerial benches will pardon me if I request them that instead of keeping back certain information from the Opposition benches or from this House, they should give us full information. Then you will have full trust in them and they will certainly trust you as far as possible. (*Hear, hear*). Sir, I beg to submit further that the so-called expenses which are being incurred

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in some of the departments are entirely useless. For instance, the punitive police, or the extra police. In how many districts do you keep the police? On what reports do you base your judgment in placing this extra or punitive police in any village? What are those reports? They begin from a constable, go to the head constable, go to the sub-inspector, and so on to the highest authority and they report that this is a terrible village and there should be punitive police there.

Premier : It is a request of honourable members themselves.

Dr. Shaikh Muhammad Alam : Often for political reasons.

Mian Abdul Aziz : If you would allow me I am prepared to prove these facts which I am going to submit before the House. (*Hear, hear from the Opposition benches*). I am prepared to co-operate with you and place all these facts and figures. (*Cheers from the Government benches*). Please do not consider that I am making irresponsible statements. I know my responsibility and I am not going to make any vague statements. But the difficulty comes in here. I remember once before in 1925, when I was keen on co-operation, at that time I raised certain questions regarding the Police and the Irrigation Department. No steps were taken to remove these difficulties and grievances. At last I had a letter from the Chief Engineer of the Irrigation Department which was sent to me at the instance of the then Honourable Revenue Member, who is now the Revenue Minister, Sir Sunder Singh Majithia and I sent him a reply that I was prepared to substantiate my allegations provided he makes one condition and that was, because I had to prove that bribe was going on and I had to produce real persons who had given bribe, the Government should give the assurance that those people who have paid any bribe will not be prosecuted, but I did not get any further reply. I would have been prepared to put forward certain truthful witnesses, zamindars, but the difficulty was that we talk on the floor of this House one thing, and show sympathy, but subsequently as soon as the Council session is over all that is gone and nothing is cared for the representations of the people. I have particularly to submit through the Honourable Premier to the honourable members of the Cabinet that you are our ministers and we will certainly help you provided you help us.

Mr. Speaker : The honourable member will please not address the Ministers.

Mian Abdul Aziz : Through you I submit this to the Ministers.

Mr. Speaker : The honourable member's time is up.

Mrs. J. A. Shah Nawaz (Outer Lahore, Muhammadan Woman, Urban): Mr. Speaker, for the last two days, I have been sitting quietly and listening to the different speeches that have been delivered in connection with the budget that has been presented to this House. Before I say anything about the various expressions of opinion by the different speakers, I would like to associate myself with many of the felicitations that have been showered on our very able Finance Minister (*Hear, hear*). As I said in one of the speeches I delivered in Lahore at the Literary League dinner, we Punjabis are lucky to have one of the greatest economists in charge of our finances.

and I am sure, I do not only hope, I am almost sure that with the reins of finances in such able hands, the Punjab will be the foremost province in taking the lead for lessening the sufferings of the poor (*hear, hear*). (*A Voice*: Let us hope so.) I would very much like also to congratulate his able Secretary and the other members of his staff on presenting such a fine budget (*hear, hear*). Sir, I am one of those persons who is not an idealist, but a realist and when I took hold of the memorandum that has been so ably written by the Secretary of the Finance Department and when I went through the pages of that memorandum, I said to myself, how much effort and how much thought this must have entailed. I was delighted to find that the figures presented for the ensuing year, in connection with the beneficent departments, exceeded those of the last year and in spite of that the budget was balanced. It is to the credit of this province that during the last few years when there has been so much of economic crisis all over the world, we have been able to show more or less balanced budgets. I listened very interestedly to the fine oration delivered by Chaudhri Krishna Gopal Dutt yesterday. Every word of it went to the hearts of many people who heard him speak. In the afternoon when we were going out for voting and I passed him he said that he wished I had the same love for my country as some of the members on the other side of the House. I take this opportunity of saying to him and also to my sister who spoke this morning, I speak not only for myself, but for many of us on this part of the House that we are not chained to our benches as was said by my colleague this morning. Believe me, most of us have not been returned to this House just because we belong to a certain party, but we have been returned independently of any party (*hear, hear*) and many of us have fought and faced the opposition because we stood on a certain ticket and yet have been returned by overwhelming majorities (*hear, hear*). That shows that we enjoy the full confidence of the people and believe me we have just as much independence of thought and action as persons on the opposite side of the House. Chaudhri Krishna Gopal Dutt told us that he was surprised to find that the tone and the wording of the budget were the same as in the previous years. Let me tell him that I also was surprised when the first session of our Assembly took place in Lahore, that there was no change in the tone of their speeches. We heard the same criticism that we used to hear when there were officials sitting on Treasury benches (*hear, hear from the Opposition*). I do not think that they have realized the change that the persons now sitting on the Treasury benches enjoy the full confidence of the electorate of their province (*hear, hear*). Through you Sir I would like to remind my friends sitting on the opposite benches that unfortunately as Brand says "the worst effect of party system is its tendency to generate narrow and petty prejudice by which the adherents of one party regard those that belong to the opposing party as unworthy of confidence." Our Honourable Premier just a couple of months before he assumed charge was heralded in some of the provincial papers as perhaps the one man who could save the province, but as soon as he became the leader of one party, he has been made a target for attacks by the same papers who had been praising him so profusely. I fail to understand that mentality. We know that our present Finance Minister has had to work within limitations. It was very difficult for him to present the budget as he would have liked to present it, hedged in as it is with so many non-votable items, but we are glad to find that he has not forgotten to give as

[Mrs. J. A. Shah Nawaz.]

much as he possibly could to the beneficent departments. I would like through you Sir to place some constructive proposals before him. He is a great economist and we are all expecting exceptional things from him and from the members of the new Cabinet. This morning two of my sisters reminded the House of the duty of the present Ministry to one half of the population of India. I support every word of their speeches. In fact I would like to point out that the money that is being at present spent on women's education out of the total grant for education is not more than 12 to 14 per cent. We are very anxious that there should be a re-orientation of our educational policy both for the boys and the girls. Lord Macaulay's system of education, as you all know, has only led to armies of educated young men roaming all over the country for whom there is no place anywhere. We are anxious that there should not be similar bands of educated girls who are ill fitted for their vocation in life. I would, therefore, request the Honourable Education Minister to try and appoint a committee, as one of my colleagues said this morning, who should look into the matter very carefully and see what would be the best curriculum for the girls' education.

Take the case of medical relief work. Unfortunately there is too much infant mortality in India and we lose one infant in every five babies that come into the world. So far as the grant for medical relief is concerned, only 13.98 per cent. of it is spent on medical relief for women.

Chaudhri Krishna Gopal Dutt : That is a blessing (*Laughter*).

Mrs. J. A. Shah Nawaz : I would request the Honourable Minister of Public Health to take this into consideration that even in many district towns there are no maternity hospitals and very few child welfare centres. It is gratifying to note that as far as the welfare centres are concerned, Punjab is ahead of the other provinces, but like the Mysore State we wish to see a school and an Infant Welfare Centre in almost every village so that there should be a substantial reduction in illiteracy and child mortality.

We are grateful to the Minister of Education for the provision of a couple of new schools and a Circle Inspectress of Schools but the addition of one Inspectress is not sufficient. We need one for each district and I do hope provision will very soon be made for this.

Coming to the question of Industry, it is high time that the Punjab Government considered about the provision of subsidising some of the new industries. We find that private capital in the province is very shy just because they know that there is no security for the capital which is going to be spent on industry. A certain sum ought to be set apart for subsidising private concerns and I do hope that the Ministry in their next budget will set aside a substantial sum for that purpose. It is gratifying to find that new irrigation projects are going to be taken in hand. This is one of the means by which there will be a large reduction in unemployment. We know how people are suffering owing to a lack of employment as no new avenues of work are open to them. When a large project of this kind is taken in hand, a large number of persons have to be employed. Haveli Project has already been started and Thal Project I understand is under consideration. It is reassuring to know that the Punjab Government are taking the Thal Project into consideration because, as many of the members

in this House are aware, the people of Mianwali and Muzaffargarh districts have been suffering for a long time. These districts were promised the scheme in 1902 and since that time project after project has been sanctioned and their interests have not been safeguarded. We are glad to find that the Punjab Government is at last considering the scheme.

We can, at present, borrow money cheaply. As my honourable colleague Mr. W. Roberts said, when money can be secured at cheap rates of interest large projects can be taken in hand. Why should we not follow the example of some foreign countries who are trying to lessen unemployment through circulation of money by internal borrowing and then spending it on large profitable concerns, I would say, productive activities, so that our income should increase and at the same time there should be a substantial reduction in unemployment.

Before I sit down, I would like to say one word about the present communal tension. When listening to the statement which the Honourable the Premier made yesterday, I was thinking of the time when the Round Table Conference was sacrificed on the altar of communal tension. I can never forget the time, and many of my colleagues of the Round Table Conference, who are present in this House to-day, will bear me out, how sad we all felt when before the members of foreign nations, the greatest of our leaders had to acknowledge that we Indians could not settle our differences. In connection with the first Round Table Conference at least in seventeen or eighteen of my speeches I had told the people in England that if the Congress had been co-operating, the settlement between the different communities would have been arrived at in no time.

Diwan Chaman Lall : May I interrupt the honourable member and ask her to give us chapter and verse of the fact that the Congress did not co-operate with regard to the communal settlement ?

Mrs. J. A. Shah Nawaz : I said that in connection with the first Round Table Conference—I think Diwan Sahib did not catch the words—I had to deliver a number of speeches round about the City of London and I told the people everywhere that had the Congress been co-operating, the settlement would have been arrived at very soon.

Dr. Shaikh Muhammad Alam : What happened when the Congress co-operated ?

Mrs. J. A. Shah Nawaz : Mahatma Gandhi went as the sole representative of the Congress. We sat on several occasions until 4 o'clock in the morning trying to bring about a settlement between ourselves without any success. At last Mahatma Ji had to report to the Prime Minister that unfortunately we Indians could not come to an understanding. My countrymen can well imagine my feelings then.

Mr. Speaker : Order, order. The honourable member's time is up *(At the special request of the House she was however allowed a minute more).*

Mrs. J. A. Shah Nawaz : I thank you, Mr. Speaker and my colleagues for granting me this concession. As I was saying in my speech, we unfortunately could not settle. I have to make one appeal through you Sir to

[Mrs. J. A. Shah Nawaz.]

all my brethren and my sisters present in this Hall to-day. Let us not wreck the Provincial Autonomy on the same alter on which the Round Table Conference was sacrificed. I can never forget that very sad moment when ultimately the negotiations broke down and my poor father came home and cried like a child? We knew then that the Round Table Conference had come to an end and after that there was no question of liberty and freedom for our country. We knew that the new constitution could not be anything better than the one given to us. Had we come to an understanding, you would not have been complaining to-day about the question of fiscal autonomy and other matters. Therefore, I appeal to my countrymen through you, Sir, to try to come to an understanding now. I appeal especially to my colleagues on the opposite side to do all that lies in their power to remove the communal bitterness and become Punjabis each and all, for remember : " United we stand and divided we fall."

Lala Duni Chand (Ambala and Simla, General, Rural) : I desire

4 P. M. Sir, to address this House in plain and unvarnished language, though nonetheless, sincere and earnest, hoping that thereby I might be able to contribute, in howsoever small a degree, to the conditions in the Punjab. I also want to compliment the Honourable Finance Minister and the Finance Secretary. But my reasons for complimenting them are quite different. I compliment them because in these two distinguished Indian gentlemen I have got experts in Finance. It is impossible for me to deny that fact, and, therefore, I acknowledge it. It was only a short time ago when the doors of the Punjab Secretariat were closed to the Indians, howsoever distinguished and able. They were not allowed to enter the sacred precincts of the Punjab Secretariat. But for the extraordinary political and national consciousness that at times assumed the form of upheavals and which is responsible for having Mr. Manohar Lal as the Honourable Finance Minister or Mr. Ram Chandra as the Finance Secretary, but for these hard facts they would not have been there nor would many of the distinguished Indians, who are occupying high portfolios, have been there. It is true that in Mr. Manohar Lal we have got an able Finance Minister. But he has yet to demonstrate in the course of the next 5 years of his regime that he has been able to achieve anything appreciable for the masses of this province. Sir, I shall leave out the big issue whether the capitalistic system of society or the imperialistic system of Government is responsible for all our ills. This issue is for bigger people. But I want to deal with two smaller issues. The one issue is that the Honourable Finance Minister or the Cabinet of the Punjab should adopt and carry out a radical and bold policy of taxation in two directions ; firstly, in the direction of taking maximum tax out of those who have got maximum income and taking minimum tax out of those who have got minimum income ; and secondly, in the direction of relieving of those people from the burden of taxation who are unable to pay any taxes.

The other thing that is absolutely necessary in order to bring about any appreciable change in the economic condition is that the present costly administration must be done away with. I believe in all earnestness that so long as this costly administration is there, it is impossible to effect any great change in the economic conditions of the people.

Sir, in connection with the question of taxation I refer to two kinds of taxes. The land revenue tax is nothing but a tax on the agricultural income. This is a tax which is very high for the poor people. To my mind it appears the height of cruelty to those agriculturists, those cultivators who cannot produce sufficient to maintain their starving children. They should not be taxed in any form of shape. The other tax, which is hitting the poor hard is what is sometimes called the professional tax and sometimes the *haysiat* tax. I know it for a fact that this tax is levied on those people who cannot possibly have two meals a day.

(*Premier* ; Do you include lawyers ?) I do not say from all, but some of them. A very large number of those people, who are called upon to pay the *haysiat* or professional tax, are absolutely unable to pay. Added to this there is another trouble namely the agencies that have been set up to levy this tax are most unsatisfactory. They are actuated by most unworthy and in some cases vindictive motives in taxing those people who are quite unable to pay any tax. Dozens of instances have come to my notice. Recently during the last elections these official agencies had been taxing those people who took the side of the Congress or took part in other popular movements. If anyone goes into this question carefully, hundreds of instances of that kind will be forthcoming. This is what I want to say on the question of taxation.

Let me next take up the question of general administration. I may, first of all, refer to one most painful part of the budget, It is an item which provides money for the maintenance of the additional police force in order to cope with the communal situation. I know that money has been provided for additional police force for many years and it has been provided this year also. I submit that this is the saddest commentary on the communal condition in this province. Sir, my heart goes out all in sympathy for those men, women and children who are the victims of these communal outbursts. There is only one pleasant feature of the situation. I do not propose to give any reasons or to give any causes with regard to these communal outbursts, lest my views might create any kind of unpleasantness in this House on the subject. The most pleasant situation is that all the groups of honourable members in this House including our humble selves are determined in all seriousness to put an end to this painful phase of the Punjab (*hear, hear*). I will be prepared to make any sacrifice and to make any efforts to make a contribution to the solution of this most complicated problem (*hear, hear*).

Sir, I want to say a word with regard to what is called the Haveli Project. I note that about 53 lakhs has been provided for this project for the present financial year. It is a laudable object : it is a laudable project. I want to tell one thing to the Government members about this project. They should see seriously and earnestly that every pie of these 53 lakhs is properly spent. Sir, I know and I am afraid that a goodly portion of this huge sum of 53 lakhs will be squandered away, misappropriated and will go as bribe into the pockets of the officials and officers. I know Sir, that big contractors. . . (*Minister for Finance* : That is absolutely an incorrect statement.) Pardon me for contradicting the Honourable the Finance Minister. He refuses to look into the condition of the country with open

[Lala Duni Chand.]

eyes. If the question of eyes and no eyes arises, it is only on occasions like this. I am a man who has got sense of responsibility. I pledge my sense of responsibility and my honour for the correctness of the statement that I make.

Premier : Sir, may I request the honourable member through you not to make any sweeping generalisations, because they are always invidious.

Lala Duni Chand : I did not say the whole item. I said a goodly percentage of the item. Connected with this question there is the question of the corruption prevailing in different departments of the Government. I invite the attention of the honourable Chaudhri Sir Chhotu Ram to the report of the committee that was set up in 1922-23 of which he was a member. He was a party to the unanimous report to the effect that in all departments—I am quoting the very words of the report—in all departments of the Government corruption is rampant. (*Premier :* It is not denied.) The Government endorsed the report in these very words. I shall be grateful to the honourable members on the Treasury benches if they can eradicate or even minimise the amount and the extent of corruption in this province. It is most appalling. I know Government members always make professions but when the question of translating those professions into practice comes they fail badly. Sir, if you will permit me I would like to proceed next with the public services.

Mr. Speaker : The honourable member's time is up.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, there were one or two points not relating to my departments, that have been raised by several members in which I am to some extent interested in a personal capacity. The most important of these points related to the Bhakra Dam Project. I will not be long in speaking about the Bhakra Dam Project. It is one of the most essential projects which should be given effect to if real substantial good is to be done to the peasants of the Punjab. But I say at once that so far as Government is concerned it is not at all to blame. Government has always been and still is, prepared to undertake the construction of the Bhakra Dam Project as soon as certain difficulties which are standing in the way, are removed. So far as I am concerned personally I may inform the House that as soon as the first session of this Assembly was over, the first act I did was to send for the file relating to the Bhakra Dam Project (*hear, hear*). (*Chaudhri Krishna Gopal Dutt :* Was that all ?) That was not all. I recorded a note on the file, and asked for some important information. I can assure members who represent the south-eastern districts that I will not allow my colleague here a moment's rest until he does something to bring to the thirsty lands of the south-eastern districts water to irrigate them (*hear, hear*). Whether that water comes through the construction of the Bhakra Dam Project or through undertaking some other project is immaterial to me. But I will use the last ounce of my energy to see that something is done to bring about better conditions in the south-eastern districts through irrigation (*hear, hear*).

Another reference was made by Sardar Lal Singh of Ludhiana. He said that the Rural Reconstruction Department had been spending really nothing on rural reconstruction, and that 90 per cent. of the money under this head was spent on the payment of salaries. He did not realise the fact that rural reconstruction is not a department which spends anything substantially. The Rural Reconstruction Commissioner is only to co-ordinate the activities of various other departments whose business it is to bring about rural reconstruction (*hear, hear*).

I may now make a brief reference to one of my own departments, that of Industries. One or two members stated that industries were not at all attended to by Government, and that the province of the Punjab was very backward industrially. They suggested the need for taking vigorous steps to promote the cause of industrial expansion. In this connection I may be allowed to read one or two extracts from a speech which I delivered with the complete concurrence of the Premier on the 1st of May last at the Annual General Meeting of the Indian Chamber of Commerce. From these extracts members will be able to judge what the attitude of Government is towards industrial expansion. But before I read out these extracts I frankly admit that so far as the question of industrial backwardness is concerned, I am at one with those who have complained about the backwardness of our province.

Chaudhri Krishna Gopal Dutt : Are these your present views ?

Minister for Development : Yes.

Mr. Speaker : No question but through the Chair.

Minister for Development : Here are the extracts —

“ Both general considerations of the prosperity of the province and the need of tackling the problem of unemployment point unmistakably in the same direction. Industrialisation appears to be the only promising solution. What we sell at so many seers per rupee in its raw condition has to be purchased by ourselves at so many *chattaks*, even *tolas*, per rupee in its manufactured and finished condition. If we can ourselves turn over raw produce into finished articles, we shall add millions upon millions to the income of agricultural classes and shall be able to find employment for most, if not all, of our educated young men.”

But here the limitation is that of having resources; so long as our income remains what it is and so long as our expenditure remains what it is, no substantial industrial expansion is possible. How are these fresh funds to be brought into our hands? With regard to this I used the following language :

“ Fresh funds for the expansion of nation-building activities are absolutely essential. The maintenance of existing services at their present pitch will absorb our present income more or less to the full, and such retrenchments and economies as can be made without sacrificing efficiency are not likely to release any very large funds. So the main portion of the funds required for any serious programme of expansion and development will have to be found from fresh taxation the burden of which will necessarily fall on the more well-to-do portion of our population.”

Chaudhri Krishna Gopal Dutt : You did not say this in 1931 when you wrote those articles.

Minister for Development : This is what I said on the 1st of May, 1937. I am sure I have not said anything to which reasonable exception can be taken.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, may I ask the Honourable Minister for Development if it is not a fact that some years ago he believed and gave expression to the belief that these laudable schemes could not be carried out through taxation but through retrenchment? But today the statement he has made is a different one. (*A voice :* His views may change). I can quote chapter and verse when you said that this thing could not be achieved through taxation but through radical retrenchment.

Minister for Development : I did not say that; but if I did, it must have been a mistake.

My friend drew my attention to a series of articles which I wrote in 1981. In principle I stand by every word that I wrote in those articles. (*Interruption*). My friend is mistaken. I could not have said that and if my friend insists that I did, let me say that it must have been a mistake, because I know the limits of retrenchment and economies so well. Even in the articles which I contributed to the press I suggested economies to the extent of 2 crores as a maximum.

Chaudhri Krishna Gopal Dutt : Essentially through retrenchment and that the province could not bear more taxation. You clearly said that in those articles.

Mr. Speaker : The honourable member will please not put his question to the Honourable Minister direct.

Chaudhri Krishna Gopal Dutt : When there is a passage at arms between a Government member and a member of the Opposition, sometimes we have to use the word 'you'.

Mr. Speaker : But this should not be done.

Chaudhri Krishna Gopal Dutt : Is not that the practice in the Central Legislature?

Mr. Speaker : But I must follow the rules and practice of this House. I do not care what the practice is of any other House.

Chaudhri Krishna Gopal Dutt : If you do not care for this, we do care for this procedure.

Mr. Speaker : The honourable member has to care for the rules and practice of this House.

Chaudhri Krishna Gopal Dutt : Are there any rules of the House on this question?

Mr. Speaker : The honourable member is referred to Standing Order 27 of the Interim Rules. Besides, that is the practice of the House.

Chaudhri Krishna Gopal Dutt : I would maintain that the Honourable Minister for Development clearly asserted in those series of articles that the province could not bear further taxation. He is making an absolutely different statement today.

Mr. Speaker : The honourable member is quite within his right to ask this.

Lala Duni Chand : Sir, in the English language the word 'you' is not used in any bad sense.

Mr. Speaker : Order ! order !

Minister for Development : I stand by every word that I wrote in those articles with regard to retrenchment.

Before I come to a close so far as the particular point now under discussion is concerned, I may inform the House that in 1932 a Retrenchment Committee was appointed. That Committee made a report as a result of whose recommendations retrenchments to the tune of 180 lakhs were effected, and my friends probably will be pleased to learn that a fair and substantial portion of those retrenchments was of a permanent character.

Chaudhri Krishna Gopal Dutt : It is a serious confession that you were able to make so much retrenchment on services.

Minister for Development : No that was not only in respect of services. The range over which retrenchments were effected covered a very large area. It certainly covered some of the services, allowances, etc., but it covered a good deal more.

I will draw the attention of the House to one point more. It has been suggested by speaker after speaker from the Opposition benches that the present Government does not differ in any way from its predecessor, that it has the same mentality, that it has done nothing so far and that nothing can be expected of it in the future. So far as the mentality of the present Government is concerned, it will be found to be very materially and substantially different, even radically different, from the mentality of its predecessor. I can refer my friends of the Opposition to a certain number of resolutions of which notice was given on behalf of the members of the Ministerial Party, and I need only draw the attention of the House to the nature of those resolutions to prove this difference. Some of those resolutions are such that they would have given a positive fright to the Government which we have replaced. I will just read the substance of those resolutions.

(1) Best means of applying so far as practicable, the principles governing income tax to the assessment of land revenue.

(2) Reform and regulation of mandi usages in order to safeguard the interests of customers.

(3) Standardisation of weights and measures.

(4) Very substantial scaling down of debts in all cases and complete extinction of debts in some.

(5) Increasing the number of conciliation boards.

(6) Restoration to judgment debtors of their houses where those houses have passed into the hands of decree holders as a result of collusive auction sales.

(7) Best means of cancelling *benami* transactions contrary to the provisions of the Land Alienation Act.

(8) Compulsory retirement after twenty-five years of service of officers with indifferent record for efficiency or honesty.

(9) Dismissal without further enquiry of officers with established reputation for dishonesty.

[Minister for Development.]

(10) Enlarging the scope of usefulness of the Panchayat Act.

(11) Taking special steps to secure a fair distribution in Government employment of all backward classes particularly the statutory Hindu agriculturists and depressed classes.

(12) Throwing open of all public wells to all classes without distinction of caste or creed.

(13) Overhauling of the Northern India Canal and Drainage Act and the rules made thereunder.

(14) Appointment of a committee to supervise the pace of progress and course of expenditure on the Haveli Project.

Chaudhri Krishna Gopal Dutt : Were these resolutions inspired by Government ?

Minister for Development : It is the ministerial party which gave notice of these resolutions.

Mr. Speaker : The Honourable Minister need not answer such questions unless they are asked through the Chair.

Diwan Chaman Lall : May I ask the Honourable Minister one question ? Does the Government accept all these resolutions ?

Minister for Development : If the honourable member had waited a little longer he would have had an answer. I was going to say, that it may be contended, and reasonably contended, that these resolutions may or may not represent the precise attitude of the Government. True, But I do claim that the very fact that notices of these resolutions had been given by members of the ministerial party may be regarded as a fair index of the Government's future intentions and plans in general for the good of this province (*Cheers*).

Mir Maqbool Mahmood : In view of the fact that there are a very large number of members on the other side and in view of the fact that Government members also have got to speak and also in view of the fact that only one day more, that is the 24th, is left for the general discussion of the budget, may I suggest that the House may sit one hour longer today ?

Dr. Gopi Chand Bhargava : We had no idea that the sitting today would be prolonged by one hour and so we have fixed up other engagements. I would suggest that if necessary the House may sit one hour longer on the 24th.

Mr. Speaker : What shall happen, if there is an adjournment motion on that day ? I have already received notice of one such motion.

An honourable member : One day more may be allotted for the general discussion of the budget.

Mr. Speaker : That is not in my power.

The Assembly then adjourned till 11 A. M., on Thursday, 24th June, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 24th June, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 a.m. of the clock. Mr. Speaker in the chair.

UNSTARRED QUESTIONS AND ANSWERS.

SUPERSESSION OF MUNICIPAL COMMITTEE, SARGODHA.

66. Sardar Sahib Sardar Ujjal Singh : Will the Honourable Minister for Public Works be pleased to lay on the table the correspondence, if any, between the Deputy Commissioner and the Government on the subject of supersession of Municipal Committee, Sargodha.

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : It would not be in the public interest to lay these papers on the table.

SCHEDULED CASTES IN GOVERNMENT SERVICE.

67. Pandit Shri Ram Sharma : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the members of scheduled castes are not enlisted in the Police and the Army ;
- (b) if the answer to (a) above be in the negative, the reason for the same ; otherwise, their number in departments mentioned in (a), and in the Revenue, Canal, Co-operative, Civil and the Jail departments and the total amount of pay they draw ;
- (c) whether the Government proposes to take them in Government service according to the strength of their population ; if so, in what proportion ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) There is no bar on the enlistment of members of the depressed classes in the Police. Army recruitment is a matter for the Central Government.

(b) The time and labour involved in collecting this information would be out of all proportion to its value.

(c) If suitably qualified candidates are available, their legitimate claim will not be ignored.

WATER RATE FIGURES FOR THE LAST FIFTY YEARS.

68. Pandit Shri Ram Sharma : Will the Honourable Minister for Revenue be pleased to lay on the table—

- (a) figures re water rates for the last fifty years, tax charged on the Western Jumna Canal for sugarcane, rice, wheat, gram, cotton, oil-seed, fodder, vegetables and gardens ;

[Pandit Shri Ram Sharma.]

(b) if the figures show an increase in the water rates, the reasons underlying that increase?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Attention of the honourable member is invited to Irrigation Branch Administration reports for the past 50 years.

(b) Attention of the honourable member is invited to the Abiana Committee Report of 1934.

REMISSION OF LAND REVENUE IN HISSAR, GURGAON AND ROHTAK
DISTRICTS.

69. Pandit Shri Ram Sharma : Will the Honourable Minister for Revenue be pleased to place on the table tahsil-wise the number of villages in the districts of Hissar, Gurgaon, and Rohtak, in which land revenue was remitted or its collection postponed on account of failure of crops from 1930, up to the *rabi* harvest of 1937, with details of these concessions in each case?

The Honourable Dr. Sir Sundar Singh Majithia : Statements are laid on the table:—

Statement showing the number of villages and the amount of land revenue which was suspended or remitted therein on account of failure of crops from 1930 up to the Rabi harvest of 1937 in Hissar district by tahsils.

| Name of Tahsil. | 1930-31. | | | | 1931-32. | | | |
|----------------------|--------------------------|----------|--------------------------|---------|--------------------------|----------|--------------------------|----------|
| | <i>Suspended.</i> | | <i>Remitted.</i> | | <i>Suspended.</i> | | <i>Remitted.</i> | |
| | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. |
| | | Rs. | | Rs. | | Rs. | | Rs. |
| Bhiwani | 11 | 7,440 | 1 | 366 | 20 | 17,030 | .. | .. |
| Hansi | 36 | 36,933 | .. | .. | 4 | 4,386 | 2 | 3,300 |
| Hissar | 90 | 38,224 | 29 | 15,939 | 57 | 25,399 | 43 | 21,583 |
| Fatehabad | 94 | 44,099 | 1 | 462 | 79 | 25,740 | 48 | 39,926 |
| Sirsa | 120 | 48,475 | 10 | 3,668 | 282 | 95,033 | 16 | 46,991 |
| Total of district .. | 360 | 1,75,171 | 41 | 20,435 | 422 | 1,67,588 | 109 | 1,11,800 |

| Name of Tahsil. | 1932-33. | | | | 1933-34. | | | |
|-----------------------------|--------------------------|-----------------|--------------------------|-----------------|--------------------------|-----------------|--------------------------|-----------------|
| | <i>Suspended.</i> | | <i>Remitted.</i> | | <i>Suspended.</i> | | <i>Remitted.</i> | |
| | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. |
| | | Rs. | | Rs. | | Rs. | | Rs. |
| Bhiwani | 81 | 82,217 | 83 | 1,15,278 | 7 | 6,633 | 15 | 14,044 |
| Hansi | 68 | 91,674 | 53 | 69,168 | 8 | 8,412 | 82 | 37,744 |
| Hissar | 214 | 1,52,121 | 134 | 1,11,793 | 37 | 32,645 | 69 | 57,193 |
| Fatehabad | 206 | 1,63,862 | 115 | 89,916 | 72 | 47,114 | 79 | 64,776 |
| Sirsa | 384 | 2,70,593 | 168 | 1,18,553 | 41 | 16,965 | 155 | 1,23,658 |
| Total of district .. | 953 | 7,40,467 | 553 | 5,04,708 | 165 | 1,11,769 | 350 | 2,97,416 |

| Name of Tahsil. | 1934-35. | | | | 1935-36. | | | |
|-----------------------------|--------------------------|-----------------|--------------------------|-----------------|--------------------------|-----------------|--------------------------|---------------|
| | <i>Suspended.</i> | | <i>Remitted.</i> | | <i>Suspended.</i> | | <i>Remitted.</i> | |
| | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. |
| | | Rs. | | Rs. | | Rs. | | Rs. |
| Bhiwani | 33 | 27,458 | 45 | 40,010 | 40 | 29,682 | 3 | 2,583 |
| Hansi | 76 | 88,380 | 42 | 54,868 | 22 | 18,698 | 8 | 8,412 |
| Hissar | 83 | 63,144 | 132 | 82,200 | 30 | 24,428 | 32 | 25,948 |
| Fatehabad | 157 | 1,09,847 | 153 | 1,05,353 | 15 | 5,041 | 49 | 29,819 |
| Sirsa | 85 | 34,997 | 242 | 1,23,498 | 119 | 69,571 | 28 | 9,242 |
| Total of district .. | 439 | 3,13,826 | 614 | 4,05,929 | 226 | 1,47,420 | 120 | 75,004 |

| Name of Tahsil. | 1936-37. | | | |
|-----------------------------|--------------------------|-----------------|--------------------------|-----------------|
| | <i>Suspended.</i> | | <i>Remitted.</i> | |
| | Number of vil- lages. | Amount. | Number of vil- lages. | Amount. |
| | | Rs. | | Rs. |
| Bhiwani | 57 | 64,435 | 21 | 21,470 |
| Hansi | 88 | 1,14,083 | 61 | 63,987 |
| Hissar | 127 | 1,13,724 | 72 | 43,275 |
| Fatehabad | 55 | 33,373 | 38 | 27,715 |
| Sirsa | 98 | 82,468 | 52 | 21,083 |
| Total of district .. | 425 | 3,78,083 | 244 | 1,77,460 |

[Minister for Revenue.]

Statement showing the remissions of land revenue in the Rohtak district from Rabi 1930 to Rabi 1937.

| Name of harvest. | Rohtak tahsil. | | Jhajjar tahsil. | | Gohana tahsil. | | Sonepat tahsil. | |
|------------------|---------------------|------------------|---------------------|------------------|---------------------|------------------|---------------------|------------------|
| | Number of villages. | Amount remitted. | Number of villages. | Amount remitted. | Number of villages. | Amount remitted. | Number of villages. | Amount remitted. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | Rs. | | Rs. | | Rs. | | Rs. |
| Rabi 1930 .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Kharif 1930 .. | 10 | 9,380 | 76 | 51,606 | .. | .. | 10 | 6,106 |
| Rabi 1931 .. | 25 | 18,539 | 245 | 1,69,647 | .. | .. | 18 | 13,444 |
| Kharif 1931 .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Rabi 1932 .. | 93 | 1,45,396 | 122 | 1,17,216 | 63 | 1,02,873 | 35 | 26,570 |
| Kharif 1932 .. | 45 | 51,925 | 248 | 2,12,042 | 13 | 11,280 | .. | .. |
| Rabi 1933 .. | 87 | 50,726 | 242 | 1,00,800 | 94 | 71,668 | 61 | 38,840 |
| Kharif 1933 .. | 122 | 1,12,941 | 188 | 91,784 | 110 | 1,31,227 | 216 | 1,28,202 |
| Rabi 1934 .. | .. | .. | 224 | 13,408 | 68 | 538 | 101 | 30,410 |
| Kharif 1934 .. | 21 | 17,287 | 45 | 12,229 | 6 | 3,653 | 47 | 17,234 |
| Rabi 1935 .. | .. | .. | 32 | 19,008 | 3 | 1,019 | 2 | 447 |
| Kharif 1935 .. | .. | .. | 48 | 16,018 | 7 | 4,518 | 11 | 5,090 |
| Rabi 1936 .. | .. | .. | 8 | 3,066 | .. | .. | .. | .. |
| Kharif 1936 .. | 1 | 180 | 13 | 4,757 | 7 | 3,574 | 6 | 1,847 |
| Rabi 1937 .. | 6 | 3,846 | 7 | 2,233 | 5 | 4,342 | 1 | 62 |

Statement showing the suspension of Land Revenue in the Rohtak district from Rabi 1930 to Rabi 1937.

| Name of harvest. | Tahsil Rohtak. | | Tahsil Jhajjar. | | Tahsil Gohana. | | Tahsil Sonepat. | |
|------------------|---------------------|-------------------|---------------------|-------------------|---------------------|-------------------|---------------------|-------------------|
| | Number of villages. | Amount suspended. | Number of villages. | Amount suspended. | Number of villages. | Amount suspended. | Number of villages. | Amount suspended. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | Rs. | | Rs. | | Rs. | | Rs. |
| Rabi 1930 .. | 40 | 31,437 | 236 | 1,66,926 | 12 | 7,850 | 3 | 1,213 |
| Kharif 1930 .. | 18 | 20,488 | 72 | 45,472 | 4 | 3,400 | 18 | 8,093 |
| Rabi 1931 .. | 97 | 55,648 | 233 | 1,03,756 | 94 | 84,714 | 75 | 43,312 |
| Kharif 1931 .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Rabi 1932 .. | 47 | 42,256 | 158 | 58,384 | 44 | 41,589 | 162 | 53,164 |
| Kharif 1932 .. | 27 | 13,285 | 54 | 21,707 | 14 | 11,218 | 49 | 21,883 |
| Rabi 1933 .. | 23 | 15,640 | 153 | 90,017 | 7 | 3,740 | 20 | 11,201 |
| Kharif 1933 .. | 33 | 28,473 | 55 | 24,419 | 25 | 21,676 | 7 | 1,282 |
| Rabi 1934 .. | .. | .. | 8 | 2,252 | .. | .. | 6 | 2,235 |
| Kharif 1934 .. | 9 | 5,615 | 44 | 18,624 | 25 | 13,014 | 11 | 3,531 |
| Rabi 1935 .. | 38 | 21,481 | 107 | 27,961 | 22 | 10,937 | 5 | 1,141 |
| Kharif 1935 .. | 6 | 3,057 | 49 | 17,821 | 1 | 622 | 9 | 983 |
| Rabi 1936 .. | 4 | 2,023 | 22 | 8,982 | 2 | 569 | 3 | 221 |
| Kharif 1936 .. | .. | .. | 13 | 3,306 | 4 | 10,513 | 2 | 276 |
| Rabi 1937 .. | 8 | 4,316 | 22 | 8,478 | 4 | 3,011 | .. | .. |

Statement showing the number of villages in the Gurgaon district in which Land Revenue was remitted or its collection postponed on account of failure of crops from 1980 to Rabi 1987 and the details of the relief granted.

| Taluk | RABI 1980. | | | | | | KHAIF 1980. | | | | RABI 1981. | | | | KHAIF 1981. | | | |
|-----------------|---|----|--------------------|-------------------|---|------------|--------------------|-------|---|----------|--------------------|------------|---|-----------|--------------------|----|--|--|
| | Number of villages in which land revenue was remitted or sus- pended. | | Details of relief. | | Number of villages in which land revenue was remitted or sus- pended. | | Details of relief. | | Number of villages in which land revenue was remitted or suspen- ded. | | Details of relief. | | Number of villages in which land revenue was remitted or sus- pended. | | Details of relief. | | | |
| | 2 | 3 | Amount remitted. | Amount suspended. | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | | |
| Gurgaon | 116 | .. | Rs. 66,790 | .. | 109 | Rs. 78,624 | 56,326 | 187 | 29,368 | 45,686 | 148 | Rs. 11,426 | .. | Rs. 3,403 | | | | |
| Rewari | 115 | .. | 46,336 | .. | 258 | 1,14,026 | 95,235 | 308 | 82,725 | 34,683 | 246 | 8,966 | .. | 6,740 | | | | |
| Nuh | 165 | .. | 76,000 | .. | 144 | 1,98,337 | 61,874 | 248 | 1,40,343 | 63,749 | 203 | 31,640 | .. | 1,118 | | | | |
| Ferozpur-Thirka | 142 | 25 | 57,433 | .. | 174 | 86,328 | 87,437 | 241 | 77,897 | 50,555 | 232 | 37,018 | .. | 4,459 | | | | |
| Palwal | 97 | .. | 53,095 | .. | 58 | 53,226 | 30,192 | 197 | 84,115 | 84,438 | 186 | 24,515 | .. | 7,944 | | | | |
| Ballaigarh | 120 | .. | 64,793 | .. | 101 | 82,967 | 45,645 | 197 | 38,814 | 67,650 | 201 | 28,107 | .. | .. | | | | |
| Total | 755 | 25 | 3,63,447 | .. | 844 | 5,33,508 | 3,75,709 | 1,378 | 2,37,421 | 3,46,661 | 1,216 | 1,41,675 | .. | 23,664 | | | | |

*These figures show the remissions granted out of suspended land revenue.

[Minister for Revenue.]

Statement showing the number of villages in the Gurgaon district in which Land Revenue was remitted or its collection postponed on account of failure of crops from 1930 to Rabi 1937 and the details of the relief granted—contd.

| Taluk | RABI 1932. | | | | Kharif 1932. | | | | RABI 1933. | | | | Kharif 1933. | | | | | | | |
|--------------------|--------------------|-------------------|---|-----|--------------------|-------------------|---|------------|--------------------|-------------------|---|--------------|--------------------|-------------------|---|-------|--------------------|--------|---|----|
| | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | 14 | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | 17 | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | 20 | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | 23 | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | 24 |
| | Amount remitted. | Amount suspended. | | | Amount remitted. | Amount suspended. | | | Amount remitted. | Amount suspended. | | | Amount remitted. | Amount suspended. | | | | | | |
| Gurgaon .. | Rs. 17,160 | Rs. 55,667 | 150 | 150 | Rs. 61,479 | 73 | 73 | Rs. 587 | Rs. 23,235 | 224 | 224 | Rs. 1,18,740 | 2301 | 2301 | 224 | 224 | Rs. 1,18,740 | 2301 | 2301 | |
| Rewari .. | *1,63,716 | 56,038 | 172 | 172 | .. | 107 | 107 | *96,562 | 11,293 | .. | .. | 1,15,034 | .. | .. | 308 | 308 | 1,15,034 | .. | .. | |
| Nuh .. | *1,12,729 | 47,738 | 188 | 188 | .. | 226 | 226 | *1,11,509 | 79,266 | .. | .. | 1,53,496 | 3,925 | 3,925 | 289 | 289 | 1,53,496 | 3,925 | 3,925 | |
| Firozpur-Jhirka .. | 14,428 | 35,625 | 136 | 136 | .. | 143 | 143 | .. | 41,109 | .. | .. | 41,109 | 5,833 | 5,833 | 244 | 244 | 1,27,900 | 5,833 | 5,833 | |
| Patwal .. | 5,799 | 73,370 | 197 | 197 | .. | 159 | 159 | *1,37,913 | 1,33,866 | .. | .. | 1,33,866 | 5,552 | 5,552 | 197 | 197 | 1,81,669 | 5,552 | 5,552 | |
| Ballsagarh .. | *1,37,080 | 19,394 | 85 | 85 | .. | 125 | 125 | *1,14,110 | 40,360 | .. | .. | 40,360 | 3,538 | 3,538 | 176 | 176 | 90,748 | 3,538 | 3,538 | |
| | 22,164 | | | | | | | | | | | | | | | | | | | |
| | *1,80,304 | | | | | | | | | | | | | | | | | | | |
| | 8,103 | | | | | | | | | | | | | | | | | | | |
| | *2,44,180 | | | | | | | | | | | | | | | | | | | |
| Total .. | 70,224 | 2,87,838 | 926 | 926 | .. | 913 | 913 | 2,541 | 3,29,129 | .. | 705 | 705 | 2,541 | 3,29,129 | 1,438 | 1,438 | 7,87,586 | 22,149 | 22,149 | |
| | *10,34,183 | | | | | | | * 6,96,103 | | | | | | | | | | | | |

*These figures show the remissions granted out of suspended land revenue.

Statement showing the number of villages in the Gurgaon district in which Land Revenue was remitted or its collection postponed on account of failure of crops from 1930 to Rabi 1937 and the details of the relief granted—contd.

| Taluk. | RABI 1934. | | | | KHAIR 1934. | | | | RABI 1935. | | | | KHAIR 1935. | | | |
|--------------------|--------------------|-------------------|---|---|--------------------|-------------------|---|---|--------------------|-------------------|---|---|--------------------|-------------------|---|---|
| | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | Number of villages in which land revenue was remitted or suspended. | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | Number of villages in which land revenue was remitted or suspended. | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | Number of villages in which land revenue was remitted or suspended. | Details of relief. | | Number of villages in which land revenue was remitted or suspended. | Number of villages in which land revenue was remitted or suspended. |
| | Amount remitted. | Amount suspended. | | | Amount remitted. | Amount suspended. | | | Amount remitted. | Amount suspended. | | | Amount remitted. | Amount suspended. | | |
| 1 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | |
| Gurgaon .. | 9 | Rs. 2,458 | Rs. 2,458 | 106 | Rs. .. | Rs. 38,903 | 51 | Rs. .. | Rs. 25,903 | 114 | Rs. .. | Rs. 49,157 | 114 | Rs. .. | Rs. 49,157 | |
| Bawari .. | 4 | *23,198 | 1,783 | 199 | .. | 54,232 | 81 | *20,348 | 21,962 | 284 | .. | 93,756 | 284 | .. | 93,756 | |
| Nuh .. | 42 | *15,733 | 14,388 | 152 | .. | 60,065 | 87 | *6,404 | 82,663 | 132 | .. | 45,195 | 132 | .. | 45,195 | |
| Firozpur-Jhirka .. | 8 | *41,763 | 2,723 | 177 | .. | 67,170 | 142 | *39,369 | 41,133 | 151 | .. | 50,101 | 151 | .. | 50,101 | |
| Palwal .. | 42 | *19,143 | 21,103 | 159 | .. | 1,11,785 | 149 | *13,494 | 70,152 | 137 | .. | 70,900 | 137 | .. | 70,900 | |
| Ballaighath .. | 12 | *55,062 | 1,725 | 101 | .. | 38,078 | 67 | *32,789 | 28,779 | 129 | .. | 47,636 | 129 | .. | 47,636 | |
| Total .. | 117 | .. | 44,180 | 894 | .. | 3,71,124 | 577 | 11,094 | 2,20,237 | 947 | .. | 3,50,645 | 947 | .. | 3,50,645 | |
| | | *1,61,534 | | | | | | *1,84,972 | | | | | | | | |

*These figures show the remission granted out of suspended land revenue.

[Minister for Revenue.]

Statement showing the number of villages in the Gurgaon district in which Land Revenue was remitted or its collection postponed on account of failure of crops from 1980 to Rabi 1937 and the details of the relief granted—conold.

| Taluk. | RABI 1936. | | | Kharif 1936. | | | RABI 1937. | | | REMARKS. |
|-----------------|--------------------|-------------------|--|--------------------|-------------------|--|--------------------|-------------------|--|----------|
| | Details of relief. | | Number of villages in which land revenue was remitted or sus-pended. | Details of relief. | | Number of villages in which land revenue was remitted or sus-pended. | Details of relief. | | Number of villages in which land revenue was remitted or sus-pended. | |
| | Amount remitted. | Amount suspended. | | Amount remitted. | Amount suspended. | | Amount remitted. | Amount suspended. | | |
| 1 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 |
| Gurgaon | 39 | Rs. 21,170 | Rs. 14,975 | 68 | Rs. 18,101 | 18,101 | 5 | Rs. 196 | 2,216 | |
| Rewari | 96 | 85 | 27,764 | 160 | 40,400 | 40,400 | 22 | *62,908 | 4,565 | |
| Nah | 82 | *10,421 | 6,758 | 93 | 35,013 | 35,013 | 9 | *1,14,008 | 2,418 | |
| Firozpur-Jhirka | 90 | *36,962 | 21,358 | 72 | 29,262 | 29,262 | .. | *98,816 | .. | |
| Palwal | 89 | *24,713 | 35,741 | 67 | 29,299 | 29,299 | 41 | *62,083 | .. | |
| Balagarh | 87 | *61,889 | 23,521 | 89 | 34,096 | 34,096 | 93 | *1,66,031 | 11,305 | |
| | | 475 | | | | | | 8,825 | 40,970 | |
| | | *16,709 | | | | | | *68,643 | | |
| Total | 438 | 1,138 | 1,30,117 | 549 | 1,86,161 | 1,86,161 | 170 | 9,021 | 61,460 | |
| | | 1,71,884 | | | | | | *5,68,439 | | |

*These figures show the remissions granted out of suspended land revenue.

ELEMENTARY AIDED SCHOOLS.

70. Pandit Shri Ram Sharma : Will the Honourable Minister for Education be pleased to lay on the table—

- (a) a statement showing division-wise the number of primary aided schools, the number of students in them, and the amount of aid granted to them on 31st March, 1936 and 31st March, 1937;
- (b) whether the number of such schools and the amount of aid granted to them in the Ambala division has decreased; if so, the reasons for the same?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

GOVERNMENT GIRLS' HIGH SCHOOL AT REWARI.

71. Pandit Shri Ram Sharma : Will the Honourable Minister for Education please state—

- (a) whether there is a Government Girls' High School in the Gurgaon district;
- (b) whether there is any girls' high school in Rewari town;
- (c) whether it is a fact that Rewari is the biggest town of the district with a large population;
- (d) the reasons for not providing Rewari with a high school for girls?

The Honourable Mian Abdul Haye : (a) No.

(b) No.

(c) Yes.

(d) Up till the present, Government was not aware of any demand for a high school, probably because so few girls appear for the middle standard examination.

ADULTERATED GHEE.

72. Pandit Shri Ram Sharma : Will the Honourable Minister for Education be pleased to state—

- (a) the number of cases against the sale of adulterated ghee that have been started by the committees in the districts of Rohtak, Hissar and Gurgaon during the last two years;
- (b) what further measures Government proposes to adopt to defeat adulteration of ghee in the province?

The Honourable Mian Abdul Haye : (a) No cases were instituted in connection with the sale of adulterated ghee by the committees in the Hissar district. The committees in the Rohtak district compromised 8 cases with fines aggregating Rs. 446; one case was brought to court and resulted in a fine of Rs. 10. The committees in the Gurgaon district instituted 4 cases in all of which the accused were convicted.

(b) Efforts are being made to persuade more local authorities to adopt the Punjab Pure Food Act and to make use of the Act after adoption.

COMPARATIVE EDUCATIONAL PROGRESS IN DIFFERENT EDUCATIONAL DIVISIONS.

73. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state the number division-wise of boys of the IV primary classes of the various recognized schools who passed the promotion examinations during each of the last five years in each of the five educational divisions of the Punjab ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

AMOUNT OF GRANT-IN-AID GIVEN TO LOCAL BODIES IN THE LAST FINANCIAL YEAR TO PROVIDE FOR BOOKS, ETC.

74. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state—

(a) whether in any Board primary schools of the Punjab the children of indigent parents were supplied free books and writing material by local bodies during the last financial year ;

(b) whether the local bodies mentioned in (a) above received any special grants-in-aid for meeting a portion of their expenditure on free books and writing material ;

(c) if so, the total amount of grants-in-aid given from the provincial exchequer under this head during the last financial year ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

MARRIED BOYS IN HIGH SCHOOLS.

75. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that in most of the high schools of the province there are studying several boys below 18 years of age who are married ;

(b) if so, whether the Government proposes to take any action in the matter ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

CONSTABLES' SCHOOLS IN THE PUNJAB.

76. Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

(a) the number of schools in the Punjab for training constables in the duties which are required to be performed by them ;

(b) the length of the period of training in each of the schools mentioned in (a) above ;

(c) whether arrangements exist in these schools for teaching First Aid ?

The Honourable Major Sir Sikander Hyat-Khan : (a) As the honourable member is probably aware, the courses at the central Phillaur School are for the higher ranks, not for constables. The training of the latter was until lately carried out entirely in their own districts. Recently, however, recruit training centres have been established at Sargodha in the Western Range and at Sialkot in the Central Range. Recruits from five districts are being trained at the former centre, while the Sialkot centre takes the recruits from all the districts of the Central Range, except Lahore and Amritsar. There is at present no training centre in the Eastern Range and recruits are still trained in their districts, but it is hoped shortly to establish one at Jullundur. Recruits for the Railway police are trained separately at Lahore.

(b) The period of training is at present six months, but with effect from the 1st July it is proposed to extend it to nine months in the Central Range, as an experimental measure.

(c) In the Western Range no arrangements at present exist for the training of recruits in First Aid. In the Central Range orders have been issued for such training to be provided. Information as to the position in the Eastern Range is not at the moment available, but will be obtained if the honourable member desires. Adequate arrangements already exist for First Aid training in the Railway police.

STUDENTS WHO APPEARED FOR THE MATRICULATION EXAMINATION IN 1937, FROM SIMLA, AMBALA AND HOSHIARPUR SCHOOLS.

77. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to lay on the table of the House a statement showing the following :—

- (a) the number of boys who appeared for the Matriculation examination in 1937 from the Bilaspur and Nalagarh State high schools and the other high schools of the districts of Simla, Ambala and Hoshiarpur in the Punjab ;
- (b) the number of boys who passed the Matriculation examination in 1937 from each of the schools mentioned in (a) above ?

The Honourable Mian Abdul Haya : I regret that the answer to this question is not ready.

GOVERNMENT HIGH SCHOOL, RUPAR.

78. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to place the following on the table of the House :—

- (a) the total income from fees received in the year, ending 31st March, 1937, of Government High School, Rupar, and the bill of salaries of its staff ;
- (b) the approximate figures of the annual loss in running the Government High School, Rupar, every year (1920—1936) ?

The Honourable Mian Abdul Haya : I regret that the answer to this question is not ready.

GOVERNMENT HIGH SCHOOL, RUPAR.

79. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to place on the table of the House copies of the resolutions passed by the Municipal Committee, Rupar, from time to time regarding the conversion of Government High School, Rupar, into a girls' high school or an Intermediate College and state the action taken by the Government on such resolutions ?

The Honourable Mian Abdul Haye : Attention of the honourable member is invited to the reply given to question No. 65¹, asked by Pandit Shri Ram Sharma in the present session of the Assembly.

SANADS TO TEACHERS EMPLOYED IN THE AIDED PRIMARY SCHOOLS
IN RUPAR TAHSIL.

80. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to place on the table of the House—

- (a) copies of applications put up in the year 1935-36 for the grant of special sanads to teachers employed in the aided primary schools in Rupar tahsil with the remarks of the Assistant District Inspector, District Inspector concerned and the Inspector, Ambala division and the final decisions taken on all such applications by the department ;
- (b) a statement showing, class-wise, the number of boys reading in the aided primary schools in the rural area of Rupar tahsil and the annual result of each of the primary schools, both private and those administered by local bodies which contain 4 primary classes, with the pass percentage of each in the competition examinations ;
- (c) a statement showing the amounts of grants-in-aid given in 1933-34, 1934-35 and 1935-36, to the private aided primary schools in the Rupar tahsil and the reason for increase or decrease, if any, in the amounts of grants-in-aid in each case? The increase or the decrease may kindly be shown in separate columns ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

APPOINTMENT OF EXECUTION AGENTS, ARBITRATORS AND LIQUIDATORS
IN AMBALA.

81 Chaudhri Muhammad Hassan : Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that the Assistant Registrar, Co-operative Societies, Ambala, has been authorised to appoint or dismiss execution agents, arbitrators and liquidators for the co-operative societies of the Ludhiana district ;
- (b) if the answer to (a) above be in the negative, the authorities responsible for their appointment and dismissal ;

(c) the qualifications required for each of the officials mentioned in (a) above;

(d) if any of the above mentioned officials have been appointed or dismissed; if so, by whom and why?

The Honourable Chaudhri Sir Chhotu Ram : I regret that the answer to this question is not ready.

SETTLEMENT OF LYALLPUR DISTRICT.

82. Sardar Sahib Sardar Ujjal Singh : Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the settlement of all the tahsils of Lyallpur district is completed;

(b) if so, whether the services of the settlement staff, including an Extra Assistant Settlement Officer, temporarily employed for this work, have been dispensed with;

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

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, with the exception of the new Extensions circle of the Toba Tek Singh tahsil, assessment proposals for which have not yet been submitted for the orders of Government.

(b) and (c) Most of the settlement staff will be disbanded on 30th June, 1937. The services of the settlement officer and the two Extra Assistant Settlement Officers with a very reduced staff will, however, be required for some time more to dispose of the following business :—

(i) Objections against the new assessment, submitted under section 52 of the Land Revenue Act, by the revenue-payers of the Samundri and Toba Tek Singh circles of the Lyallpur district and Rakh Branch circle of the Sheikhpura district.

(ii) Distribution and announcement of the new assessment in the Extensions circle of the Toba Tek Singh tahsil as soon as the Settlement Officer's proposals are sanctioned by Government.

(iii) Miscellaneous duties imposed on the Settlement Officer, under chapters XXXIII and XXXIV of the Punjab Settlement Manual.

FIRE EXTINGUISHERS IN THE PUBLIC WORKS DEPARTMENT BUILDINGS.

83. Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state—

(a) whether fire extinguishers are kept in the various public buildings under the control of Public Works Department besides ordinary

[Lala Deshbandhu Gupta.]

arrangements' for example, pails of water and sand to be used in emergency cases by the chaukidars of these Government buildings ;

- (b) if so, whether it has ever been ascertained if the chaukidars in charge of buildings provided with fire extinguishers by the Public Works Department know how to use them efficiently ;
- (c) if the answer to (b) above be in the negative, whether any action is intended to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Yes.

(c) Does not arise.

ELECTIONS TO THE PUNJAB LEGISLATIVE ASSEMBLY.

84. Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

- (a) whether any directions were issued by the Government in the press for the information of the people how votes were to be recorded at polling booths set up for elections to the recent first Punjab Legislative Assembly ;
- (b) if the answer to (a) above be in the affirmative how many days before the actual commencement of the polling itself, these directions were issued ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No directions were issued by Government in the press, except in the case of those constituencies in which a representative of the scheduled castes was to be elected.

(b) The press *communiqué* regarding the way to mark ballot papers was issued four days before polling began.

POLLING BOOTHS AND THEIR SITES.

85. Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state how many days before the commencement of elections for the Punjab Legislative Assembly the tahsil-wise programmes of polling booths and their specified sites were notified in each district for the guidance of voters ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is laid on the table showing the dates of publication of polling programmes for the 1st General Election to the Punjab Legislative Assembly in districts. The polling began on the 18th January, 1937.

Statement showing dates of publication of Polling Programmes for the 1st General Election to the Punjab Legislative Assembly in districts.

| Name of District. | Date of Publication. |
|-----------------------|---|
| Hisar | From 9th January to 11th January, 1937. |
| Gurgaon | From 7th January to 16th January, 1937. |
| Rohtak | 6th January, 1937. |
| Karnal | 7th January, 1937. |
| Ambala | Between 7th January and 12th January, 1937. |
| Simla | 7th January, 1937 at headquarters and immediately after at other places. |
| Kangra | 8th January, 1937. |
| Hoshiarpur | 8th January, 1937. |
| Jullundur | 7th January, 1937 at sadr and on 8th January, 1937 in tahsils. |
| Ludhiana | 14th January, 1937. |
| Ferozepore | From 12th January, 1937 to 15th January, 1937. |
| Lahore | 11th January, 1937. |
| Amritsar | Tahsil programmes on 7th January, 1937 at headquarters and immediately after in tahsils. City programmes on 12th January, 1937. |
| Gurdaspur | 5th January, 1937. |
| Sialkot | 5th January, 1937 at headquarters and immediately after in tahsils. |
| Gujranwala | 5th January, 1937 at headquarters, 7th January, Hafizabad Tahsil, 9th and 10th January, Gujranwala and Wazirabad tahsils. |
| Sheikhupura | 7th January, 1937. |
| Gujrat | 9th January, 1937 at headquarters and on 10th January, 1937 in tahsils. |
| Shahpur | 9th January, 1937. |
| Jhelum | Between 9th and 17th January, 1937. |
| Attock | Immediately after the 6th January, 1937. |
| Rawalpindi | 8th January, 1937 at headquarters and immediately after in tahsils. |
| Mianwali | 4th January, 1937 at headquarters, a day or two later at other places. |
| Montgomery | Publication began 8th January, 1937. |
| Lyallpur | 11th January, 1937. |
| Jhang | 9th January, 1937. |
| Multan | 10th January, 1937. |
| Musafargarh | 7th January, 1937. |
| Dera Ghazi Khan | 5th January, 1937. |

SUB-EXAMINERS FOR THE DEPARTMENTAL VERNACULAR FINAL
EXAMINATION.

86. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state —

- (a) the number of persons who were appointed sub-examiners at the departmental vernacular final examination last year ;
- (b) the number of persons who were appointed sub-examiners in more than one subject ;
- (c) the reasons for appointing the same person as a sub-examiner in more than one subject ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

ACCEPTANCE OF RUPEE COINS AND CURRENCY NOTES AT THE GOVERNMENT TREASURIES AND SUB-TREASURIES.

87. Lala Deshbandhu Gupta : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in many Government treasuries and sub-treasuries of the Punjab, Government rules in English and Vernacular for the acceptance of various kinds of rupee coins and currency notes under various conditions are not to be noticed at prominent places for the guidance of the people ;
- (b) if so, whether he is aware that the rupee coins and currency notes brought to treasuries and sub-treasuries are often not accepted on grounds against such rules by cashiers employed by Government treasuries ;
- (c) if so, whether the Government propose to have any action taken in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready .

BHAKRA DAM SCHEME.

88. Sardar Narotam Singh : Will the Honourable Minister for Revenue be pleased to state the steps Government is taking towards the materialisation of the Bhakra Dam Scheme ?

The Honourable Dr. Sir Sundar Singh Majithia : Government is negotiating compensation terms with the Bilaspur State, in respect of (a) the area of laud required for the reservoir, and (b) the dislocation involved to State subjects, whose homes, land or occupations may be prejudiced by the Bhakra Dam Scheme.

SIKH EXTRA ASSISTANT COMMISSIONERS, TAHSILDARS, AND NAIB-TAHSILDARS.

89. Sardar Narotam Singh : Will the Honourable Premier be pleased to state district-wise the number of Sikhs belonging to Hissar, Karnal

Rohtak, Gurgaon, Simla and the three tahsils, namely, Ambala, Jagadhri and Naraingarh that have been taken as extra assistant commissioners, tahsildars, naib-tahsildars within the last twenty years?

The Honourable Major Sir Sikander Hyat-Khan : Within the last 20 years only one Sikh belonging to the Rupa tahsil of the Ambala district has been appointed to the Punjab Civil Service and he has since died. Within the same period one Sikh belonging to the Hissar district and another to the Ambala tahsil have been appointed naib-tahsildars.

UNLAWFUL SOCIETIES AND ASSOCIATIONS.

90. Sardar Hari Singh : Will the Honourable Premier be pleased to state the number and names of societies and associations declared unlawful since 1929 in this province, and whether the Government intend to reconsider the question of lifting the ban against the said organizations if not, the reasons for the same?

The Honourable Major Sir Sikander Hyat-Khan : In all 49 associations have been declared unlawful from 1929 to date, under the Criminal Law (Amendment) Act, 1908. A list is placed on the table. Of these, only ten associations (Nos. 32, 35 and 42 to 49) are still under the ban. The question of lifting the ban on these associations is periodically examined by Government.

List of associations declared unlawful under Part II of the Criminal Law (Amendment) Act, 1908.

1929.

Nil.

1930

1. The Punjab Provincial War Council.
2. The Amritsar District War Council.
3. The Punjab Provincial Satyagraha Committee.
4. The Punjab Provincial Nau Jawan Bharat Sabha.
5. The Punjab Provincial Nau Jawan Bharat Sabha Committee.
6. All Nau Jawan Bharat Sabhas throughout the Punjab.
7. The Workers' Training College, Lahore, otherwise known as the Workers' Home.
8. The Gujranwala Congress Committee, including the War Council, Judges and Working Committee.
9. The Amritsar Students' War Council.
10. The Amritsar City Congress Committee.
11. The Amritsar Congress Volunteers.
12. The Amritsar District Congress Committee.
13. The Gujranwala Satyagraha Committee.
14. The Gujranwala Satyagraha War Council.
15. The Gujranwala Satyagraha Volunteers.
16. The Working Committee of the All-India Congress Committee.
17. The Punjab Provincial Congress Committee.
18. The Lahore City Congress Committee.
19. All Congress Committees throughout the Province.
20. The Ghazi National Volunteers Corps, of Katra Hakiman, Amritsar.

[PUNJAB.]

21. The Hissam Muslim National Union, of Katra Sufed, Amritsar.
22. The Indian National Volunteer, Corps, of Katra Karm Singh, Amritsar.
23. The Muslim National Volunteer Corps, of Katra Bhai Sant Singh, Amritsar.
24. The Qaumi Daler Sabha, of Kanak Mandi, Amritsar.
25. Parbandhak Committee Rajai Vidya Parcharak Ashram, Katra Sher Singh, Hall Bazar, Amritsar.

1931.

26. The Hindustani Sewa Dal, Lahore.

1932.

27. The Punjab Provincial Congress Committee.
28. The Lahore District Congress Committee.
29. The Amritsar District Congress Committee.
30. The Amritsar City Congress Committee.
31. The National Volunteers' Corps, Amritsar.
32. The Association known or described as either the Lahore Congress Volunteers or the Hindustani Sewa Dal.
33. The City Congress Committee, Sialkot.
34. The District Congress Committee, Sialkot.
35. The Bal Bharat Sabha, Lahore.
36. The Azad Sabha, Lahore.
37. The City Congress Committee, Gujranwala.
38. The District Congress Committee, Gujranwala.
39. The War Council, Gujranwala.
40. The Satayagraha Corps, Gujranwala.
41. Congress Committee, Okara, Montgomery district.
42. The Workers' Home, or Workers' Training College, of the Kirti Kisan Party at Lahore.
43. The Okara Congress Volunteers, or the Hindustani Sewa Dal, Okara, Montgomery

1933.

Nil.

1934.

44. The Anti-Imperialist League, Punjab.
45. The Punjab Provincial Nau Jawan Bharat Sabha, Lahore.
46. The Punjab Kirti Kisan Sabha, Amritsar.
47. The Amritsar District Kisan Sabha.
48. The Punjab Kisan League.

1935.

49. The Labour Research Society, Punjab.

1936.

Nil.

1937.

Nil.

GOVERNMENT INTERMEDIATE COLLEGE, DHARAMSALA.

91. Chaudhri Ali Akbar : Will the Honourable Minister for Education be pleased to state—

- (a) the number of students in the Government Intermediate College, Dharamsala, district Kangra ;
- (b) the strength of the staff in the said college and the expense per mensem that is incurred in running that college ;
- (c) whether it is a fact that the Principal of that college some time back reported that a college could better be run at Gurdaspur ;
- (d) whether it is also a fact that the District Board, Gurdaspur, and the general public of the district have many times expressed their desire of having an Intermediate College at Gurdaspur ;
- (e) whether it is a fact that the numbers of schools in Gurdaspur district and of the students passing the Matriculation examination from those schools every year are many times larger than those in the Kangra district ;
- (f) if the answers to (a), (c), (d) and (e) be in the affirmative, what steps are proposed to be taken in the matter ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

GOVERNMENT GIRLS' HIGH SCHOOL, GURDASPUR.

92. Chaudhri Ali Akbar : Will the Honourable Minister for Education be pleased to state whether it is a fact that no arrangement for fans or *punkhas* exists in the Government Girls' High School, Gurdaspur, resulting in much inconvenience to the girls sitting in the scorching heat in the verandahs of the school. If so, what action is intended to be taken in the matter ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

AHIRS CLASSED AS "NICH AQWAM."

93. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education be pleased to state—

- (a) whether he is aware of the fact that in the footnote on the "Naqsha-i-halat-i-talimi" of the Ferozepore District Board School the Hindu Ahirs have been classed as "Nich Aqwam," (low caste) ;
- (b) if so, what action Government intends to take to redress the wrong so done to a statutory agriculturist community ?

The Honourable Mian Abdul Haye : (a) The form has since been revised and replaced, and the old form is no longer in use in the District Board schools of the district ;

- (b) Does not arise.

AHIRS CLASSED AMONG CRIMINAL TRIBES.

94. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that in the Multan and Lahore divisions, the Ahirs, a tribe of statutory agriculturists notified in respect of other parts of the province, have been classed as belonging to the criminal tribes ;
- (b) if so, why ; and what action Government intends to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The honourable member possibly has in mind a notification issued by the Punjab Government in 1917 declaring Aherias as a criminal tribe, but these Aherias are altogether a different people from the Ahirs.

(b) Does not arise.

INSTRUCTIONS BY THE DEPUTY COMMISSIONER, HISSAR, TO THE
MUNICIPAL COMMITTEE, BHIWANI, REGARDING BUILDING
BY-LAWS.

95. Pandit Shri Ram Sharma : Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the Deputy Commissioner, Hissar, has issued instructions to the Municipal Committee of Bhiwani to the effect that the Municipal Committee should not grant permission for constructions which contravene the building by-laws or the entries in the town map, without his approval ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes.

BUSINESS OF THE ASSEMBLY AND HOURS OF SITTING.

Mr. Speaker : Before the House begins to-day's business, I would like to know whether the honourable members wish to take more time for general discussion than they can get under the daily routine. They can get more time—

- (i) if the questions on to-day's list are put off ; and
- (ii) if we sit after 4-30 P.M., the usual interruption hour.

Dr. Gopi Chand Bhargava : I would request you to give us as much time as you possibly can for the general discussion of the budget. I have no objection if the questions¹ were put off for a later date.

Premier : I have no objection to that. I am quite willing to accommodate the Honourable Leader of the Opposition.

Pir Akbar Ali : The answers to the questions may be laid on the table.

¹The starred questions for this day were put and answered on 9th July, 1937,—vide the debates of that day.

Mr. Speaker : What about the other suggestion? Will the honourable members sit after half-past four?

Dr. Gopi Chand Bhargava : I would request you to continue the discussion till we finish.

Mr. Speaker : If we decide to sit up till 5 or 6 o'clock, I will be able to fix the duration of speeches.

Dr. Gopi Chand Bhargava : I have no objection, if the Leader of the House agrees, to continue after half-past four.

Premier : I suggest that we continue till 5 o'clock. That would mean an extra hour and a half, as we are dispensing with the questions.

Dr. Gopi Chand Bhargava : I agree.

An Honourable Member : Can we not continue the general discussion to-morrow?

Mr. Speaker : No.

Mir Maqbool Mahmood : Would you curtail the time allotted to each speaker?

Mr. Speaker : Yes.

Dr. Gopi Chand Bhargava : No more time for me?

Mr. Speaker : May the duration of speeches be 15 minutes?

Sardar Hari Singh : I suggest that the Leader of the Opposition may be given longer time.

Premier : The members on this side are about 5 times the number on the opposite side and yet they have had almost an equal share in the debate so far. Since there are still a large number who wish to speak, I suggest that the time may be curtailed to 10 minutes each except in the case of Ministers.

Dr. Gopi Chand Bhargava : What about me?

Mr. Speaker : I will do what I can.

Premier : I suggested the other day that my honourable friend should be given half an hour, if he so desired. We on this side will be glad to hear him.

MOTION FOR ADJOURNMENT.

INTERVIEW OF COUNSEL WITH MR. SATINDRA NATH SEN.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, I rise to ask for leave of the House to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance which has recently occurred, namely, the refusal of the Home Secretary of the Punjab Government to allow interview with his counsel to Mr. Satindra Nath Sen an under-trial prisoner detained in Ambala District Jail who is being tried inside the jail for the offence of incendiarism with the result that the counsel of his choice cannot enter the jail precincts and defend him.

Mr. Speaker : May I know on what date the refusal in question was made?

Lala Duni Chand : The order was communicated to me in the first week of May.

Premier : May I with your permission enter a caveat against the multiplicity of adjournment motions? You must have noticed that, hitherto, there has not been a single day on which notice of several adjournment motions has not been given in this House and I am afraid that these motions are being reduced to a farce. An adjournment motion is essentially a motion meant to draw the attention of this House, to something which is extremely important from the national point of view or from the point of view of the province, and I have to say with regret that there seems to be a growing tendency to give notices of a large number of adjournment motions on matters which could normally be debated in the usual way, that is, by moving a resolution or cut. This particular motion, as the honourable member has himself confessed, could have been moved in the form of a resolution or in the form of a cut later on when we come to Demand No. 12 which deals with Jails. I hope that I will have the support of all sections of this House in trying to curb this tendency which seems to be growing. The utility of such adjournment motions is being questioned outside the House, and they are being described as a sort of amusing joke or farce which is repeated regularly every morning on the floor of this House.

Mr. Speaker : Will the honourable member please give the name of the counsel who was refused interview?

Lala Duni Chand : Lala Sham Lal, a member of the Central Legislative Assembly and my humble self.

Mr. Speaker : I think the motion is out of order for two reasons. It is not a matter of recent occurrence, as the honourable member admits that he was informed of it in the 1st week of May; while to-day is the 24th of June, and the Assembly met for the first time on the 17th of this month. The second reason, as explained by the Leader of the House, is that the subject matter of the motion can be discussed when the Demand for Jails is moved and discussed by this House.

Lala Duni Chand : Sir,.....

Mr. Speaker : I have declared and given my reasons why the motion is out of order. Any further discussion, I am afraid, cannot be allowed under the rules in force.

Lala Duni Chand : I want to make a statement, a personal explanation. My object was to satisfy you and the Honourable Premier with regard to my *bona fides*.

Mr. Speaker : Is that a personal explanation?

Lala Duni Chand : It is a personal explanation. You will give me only a few minutes. I want to satisfy the House that I have not been actuated, in asking for leave—

Mr. Speaker : Is there any insinuation or hint to that effect?

Lala Duni Chand : An insinuation has come from the Honourable Premier himself.

Premier : No, Sir.

Lala Duni Chand : That adjournment motions are being reduced to a farce.

Dr. Shaikh Muhammad Alam : Is the term 'amusing joke' not an insinuation? That is the term used by the Honourable Premier.

An Honourable Member : Not with regard to this motion.

Lala Duni Chand : I accept your ruling. I say nothing as to that. But I do want to make a few observations with regard to the motive by which I was actuated in asking for leave. It was not in a frolicsome political spirit or frivolity——.

Mr. Speaker : I would request the Honourable Leader of the House to withdraw the words "farce" and "joke."

Lala Duni Chand : Mr. Speaker, I would request the Honourable the Leader of the House to withdraw the expressions "farce and an amusing joke" (*Hear, hear* "from the Opposition benches).

Premier : May I point out that I only said outside this House. If honourable members have seen the papers this morning they will have noticed. (*A Voice : Civil Military Gazette*). *Civil Military Gazette* is also a very important organ. (*Voices : Honourable Member's party organ*). No. (*Diwan Chaman Lall : It says to-day what the honourable member says to-morrow*).

Mr. Speaker : I request the honourable members to resume the general discussion of the budget.

Diwan Chaman Lall : It was within my right to interfere.

Mr. Speaker : The honourable member was addressing his remarks direct to the Honourable Premier. He should have addressed the Chair.

Diwan Chaman Lall : My remarks were addressed through the Chair.

Premier : The honourable member is not entitled to speak anything when another member is in possession of the House.

Mr. Speaker : He could raise a point of order.

Premier : This was not a point of order. Sir, I was trying to explain——.

Dr. Shaikh Muhammad Alam : On a point of order. Is the honourable member entitled to make a speech before obeying the ruling of the Chair?

Mr. Speaker : He is entitled to give an explanation?

Premier : What I said was that people outside were talking desparagingly of what I described as multiplicity of adjournment motions on petty matters and I was trying to impress on this House that if we persisted in the practice, the importance of such motions will be reduced to an extent that members of this House and people outside would not pay any heed to an adjournment motion which is normally meant to draw the attention

[Premier.]

of the Assembly to matters or incidents of grave import to the nation or the province, and are not meant to ventilate grievances of individuals or petty matters. That is what I said, I did not mean to insinuate anything against the honourable member for Ambala.

Mr. Speaker : But the Honourable Premier used the word "farce."

Premier : I said that that was the expression which was being used by people outside this House.

Mr. Speaker : Did the Honourable Premier say that? (*Voices from the Ministerial benches :* Yes). Does the honourable member (Lala Duni Chand) deny that the Honourable Premier said that this was being said outside the House?

Lala Duni Chand : I did not hear at all. If the Honourable Premier says that he did say so, I accept his words. (*"Hear, hear" from the Ministerial benches*). Just a word with your kind permission. My object in asking for leave—

Mr. Speaker : That matter has been settled.

Lala Duni Chand : In one word, my object was to discharge a very important public duty, namely the vindication of a natural fundamental and legal right of an under-trial prisoner.

Dr. Gopi Chand Bhargava : I want to know whether I shall be permitted to make a statement. As far as the notice of motion of adjournment is concerned, it is given to you because it is the right of the Opposition to move adjournment motions and what the Honourable Premier has said amounts to this that we people on this side have acquired a habit of multiplying these motions and therefore we make it a farce, or that is what people say outside and I think he has repeated it which means that he has endorsed that opinion and he wants to treat the notice of the Opposition in this manner. I think it is my right to make a statement on that point and I hope you would permit me.

Premier : With regard to the observations made by my honourable friend opposite I want to make it clear that I did not impute any motives to the Opposition, nor did I make any insinuations against anybody. All that I said was that the world outside was using these words and the press has also taken up the matter and this Assembly is becoming a laughing-stock of the people. As regards the necessity or relevancy of these motions, I need only draw your attention to the number of adjournment motions moved and the number admitted. Further comment is unnecessary.

Chaudhri Krishna Gopal Dutt : Are we also to take notice of what people outside the House say about the ministry, about their conduct, their attitude, etc.?

Sardar Sampuran Singh : Is the Honourable Premier ready to say that he does not endorse that view?

Premier : I submit that I am fully entitled to draw the attention of this House to any disparaging remarks which may be made against this honourable House and its members because it is my duty to safeguard and conserve the dignity and prestige of this House. (*"Hear, hear" from the Opposition benches*).

Mr. Speaker : So far as the Premier is concerned he has explained that he did not use those words as his, but only informed the House of what was being said outside the House.

Sardar Sampuran Singh : But the question is, does he endorse the view ?

Dr. Shaikh Muhammad Alam : We appreciate the sense of duty shown by the Honourable the Premier, but does he or does he not consider it his duty to contradict these remarks made in the *Civil and Military Gazette* ?

Premier : It is for the honourable members opposite to do so by their actions.

Mr. Speaker : We should stop this discussion.

Chaudhri Krishna Gopal Dutt : Let the Reporter say whether the Honourable Premier said those words or not.

Premier : The honourable member should show me the courtesy of accepting my word regarding what I said.

Lala Duni Chand : But the whole language was most disparaging and insulting.

(The Honourable Speaker at this stage called Dr. Gokul Chand Narang to start his speech on the general discussion of the budget.)

Dr. Shaikh Muhammad Alam : On a point of order, Sir.

Mr. Speaker (called him to order) : If the honourable member behaves like that again, I shall have to ask him to withdraw.

Dr. Gopi Chand Bhargava : Then I am sorry I shall be forced to enter my strongest protest—.

Mr. Speaker : I cannot allow the honourable members to make speeches when no speeches are allowed by rules. The honourable member is welcome to do what he can according to the rules in force.

Diwan Chaman Lall : On a point of order.

Mr. Speaker : There appears to be no point of order.

Diwan Chaman Lall : Mr. Speaker, have I a right to raise a point of order ?

Mr. Speaker : I regret to say that some honourable members are obstructing the business of the House ?

Diwan Chaman Lall : May I inquire, Mr. Speaker, whether a member, when he raises a point of order, is entitled to catch the eye of the Chair ?

Mr. Speaker : I have been allowing and shall continue to allow the honourable members to raise points of order and do anything they can under the rules, but I clearly see that some gentlemen are obstructing the business of the House. So, I must ask them not to waste the time of the House (*hear, hear*).

Diwan Chaman Lall : You have not even heard my point of order. May I request that you should hear my point of order ?

Mr. Speaker : Points of order are welcome, but obstruction of the business of the House cannot be allowed.

Diwan Chaman Lall : How can the Honourable Speaker say that this is obstruction of the business of the House when I stand to raise a point of order ?

Mr. Speaker : The honourable member did not raise any point of order. I clearly see that at least three gentlemen are insisting on obstructing the business of the House and that is a grossly disorderly conduct.

Dr. Shaikh Muhammad Alam : May I request you to name these three gentlemen ?

Diwan Chaman Lall : Will you name those gentlemen ?

Mr. Speaker : I will, when necessary.

GENERAL DISCUSSION OF THE BUDGET.

Minister for Education (The Honourable Mian Abdul Haya.) :

داستلن درد کی لمبی ہے کہیں کیا تجھ سے
 ہو ہی جاتا ہے مصیبت میں پرایا اپنا
 ہم نے سو راء اخوت کی نکالی لیکن
 نہ قر اپنا ہو اپنا نہ پرایا اپنا

Dr. Shaikh Muhammad Alam : Can the Honourable Minister start in Urdu ?

Minister for Education : Sir, as I rise in my seat to address this august Assembly, I feel that in this House—rather in this Hall—this is the first opportunity that I have taken of speaking from this side of the House. I have sat for several long years on the benches opposite and when I rise to address this august Assembly, I do so with a deep sense of responsibility. The responsibility that I speak of is the responsibility which I, as a Minister of the Punjab Government, owe to this legislature including the Opposition and through this legislature to my beloved people in the Punjab. That heavy sense of responsibility urges me to speak with caution and restraint. I feel that I am addressing my own friends and my own brothers. You shall not have bitter words from me.

Dr. Gopi Chand Bhargava : Is the Honourable Minister addressing the House or the Chair ?

Mr. Speaker : Will the Honourable Minister please address the House through the Chair ?

Minister for Education : The other day when my honourable friend Chaudhri Krishna Gopal Dutt initiated the debate on behalf of the Opposition, he said at the outset, if I understood him aright, that the Punjab Government have in a way antagonised the Opposition. I was deeply distressed—rather surprised—to hear this remark from him. The time at my disposal is short, but I would make bold to say that the Treasury benches believe that a strong Opposition, candid and honest criticism, bold and sometimes merciless criticism is a helping hand (*A Voice* : Question) and the Government is ready to seize it.

Chaudhri Krishna Gopal Dutt : Let us hope so.

Minister for Education : If per chance, unwittingly and for any thing that has been said and done on the floor of this House inadvertently by either side, those relations have been impaired, I must make it clear to you that we on this side of the House with the Honourable the Premier are anxious to rehabilitate the old relations. In the last two decades, during the seven years of which I had the honour to sit on the opposite benches in another House with my honourable friend Diwan Chaman Lall on my right, we have been urging the alien Government to grant responsible government to this country and very often we were told that we were not fit to manage our own affairs.

Chaudhri Krishna Gopal Dutt : As we are told now.

Minister for Education : You know that the reply that was invariably given from our side was, "These are our own affairs. If we are unable to manage them, we have a right to mismanage them." We asked the alien Government to vacate these Treasury benches and allow our own kith and kin to occupy them and if need be to mismanage them. Has that angle of vision now changed? I do not claim the right to mismanage the affairs of the Punjab, but I make bold to say that having made these utterances it is up to you now to treat us with a little consideration and to be a little more charitable. It has been suggested by one of the honourable members that we on this side of the House perhaps are not doing our duty properly. A definite suggestion was made on the first day of the debate that some gentlemen on the other side of the House suspect that there have been interferences on behalf of His Excellency the Governor in the matter of discharge of the duties that are imposed by law upon the Ministers of the Punjab Government. I want to take this opportunity of contradicting this. We feel no difficulty in the discharge of our duties and there has absolutely been no interference. People speak of assurances. I may tell this Honourable House that we on this side of the House do not require any assurances, but it is a fact that before we actually entered upon our duty, His Excellency Sir Herbert Emerson gave us a clear assurance that he shall always accept our advice and this he has been doing. With these brief remarks, I now come to my department.

Lala Duni Chand : Did the ministry ask for any assurances from him?

Minister for Education : No, Sir.

Dr. Shaikh Muhammad Alam : Then, were they given without asking?

Maulvi Mazhar Ali Azhar : Still they were forthcoming.

Chaudhri Krishna Gopal Dutt : He will give the assurances to you and not to Mahatma Gandhi.

Minister for Education : Sir, now I come to thank the honourable members who have made valuable suggestions regarding education, medical relief and public health. I would very briefly outline the portion of the programme that I wish to make. Sir, it is the intention of the Government—although we have not yet taken any definite step, the matter is being enquired into—to amend the Punjab Education Code in such a manner so that complete powers

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may be given to the Government to enforce primary education and, if need be, to expand it and enforce it. It is the intention of the Government to extend the period from 4 years to 5 years and if need be by 2 years more. It is the intention of the Government to revise the curriculum and the course of study; although I am not in a position to-day here to say whether we would expand it because I do not believe in quantitative expansion but it is the desire of the Government to consolidate the programme that is before us. (*Sardar Hari Singh*: With the sanction of the House.) Of course, with the sanction of the House. It is the intention of the Government to eliminate wastage and to it the pointed attention has been drawn in various reports and in the Press.

I take this opportunity of congratulating my honourable friends—our sisters—Begum Rashida Latif Baji, Begum J. A. Shah Nawaz and Shrimati Raghbir Kaur, for the very useful suggestions that they have made with regard to female education. I take this opportunity of assuring them that the question of female education shall receive very earnest and careful consideration at the hands of the Government. (*Hear, hear*).

Lala Duni Chand: How many girls' schools are you going to open in the rural areas?

Minister for Education: I make bold to say that we need expansion of girls' education and we should take off this demon of communalism. We are out to kill it and crush it. It is a matter of extreme shame for me that we, the men of the Punjab, have failed to do that.

Chaudhri Krishna Gopal Dutt: On a point of order, Sir. May I ask the Honourable Minister not to use the words "female education," because these words, in my opinion, are not courteous to ladies and are rather unparliamentary. He should say "education of women."

Mrs. J. A. Shah Nawaz: I thank my honourable friend Chaudhri Krishna Gopal Dutt for this correction.

Minister for Education: It is scarcely a point of order. I believe that with the expansion of women's education, the task that we have not been able to accomplish shall be accomplished by the women of the Punjab. (*Hear, hear*). We have cried in vain in the past—

مردے از غیب ہر دن آئند و کارے ہند

Dr. Shaikh Muhammad Alam: Say,

زے از غیب ہر دن آئند و کارے ہند

Minister for Education: My friend, Dr. Shaikh Muhammad Alam may rest assured that it is going to happen soon:

زوں از پورے ہر دن آئند و کارے ہند

Sir, I may tell this House that although the Government is anxious to expand education and consolidate the progress that we have made, I am not so very keen on opening new schools, I am not very keen to enlist new students. What I am keen about is to nationalise our system of education. (*Dr. Shaikh Muhammad Alam*: Tell us the manner also). I am in search

of a system of education that would teach a brother to love a brother. I look upon these denominational institutions with a very grave concern. I do not want to make a secret of that. I look upon these denominational institutions—with all the respect to those gentlemen who founded them and who are carrying them on—standing here to-day as a Minister of the Punjab Government I do not want to hide my inner feelings and I say that I look upon these denominational institutions with grave concern. (*Hear, hear*). I want to nationalise the system of education. I want to nationalise all the institutions in the Punjab, whether Government, district boards, local bodies institutions or private ones. (*Hear, hear*). (*Lala Duni Chand*: Introduce a Bill to that effect). I will introduce it if I have public opinion behind me. I do not want to play the part of Amanullah. I have thrown out a hint and it is up to you, gentlemen, now to strengthen my hands and make it possible for me to enforce this reform. Although we talk of Indian nationalism, although we talk of Indian National Congress, the fact remains that even the first step towards nationalism has not yet been taken and that step is to be taken in the domain of education. Some of the honourable members send their boys to D. A.-V. institutions, others send to Islamia institutions and they educate them in water-tight compartments where, to my great regret, I find that no attempt is being made to evolve true nationalism. One community is fighting to the detriment of the other community. I submit, Sir, that in this state of affairs it is idle to talk of nationalism. Let us take the first step towards nationalism. If you desire you can continue these denominational institutions, but you have to change your angle of vision, you have to change the courses of study and you have to change the mentality of the teacher; you have to nationalise the mentality of the teacher, (*A voice*: Also of the managing committee), yes, also of the managing committee. If this is the desire of the House I am prepared to call in future all Government institutions in the various parts of the province as national institutions (*hear, hear*). (*Dr. Shaikh Muhammad Alam*: But slowly, not like Amanullah). I do not like these institutions to be called Government colleges or Government schools. If this is the desire of the House I repeat I will take the first step and call them national high schools and national colleges.

Mr. Speaker: I would request honourable members not to make remarks when an honourable member is speaking. If an honourable member wishes to ask a question, he may rise in his place and state his question and I will ask the member concerned to reply. (*Chaudhri Krishna Gopal Dutt*: But we are giving him our full support). But that is not the right procedure.

Lala Duni Chand: The Congress started four or five universities and several national colleges. What did the Government do? Most of the students of those colleges were sent to jail.

Mr. Speaker: If twenty honourable members, one after another, ask questions when a member of Government is speaking, he will not be able to make his speech.

Dr. Shaikh Muhammad Alam: I was the second and not the twentieth

Minister for Education : My honourable friend, Lala Duni Chand, has addressed me a question which he had better address to the late Government. We are not talking of the past : we are now concerned with the future. It is because we have been looking to the past that the progress in this country has been retarded. Time has come when we should cease to talk of Shivaji and Aurangzeb. Time has come when we should allow those gentlemen to lie in peace and we better talk of the future, and of our intention and of our determination to fight against odds. The other day my learned friend, Lala Duni Chand, wanted an assurance from me. He asked me, " Can you give an assurance that where your predecessors have failed you shall succeed ? " I believe this is the first and perhaps the last opportunity that has been granted to me by Providence to serve my provinces and I am determined to go ahead. The future is in the lap of Gods, and all that I can say is that I am determined to make a genuine effort, and I hope that with your assistance and co-operation Government shall succeed. Well, Sir, as regards the suggestions made by my honourable friend Mrs. Rashida Latif she said that the Minister for Education should see that even the department of Public Health is starved to give impetus to girls education. I regret very much that I am not in a position to subscribe to this proposition. We want sound mind in a sound body. I will not deprive the Health Department of funds for the sake of education. I make bold to say that if need be, I am prepared to starve boys, education for the sake of girls education.

Another honourable member pointed out that the Minister for Education has not been given enough funds by the Honourable the Finance Minister. I deem it my duty to repudiate that suggestion. In the Honourable the Finance Minister we have a distinguished educationist. I hope the House remembers that while to-day he occupies the chair of the Finance Minister he has been in the past the Education Minister also. I am grateful to him for the great consideration which he has shown in looking to the needs of the various beneficent departments that I hold under my control.

We are very anxious to look to the needs of the peasants also who live in the villages, and we have before us a programme of opening new rural dispensaries, and the Government has taken a very important decision only this month, and by virtue of that decision we propose to grant medical relief to the peasant not only in the various dispensaries that are opened, but in the very village where he lives. For the benefit of this House I may point out that we have evolved a scheme of collaboration between the curative and preventive sides of the Medical Department.

We have got over 350 rural dispensaries now in the Punjab and the Punjab Government has decided that in view of the fact that these rural dispensaries are not visited properly by the officer-in-charge, namely, the Civil Surgeon who has got various duties to perform, we have with the consent of the Inspector-General of Civil Hospitals, who was very sympathetic towards this proposal, decided to transfer the control of the rural dispensaries to the charge of the Health Department, and to place them under the Medical officers of Health. It shall be the duty of the sub-assistant surgeons in charge of these dispensaries in future not only to administer medicine and look to the needs of the people who flock to those dispensaries,

but as an experimental measure in five districts, I mean one district in each division, we have decided that the doctor in charge of the rural dispensary at least on two days in the week after performing his duties for two hours in the morning should go out and visit various villages within a radius of five miles and cater to the needs of the afflicted in the villages and also help the Public Health Department.

I regret very much that the time at my disposal is very short but in the end I would like to make a sincere appeal in the name of the Punjab and the nationalism of India to all concerned that in view of these very humble submissions that I have made all sections of this House would help me and the Punjab Government, especially in the matter of education and the nationalisation of education. I am not in a position to say bitter words even to Dr. Muhammad Alam.

Dr. Shaikh Muhammad Alam : Therefore no bitter words to him. (*Laughter*).

Minister for Education : There shall not be bitter words. If you want bitter words you shall have to look for them elsewhere.

Dr. Shaikh Muhammad Alam : Here also do you mean by the word "you" the Chair (*laughter*)? Sir, the Honourable Minister said a little while ago that by "ybu" he meant the Chair. Does he mean the same thing now?

Minister for Education : I would not say bitter words even under provocation. I only make an appeal to the honourable members that when they go to their houses they should shut themselves up in their rooms and consider what they have done. I hope that would be sufficient. It is not for me to behave like children.

Sardar Lal Singh : I wish the Honourable Minister for Education had explained in a few sentences how he would reconcile the new fangled national policy with the tenacity with which the Government holds on to the Communal Award.

Premier : Is it the Communal Award which is still worrying the honourable gentleman?

Sardar Lal Singh : Yes.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : It would be entirely ungracious on my part or on the part of any member of the Opposition not to give his due measure of praise to the sentiments expressed by the Minister for Education in regard to the educational policy that he wishes to pursue in the Punjab. I can assure him that if these sentiments are translated into action, he shall have the genuine support of the Opposition in regard to the measures that he may think fit to propound. But it does remind me that the Honourable Minister is professing a bit too much. Although the sentiments are most admirable ones, I notice that in this budget that has been presented to us the substantive portion relating to the Honourable Minister's policy gives us the glorious figure of two girls' schools in the rural areas and two girls' schools in the urban areas. (*Opposition Laughter*). In the one case my honourable friend has budgetted for the year an expenditure of Rs. 3,000 and in the other case an expenditure of less than Rs. 3,000. I

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do hope that when my honourable friend translates his sentiments into action, he will find a better method of doing what he wishes to do, if he desires the support of the Opposition. But, that is by the way.

You will forgive me for mentioning another point that my learned friend expressed in a very happy language. He said " We the Ministers of the Punjab have been assured by His Excellency the Governor that His Excellency the Governor will always carry out the wishes of the Ministry. He will always accept the advice of the Ministry." May I ask my honourable friends opposite, if the Governor of the Punjab has given this particular undertaking to my honourable friends what difficulty was there for the Governor-General to give an undertaking of that nature to Mahatma Gandhi (*Cheers*)? Why within the precincts of the Cabinet Chamber is this expression of opinion given effect to? Why is it not publicly stated that the Governor is bound by the advice of the Ministers in all cases? I would like to have an assurance from my honourable friends that this is the position. If that is not the position, we are exactly where we were. I am not going to deal with this particular matter, because it will arise in reference to a series of questions when we shall know exactly what the position of the Ministry in the Punjab is under provincial autonomy.

But I have one regret. It is impossible to do justice to a subject such as is the budget presented by my honourable friend, within the short space of fifteen minutes—a subject, Mr. Speaker, which affects the prosperity and happiness of 23 million people in the Punjab. My suggestion is this, that in future my honourable friend should bring in a Finance Bill so that all the implications of the budget may be discussed at length and in detail. But Mr. Speaker, my honourable friends have been very pleased and happy over the budget. Some have been called uncrowned kings of the Punjab, others have been called world famous economists and still others have been called the saviours of this province of ours. But let me have a look at the budget that has been presented and see how far these extravagant notions of praise are justified. It is supposed to be a surplus budget with a surplus of Rs. 1,72,000. Is it in reality a surplus budget? At the last moment according to the admission of the Honourable Minister opposite the Government were forced to rob the Famine Fund which is preserved only for the purpose of helping—helping whom? Helping the poverty-stricken people of this country, and Rs. 10,39,000 was the sum taken away from the Famine Fund and if my honourable friends shake their heads, let me read out to them what is actually said in the Memorandum.

12 noon. "The Accountant-General advised that the remaining 10.39 lakhs should be transferred to the revenue account, as the [Famine] fund had been built up by assignments from revenue. *This fortuitous accretion to revenue receipts at the last minute, when the budget had been framed, made it possible to increase the provision for rural sanitary schemes by one lakh, to provide 1½ lakhs as a special grant to district boards.*"

and so on and so forth. By robbing a fund which they had no business to do and which they ought to have utilised for the purpose of relieving unemployment and distress in the province, they have been able to present us with a surplus budget of Rs. 1,72,000. This is really no surplus at all. If you calculate all the fortuitous items of this nature you will find that the total comes to nearly fifty lakhs which are in the nature of raids or accretions

or gifts made by the Central Government to the Honourable Minister. My honourable friend over there shakes his head. If he desires it I will give him the actual figures.

| | <i>Lakhs.</i> |
|---|---------------|
| Central research | 1½ |
| Baluch Tribe grant | 2 |
| Rural Board gift | 4 |
| Road Fund (extra saving of last year) | 4½ |
| Extraordinary receipts | 24 |
| Tibet Himalayan Road (saving) | ½ |
| Forest (interest saving) | 1½ |
| Interest saved by consolidation of debt | 2 |
| Famine fund | 10·89 |

All these items are happy gifts made to the Honourable Minister.

(*An honourable Member*: No, no). These gifts amount nearly to fifty lakhs. But for these gifts my honourable friend, the Minister, would not have been able to show a surplus budget. (*Interruption*). Does not my honourable friend agree? Well then, let us see. What is the subvention about the Baluch tribes, may I ask? Is that a gift or not? (*An honourable member*: I referred to the Famine Relief Fund.) My honourable friend then does not follow my argument at all. I have already described that, as a raid. My point is that money ear-marked for a particular purpose is brought under revenue in order to increase the surplus. (*Interruption*). It may be a gift made out of a particular fund; it may be a gift made by the Central Government. But what is the actual position?

Mr. Speaker: The honourable member need not mind interruptions.

Diwan Chamm Lall: Mr. Speaker, I am quite happy when I am interrupted. Now, let me look at the budget for the beneficent departments. The budget provides 20 lakhs for these departments. Let us examine the three departments—education, industry and public health. I have already referred to education and I shall therefore not refer to it again. Let me turn to public health. I find that a sum of 5 lakhs is provided for rural and urban sanitation. In a civilised country five lakhs for sanitation would not be sufficient even to *sanitarise*, if I may use that expression, one long street. The Punjab is one huge smelling drain and it is the duty of my honourable friend opposite to bring in a comprehensive scheme in order to assure the public health of this province. Yet only five lakhs have been provided for this purpose and they sing a hundred songs of praise of themselves for having done this. Let us look at industry, the budget provides Rs. 2,06,000. Of this sum Rs. 1,70,000 goes for an industrial exhibition in Lahore. What do the people in the Punjab want? Bread! Instead they are given a circus. The Romans were wiser in their time, they provided both circuses and bread.

The great problems that concern the Punjab are the civilisation of the province, the development of literacy and the extinction of the heavy taxation of the peasantry, the question of the fixation of minimum prices of

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wheat and of cotton, the question of unemployment,—problems on which depend the prosperity of this province. Those are the important problems and I have searched in vain in the pages of the budget for one word of comfort for the average masses of this province. There is not a single word of comfort for the peasantry or the working classes of this province. My honourable friend over there in his speech referred to the terrible burden of land revenue taxation upon the peasantry. But when I look at the budget I find that he has not provided anything in a large measure which would bring relief to the peasantry of this province. Only last year my honourable friend who to-day says, we must face hard facts of life like practical men and not go in for any catastrophical change, only last year he said while occupying these benches—he did not take this very moderate and composed view of the general financial position of the province then “we feel that we are heading for economic misery if not collapse.” He also said—

“The Honourable Minister for Agriculture said that when in a year or two hence we have reconstituted our Councils under the reforms it will be open to us to float a development loan and launch real enterprise to reconstruct the province as we would like. But why not do so here and to-day? That is the question. Who has forbidden him and his colleagues on the Government benches to-day to think out a proper economic plan for us here and now, to work it out and to put into practice at once”—(*Punjab Debates, Volume XXVI, page 237*).

This was the honourable member's opinion last year when he was sitting on the Opposition benches. I say if he has got the ability, if he has got the foresight to take this step of providing the province with a five year economic plan in order to make the people of this province civilised and raise them to a level worthy of the comity of civilised nations then he has done his duty. He can do so if he had the will. The budget would then be a people's budget ; instead it is a budget of the dead hand.

I will not go into other matters of detail at the present moment, because you, Mr. Speaker, have limited my time. but I would like to refer to the possibility of converting the loans existing at present at lower rates. There are several ways and means of improving the position. But these are matters which I hope to discuss when the budget comes up for detailed discussion. But what I want to point out is that large scale planning which is essential for the Punjab is missing in the budget speech which one of my honourable friends described the other day as merely an essay or an effort in accountancy or book-keeping. It lacks the wide vision which alone can make the budget of the Punjab acceptable to the people of the Punjab. I shall not be more specific. The people of the Punjab would like that measures should be adopted for the purpose of avoiding this heavy burden of taxation upon the peasantry of the province. They would like measures to be adopted for providing a minimum price for the staple commodities which affect the livelihood of 90 per cent. of the population of this province. I want to ask all those honourable members whether they would not subscribe to the policy that would make the Punjab a really civilised province and I would ask them not to be satisfied with the budget that has been presented, which budget is a load upon the peasantry and the people of the province, because it holds out no hope, no solace whatsoever to the burdened, the hungry and the starved in the years to come. (*Cheers*).

Sardar Sahib Sardar Ujjal Singh (Western Towns, Sikh, Urban) : Any criticism of the budget so ably prepared by my honourable friend, the Finance Minister, one of the ablest economists in India and by the Finance Secretary, one of the shining stars of the steel frame service, must be made only after full recognition of the facts that the Government came into power only two and a half months ago and that hardly a month was there to prepare the massive details of income and expenditure and make out a policy. Besides, the Government was faced with a natural calamity of the greatest magnitude, because the damage done by the hailstorms was very extensive and sweeping. Further the Ministry had to budget only for eight months, the budget for one-third of the year having already been sanctioned by His Excellency the Governor. Lastly, this Government has not been fortunate enough to receive any subvention from the Government of India as other Provincial Governments are, as a result of the Neimiyer award. On the other hand nearly seven lakhs of rupees out of excise revenue on account of the liquor consumed in the North-West Frontier and Delhi, have been lost to this province and no compensation has been coming forward from the Government of India. I think the whole House would like to place on record its emphatic protest against the inequitable decision of Neimiyer award. It is a strange commentary on the past sound finances of the Punjab Government and the prospect of a stable government in the future. Some honourable members have lost sight of these difficulties. They have called this budget a slave man's budget without assigning any reason for it and without offering any constructive suggestions. Some honourable members have found no difference between this budget of the new Government and the budgets prepared previously by the bureaucratic Government. The reason given by them is that the administration remains as top-heavy as before. No retrenchment has been effected. No relief has been given to the tax-payer and sufficient amount has not been provided for the beneficent departments. I entirely agree with them that we have not got what we expected from the new Government. Probably the Government themselves were anxious to achieve more than what they have actually done in this budget. But we must not lose sight of the time factor. The Government does not possess Alladin's Lamp or a magic wand by which they can work miracles. They had hardly a month at their disposal. We have to see whether the Government have started in the right direction. The Government could not have done better than to appoint a committee of non-official members and two of the best economists of the Punjab to go into this problem of top-heavy expenditure and to find out fresh sources of revenue in order to provide more money for nation building departments and to provide relief where relief is necessary. If the Government had applied its economy chopper without a thorough investigation and had provided relief or imposed taxation without a thorough enquiry, I as a businessman might say that Government would have stood condemned. The Government has done the right thing to appoint a committee to make a thorough investigation of all these problems. One honourable member said that the Government still remains callous and stereotyped and there is no change in the mentality of the new Government and in the remissions that the Government has been pleased to give there is no marked achievement. I quite admit that the previous Government has also given remissions when

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remissions were necessary, but what stands out in bold contrast is the promptness and the generosity with which the remissions were recently announced. On no previous occasion were the remissions so rapidly given and on no previous occasion was the revenue remitted on a crop that was previously cut and used as has been done on this occasion in the case of fodder crop. I think the Government is entitled to our gratitude. This shows that the Government is not stereotyped or calcous but is responsive to public opinion. One honourable member and I think some other honourable members too, rightly said that the new Government should not be judged by the old standards. It is not merely by the balancing of budgets but by the rise in the standard of living and the economic prosperity of the province that we have to judge the present Government. I am entirely one with them. Every Government should have as its aim the prosperity of the masses. No Government is worth its name if it does not try to improve the economic condition of the masses. Every country in the world is trying to improve the economic condition of their people by two or three ways. My honourable friend, Chaudhri Krishna Gopal Dutt and others, referred to the currency and exchange policy, railway freight and protection. I am in agreement with them that these are the three measures mainly relied upon by various governments in the world for improving their economic conditions; but we must realise the limitations of a provincial government. All these three policies rest with the central Government. They are the sole concern of the central Government and the provincial Government has no hand in them.

Chaudhri Krishna Gopal Dutt : We ought to protest.

Sardar Sahib Sardar Ujjal Singh : Certainly.

Chaudhri Krishna Gopal Dutt : That is what I wanted.

Sardar Sahib Sardar Ujjal Singh : I am coming to that. I quite agree that no country can make any progress and no country can provide subsistence or employment to a population that is rapidly growing by agriculture alone. Every country in the world has found in the development of industries, the only means for economic reconstruction. But under a provincial government, we are handicapped by the fact that the three main measures on which other countries have relied for their progress are not within the sphere of the provincial Government. In fact even agricultural advancement is dependent upon them. One of the European Members of the Sapru committee, Mr. Gavin Jones, remarked that there are only two means of raising the price level of commodities. One, depreciation of currency and the other adjustment of railway freight. I entirely agree with him. As a matter of fact in New Zealand and Australia agricultural progress has been made and help has been given to the agriculturists since depression set in, by the depreciation of currency. New Zealand and Australia depreciated their currency by 25 per cent. and helped their agriculture. The provincial Government must enter their strong protest to the central government with a view to revising their policy in these matters. (*Hear, hear*). I think all provincial Governments should pull their weight together in forcing the hands of the central Government to revise their policy in the matter of railway freight, exchange, currency and protection. One

honourable member from Lyallpur, perhaps under a misunderstanding or because he did not realise the meaning of the word 'protection' said that Government should protect industries. Protection or protective tariffs are the sole concern of the central Government.

Chaudhri Krihsna Gopal Dutt : It is a wrong statement. He said protection and not protective duties. It is up to the provincial Government to give protection in many ways.

Sardar Sahib Sardar Ujjal Singh : I am right. This provincial Government should do everything possible within its sphere to foster industries and agriculture. The Government has done well in providing 2 lakhs for the new Punjab Industries Act. It is a most valuable piece of legislation enacted by the last Government. With regard to the industrial exhibition the honourable member for Labour is wrong when he said that the Government is going to spend Rs. 1,27,000. On the receipt side there is an entry of Rs. 1,20,000. Only Rs. 7,000 has been provided to cover losses and I believe there will be no loss at all. But this is the most useful method of promoting industry. Anybody who has been to foreign countries knows that exhibitions are held every year, in fact every six months.

With regard to agriculture I have to make one or two suggestions. There is great scope for fruit culture and the Honourable Minister for Agriculture will take note of this fact. In California nearly 25 per cent. of the cultivated area is under gardens, whereas in the Punjab only 25 per cent. of the cultivated areas is under garden. If the canal authorities show a sympathetic attitude I think, this industry will be greatly developed. I fully realise the value of seed selection and the supply of good seed to the zamindars. I can say and Mr. Roberts will bear me out that with the improved variety of Coimbatore sugarcane and the improved variety of cotton, the additional income to the zamindar is more than the amount of revenue that he pays to the Government. With regard to irrigation expenses I think the Irrigation Department deserves our congratulations. Irrigation working expenses are less by 14 lakhs since 1935-36 and 10 lakhs since 1936-37. I wish I could similarly congratulate the Forest Department. But unfortunately receipts are Rs. 19,81,000 as against an expenditure of Rs. 20,70,000. There is scope in this department for retrenchment and economy as also in the working expenses of the Hydro-Electric Department where the expenses on establishment, and repairs, etc., amount to 28½ lakhs against an income of 33 lakhs. Of course there is room for economy.

Lastly I come to the most important point which I think should be uppermost in the minds of every well-wisher of the Punjab and to which the Honourable Premier referred the other day. If this province is to make steady progress towards economic reconstructions, communal harmony must prevail. I think mischief mongers, if they inflame communal feelings, must be severely and promptly dealt with. I may be permitted to say that by strong and prompt action recently the authorities in Lahore and Amritsar nipped the evil in the bud. In Gujrat if the authorities had taken prompt action in time, I think a good deal of suffering and loss of life would have been avoided.

[S. S. S. Ujjal Singh.]

(*An honourable member* : No.) (*Raja Ghazanfar Ali Khan* : Perfectly right). I say that if we are to make a steady progress we must set our face against these matters. We must resolutely make up our mind to promote good will and harmony amongst various communities and if we do so whatever shortcomings there may be in the new constitution we will at any rate be able to do some service to this province, we will at any rate after five years be able to approach our masters the electorate with this feeling of satisfaction that we tried our humble best for making the Punjab a happier and more contented province (*hear, hear*).

Mr. Speaker : I have got about 30 gentlemen's names who wish to speak. Therefore, I propose to reduce the duration of speeches to ten minutes. Even then only 18 or 20 members will be able to speak.

Sardar Sampuran Singh : The duration should be fixed by the House.

Mr. Speaker : I have fixed it after consulting the House informally.

Sardar Sohan Singh Jesh (Amritsar North, Sikh, Rural) (*Punjabi*) : A good many speeches have already been made with regard to the budget. I want to review it from the point of view of a poor peasant. The speakers who have preceded me, have gone into great details, and have brought forth many subtle points. I would like to avoid details.

From the view point of a poor peasant, Sir, the budget is very disappointing. No reduction has been made in the land-revenue. The peasants were under the impression that now that they had got representation in the legislature where they were sending their own members, they would have a say in the administration. They thought the ministers would make some improvement in the way of reducing land revenue, relieving indebtedness, and granting them the superfluous crown-lands. They have, however, done nothing of the kind.

It has been very ingeniously shown in the budget that income and expenditure are well balanced—rather there is a surplus of Rs. 1,72,000. By this device the world has been made to believe that the Punjab is very prosperous, so that the Government might get credit for this achievement and their position in the money market might improve. But I submit, Sir, that no good has been done to the poor peasantry. As a matter of fact Rs. nine crores out of the total revenue of eleven crores represent the precious life blood of peasants which is realized with a heavy hand.

The Finance Minister has told us that there have been 'larger recoveries out of suspended revenues.' That is why there is a surplus budget. We thought that arrears of land revenue would be cancelled. But in reality, these arrears of revenue are being recovered with great rigour. The peasants' belongings and houses are being attached, and they are being subjected to unspeakable indignities.

Big people, on getting ministerships, suddenly develop feelings of sympathy for the peasants. But we see no proof of this much-vaunted

sympathy. Raja Narendra Nath said: "We cannot check poverty." My submission is, "If you cannot check poverty, you cannot check revolution. It is coming; it is there."

Khan Bahadur Captain Malik Muzaffar Khan: Sardar Sahib knows English. Why does he not speak in English?

Sardar Sohan Singh, Josh: I have memorised these words. We find that more revenue is charged to the poor and less to the rich. The reasons are obvious. It has been said that formerly there was white bureaucracy, now there is brown, in reality this is not the brown ministry—this is the landlord ministry whose one desire is to keep the tenant cultivators well under their thumb.

Those who now constitute the ministry are big landlords. Their interests are quite different from those of the cultivators. It has been urged upon the Government to spend more on education. This ministry, I am sure, is not prepared to spend anything on education, for education brings enlightenment. It will spend a lot on the police, so that there might be enough constables to shadow us and the Government may thus be able to crush socialism. The present ministry ardently desires or rather I should say it is actually striving to suppress these poor people so that they may not be able to shake off the chains of their bondage. So long as they are illiterate any betterment in their condition is not possible, for it is education that dispels the darkness of ignorance. This ministry can spend money on the police department; it can set apart large sums for other heads; it can make endeavours to eradicate socialism but it has miserably failed to ameliorate the condition of the masses. In fact it is this class of landlords that fans the flames of communalism. The basic principle of feudal landlordism is to spread communalism and to create feelings of hatred among the masses so that the latter may continue to hug the chains of servitude for ever. This ministry wishes the people to remain ignorant so that they may not be able to stand on their legs and be able to assert themselves and at the same time the present ministry is claiming undue credit for itself by announcing that it is out to kill the monster of communalism. But I can predict with the greatest confidence that this ministry which assumed office only a couple of months ago and under whose regime many communal riots have broken out at various places, will—

Premier: Who is responsible for these riots?

Sardar Sohan Singh Josh: Do you mean to say that the Opposition is responsible for these riots? Not in the least. We are above communalism. We are fighting for the freedom of our country. We are out to suppress communalism in the country.

An Honourable Member: Who is fostering communalism?

Chaudhri Krishna Gopal Dutt: Those who want assurances for the protection of minorities.

Sardar Sohan Singh Josh: I make bold to say, that it is Sohan Singh Josh who has never shown any sign of communalism, who has always been above it. But you people are anxious only to get undue credit. In fact economic interests are responsible for the spread of communalism.

[S. Singh Singh Josh.]

Then comes the question of recruitment to services which has been given undue prominence by certain mullahs, pandas and pandits. (*Interruption*). We do not know what the figures 93 per cent or 56 per cent mean.

Syed Afzaal Ali Hasnie (Shahdara, Muhammadan, Rural): Mr Speaker, before I start speaking, I would request you to ask Dr. Shaikh Muhammad Alam to try to be in his seat.

Dr. Gopi Chand Bhargava: May I bring to your notice, Sir, that the Honourable Minister for Revenue is absent from the House for the last one and a half hours while we are criticising his departments? He is not present to take note of those criticisms.

Chaudhri Krishna Gopal Dutt: He is, I think, here by proxy. He should have been personally present.

Premier: I think it is a matter of ordinary courtesy that honourable members if they make allegations against any other member or party should be in their seats to hear the reply to those allegations. That has been the practice of this House.

Mr. Speaker: So far as may be practicable.

Syed Afzaal Ali Hasnie: Sir I should like to thank some of the members of my party in the first instance who have very kindly permitted me to precede them. Next I would congratulate the Honourable Minister for Finance and his department for the excellent budget they have presented to us. This is the first budget of its nature which is presented to an autonomous Assembly in India so far. I wish, and very briefly too, to examine the main argument of my friends in the Opposition with regard to the budget. We have been told time and again that this budget is a slaves' budget, or, to quote my honourable friend Dr. Shaikh Muhammad Alam, "A slave-man's budget," and that it has been prepared by a slave ministry—by a brown bureaucracy and under a slave constitution. It has also been said that the budget consists of non-votable items. I know, it does, but I want to remind my friends that the non-votable items are part and parcel of the constitution which we are here to work. I want to tell my friends in the Opposition that we are hereby a vote of overwhelming majority in the Punjab who have given us a clear mandate to work this constitution for whatever it is worth (*hear, hear*) and serve the best interests of the province. (*Hear, hear*).

Maulvi Mazhar Ali Azhar: Therefore, it ceases to be a slaveman's budget.

Syed Afzaal Ali Hasnie: Congress accuses us of bringing forward this slaveman's budget but they very conveniently forget that if we are working under the so-called slavish constitution, their greatest *Guru*, the great Mahatma Gandhi, is also flirting with this slavery.

Dr. Shaikh Muhammad Alam: Is he flirting with slavery?

Syed Afzaal Ali Hasnie: Yes.

Dr. Shaikh Muhammad Alam: He is too old to flirt.

Syed Afzaal Ali Hasnie : But he has young enough *Chelas* like my honourable friend. Mahatma Gandhi has shown his anxiety to work this constitution. He is prepared to form ministries and may I know what those ministries will be like, under this constitution—the same slavish ministries ?

Chaudhri Krishna Gopal Dutt : Wrecking the constitution, not working the constitution.

Syed Afzaal Ali Hasnie : No, Sir.

Chaudhri Krishna Gopal Dutt : I object to the honourable member's remarks about Mahatma Gandhi.

Syed Afzaal Ali Hasnie : My honourable friend from Sialkot knows perfectly well that the time and talk of wrecking the constitution is over. Now it is time that the ministries are to be taken over by the majorities returned by the provinces. These ministries working under the guidance of Mahatma Gandhi will prepare and present in the very near future before their respective Assemblies these slavish budgets prepared under the same circumstances. These non-votable items will not be excluded from those budgets.

Members from the opposite side advise the House one after the other that the budget should be thrown out. Do they forget that the great Mahatma Gandhi has declared that he will lay his life to prevent the wrecking of this constitution and consequent bitterness between his country and Great Britain? May I enquire if these gentlemen are not now unwittingly jeopardising the life of that great leader of theirs?

Chaudhri Krishna Gopal Dutt :

مان ڈالوں شیجلی :۴۴: کڈنی

Syed Afzaal Ali Hasnie : As I have just mentioned, the day is coming and is not far off when ministries will be formed in other provinces and, as I have told you, the budgets will be prepared by those ministries in the same manner as we are doing here.

Well, Sir, what I wish to say is this that we are the representatives for whom 80 per cent. of voters in the Punjab have voted and it is because of this mandate from the Electorate that we work the constitution to the benefit of our constituents. (*Interruptions*) I can see my honourable friends of the Congress sitting opposite claim that they represent a very small section of the country, but my honourable friend, Dr. Shaikh Muhammad Alam, comes from nowhere. He is here without any ticket. We have got a party and we have also got the vote of the province.

Khan Bahadur Nawab Muzaffar Khan (Attock North, Muhammadan, Rural) : As a Punjabee, and an Indian I am proud that on the occasion of the inauguration of the Provincial autonomy, the budget has for the first time been presented by an Indian Minister and prepared by an able Indian Finance Secretary, Mr. Ram Chandra. I congratulate the Honourable Finance Minister on his very able and brilliant speech. These congratulations, though somewhat belated—because I did not get my turn earlier—are nevertheless most sincere and not merely conventional, as expressed by some honourable members of the Opposition.

[K. B. Nawab Muzaffar Khan.]

As regards the budget, I can say that we could not expect miracle from the Ministry. As has already been pointed out, they have been in charge only for 3 months. We must also not forget that they had to provide half a lakh for the Assembly Secretaries which the previous Governments did not. Then provision had to be made for two election commissions costing about one lakh of rupees. Then there is provision for Public Services Commission under the Act which has cost us about a lakh and a half, or to be exact Rs. 1½ lakhs. Again the Legislative Assembly office had to be expanded and there was also an increase in provision for travelling allowance of the members—costing us 1½ lakhs. In spite of all this new expenditure the Ministry has done fairly well for beneficent departments. At a glance through the budget, you will find that a provision of one lakh has been made for the sinking of wells. It has been pointed out by some honourable members of the Opposition that nothing has been done for the poor zamindars of the Punjab. If they go through the budget, they will find that the provision of one lakh has been made in the interest of the poor zamindars. It is a very original proposal and I do hope that it will succeed. As the House is aware hitherto provisions have always been made for *taccavi* being granted to zamindars for the construction of wells and other improvements on land, they had to pay interest on these *taccavi* loans and there were many difficulties. Now for the first time Government has taken a very bold step. According to this scheme sum amounting to, say from 4 to 8 hundreds of rupees, will be advanced to poor agriculturists for the construction of wells, and for the current term of settlement they will only pay 3 per cent. interest, on the sum so advanced. Thus if at an average a well commands an area of 50 kanals, he will pay only about 2½ annas per kanal. I think this measure will be most welcome particularly when we see that the principal will never be repaid. It would be only about 2 annas per kanal that the zamindar will have to pay, for the current term of the settlement. As soon as the settlement takes place again, ordinary rates of assessment will be charged and the interest would cease thence forward. My only request to the Ministry is that, if possible, they should extend this system further.

Then, Sir, about one lakh has been provided for X-ray apparatus, half-a-lakh has been provided for local bodies for improving and equipping hospitals and dispensaries. Restoration of cut on the maintenance grants for rural dispensaries is 30 thousand. A grant of 5 lakhs has been made for urban and rural sanitary works. I admit that this is not sufficient, but if you cast a glance on the last budget, you will observe that the amount was only 50 thousand and a jump from 50 thousand, considering the finances of the province, to 5 lakhs is clearly a big jump. Then there is a provision for seed supplies. This again, is for the benefit of poor and needy agriculturists and amounts to 11½ lakhs; while last year it was 7 lakhs. Then there is a provision for an industrial exhibition of 1½ lakh of rupees. The total amount of all these comes to over 20 lakhs.

Apart from this, special grants have been made to district boards for the improvement and development of roads which amount to 1½ lakhs.

There is only one other point to which I would like to draw the attention of the Honourable Finance Minister. If you look at page 5 of the memorandum you will find that, as pointed out by my honourable friend,

Diwan Chaman Lall, a sum of 5½ lakhs has been taken from the Relief Fund and it has been paid towards the discharge of debt. Punjab debt amounts to about 30 crores of rupees. It is only a drop in the ocean. It is paying one rupee to a man who is due Rs. 600, that is, 1/600th. If I were a debtor and were to go to a creditor to whom I owed 600, and presented him with one rupee he would surely feel insulted and will say, "well you owe me Rs. 600 and you are paying me only one rupee." As already pointed out these 5½ lakhs is just a drop in the ocean. There is still time and I would request the Ministry to reconsider their decision. We were approached by the lady members of the House two days ago and hopes were held out to us by the Minister for Education, that the Ministry would reconsider their decision and if possible take away this sum and spend it on the education of women in the Punjab and also on the medical relief for women. I would request them to do if it is not too late already.

I am most grateful to the Punjab Government for granting about 200 squares to the literary grantees or graduates of the Punjab. At this time I should also say that we Punjabis are most grateful to Mr. Darling for the keen interest which he has taken in this movement, and his able assistants Mr. Bhanot and Khan Bahadur Fateh Din. I assure the House that the Punjab Government gave land really to the most needy and the poorest of the graduates whether they were agriculturists, statutory agriculturists or not. I am glad to find that our able Revenue Minister Sir Sunder Singh Majithia has further extended the grants on those lines (*voice*: Misused) No, it is the best use that could have been made of these lands. Formerly lands were given to those people who were hovering round the bungalows of the Deputy Commissioners. Now they have been granted to those people who were the poorest and the ablest of the lot and had absolutely no land (*An honourable member*: Question). I challenge the honourable member to go, find out the truth of it and then ask me questions.

Premier: The honourable member is referring to one solitary case. That case is being looked into.

Khan Bahadur Nawab Muzaffar Khan: If this scheme were further extended it would—though I must admit to a very small extent—solve the unemployment problem. The spread of these educated people in the province would itself mean great uplift and would be generally in the interests of the province.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural): Sir, I would have congratulated the Finance Minister and his able Finance Secretary if in place of Mr. Manohar Lal the Finance Member had been Sir Donald Boyd or there had been no reforms so far introduced in the Punjab. In those conditions I think I should have welcomed this budget and congratulated both the Finance Minister and his Secretary; but as it is I must confess with so many other friends of mine that we feel very much disappointed over this budget. I have tried to go from the beginning to the end of the budget and have consulted old budgets too and I do not find any difference between them. If hopes had not been raised in us, if we had not expected better things from an autonomous government and from an able financier like Mr. Manohar Lal, I think perhaps there would have been some satisfaction. There is none at present. The few small mercies over which they take pride only

[S. Sampuran Singh.]

accentuate that disappointment. We have been told that 25 lakhs have been given in the form of remission to the distressed people of the Multan division because there, the crops were totally washed away by hailstorm. If they had not taken pride over that we would have thought better of them. We would have thought that they have done a sympathetic thing and did a thing which they thought the people deserved. When they come and take pride in it I feel——.

Khan Bahadur Nawab Muzaffar Khan : Why do you presume pride ?

Sardar Sampuran Singh : Sir, a minute ago it was stated by my honourable friend that so much money has been spent on *taqavi* (*Khan Bahadur Nawab Muzaffar Khan :* I took no credit). He wanted to give credit to the Government for that. It was their duty and they were doing their duty properly when giving *taqavi*. (*A voice :* Generosity). Please withdraw that word because that stinks. I am not prepared to take any generosity for the zamindars. Give us what is our due.

I think honourable members of this House know that *taqavi* is a grant for which Government charge interest and always get back that money in instalments during a certain period. Moreover, you know that on account of the present revenue policy of the Government the zamindar has lost his credit. The Government has a big Steam Roller of Land Revenue Act in their hand and realise *taqavi*, under its pressure, by selling the cattle and the houses of the people as is being done in so many districts to-day. You give that money with that power in your hands on interest just as the peasant takes money from an ordinary bania, which the latter has not that power to recover. Sir, the Government by saying that in this particular year they have been able to do so much by advancing 25 lakhs in the form of remission have shown callous ignorance of the condition of the Punjab. I would like them to look at their old budgets and they will find that such remissions were absolutely necessary practically every year and they will have to make such remissions next year also or the year after that (*Premier :* I hope not. The honourable member is speaking like Johna).

I have very little time at my disposal and cannot finish without touching another very important question, i.e., communal riots in the Punjab. We have heard a statement from the Honourable the Premier, and I would like to correct a few of the inaccuracies in that statement. I would not blame the Premier because the people who prepare these reports and submit information are the people who are to blame for these acts and are the people who are responsible for whatever has happened and naturally——.

Premier : Is the honourable member in order in trying to correct an official statement which is based on authoritative information .

Sardar Sampuran Singh : It is no point of order. Officials are not infallible. They are not Gods. They can make misstatements. If we are not here to contradict Government, what are we here for ?

Premier : Without rhyme or reason ?

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 p.m. Mr. Deputy Speaker in the chair.

Sardar Sampuran Singh : I was submitting that a good deal of inaccurate information has been circulated about these incidents at Ala. It had been insinuated that a Nihang who was murdered at Ala was not on good terms with the Sikhs and Hindus of that village. That is totally wrong, as the previous litigation between him and the Muhammadan zamindars of that village will support me.

Premier : Not only between him and the Muhammadans but between him and the Hindus also.

Sardar Sampuran Singh : Before the more important riots took place. It was a mob of seven or eight hundred peasants who had actually attacked the gurdwara and these few Nihangs had opposed and fought against them with the result that this mob had run away and this case was registered by them at the police station, a complaint was lodged and letters were written to the highest authority, I mean the Commissioner of the division and other officers and cases were actually pending under section 897 of the Indian Penal Code and sections 107 and 151 of the Criminal Procedure Code. All these things happened long before this murder was committed, but the Government authorities were so slow that they did not take any precaution to safeguard the lives of the Nihangs living in that village.

Again I have to make a great protest against the conduct of a sub-inspector who went to investigate these cases. He tried to bring about a compromise between the Sikhs and the Hindus on one side and the Muslims of that village on the other, and the basis of that compromise was that the Sikhs and Hindus will give up going to that gurdwara.

Raja Ghazanfar Ali Khan : Are these details regarding the sub-inspector and the constable and head constable relevant to the general discussion of the budget ?

Mr. Deputy Speaker : I would request the honourable member to proceed to the next point.

Premier : May I draw your attention to the fact that it is not in consonance with parliamentary practice to attack an official who is not present in the House and who cannot defend himself.

Sardar Sampuran Singh : The basis of that compromise was this that the Sikhs and the Hindus will boycott that gurdwara and if they in any way—

Raja Ghazanfar Ali Khan : I raised a point of order and you were good enough to rule that these details are not relevant.

Sardar Sampuran Singh : I am not attacking the conduct of the sub-inspector at all. Now I am stating the basis of that compromise as I am discussing this Ala incident. The basis of this compromise was that the Sikhs and Hindus will give up going to the gurdwara and if they give any help, monetary or otherwise, to these Nihangs living in that gurdwara, then each individual will be fined Rs. 50 and, without mentioning the name, a Government official was responsible for bringing about compromise on these conditions between the Hindus and Sikhs of that village on one side and Muslims on the other.

[S. Sampuran Singh.]

Mr. Deputy Speaker : The honourable member has only one more minute.

Sardar Sampuran Singh : In the end I have only one point to make because I have no time, and that is that Government is not taking any action to stop these activities. They are encouraging people to continue this kind of tyranny of minority communities in the districts where they live in very small numbers and its effect is only to demoralise the minority communities in the Punjab.

Mr. Deputy Speaker : The honourable member's time is over.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (North Muzaffargarh, Muhammadan, Rural), (*Urdu*): Mr. Speaker, as the Persian saying goes *گوئی و قصه طلالی* I have to tell a long story, but the time at my disposal is very short. I would, therefore, refrain from going into details and shall have to content myself with a general review of the budget and the criticism which has been offered by the Opposition. In a parliamentary system of Government the opposition has an equally important duty and responsibility as the Government. Constructive criticism by the Opposition is always welcome and goes a long way to increase the efficiency of the administration. But if the Opposition decides to indulge in destructive criticism and repudiation of every action of the Government, however wholesome, it loses its usefulness and defeats its own object. I was sorry to note that some of my honourable friends in the Opposition persistently said that we on this side of the House are not a party of the people and that our Government is a brown bureaucracy or something of that kind. I have been wondering which people my friends opposite have been talking about. If they were talking of the people of the Punjab, they have given a clear verdict in our favour by an overwhelming majority of votes at the polls, but if by the people they meant the population of some other planet, I might accept their argument. I cannot give them a better answer than by quoting a couplet by Sadi—

گرنہ بوند روز شہرہ چشم . . چشمہ نقاب را چہ گنا. (*loud cheers*).

If the standard of true representation of the people is merely to indulge in irresponsible and loud talk, then I certainly confess that my friends have a better claim than ourselves to call themselves representatives of the people, but if the verdict of the voters is to decide the representative character of the party then we have better claims for that representation. Let me tell them very frankly that we or our Government shall not be intimidated by such irresponsible and childish gestures. If my friends persist in saying that we do not represent the people of the Punjab, I shall only say that they are talking through their Gandhi caps. Electorates in the Punjab, keeping in view our past services for the zamindars and the backward classes, have given a clear verdict in favour of the Unionist Party and its programme. The time is gone when members on the opposition benches could frighten foreign officials sitting on treasury benches by referring to the people. Now we are the voice of the people and their true representatives. We shall carry out, to the best of our ability, the mandate which we obtained from the electorate and when the time comes we shall be prepared to face the people to be judged by our achievements. I was surprised and shocked

at the audacity of my honourable friend Dr. Muhammad Alam, who declared that he and not we constituted the party of the people. I am reminded of an old story, which has given our language a well-known proverb. The story says that four horsemen were coming from Delhi. A villager, who was riding a lame pony, met them on the way. He was struck by the welcome and reception, which was being accorded to them by the people. When they entered Lahore, the rider of the lame pony started shouting "I am also one of the five swars" who have come from the Imperial Capital and are the messengers of the Emperor. *(Laughter)* ہم بھی ہیں از دن سواروں میں۔ Our friend who is the leader and the sole member of a still-born Party is very much like the rider of the lame pony. But the rider of the lame pony, in the story was fair enough to his companions to say that all five of them were the messengers of the King. In the present case our friend has a wonderful spirit to declare that he is the only representative of the people and that the 130 men on this side of the House are not the representatives of the people. My friend obtained a platform ticket from the booking office of his constituency without telling them that he was bound for "Anand Bhawan." When he met a flying squad of the Congress travelling ticket checker, he put on a fictitious label and joined them in asking the other passengers for their tickets so that he may not be checked and dispossessed of his kit bag for the payment of penalty. *(Laughter and loud cheers.)* I can perhaps understand the Congress Party claiming that they have some mandate from a small minority of the electorate in the Punjab, but I cannot understand my friend with his "Hush, Hush" ticket, shouting in this hall with the Congress Party. I can assure him that when he goes out to any constituency in the Punjab the voters will first of all want to know where he lost the ticket of that poor dismantled mosque in the name of which he secured votes.

Mr. Speaker, my honourable friend, Mr. Shri Ram, remarked, why should the Government take credit for giving a relief of 25 lakhs to the hailstorm sufferers? We do not claim any credit. We have only done our duty in affording relief to the sufferers. But may I ask him and his party who claim to be the champions and well wishers of the agriculturists as to what part they played to ameliorate the sufferings of these people? *(Cheers)*. Let me warn them that the Punjab agriculturist is too intelligent for them and will not be satisfied with mere lip-sympathy. Our zamindar is wise enough to distinguish between his friends and foes. They cannot mislead him by their loud talks—

بہر رنگے کہ خواہی جامہ می پوش — من انداز قرہ را می شناسم

(Cheers). My honourable friend, the chief whip of the Congress Party read a few extracts from a pamphlet written by Rao Bahadur Chaudhri Sir Chhotu Ram and wanted to know whether he still holds the views expressed in the pamphlet. Let me tell him that there is no change in the point of view of the Unionist Party with regard to this question. It was through the endeavours of Rao Bahadur Chaudhri Sir Chhotu Ram and the Unionist Party that we were able to secure a reduction of about a crore and 80 lakhs of rupees in the cost of administration and we still hope to enforce further economy, which may be consistent with efficiency. The appointment of a

[K. B. Mian Mushtaq Ahmad Gurmadi.]

committee to explore further avenues to supplement our revenues and reduce the cost of administration and enforce retrenchment is the first step towards this direction.

Now coming to the budget, I would say that some of the honourable members have congratulated and thanked the Finance Minister while others have mercilessly criticised him. I, on my part, offer my sympathy to him as he was confronted with a much more difficult task than any of his predecessors. You will agree with me that the task of an editor is much more difficult than that of an author. Our present Finance Minister can be more correctly described as an editor and compiler of the present budget than as its author. The figures had already been collected and he was only to compile them and give them final touches, and I must say to his credit that in spite of the short time at his disposal he was able to find an additional sum of Rs. 20 lakhs for the nation building departments, after meeting an unexpected expenditure of a large sum of Rs. 25 lakhs for the relief of the hail-storm sufferers. It could not be reasonably expected that the new ministry, which have been in office for a little over 10 weeks, should have been able to master all the details of their departments and present an ideal budget. Let us wait till the next year and give the new Government a chance to study the various problems of their respective departments, and formulate improvement in our next budget. Before I resume my seat I would like to draw the attention of the Honourable Finance Minister and the Government to a few important matters. I am glad that the Government has decided to start the Haveli Project. I would in this connection request the Government that the capital required for this scheme may be raised in India. It would be improper to go to foreign markets when we can find capital in our own country. As regards the Thal Project, it was remarked in the budget speech of the Honourable Finance Minister that the Government is examining this scheme with the utmost expeditiousness consistent with its magnitude and complicated character. I do hope that this scheme will not receive the same treatment which was meted out to it at the hands of the last government. The Thal Irrigation scheme is the first irrigation project which was formulated by the Punjab Government. This scheme was prepared in 1871, but so far it has remained on paper and other irrigation projects were given precedence over it. The people of Muzaffargarh and Mianwali districts have waited enough and they are living in the hope of seeing the fruits of this project. Their patience should not be overtaxed and the Government should make an honest effort to give this scheme a practical shape, with the least possible delay. Just one word more Sir, and it is this, that we should not be content with giving larger sums to the beneficent departments. We should try to check the wastage in these departments and secure full value for our money.

Mr. Deputy Speaker : Honourable member's time is up.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : It is my fortune to be in this House again after the lapse of something like ten years when I gave up the charge of Revenue Membership of the Punjab Government. At that time also the portfolio of Revenue, one of the most paying departments in the province came to my charge and I had to deal with it, according to the lights that have been given to me. Even under

the new reforms I am called upon to take charge of the same portfolio. It is a difficult job, and a heavy task for me in my old age (*An honourable member*: You are not old, you are young.) I have taken up this task because my province wants my services and it is not right for me to refuse to accept the task. It was not an easy job for me to face an election, but I had to do it and as a result of that election, here I am for your service and that of my province which I feel it my privilege to do in the last years that are left to me in this life (*Cheers*).

It has been said that there is no advance in the province. I admit that the advance is not as much as we desire. We certainly desire more, but the time and experience before us will show whether we can take a step forward in the advance of the country. I am not lacking in enthusiasm or desire to see our province advance to the last stage, call it by whatever name you please, whether it is *swaraj*, *purna swaraj* or by whatever name it may be called. But what we have to do is to show to the world that we have taken up the responsibility and we are sure to discharge it to the best of our ability that God has given us. (*Interruption.*) You may take it to come from the British Parliament, but I believe it is God who ordains all this. But let me not be interrupted,

I will start with the criticisms that have been levelled against the departments in my portfolio. I start with Irrigation. I am glad to find that not much criticism has been made as regards the income and expenditure of this department. But certain suggestions have been made as regards the new projects which are going to be taken up. The first of these projects is the Haveli Project. Sanction for that has been received according to the old rules from the Government of India though according to the new rules we need not go up to the Government of India for such sanction for any project that we may put forward for execution. The project is going to cost us 536 lakhs. Out of this amount we have to meet the cost of earthwork, stones, cement and steel which we require for carrying out this project. Some members have asked me to give an assurance that out of the cost of this project everything would be taken from the country. I quite agree with that suggestion and I may inform the House, as I informed the members when they were speaking, that earthwork, stone and cement belong to the country and only as regards steel we may have to go outside the country if we cannot get it in the country itself. I can inform you Sir, and through you the House that every endeavour would be made to get the supply of steel from the country. But I may be pardoned if I have to say that under certain circumstances we have to see to the cost of the steel and if we could get the steel at better prices in India we will certainly not go outside the country to purchase it. But in case we are unable to do that, we shall have to go elsewhere to get it so as to complete the project within the means at our disposal. I have been told that in this project every sort of economy should be exercised. I may inform my friends that the project has been very carefully prepared. It has been vetted by the Irrigation Board of the Government of India on which the chief engineers of the Punjab and the chief engineers of other provinces sit. They go through the estimates very carefully and after their careful scrutiny the thing has to get through. My friend, Prof. Roberts, suggested that there should be an Inspector-General of Irrigation in this country to whom these schemes should be sent up for verification and looking

[Minister for Revenue.]

into as to whether they are correct. I am thankful to my friend for the suggestion. But I think that under the present state of finance he does not mean that we should add another big expenditure at present in engaging an inspector-general of irrigation. The project at the present moment has been thoroughly vetted and I think he may rest assured that any project that is put before the House for sanction will have received the best advice that we can in the country and I may also assure him that every endeavour will be made that the thing is not a *kuchha* one but is a *pucca* one throughout. I may also inform the House that in the construction of the work the system of tender will be used. There will be no favouritism shown to anybody. But people will be asked to tender for the construction work and the lowest tender will ordinarily be accepted unless we consider that the lowest tenderer will not be able to carry out the work. In any case we will try to take the lowest tender as far as is possible. The time of construction, I may tell the House, will be between 3 and 4 years. So the expenditure that I have pointed out will be spread over three or four years. A large amount will be spent during the year when the work is in full swing and the lowest when the work is nearing completion.

Next as to the Thal project. About that we have not to go to the Government of India for sanction. We are competent to give sanction for that project. I may inform the House that at the present moment the project is being looked into very carefully by the three chief engineers of the Punjab. If later on there is any necessity to get some outside advice we will not hesitate to do so. I may inform the House through you that we have got the Irrigation Board of the Government of India on which the chief engineers of all the provinces sit together and we may if we find it desirable refer the project to them. (*Interruption.*) I may inform the House through you that the cost of the project would be about seven crores. It is under examination and there is no likelihood of that project being taken in hand immediately.

My friend and colleague on my left has spoken about the Bhakra Dam and I am equally anxious about the project which I started as a Revenue Member. A good deal of water has passed under the bridge since then and as yet the project has not seen its way out of the quagmire in which we find it still. The difficulty, I may point out, is that the dam where it has to be constructed happens to fall within the territory of the Raja Sahib of Bilaspur. Twenty thousand one hundred and forty-six acres belonging to the State and 7,705 acres belonging to the Punjab will come under the dam. I may inform the House that in this project 171 villages of the Bilaspur State would be submerged. Therefore, we must give the Raja Sahib suitable compensation when asking him to vacate that area for the construction of the dam before we can get this project through. In that area there are temples, there are palaces of the Raja Sahib and if we take any action without consideration, I think we may be held up by some of our friends that we are treading on unsafe grounds by interference in religious matters. His Highness the Raja Sahib of Bilaspur was offered cash compensation of 25 lakhs and an annual compensation of Rs. 8,000—renunciation of the annual nazrana that the State pays to the Government—Rs. 8,750 under remissions of land revenue on the 50 per cent. basis of the matured area.

As an alternative we also asked him to accept 5,000 acres from the Nili Bar Colony which considering the prices that we get for our lands these days means Rs. 14,76,234 besides the other facilities. Up to this time His Highness has not accepted this offer. Under the circumstances we are face to face with a difficulty which we cannot overcome being a subject between an Indian State and the Government of the Punjab. As long as my honourable friend and colleague on my left, the Honourable Chatudhri Sir Chhotu Ram is there, the House should rest assured that this project would not be allowed to be forgotten. But if unfortunately, this project does not fructify, we shall have to explore other avenues in order to meet the necessary requirements of the people of this area of Hissar and Rohtak districts. Investigations are being made just at present to store the waters of the Jumna river and to increase the supplies in the Western Jumna Canal so as to make it available for the area to be dealt with by the Bhakra Dam Project. We are also investigating the question of sinking tube-wells and my friend and colleague, the Honourable Malik Khizar Hyat was telling me that the probability is that if we want electric power to work these tube-wells they would be able to extend the Hydro-Electric Scheme. I have seen something of the work being done in the United Provinces. Sir William Stampe, the Chief Engineer of the United Provinces, is a very keen enthusiast and under his care and supervision the grid scheme is working. We deputed an engineer of the Irrigation Branch to go and get first hand knowledge of the work that is being done in that place (*hear, hear*) just with a view to utilize that experience in case the Raja Sahib of Bilaspur did not come to terms with us.

Some of my honourable friends have been telling us about the corruption in the Irrigation Department. Unfortunately there is some truth in that (*A voice: Some truth?*). There is some truth in that and I stick to that because everyone in the department is not affected by this evil. There are some black-sheep certainly in the department (*laughter*). One of my friends also said that several of our engineers do not know anything about remodelling of outlets. This is a statement which is far from truth. Probability is that my honourable friend is not aware of the instructions that are given by the Chief Engineer to the subordinates working in the department. If I am permitted I may read a few words from this note given to me by the Chief Engineers: "Very strict control is exercised over the execution of the remodelling scheme and if there is any corruption it is entirely due to the ignorance of the zamindars."

Sardar Sampuran Singh: That factor is always there.

Minister for Revenue: Who give and offer bribes to these people to get beyond their *hug*?

Sardar Partap Singh: Why not abandon the remodelling altogether?

Minister for Revenue: It is all very well to say why allow these things. Government has made a rule to meet a contingency like that and I may say that the rule provides that if five persons apply complaining against an officer who is corrupt, enquiry must be made by the Government about that officer's conduct. This is being done and will be done in future to eradicate the evil of corruption (*hear, hear*). (*A voice: Till doom's day.*)

[Minister for Revenue.]

Doom's day or to-morrow. Rome was never built in a day. We are building it and you, the friends on the Opposition benches, must help us to eradicate this evil. In this connection my old friend Mian Abdul Aziz reminded me of what we had done in the olden times. He made a complaint and we asked him to furnish evidence. He put forward the ordinary suggestion that those people should not be run in for bribery. That is a question which had to be dealt with by courts and not by me. If he had produced his evidence I would have certainly seen at that time when I was the Revenue Member that those persons who gave evidence against corrupt officers were not molested or taken to task. Beyond that I could not go. I thank him for reminding me of it. I thought it had been buried long ago, but he has exhumed it.

Mian Abdul Aziz : Would you be able to do it now ?

Minister for Revenue : I can assure the honourable members that if under the new rules, as I have just stated, any complaint is made against any officer and it is substantiated, certainly action will be taken, but you will not like me to condemn a man on hearsay. I will take the severest action possible and make an example of him to show that we do not want corruption in our department. (*Mian Abdul Aziz : Thank you.*)

I do not think I need say anything as regards Forests. Expenditure is more and income is less. I admit it is so. But Forests are not only meant for earning money they are meant for other purposes in helping rainfall and saving land from erosion and we should not consider it as a department which is meant for making money and nothing else.

(*At this stage Mr. Speaker took the chair.*)

Now I come to the most important question of land revenue. I am not behind any man in this province in feeling the necessity of doing our utmost for our poor zamindar brethren (*hear, hear*). (*Chaudhri Krishna Gopal Dutt : Platitudes.*) May be platitudes. Yours may also be platitudes. I have in the two or three months of the life of this Government had occasions to travel and see with my own eyes the damage done to the crops by hailstorm. Where is the man with a heart who would not feel this tragedy! (*Hear, hear*). Some of my friends opposite told me that they would like to accompany me on these tours. But when the time came I found that they were nowhere to be found. I am sorry for their absence but all the same it was my duty to see things for myself and I have done it as my duty and nothing more. I hope that I will not be found wanting when an occasion arises for me to perform my duty. If God gives me strength I can assure this House that I will do my level best. Whatever amount of relief we have given we have not given as a gift, though there is a certain amount given by way of gift, i.e., the amount that we gave out of the Famine Relief Fund. That is a gift pure and simple, but the other part was their due and we find that it was necessary to give this relief and we did it. I may have to leave many things unsaid because the time at my disposal is very short. But my honourable friend said that the old land revenue policy has no sanctity behind it. I may just tell him that we cannot say this light-heartedly and throw away our old system. The Land

Revenue Amendment Act was passed in 1923 and if any further new amendments are required, I can assure the honourable members that I will be there to help them. If any amendments are proposed that are likely to help the people of the province, I will help them to carry them through.

Sardar Partap Singh : It will take forty years.

Chaudhri Krishna Gopal Dutt : We shall help you provided you do not appoint an official committee.

Minister for Revenue : I must congratulate my honourable friend opposite, Chaudhri Krishna Gopal Dutt, for the very eloquent speech he delivered in this House and in the very fine way he put his theories, but I am sorry to find that he has not even studied the Land Revenue Act and the rules under which the assessment is made.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, on a point of explanation. The Honourable Minister of Revenue has referred to me and said that I have not studied the Land Revenue Act and the rules under which the assessment has been made. May I state for the information of this House that the Honourable Minister of Revenue himself did not know what was the revenue last year and previous to that and he was enquiring this fact from me the other day ?

Mr. Speaker : This sort of criticism is unfair.

Chaudhri Krishna Gopal Dutt : But this is an important question.

Mr. Speaker : That is an allegation and not a personal explanation.

Chaudhri Krishna Gopal Dutt : Will you allow the Honourable Minister to level a charge against me on the floor of this House that I have not read the Land Revenue Act ?

Mr. Speaker : Order, order.

Minister for Revenue : I hope my honourable friend will not get angry with me. I am after all an old man. He said that it is not equitable. I may tell my friend that in assessing land revenue there is square to square inspection by the Settlement Officer.

Sardar Partap Singh : It is the method of assessment that we are against. We are not against square to square inspection.

Minister for Revenue : The Settlement Officer can go above and below 25 per cent. for any estate in the assessment circle and he frequently does so.

Mr. Speaker : The Honourable Member's time is up.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : I have been thinking about the question whether I should follow the convention of congratulating the Honourable Finance Minister on the budget he has presented to this House. Had I opened the debate and had I spoken on the very first day, perhaps I might have congratulated him. Though even now I congratulate him for the lucid expression and for the labour he has put in preparing these big books, yet taking into consideration the apology that has been offered by the members of the Government—not by the Ministers, but by those honourable members of this House who have spoken in his favour—that the time at the disposal of the Honourable Finance Minister

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was very little and therefore he could not produce a better budget and nobody in his place would have been able to do better because the time was so very short, I do not know whether in face of all these, my congratulations would mean anything. However, I must congratulate him for his lucid expression, and for the ability and labour which he has put in preparing these books. On the very first day that the budget was presented to us, I was asked to express my opinion and I had said that as far as the budget goes if we considered it from the point of view of carrying out any programme of reforms in this province, there was none, but as far as the book-keeping was concerned it was a very good specimen of book-keeping. And I think that the Honourable Finance Minister under the present circumstances, placed as he is, could not do anything better than bring all the demands of the different Ministers-in-charge together and compile them into a book and present them to us because the policy does not lie with him. There is the bania in the village. The Finance Minister is the bania in his zamindar Government. He has acted like a bania.

Khan Bahadur Nawab Muzaffar Khan : He is Todar Mal of the Punjab.

Dr. Gopi Chand Bhargava : Everybody wanted a certain sum and he enquired what income they could give him. On receipt of information as to the income he could get, he has placed all these figures together and, therefore, I am justified in saying that this budget is nothing short of book-keeping.

We can approach the budget from two points of view. One is the political side and the other is the economic side. As far as both the sides are concerned, the opposition party has been charged with two things. The first is that there is lack of co-operation. The second thing is that the responsibility for the expenditure which is being incurred for the additional police lies on the opposition party. (*Voices from Government benches :* Nobody said so.) I can say without contradiction that it has been pointed out that the people on this side are responsible for the communal riots in the province. I stand here to vindicate the position and honour of the opposition party. I stand here to charge the Government for all these things. (*Hear, hear.*) Will the Government Ministers cite any instance where co-operation was called for and it was not given? What do we find in the case of formation of committees. While the Government, if they wanted our co-operation, could have taken more members from the opposition side on the revenue and retrenchment committees, but we find that only one man was called for and that was I and I agreed to work on it. In the same way when the question of the Unemployment Committee was raised, it was only one member on this side who has been called upon to work on that committee and that member has agreed to work. These are the instances which I quote to show that where co-operation was called for it was offered by us. What do we see on the other side? Time after time it has been said that such and such is the convention in the House of Commons, but what is the convention that we find now. The budget is presented to us for criticism but we are not allowed sufficient time for criticism. More time should have been allowed to us so that we might have been able to place our point of view

before the House. Whenever we stand up to criticise any action of the Government or the budget, we are told that we come here solely with the purpose of criticising the Government and that we advance only destructive criticism. They say that there is nothing constructive in us. I say that we do put constructive proposals. My friend, Chaudhri Krishna Gopal Dutt, put constructive proposals so ably before you the other day.

We are prepared to put further constructive proposals before you, provided you are prepared to receive them and welcome them. My submission is that the Government is not prepared to listen to us or to receive any constructive criticism from our side. (*"Hear, hear" from the Opposition Benches.*) Well, Sir, how are we treated outside? I can say with certainty and I know it because I am personally concerned with it. It has been said that it is a national Government. It has been said that the Honourable Sirdar Sir Sikandar Hyat-Khan, our Premier, is the un-crowned king of the Punjab. But what we find is that even if he is the un-crowned king of this province, we people are being treated outside just as we were treated under the old bureaucratic rule (*"Hear, hear" from the Opposition Benches and "Question" from the Treasury Benches*) and not only we, but also those people, those electorates, who have sent us here and whom we say we are proud to represent. Well, Sir, I will set before you certain instances. When I leave Lahore and go to any station and I buy a ticket, the C. I. D. man comes and says, "Give me the number of your ticket and tell me where are you going?" Then if we hold meetings to ventilate the grievances of the masses, the police reaches there and stops us from doing things. (*"Question," from the Treasury Benches.*) Well, Sir, people may question, but they do not know the facts. I have conveyed the facts to the Honourable Premier. He can make enquiries. Nobody can say that it is wrong.

Premier : The honourable member ought to have waited.

Dr. Gopi Chand Bhargava : The Honourable Premier says that I ought to have waited. I am prepared to wait. This does not mean that what I am saying is incorrect. I am prepared to prove everything that I say. I have reports with me which I have received and there are some statements I issued to the press. Let any person come and contradict them. I am prepared to meet the consequences, if they are wrong. I know my responsibility and as a responsible man whatever I say I have reasons for it. I can prove it to the hilt. We tried to draw the attention of the Government, if I may be permitted to say so, to the abuses of the Press Act. We have invited the attention of the Government to the release of political prisoners. But what do we find? The same old reply, the same old excuse which was put forward by the old British bureaucracy and imperialism.

There is one other incident which I would mention. We have received complaints that political prisoners in certain jails are not treated well. I did not rush to the press, I did not issue a statement, I did not make enquiries; but I sought permission from the Honourable Premier to see those prisoners. What was the reply? No reply at all. So far I have not been able to see them.

Premier : Question.

Dr. Gopi Chand Bhargava : I have got the letter and I can assure you that no reply had been sent.

Premier : I must make a protest against these remarks. I think that the honourable Leader of the Opposition is unfair and unjust in casting those aspersions. I wrote to him that when I go down to Lahore I would discuss the question with him. But when I went there, the honourable Leader of the Opposition was not there and had left a letter stating that he was going to Sind. On my way back again I broke my journey at Lahore to meet my honourable friend opposite, but apparently he was detained in Sind longer than he anticipated. That is the real position.

Dr. Gopi Chand Bhargava : My submission is that I have stated before you a simple fact. I do not think there is anything to discuss about it. In the United Provinces every member of the Assembly as a matter of right, is a non-official visitor of the jail in his constituency. Lahore Central Jail is the jail in my constituency which I have the honour to represent here. Had I been in the United Provinces, or the rules which are prevalent there had been prevalent here, I would have the right to go and visit the jail. I will be glad if the Honourable Premier permits me to see those political prisoners even now. I shall go and see them. I can promise that I shall send a statement to the press after I have met him and discussed the matter with him. I want all this. I do not want to create any fuss. I want to tell him that the majority party should not accuse the Opposition without knowing the facts. We have tried to co-operate, but there was no response from the Government side. In spite of the fact that the Opposition has got the right to criticise and criticise mercilessly the budget which is presented to them we are prepared to co-operate. The other side does not want our co-operation.

Well, Sir, we have heard talks here that the Unionist Party had issued a programme at the time of election and according to that programme they want to carry out reforms. Then it is said that Government had no time to consider the question of programme for these 5 years. My honourable friend Mir Maqbool Mahmood stood up and suggested that they should have issued a programme for 5 years and they should have carried out the reforms according to that programme. Well, from that I can safely conclude that so far no programme is made for carrying out reforms, as it has been conceded, as far as the present budget goes.

Mir Maqbool Mahmood : On a point of personal explanation, Sir. What I said was that we want a 5 years' programme for reform and expansion in the various departments. Neither the Unionist Party nor the Congress Party nor any other party in the province have gone into the details of such programmes.

Dr. Gopi Chand Bhargava : You may have heard the speeches on the floor of this House where it has been said that the Unionist Party has done this, has done that, they have this programme and that programme. But I would ask one thing, through you, Sir, what is that party which set up 4 or 5 candidates for one constituency and whoever was elected was owned as a member of the Unionist Party? Well, the members on this side of the House are accused of coming here without any ticket. I may say that most of them came here on the Congress ticket, and that the Congress Party ha

a definite programme and a definite election manifesto. We have come here with a definite programme. We are not like those who have no programme.

An appeal was made by my honourable friend, Begum Shah Nawaz, that we should not try to wreck the constitution. (*The Premier* : You cannot.) Time will show. It has been said by my friend Mr. Afzaal Ali Hasnie that Mahatma Gandhi wants to work out this constitution and wants that the Congress party should accept offices in other provinces. Well, Sir, time was not given to us for the consideration of the memorable speech made by the honourable Premier, otherwise we might have shown that it is not Mahatma Gandhi. (*The Premier* ; Time was offered to my honourable friend.) (*Interruptions.*)

Mr. Speaker : A personal explanation may be made immediately, if the member, who is speaking gives way and resumes his seat. If he does not resume his seat, then the gentleman, who wants to give personal explanation, should wait till the speaker has finished his speech.

Dr. Gopi Chand Bhargava : Sir, I wanted to discuss the point whether Mahatma Gandhi and the Congress were justified in not accepting office or the opinion of the honourable Premier was correct. Well, Sir, through the press we have tried to show that the people who have been elected by a majority in other provinces are quite satisfied with the position which the Congress has taken in those provinces. (*The Premier* : Question.) I think it does not lie in the mouth of the honourable the Premier to speak against the majority parties in other provinces. (*The Premier* : I have not done so.) What the Congress wanted was only this : we have got that power which we acquired by the majority gained in the elections. We want to snatch more power. We want to get as much power as we can within the constitution. Therefore, we do not accept Ministries. I do not know why people in this province are against this matter of acquiring more power. Do you not want more power? Are they satisfied with the power which they have got? If they do not want to acquire more power, I say it is unfair to the electorate, it is unfair to the House at large. We find it said that it was a national government. We find there is no change, no difference between the old and the new. Where is the programme? It is said Rome was not built in a day. I know Rome was not built in a day, Lahore was not built in a day. We may not get swaraj in a day. We shall get it when we have made sacrifices and have fought with the bureaucracy and imperialism and not by yielding to temptation of imperialism. It has been said that there has been no interference by the Governor in the working of the present Cabinet. May I ask one question and that is this : do the Ministers of the Cabinet not wait every day by turns and consult higher authorities? (*Voices from Treasury Benches* : No.) I am glad to know that (*hear, hear*). A statement was published in the press that the Cabinet was presided over not by the Honourable the Premier but by His Excellency the Governor and that every meeting of the Cabinet was presided over by His Excellency the Governor. His Excellency is within his rights to do so. I have not got the least right to criticise him but I can demand on the floor of this House as a member of this House that our Cabinet, i.e., the Cabinet of this province should not yield to these things. His Excellency the Viceroy has been pleased to say that the rights of the Ministers are mandatory. They

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should not yield to His Excellency the Governor. I have been told, I do not know how far it is correct, that even in the matter of appointment of an officer, though the Minister in charge holds a different opinion yet the man whom the the Governor chooses is appointed.

Premier : My honourable friend the Leader of the Opposition should not make allegations of which he is not sure. I submit that it is unfair to himself, to this House and the public outside because his speech will naturally receive prominence coming as it does from a responsible person, the Leader of the Opposition.

Dr. Gopi Chand Bhargava : I have already submitted that as far as^s my knowledge goes and the information I have got, I have no reason to disbelieve unless it is contradicted by the Premier. (*The Premier :* It is.) Now that the honourable Premier contradicts it I am glad to know it. I shall be very glad if I find that in future the Cabinet acts as a responsible Cabinet. Their powers are mandatory and they should not yield to any person however big or august he may be. It is said that Cabinet will take care of itself. I say no. It is our right also to demand that they do not give up their rights.

Mr. Speaker : May I request the honourable member to wind up ?

Dr. Gopi Chand Bhargava : Sir, I have to say a few words on the economic side of the question. The Finance Minister admits that it is not a surplus budget: it is a deficit budget. Though several honourable members have congratulated him on the basis of the budget being a surplus one he admits that it is a deficit budget. He said in his speech that it is a deficit budget. If I may be permitted to quote, he says :—

This small surplus is liable to disappear because in the present estimates of expenditure no provision is made for the two Committees one on 'Resources and Retrenchment' and the other on 'Unemployment' which the present Government announced on taking office that it was its intention to constitute. Nor was it possible in the estimates to make adequate provision for the salary and allowances of the honourable members of the Assembly as the report of the Committee appointed to determine these was made only a few days ago, and has not been yet considered by this House.

Again he says: "We should not be afraid of a deficit budget." I am quite in agreement with him. If you want some money to carry out our projects, it is not necessary that we should find out capital out of our revenue only. We may have extraordinary receipts. We may sell the land which is lying fallow or which is not being used. Earn something, treat it as extraordinary receipt and spend in capital outlay as a productive measure.

Sir, now I have to say a few words about two things. One is that much has been said about remission of 25 lakhs and much has been said about 20 lakhs given to the beneficent departments. I am one of those who would not be satisfied with remission of even one crore. The demand for the assessment is so large and the method of assessment is so bad that it requires re-orientation. We must change the system of assessment so that there will be no occasion for remission. Remission has been made, it is said, due to a hail-storm, and remissions have been made in the past. Looking to the circumstances prevailing in the province, my submission is that this system of assessment ought to be changed. We want a new method of assessment.

The proportion should not be one-fourth. It should be less ; all the charges that the peasant has to incur in sowing, reaping, etc., should be deducted when assessment is being made. It is not done now.

We are not satisfied with any remission. That means that the Minister can show favours and favour leads to favouritism. We do not want favouritism in any district. Every peasant should be assessed on a graduated scale and on a certain definite system. It should not depend upon the will of the Minister. That is what we want.

The other thing is retrenchment in services. What do we find ? There are 80 big officers. Out of these 80, the service is manned by 25 foreigners and 5 Indians, and we are told that in no time there will be 29 Britishers out of 80 and there will be only one Indian amongst the big officers of this province. We are opposed to it. We do not want it. We want that our province should be ruled by the Punjabis or Indians and not by outsiders. We may not be able to supply such able people but we have got the right to even misrule our country because we are the masters of this country. We do not want slavery.

I have to make just one more observation and that is about the Haveli Project. I would like the Cabinet to keep two things in view. One is that the contract for this Haveli Project is not given to a European firm ; it should be given to an Indian firm. The second thing is that the material which is to be used should be Indian and it should be produced in this province, so that we may be able to supply some work for the unemployed of this province.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Mr. Speaker, I had no intention of making a lengthy speech this afternoon because general discussion on the budget is properly the subject of my honourable colleague the Finance Minister. It is for him to wind up the debate after the three days' discussion. However, I venture to say a few words in reply to the remarks which my honourable friend the Leader of the Opposition has thought fit to make on the floor of this House today ; and I must confess that they came to me as a disagreeable surprise.

He tried to pillory the Government for rejecting the hand of co-operation offered by the Opposition, he has tried to detail that co-operation which he is prepared to give us. And what is that co-operation ? That co-operation according to him is that he should have been allowed to see the political prisoners in the Lahore Central Jail and then, issue a statement to the Press in order to castigate Government. That is the kind of co-operation which he is prepared to offer us. (*Dr. Gopi Chand Bhargava* : I have not done so.) I am sorry to say that the honourable the Leader of the Opposition has thought fit to charge me of a delinquency, which if true would have been an act of gross discourtesy on my part. He has accused me of not answering a letter of request from him. He did write to me and in reply I told him that I would be coming to Lahore and would discuss with him, not only this matter but several other matters, and that I would take the earliest opportunity of discussing them. As I have explained, when I arrived there he had gone to Sind and had left a message to that effect. In that message I was told that he would be back by the time I passed through Lahore on my return journey from Rawalpindi to Simla. I broke my journey at Lahore but

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unfortunately—. (*A voice*: That was on account of the Congress candidate Mian Abdul Aziz.) That question had been settled before I went to Rawalpindi. On my arrival I found that my honourable friend the Leader of the Opposition had still not arrived; apparently he had been detained in Sind. I wanted to discuss several matters with him, one of them was the enquiry which he undertook some time ago, on behalf of the Congress in one of the villages in the Lahore district. I had intended to take advantage of my visit to Lahore to discuss with him that matter along with several other matters, but I did not get an opportunity of doing so, perhaps, exigencies of work elsewhere did not allow him to keep his engagement. In the circumstances it is a matter for regret that he should have thought fit to pillory me when he was himself responsible for not keeping the appointment. Now let me describe the kind of co-operation which we have hitherto received from my honourable friends opposite. Let me give you one or two instances. There was a gang of burglars in the Lahore district. The police got scent of it and started an investigation some months ago. The lambardars of this particular village were harbouring or were responsible for harbouring this gang of burglars. One of the lambardars who was implicated in the case finding himself in trouble hit upon the plan of enlisting congress support to confuse the real issues. Nearly a month after the investigation by the police made in connection with the burglaries committed by this gang this lambardar went to the local Congress candidate who had been defeated in the last elections and asked him to solicit the good offices of the Congress Leader to help him out of his difficulties by thwarting the police and hampering the administration of justice. And what did that gentleman do? He went straight to Lahore, saw the honourable the Leader of the Opposition and some other prominent office bearers of congress and tried to persuade them to go with him to that village. My information is that my honourable friend the Leader of the Opposition at first demurred to accept the responsibility of undertaking an inquiry, but he was eventually prevailed upon by his friends, and I regret to say that in a moment of weakness he gave way. The incident was several weeks old when he and his friends arrived at the village to hold an inquiry. Meanwhile those clever people who were responsible for persuading these gentlemen to go there had set the stage for a theatrical performance. The arrangements included a scene in one of the dwellings where an old man was lying on a charpai inside the house. The Honourable the Leader of the Opposition was taken to the house and a little girl came out crying: "You are police men, why have you come here? You will beat us again; we have nothing to tell you". This act had been pre-arranged to produce a dramatic effect. The honourable members naturally not being conversant with the methods and guiles of these people, seem to have been completely taken in. They held an inquiry and my honourable friend on his return immediately rushed to the Press and made a sensational statement which appeared in bold head lines the next day.

Since my honourable friend has thought fit to refer to private correspondence which passed between him and me and which as a matter of ordinary courtesy he should not have done without consulting me—I trust he will forgive me if I refer to an official letter which he wrote to the Superintendent of Police when he took upon himself the task of holding the inquiry

to which I have referred. In that letter he said that he was going to hold an inquiry and that if the Superintendent of Police had anything to say or wanted to place the Government side of the case he should present himself before the Inquiry Committee on the date and time specified. This is the kind of co-operation which the honourable members opposite are prepared to offer to Government.

Similar tactics were tried during the non-co-operation movement of 1932 and the attempt to set up parallel Government met the end which such movements deserve. If my honourable friend opposite or his colleagues want to restart that movement let me warn them that it will not be countenanced for a moment so long as we on these benches are responsible for the Government of this province.

We are prepared to help them and to seek their help, but we cannot possibly allow them to interfere in the executive functions of the Government. It is not for them or for that matter for anybody else, but for the Government of the time alone and for the permanent officials to discharge executive functions. If any other individual or body tries to interfere with or to usurp the functions of the executive government, they will do so at their own risk and will be held responsible for their actions. (*Honourable members: Thanks.*)

Dr. Gopi Chand Bhargava: Shall I be permitted to offer an explanation?

Mr. Speaker: At the end.

Premier: Another honourable member opposite who speaks in Urdu waxed eloquent and said—

قی حکومت سے بلا فرق پز کیا ہے۔ زمیندار بدستور ہو کے مر رہے ہیں۔

and repeated other similar catch phrases which seem to be his stock in trade. He poses as the greatest friend of the zamindars. I am sure that if I ask him, on the floor of this House, what is *zaid rabi* he will not be able to answer the question. If I were to ask him to let us know the difference between jowar and chari I am almost certain he will not be able to do so.

Chaudhri Krishna Gopal Dutt: Is it in order for the Honourable Premier to be personal?

Mr. Speaker: I would request the Honourable Premier not to be personal.

Premier: I was merely stressing the point that the honourable member opposite who could not distinguish between two crops could know nothing about agriculture. I think there are several members on those benches who, if I ask them to distinguish between barley and oats, will not be able to give the correct answer. Yet they pose as friends of the zamindars and try to make the world believe that the interests of the zamindars are nearer their hearts than even the honourable members on this side, who are born zamindars, who have worked as zamindars and most of whom belong to families who have done nothing but zamindari for generations. It is we on this side who know where the shoe pinches. It is we who can feel for the distress and privations of our kith and kin and not the honourable members opposite. (*Interruption.*) The honourable member is labouring under a

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mistaken notion. He had better shut the shop here and go to the neighbouring province of U. P. There he will find better scope. In the Punjab there are hardly any big landlords. We are mostly peasant proprietors. (*An honourable member*: Do they till the soil?) Yes. (*An honourable member*: Themselves)? Yes, most of them.

Again the present Government which is hardly ten weeks old, has been pilloried and condemned in unqualified terms for not repealing the so-called repressive laws—I would call them preventive laws—for not releasing all political prisoners, and again for using the Press Act indiscriminately. With regard to the Press Act an adjournment motion was moved in this House only two days ago. Uncharitable motives were attributed to Government. I explained then that it was not on any personal ground that action was taken against that particular paper.

Mr. Speaker: No reference should be made to the proceedings of the current session.

Premier: Very well, Sir, I am merely trying to answer the point which the other side tried to make. One of the honourable members opposite referred to the Press Act and, with your permission, I should like to answer him. I was pained to find that the Opposition should have selected that particular newspaper for their sympathy. I hope that that paper is not going to be the urdu official organ of the party opposite, because, if it is so, I must confess that we will have to revise our opinion about my honourable friends opposite. That paper has been using scurrilous language, it is immaterial whether that abuse was levelled against me or anybody else.

Dr. Shaikh Muhammad Alam: It is nobody's official organ. As a matter of fact we condemn the paper.

Premier: I am glad the honourable member repudiates it.

An honourable member: The editor of that paper was your official candidate.

Premier: No, he was not. Then Sir, the Government has been criticised with regard to their policy about political prisoners. So far as martial law prisoners are concerned, they have all been released. There is one prisoner of the Lahore Conspiracy Case. His case is being examined. With regard to people who have been restricted under the Criminal Law Amendment Act, I have already assured this House that their cases are carefully examined periodically. They are scrutinised every month.

Dr. Shaikh Muhammad Alam: How many cases are examined every month?

Premier: All cases are examined every month with a view to see whether they can be released without detriment to public safety. (*Interruption.*) We have not reimposed restrictions in the case of several of them and another seven or eight are due to be released within the next few weeks. (*An honourable member*: What about Sardar Teja Singh?) I am coming to that. These cases are examined every month with a view to removing restrictions against those who are no longer considered to be a danger to public peace and tranquillity. As regards Sardar Teja Singh, I very briefly

explained the other day that Government unfortunately cannot see its way to release him at present for the simple reason that it would not be in the public interest ; and we cannot jeopardise the peace and tranquility of the province. (*An honourable member* : It is not a simple reason.) Let me take the House in my confidence. I warned one of my honourable friends opposite, before even Sardar Teja Singh was adopted as a candidate, that they should not select him, because it would not be possible for me to release him knowing as I did at the time his past record. (*An honourable member* : Then produce him before a court of law.) The honourable member opposite is unnecessarily impatient. You are aware that the Honourable Leader of the Opposition wrote to me with regard to two other gentlemen who have been elected. I had not the slightest hesitation in releasing them, so that they could attend the sessions of the Assembly. There would be ample opportunity for discussing the particular case of Sardar Teja Singh later, in the Session when we come to that particular demand for grant. I would, therefore, reserve my remarks on his case for that occasion because the time at my disposal is short.

Sir, very spacious conjectures and irresponsible remarks have been made about the procedure in the Cabinet meetings, and in regard to the manner in which the present Government is conducting itself. I am not aware what is the source of information of my honourable friend opposite and who informs him of the deliberations in the Cabinet meetings, because he cannot but be aware that the proceedings of the Cabinet are secret not only here but in every country. In Great Britain they go to the extent that when one government goes out of office all cabinet papers are sealed and kept in safe custody so that even their successors have not access to them. I am surprised that my honourable friend should have been taken in by his informant. Let me assure the House that the proceedings of the Cabinet are confidential and must continue to be secret in the interests of public administration. Sir, again, it has been said, that this Cabinet is not a popular Cabinet, that it is not a national Cabinet, because the Governor presides over its meetings. A question or two have also been tabled on the subject. Why should we object to the Governor presiding over meetings? We have nothing to hide from the Governor. We have nothing to fear from the Governor. I have to carry out my programme and if the Governor tries to stand in my way it will be for me to see that we do not allow him to stand in our way. (*Hear, hear and applause.*) But, I am not surprised at the insinuations—(*Interruption*)—my honourable friends opposite are restive; I see that the thrusts are going home. But I was saying that I am not suffering from that inferiority complex from which my honourable friends opposite seem to be suffering. (*An honourable member* : Certainly not); then why do they insist that we should hide ourselves behind *purdah* and not see the Governor. The Governor in this province, I am glad to say, has been extremely helpful to my colleagues and myself (*Hear, hear*). His advice is valuable. Not only is his vast administrative experience which is greater than any of my colleagues or I have got, but his knowledge of rules and regulations are a valuable asset to the Cabinet in its work.

Chaudhri Krishna Gopal Dutt : So, it is not the Ministers' advice but the Governor's advice ?

Premier : Let me assure you, Sir, that every single decision on matters of policy ; and every single administrative act is the act of the Ministry or of an individual Minister. Let me inform this House that there has not been a single case in which the advice of the Ministers has not been accepted as a matter of course by the Governor.

Chaudhri Krishna Gopal Dut : We are helpless ; we do not know.

Premier : The honourable member naturally is trying to judge others by his own standards.

Dr. Shaikh Muhammad Alam : Certainly we accept your statement. Our only point is that the advice comes from the Governor and not from you.

Premier : It does not. The honourable member can afford to be frivolous on an important constitutional question, but I am sure the House will not welcome his ill-tuned hilarity.

Dr. Shaikh Muhammad Alam : I am quite serious.

Premier : As if the honourable member can ever be serious. I was informing the House that there has not been a single occasion when my advice or the advice of my colleagues has been ignored or not accepted by His Excellency the Governor. There has not been a single occasion when His Excellency the Governor has interfered either in the sphere of his special responsibility or in any other sphere. That is the position. And I trust that this will once for all set at rest any doubts, if there is any genuine doubt, because I suspect that these questions may have been actuated ostensibly to seek information, but in reality to embarrass the Government. I do not grudge them their efforts. It is all in the game, and I am prepared to take them and meet them in a sporting spirit. But let me assure the House once again that there is nothing in the bogey raised by them. They need not worry about us. I have assured them before and I assure them again that if in our constitutional activities, in the work we have undertaken in the interests of the province, the Governor tries to thwart us, either we will resign or he will have to withdraw his opposition.

Dr. Gopi Chand Bhargava : What about the special responsibilities? Does he consult you ?

Premier : Again they are raising the same bogey. I have definitely asserted that there has been no occasion to exercise his special powers. Let me come to another point and deal with these two points together—the point of assurances. My statement was criticised in the Press by my honourable friend the Leader of the Opposition and other friends, because I tried to cross swords with that great political body, the Congress. It has been said that the Congress has done a good deal of service to the country. I admit it, and gladly acknowledge that it has done a great deal for this country ; and nobody will grudge them the praise for the patriotic work they have done for the country. But it is not fair to deprive other people of their share of the credit. You will remember that the first instalment of reforms given to this country was not merely due to the sacrifices of the Congress men. It was mainly due to the sacrifices of those

800,000 people who shed their blood and laid their lives on the battlefields of Europe and from the banks of the Oxus to the banks of the Indus. (*Interruption.*)

Chaudhri Krishna Gopal Dutt : Most ungrateful.

Mr. Speaker : Honourable members may hear and answer afterwards.

An honourable member : You owe your position to the Congress.

Premier : It was the service and sacrifice of those people which actuated the Prime Minister of England,—Mr. Lloyd George, I think—and the British Government to send Mr. Montague out to this country to study the conditions and frame a new constitution. It was due to the sacrifice, the supreme sacrifice of my comrades at arms who laid their lives for their King and country that we are enjoying the fruit of provincial autonomy today.

Dr. Gopi Chand Bhargava : Martial Law and the Rowlatt Act also.

Mr. Speaker : Please hear silently.

Dr. Gopi Chand Bhargava : I only wanted to put a question and that was whether the Rowlatt Act and the Martial Law were the rewards of those services.

Premier : Since the Honourable Leader of the Opposition has raised that issue, it is necessary to somewhat amplify the other side also because he seems to have forgotten the services of his other countrymen and remembers only the services of the Congress. As for the Rowlatt Act and Martial law, if I may venture to say so, there again it was not we who were responsible for it; it might be reasonably suggested that my honourable friends opposite and their friends were very likely responsible for precipitating those measures. (*Dr. Shaikh Muhammad Alam :* We accept that statement also.) My honourable friend need not squirm. A great deal has been said about assurances. I tried to explain in my statement which was decried by my honourable friends opposite as his master's voice. Motives were imputed to me, and it was suggested that I was putting forward the views expressed by Lord Zetland in the House of Lords, of His Excellency the Viceroy from the Viceregal lodge, and His Excellency the Governor from the Government House. I am sure the honourable members said these things with their tongues in their cheeks as I was doing nothing of the sort. I merely intended to vindicate the position of my party *vis-a-vis* the minorities, because after that provocative statement of Acharaya Kirpalani which he had the temerity to issue to the press I received several telegrams not only from my friends in this province but from outside the province that matters were going too far.

Chaudhri Krishna Gopal Dutt : Including one from Mr. Jinnah ?

Premier : No, Sir. It was for that reason and in order to avoid any misunderstanding with regard to the attitude of the party in power, in the face of provocation from the other side, that I thought it necessary to re-assure the minorities in our own province that whatever happened we will stand by our creed, we will stand by our policy, and we will stand by our undertaking, to jealously safeguard the interests of the minorities, even more jealously than our own interests. It was for this reason that

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I thought it necessary to make that declaration. But now about those assurances; if I might illustrate my point, the position of the Congress is this: they say we will not enter this house so long as the fire-extinguishers are there. We say, there is explosive material in the house, why should you object to the fire-extinguishers; they are there as a matter of precaution and will not do you any harm. If there is no fire, they will not be needed. They say, no, so long as the fire extinguishers remain we will not enter the house, we are afraid that they will be used. (*An honourable member*: What about the fire brigade?) My fire brigade are the minorities here. They will see to it that there is no explosion. I have given them an undertaking that we will safeguard their interests and they know that these explosives will not do them any harm. Instead of asking for assurances or objecting to the fire-extinguishers I have taken additional precautions by putting up a notice, 'no smoking here'—I have got several colleagues here who do not smoke at all—and no open lights in this House.

I venture to submit that if my friends of the Congress Party had also adopted a similar policy they would have soon found that their misgivings were ill-founded or unfounded.

Mr. Speaker: I request the Honourable Premier to wind up.

Premier: I have one or two announcements to make and I will take only two or three minutes if you will permit me.

Mr. Speaker: We will have to sit after the appointed time.

Premier: Some honourable members have referred to the communal riots and trouble. I am sure, and I know, that my honourable friends opposite feel equally strongly on this matter, as strongly as I do and that they are as anxious as we are on this side to kill this demon of communalism (*hear, hear*); but at the same time I would be failing in my duty to this side of the House and to the House as a whole if I do not mention that there are some honourable members of this House who, I wish, would realise their responsibilities more than they do at present (*hear, hear*). As I said the other day, they rush to the Press and issue statements based on a one-sided version. If they would only wait for an official and authentic statement, it would be good for everyone concerned. Some honourable members have unfortunately tried to cast aspersions on officials who are not present in this House and who cannot defend themselves.

Sardar Sampuran Singh: But you are there for them.

Premier: If you would only tell me if you have any grievance, you may be sure that I would look into it, but it is no good trying to pillory officials who are not here to defend themselves on *ex parte* statements.

Chaudhri Krishna Gopal Dutt: They are not defenceless. You are there to defend them. Do you mean to say that we can never say anything against officials?

Premier: How can we in the absence of any reliable information rebut the charges, and refute the uncalled for allegations made against them. So far as I am aware the authorities have been doing their best to cope with these unfortunate incidents; and if on enquiry it is found that any one of the officials has not done his duty properly, the House may rest assured that

he will have to answer for it to the Government. Here again I would ask my honourable friends in that part of the House to assist me; they must remember that we are living in a powder magazine. Communal tension unfortunately has been in existence for several years. There is no dearth of combustible material and there is also explosive material, we should, therefore, avoid dropping lighted matches which some people have been doing.

Sardar Sampuran Singh : We will do our best to help you.

Premier : Thank you, I much appreciate my honourable friend's assurance. It has been asked, Sir, why is it that the new Ministry has not changed the heaven and the earth within the ten weeks that it has been in office? During this short period we have done our humble best. It may not be very much but I think it is fairly appreciable considering that in a few weeks we have been able to put up a budget which marks a step forward in every sphere.

Sardar Sohan Singh Josh : Running down socialism and communism?

Premier : I am afraid the honourable member is trying to provoke me, because I hold strong views on questions relating to socialism and communism. I can enumerate for his benefit several different kinds of socialistic and communistic theories. Does he want the Russian system of communism to be adopted here?

Mr. Speaker : I am afraid I must ask the Honourable Premier not to be provoked.

Dr. Sir Gokul Chand Narang : There has already been irrelevant talk on both sides of this House.

Premier : I was merely trying to answer the criticism levelled against the Ministerial benches. What little we have done is before the public, and what little we could do has been done in the short space of 2½ months.

Before I sit down, I have one or two announcements to make. You will remember that on assuming office, I, on behalf of the Cabinet, announced the intention of the Punjab Government to appoint two committees, one to explore the possibility of further retrenchment and fresh sources of revenue and the other to suggest means of tackling the problem of unemployment. The personnel and terms of reference of Revenue and Retrenchment Committees have already been published, the Unemployment Committee will consist of Honourable Rao Bahadur Chaudhri Sir Chhotu Ram and of the following members :—

- Khan Bahadur Sardar Habibullah,
- Khan Bahadur Shaikh Nur Ilahi, I.E.S.,
- Rai Bahadur Sardar Wasakha Singh, M.L.A.,
- Diwan Chaman Lall, M.L.A.,
- Professor Gulshan Rai,
- Mr. Lewis of Dhariwal Mills.
- Maulvi Ghulam Mohy-ud-Din, M.L.A.,
- Khan Muhammad Yusuf Khan, B.A., LL. B., M.L.A.,
- Chaudhri Anant Ram, M.L.A.,
- Bhagat Hans Raj, B.A., LL.B., M.L.A.,
- Sayed Afzaal Ali Hasnie, M.L.A., and
- Shaikh Karamat Ali, B.A., LL.B., M.L.A.

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An I. C. S. officer will act as secretary of the committee. The terms of reference of the committee will be to advise and report on the best means of coping with the problem of unemployment. In this connection it is proposed to invite the attention of the committee to the report of the Unemployment Committee appointed by the Punjab Government in 1927 and the report of the Unemployment Committee appointed by the United Provinces Government in 1934. It will have power to record such evidence as it considers necessary for arriving at a reliable conclusion. (*Hear, hear*). The other announcement which I have to make is with regard to the expert committee to enquire into that vexed and difficult problem of land revenue taxation. You are aware that suggestions have been made from time to time from various sections of this House including my own party, which as a matter of fact was the first to raise this question in the old Council, that land revenue system should be assessed on the income-tax basis. Government are not in a position to give effect to this suggestion without an exhaustive inquiry into the numerous details and a critical examination of the various aspects of this complex problem and for that purpose Government have decided to appoint an expert committee of which that renowned economist who is an authority on the debt problem, Mr. Darling, will be the chairman (*hear, hear*). He will be assisted by an experienced revenue officer with settlement experience (Khan Bahadur Khurshaid Ahmad) and an income-tax expert as members of the committee. These three gentlemen will exhaustively and critically examine this problem and report to the Government and thereafter, if necessary, Government will ask for the appointment of a committee of the House to further consider this problem (*hear, hear*). These are the terms of reference of the expert committee:—

- (1) Whether a practical scheme can be devised by which the principles of income-tax assessment can be applied to the assessment of land revenue and in particular whether all or any of the following incidence of income-tax assessment are capable of adoption:—
 - (a) A minimum below which the net assets of land shall not be liable to assessment;
 - (b) A yearly estimate of net assets for every revenue year;
 - (c) A graduated scale of assessment, the rate increasing with the net assets;
 - (d) A special rate of assessment on incomes exceeding a certain sum on the analogy of the super-tax;
 - (e) Liability of the rates of assessment to vary from year to year according to legislation embodied in a Finance Bill.
- (2) Whether any other scheme can be recommended by which the land revenue system can be revised so as to give relief to the small holder. Any such scheme should provide for the difficulties created by the sub-division of holdings by inheritance, partition and other causes.
- (3) The loss to Government revenues of any scheme proposed by the committee.

These are the terms of reference of the committee, and I trust that they will be able to put forward concrete proposals which can be considered by a committee of the House later, if necessary, in order to arrive at a definite conclusion on this important and vexed question (*hear, hear*).

This is all I have to say. As you are looking at the clock, Sir, I will now conclude, but before I do so I seek your indulgence for half a minute to assure my honourable friends opposite that I shall always welcome co-operation from the Opposition benches, and may I hope that genuine co-operation—and not mere pretence of co-operation—will be offered. I can also assure them that so far as we on this side of the House are concerned, we will not hesitate to extend our co-operation to them. Let us then in the spirit of that co-operation and good will join hands and give of our best in the service of our province and the country and try to create a happier and prosperous Punjab (*Cheers*).

Dr. Gopi Chand Bhargava : The Honourable Premier has said three things about me. I want to give my personal explanation about them. The first is that I wanted to see the political prisoners in jail and to castigate Government after seeing them. I submitted that what I wanted to do was to find out the condition of these prisoners and later inform the Premier about their condition. The second thing is about the visit to Bakloh. I was never invited to help in the investigation about the theft which was committed there.

Premier : Why should you ?

Dr. Gopi Chand Bhargava : The Police had committed certain excesses. They had asked people to crawl on their knees. The third thing is about the Cabinet procedure. My source of information is a note in the *Tribune* which has not so far been contradicted by the Government.

Pandit Shri Ram Sharma (Urdu) : Sir, on a point of personal explanation. The Honourable Premier has made certain sarcastic remarks about me in his high sounding and threatening speech. His remark that I do not know the difference between rabi and kharif and chari and jowar was probably the result of a hint given to him by Chaudhri Sir Chhotu Ram.

Minister for Development : Absolutely not.

Pandit Shri Ram Sharma : This does not mean that I am not in touch with rural areas. I am a zamindar myself and I have intimate relations with zamindars. The Honourable Premier can easily verify for himself from the C. I. D. files whether I have done anything for ameliorating the condition of the zamindars.

Mr. Speaker : Is the honourable member giving a personal explanation ?

Pandit Shri Ram Sharma : Sir, when it is said that I have no connection with the zamindars, I feel it necessary to clarify my position. Although I have been returned by an urban constituency, yet I possess first-hand knowledge of the conditions prevailing in my ilaqa, i.e., Haryana, where before and after the elections I have toured more extensively than other honourable members representing rural interests. I would also like to

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point out that my knowledge of the hardships, miseries and troubles of the zamindars is based upon facts and I am prepared to challenge Government in that connection.

Premier : I never said that the honourable member has not been moving about. I know he has been moving about from village to village and saying that the Ministers pocket five lakhs a year as salary. This was published in his own paper.

Mr. Speaker : Order, order. I cannot allow a dialogue to go on. I intend yet to call the following six honourable members to speak :—

- (1) Bibi Parbati Devi,
- (2) Dr. Sir Gokul Chand Narang,
- (3) Mian Iftikhar-ud-Din,
- (4) Khan Bahadur Captain Malik Muzaffar Khan,
- (5) M. Ghulam Mohy-ud-Din, and
- (6) Honourable the Finance Minister.

I will not give them more than ten minutes each.

Premier : May I make a brief submission, Sir. When we agreed to sit till 5 o'clock, the question was decided with the consent of the House. I think it would be unfair to the honourable members who may have made engagements on that assurance, to ask them to sit after 5 o'clock. You called upon my honourable friend Sir Gokul Chand Narang to speak, but—

Dr. Sir Gokul Chand Narang : I am not going to speak.

Premier : That leaves only two honourable members who wish to speak. My friend M. Ghulam Mohy-ud-Din said that he would not take more than five or six minutes. So, the Honourable the Finance Minister can wind up the debate immediately after him.

Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammdan, Rural) : I personally welcome the speech of the Leader of the House. It has clarified many matters in my mind about which I had doubts about his mental attitude towards the Indian nationalism. His speech speaks for itself and I do not think we on this side of the House need make any comment on it. It should be broadcast in the country and his reasons for reforms that we have got and his further programme of acquiring more reforms will make his position clear in the eyes of his countrymen. To return to the budget itself, I join with other members of my party in offering praise to the ability and knowledge of the Honourable Finance Minister. His knowledge of finance and his long standing reputation as an Economist, however, has placed him in a very vulnerable position open to the attacks of the Opposition. *(At this stage a member crossed the line between the Chair and the honourable member who was addressing the Chair).*

Mr. Speaker : Order, order. I have repeatedly ruled that no honourable member should cross the line between the Chair and the honourable member who is speaking.

Mian Muhammad Iftikhar-ud-Din : Ordinarily a budget presented in such fine words would not have invited any special criticism or comment because we on this side of the House have long been convinced that the

Unionist Party has only one practical programme before them and that is to occupy Ministerial benches for the longest possible time and with least possible work. However, to turn to the budget my submission is that much more could have been done had the Unionist Party wished to do. The Honourable Finance Minister had no excuse of any lack of width of vision or the necessary knowledge. For this reason some of us on this side of the House had hoped that he would take a different line from the ordinary static politics of his party. But we have been very much disappointed in that. In spite of the confessions to the contrary we fail to find any imaginative or courageous attempt in the preparation of his budget. He may say that the paucity of funds was the cause of his failure to give relief to the poverty stricken people of this province. I think that if he were, as the Unionist Party professes itself to be, the champion of the rights of the peasantry he could have done a good deal of work by affecting a real reform in the present assessment of revenue. To start with, the Honourable Premier has pointed out, though wrongly, that it would not be possible to assess land revenue in this province on more rational lines on account of the fact that this province is a province of peasant proprietors. I beg to submit that the burden of taxation could easily be shifted on the 15 per cent. of landowners who own over 60 per cent. of the total land under cultivation in this province and the position of 85 per cent. of small landholders who own among themselves only 40 per cent. of such land could have been greatly improved. The sole interest, however, of the Unionist Party in its internal policy appears to be to safeguard the interest of the landed aristocracy as in what may be called their national activities, their attempt is to safeguard the interests of the British imperialism. ("Hear, hear" from the Opposition benches). No wonder that they—Muhammadans, Hindus and Sikhs, the landed aristocracy of this province—have come under the banner of the Unionist Party in order to enforce their programme—such indeed is the strength of economic bonds. It is a pity that the condition of this miserable country is being made worst by such ministries where various parties have united not only among themselves but even with foreign exploiters to further exploit their motherland. The only solution to my mind of the miseries of this country lies only in a drastic change, not only in our external relations, but also in our internal economic structure.

(Unfinished on account of the expiry of time).

Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural): Mr. Speaker, of all the others I should have thought that the Honourable Leader of the Opposition would appreciate the promptitude with which the Government had met the calamity in Multan, Montgomery and other places. Within a few hours of the receipt of the news, we saw highest officials of the districts making personal enquiries on the spot, and within a fortnight relief was distributed and remissions to the amount of 25 lakhs were announced to the afflicted peasants, I am told, by suspending the rules. Putting ourselves in the position of those afflicted peasants, we cannot but appreciate this act of the Government. We are grateful to them, not for having performed their duty, but for having performed it with promptitude. It is a task which any other regime might possibly have taken more than a year to perform. Thus we see, Sir, that the Honourable Finance Minister had to make up this heavy loss, and he has placed before us a well-balanced

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budget for which he deserves our warmest congratulations and so do his secretary and his staff, more so when we find that he has not levied any new tax, has not burdened the country with any new loan and has not even starved any beneficent department. Rather on the other hand he has devoted 20 lakhs more to the beneficent departments, which now from 290 lakhs a year comes to 310 lakhs. We find that like a wise and sound financier he has made retrenchment wherever possible. The only other retrenchment that he could have made was in the expenditure of the additional police.

My honourable friend Lala Duni Chand stated the other day that the outbreak of communal riots in the Punjab are the saddest commentary on the communal tension in the province. How can an honourable member say that the honourable the Finance Minister was not justified in retaining the expenditure on Police, etc. The Opposition asks us to throw out the budget. What are the reasons which they have advanced? I wish my honourable friend Mr. Krishna Gopal Dutt had been here whom I want to congratulate for his oratory and eloquence. But as to his arguments, I was very much disappointed. After all what is it—mere generalities. From one who had led the Opposition I would have expected a masterly survey of the budget, piercing criticism of the facts and figures, convincing proof of the fact that further retrenchment could have been made, and that there were other avenues of income which had been neglected. Analyse his speech, it comes only to this—wanton condemnation, and in the end confessing that he could not deal with the budget because the economic conjurer—the Finance Minister had entirely hoodwinked him as a stage conjurer had woodwinked him with the cards. If I may be allowed to say, this is idealism, sentimentalism and ambition to soar high without wings. Perhaps a Persian couplet would be more appropriate which says—

بیاست اے مہ تاجان سیدن آرزو دارم
برنگ آہ خود بالا پریدن آرزو دارم

My honourable friend Dr. Muhammad Alam has very frankly admitted that he had not read the budget. (*Dr. Shaikh Muhammad Alam* : I did not say that). He had thrown it out and yet he was in his elements in condemning it wholesale. We are thankful to him for one thing. He has given us an economic term so far unknown in the realm of economics, and that is "non-votable income." What he really meant by this we do not yet know.

Some of my honourable friends have laid great stress on freedom and liberty. I am at one with them : we cannot lay too high a stress on personal liberty and freedom in our autonomous province. But at the same time we cannot afford to forget the difference between liberty and licence. Democratic governments are not practicable unless citizens hold a high amount of virtue and intelligence. Let us keep that in our mind and let us rest assured that in this autonomous government of the Punjab individual freedom shall be the rule and state interference the exception, and that too only when a case is made out that it is productive of general advantage. One word more, Sir, before I finish. I shall appeal to my honourable friends on the other side

that we are starting on a new era. However defective the constitution may be, it is a step in advance. We have to work it out. We may differ in our methods, our goal is common. Everyone of us is desirous to see the Punjab as a self-governing unit of a free and self-governing India. For that we shall have to put our heads together in evolving a national point of view. I am sorry to say that we are yet living communally. We have to hang our heads in shame when we see that we cannot enjoy our festivals but under the protection of bayonets and canons, we cannot raise our heads erect when we see that on the occasions of our festivals like Dusehra, Id and Holy we see canons posted in our towns and cities. What is it due to? It is due to communal tension and the germs of communalism. We have not yet learnt the true national point of view. It is time that we should gird up our loins and make up our minds to look at questions from a national point of view. The national point of view is potent but we have to make it still more potent.

Bibi Parbati Devi (Lahore City, General, Women), (*Urdu*): I wonder if you quite realise why I have come all the way from Lahore to Simla in spite of the serious inconvenience which the move has caused me. The sole reason for my coming to Simla is that I am anxious to represent faithfully to this House the views of my constituents. It is a remarkable fact that during the elections, my voters were more anxious to elect me than even myself. Now I wish to be equally faithful to the peoples of my constituency by trying to place before this august House their innermost feelings and thoughts. If I fail in this duty, I will not be able to offer any explanation of my conduct. I want particularly to find out what this new Assembly is out to do for the women of this country. I find that the sum provided for female education is too small and inadequate for the purpose. Mr. Speaker, I wish to ask through you one question from this House, namely what is the percentage of educated women in the Punjab? How many Hindu or Muslim women are educated in the truest sense of the word? If the answer to this question is in the negative, and I am sure it cannot be otherwise, then may I respectfully enquire what are the causes of this deplorable tyranny and why the natural rights of women are being neglected so hopelessly? Whenever there is an occasion for self-sacrifice, it is the woman that comes to your rescue and steers clear the ship of your political destiny and safely brings it ashore. But it gives me great pain to say that their rights are so mercilessly trampled under foot as if they do not exist. I should like to see a *Zenana* Primary School established in every town of the province and I would also like to see education made compulsory for the womenfolk. I want to make another suggestion and it is that in every town in the Punjab a maternity hospital should be opened. Owing to the lack of proper medical aid, a very large number of women meet death in labour cases and the motherless children do not long survive their mothers for want of adequate care and nursing. In view of this deplorable state of affairs, I would urge upon the Government the necessity of founding a maternity hospital within a radius of 20 miles all over the province. I have, sir, the fullest confidence in my Indian brethren. They are patriots one and all irrespective of the fact whether they sit on this side of the House or that side of the House. Members of both the parties in this House honour and love their motherland. Every one of them is a patriot. Every heart is throbbing with the love of liberty. Each and every one of my Indian brethren is

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anxious to gain full independence, the only difference being that those who fall victim to the lure of gold, ignore the call of their country. But I want to impress upon you the fact that the day is not far off when all my brethren will unite to cut as under the bonds of slavery. May that day soon dawn so that we all of us may once more be able to call ourselves free-men and free women belonging to a free country.

I take this opportunity of associating myself with the views expressed by my honourable sister Begum Rashida Latif and I greatly appreciate the valuable suggestions made by her. But I differ from her on one point very strongly, namely, her demand for reservation of 60 per cent. of seats for Muslim women in educational institutions. It is, to say the least, an unjust and uncalled for demand. Why should we reserve 60 per cent. of seats for Muslim women? She ought to have asked for equal educational facilities for all women of the country irrespective of their being Muslims, Hindus, Sikhs or Christians.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, South-Muhammadan, Rural), (*Urdu*): Before I request the Government, with your permission, to be pleased to favourably consider a number of important demands in regard to my district, or reply to the arguments advanced by my honourable friends opposite, who have expressed sympathy for zamindars and have demanded reduction in land revenue, I offer my heartiest felicitations to the Honourable the Finance Minister for having presented before this House a budget prepared with the fullest co-operation of his subordinates and which bears the imprint of his great ability and unremitting labour. It is a matter of great regret that in spite of the fact that the Government have brought forward such an elaborate budget, the Opposition have named it a budget of slaves. But they are not justified in saying so as it really is not a budget of slaves. Besides a committee has been appointed for the purpose of investigating the financial condition of the Punjab and to report and devise ways and means for the advancement and prosperity of the province. In view of this fact their criticism in regard to the budget is wholly incorrect.

As a zamindar I offer my heartfelt gratitude to Government for having realized the bitter plight of the zamindars at a time when enormous damage had been done to their crops by the calamitous hailstorm and have granted them remissions to the extent of Rs. 25 lakhs. It is my firm belief that in future also, the Government will not fail to extend its helping hand to the zamindars in time of urgent necessity.

Sir, the members of the Opposition have incessantly been raising a cry for the past two days that land revenue should be reduced. It amuses me to find that these honourable members bring forward such proposals as are already the goal of our party and the Government. It is our deep-rooted conviction and firm belief that as far as it lies in our power we will do our best to help the poor zamindars, and make them prosperous. What useful purpose is served when these gentlemen simply translate in their own words what is already the aim and object of Government as well as of our party. I may assure them that zamindars cannot be placated by such tactics. I would request the honourable members opposite that if they feel

so much for the zamindars, the only way in which they can show their practical sympathy for the agriculturists is that they should bring forward a Bill proposing the remission of interest amounting to Rs. 145 crores. This amount is hanging like a dead weight round the necks of zamindars inspite of the fact that the capital advanced has been paid to the salukars three times over. (*Some voices : Ask the Government to do so*). Or they should move a Bill for the redemption of such lands of poor zamindars, as have been mortgaged with sahukars for the last 30 or 40 years and from which the latter have recovered their debts many times over.' (*Cheers and laughter.*) Or my friends should introduce a measure to the effect that eminent lawyers, who, without discriminating between the paying capacity of a poor or a well-to-do zamindar, earn lakhs of rupees by charging exorbitant fees, should not charge fees beyond a certain definite limit. Had they done anything of the sort it would have convinced me of their sincerity of purpose, viz., that they have genuine sympathy for the zamindars.

Mr. Speaker : The honourable member's time is up.

Khan Bahadur Captain Malik Muzaffar Khan : Sir, I have to say something about roads, etc.

Premier : The road will be constructed.

Minister for Finance (The Honourable Mr. Manohar Lal) : Sir, we have now reached the concluding stage of the general discussion of the budget. During the last three days abundant flood of criticism has poured in from friend and foe alike, from our supporters and from those opposed to us. I welcome this criticism, because I took care in my budget speech to exhibit as many points of plausible attacks as possible for honourable members to fasten on. In this massive stream of criticism one kindly personal note has been struck by almost every member, and that has been, if I may say so, an over-generous reference to me and the Department which is associated with me. For this I am grateful. Before I address myself to criticisms in general, may I take account of a complaint that was made by the Leader of the Opposition. The complaint was this that the Government did not afford enough opportunity to members and particularly members on the Opposition benches to study the budget.

Dr. Gopi Chand Bhargava : I said to criticise.

Minister for Finance : So far as criticism is concerned, under your wise direction we have had three days of general discussion as against the two days that the previous Council used to have and a very large number of honourable members have participated in the debate. I am aware that at a later stage of the general discussion for a short time you observed the plan of calling two persons from the Government side as against one on the other. But that practice prevailed only for a very short while. May I say this further, that when it comes to examining the budget in its detail, that is, when the Government approaches this Assembly for demands for grants, I am quite sure honourable members opposite will put forth all their enthusiasm and energy in criticising the programme and policy of the Government. At any rate so far as Government is concerned there has not been the least effort, there has not been the least desire, it has been farthest from their mind to cut down in any measure the scope of criticism on behalf of the

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members of the Opposition. (*Hear, hear*). If you remember the number of speeches that have been actually delivered by those who constitute the Opposition and its allied groups, the total number of honourable members that constitute those two parties is after all only about forty, one cannot contend that the number of speeches delivered on behalf of them in criticism of this budget has not been adequate—over twenty of these forty have spoken.

Now, may I turn to the criticisms of the budget, firstly, to what may be called, if I am permitted to do so, indiscriminate and sweeping criticism. It has been proclaimed roundly and stoutly that Imperialism, Capitalism and Bureaucracy are writ large on the pages of the budget; the Government which has produced this budget has been labelled as imperialist, has been branded as capitalist and has been stigmatised as bureaucratic. These are sweeping charges common in the armoury of people that refuse critically to analyse a large and important document like the budget, fashionable catch-words pressed into service by those disinclined to think. The honourable Leader of the Opposition was pleased to describe this as a book-keeping effort. I am not ashamed of it. I think if a budget fails in its accuracy as a properly kept book of the affairs of the income and the expenditure of a country or a province, it has distinctly failed in its duty to carry out what is absolutely the essential function of the budget. (*Hear, hear and cheers*). (*An honourable member*: But, if it does nothing more than that?) We shall see to that. The honourable member must exercise a little patience. Consider for one moment how this budget can be described as a capitalist effort. How can it be said to be conceived in the interests of the capitalist? Can you with the closest possible scrutiny discover within the four corners of this elaborate book of five or six hundred pages any indication that the burden which the capitalist, I shall not say suffers, but the burden which he has to bear, has by one iota in this budget been decreased? Can any one point out to me, can the socialist gentlemen who waxed so eloquent and who dealt so comprehensively in sweeping expressions, can anyone point out that the burden of taxation on the so-called capitalist class has been reduced by a single penny in this budget? I am confident that that will be found not to be a fact. Does it then direct any more of the resources of the State to the advantage of the capitalist? Can it be said that this budget shows any indication in any part of it whatsoever that any the smallest addition to the amenities and to the comforts of people who live in towns and who may be described as capitalists has been made? No, Sir. The honourable gentleman sitting opposite, Chaudhri Kartar Singh, claimed to discover in this budget what favour has been shown to the towns—Rs. 50,000 for the Minto Park at Lahore, and he was pleased in his inordinate sweeping assertions to say that this provision was meant for certain well-placed Indians and Europeans and that it was these classes that are likely to benefit by this improvement in the amenities of the town of Lahore. One has still to learn that the Minto Park is a place to which the Europeans of Lahore resort for their pleasure. It is a park that was distinctly intended for the people of the city, and the Government may well express its solicitude for the ordinary citizen of Lahore—our growing capital town. If my friends, the zamindars, or my friends opposite, choose to tell me that the Panjab

Government out of its 11 crores of revenue could-not spare the paltry sum of Rs. 50,000 to improve a park that might well lead to better feelings, thanks to games and sports, among the various communities of the Punjab (*hear, hear and cheers*) in a town which after all represents one-fortieth of the total population of this province. I am not prepared to be thus persuaded Happily by their acclamation the House has shown its mind. And, Sir, it is not a fact that the Punjab Government in the year 1937-38 is giving Rs. 50,000 to the Minto Park. If my learned friend will study the budget, he will find that we are making a provisional provision, if I may use that term, of Rs. 10,000 to be later increased to Rs. 50,000 if it can be usefully spent and if the authorities in charge can properly employ the amount. I venture to think that in the budget if any possibly just grievance can be formulated it would be on the part of the people of the towns with regard to industries, their commerce and their trade and their communications. If any just complaint exists, it can only be on the part of the people of the towns. Further, it is an unfortunate thing to raise an imaginary cry of conflict between the town and the country. No real conflict exists, and at any rate the Punjab Government in making, after careful examination a small allowance for the town of Lahore could have no capitalist end in view.

If this charge has no foundation, can that other charge that we are imperialist be any more true? In what regard in this budget can you charge the Punjab Government of imperialism? We are not venturing forth on conquering lands outside. We have made no provisions for wars of offence or defence. (*Interruption*). I am well conscious of it. A moment's patience. Can it be said that because you know that under certain covenants we are under a moral and legal obligation to pay the salaries of certain officials whom we have imported from outside, from Britain, because we are to-day under an obligation to have certain number of Britishers in our service, can you on that account say that this Government has become imperialist? I, for one am not able to see it. (*An honourable member: Not become, but continues to be.*) We continue to stand by our promises and if anybody tells the present Government that they should disown their obligations, that they should set at nought those covenants under which certain gentlemen are serving in the province, that they should treat those covenants as mere scraps of paper, then certainly I will tell them that we here are not going to be parties to any such act. (*Hear, hear*). (*Interruption*). That is not the theme on which I am dwelling at present. If the honourable member will have patience, I will advert to it presently.

Then again, this Government is accused of being bureaucratic. I must admit, and admit frankly, that our accounts are kept by certain number of officials, high and low, working at bureaus, that is, their office tables. The factual material of our budget is compiled and put together, and most efficiently put together, if I may say so, by the officials working at their tables. If that constitutes bureaucracy, you are welcome to lay the charge at our door. But, beyond that, beyond the faithful and loyal preparation of facts and presenting them in the most correct book-keeping style as my friend opposite would call it, they are not concerned. They have nothing to do with the policy which this Government has adopted. The estimates are framed by officials, but the policy underlying them—both as to income and expenditure is that of the ministry. When I say this, I am not indulging in any general

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expression—I am here able to say emphatically and confidently that in directing how our new expenditure is to be, it is what Sir Sikander's ministry has decided and not any bureaucrat, high or low. (*hear, hear*). (*An honourable member*: The ministry is bureaucratic). Then, would I be wanting in respect to them if I were to say that they do not understand the meaning of the word 'bureaucratic'? We are not glued to any desks. We are in touch not only with members of this House, but we are also in touch, happily in close touch with the Punjab, with the true heart of the Punjab, and I claim that if that is so, and if we are, as the Honourable Premier explained in such detail, determined to carry out a policy of our own, who shall say that we are bureaucratic, except, of course, those who do not know what they are talking about or refuse to look facts in the face? Not only this, I can take them further, and say that while the bureaucracy must help all governments everywhere in a manner in which officials are helping in the Punjab in the accurate preparation of budgetary facts and data, it would be equally prepared to do so in the six provinces where we trust and hope the Congress will soon be able to assume office. (*Hear, hear and applause*). Shall it be said because there as here estimates will be prepared, as estimates must be prepared by officials, the Congress ministries shall have become bureaucratic? (*An honourable member*: Wait and see). I have not to wait. I am fully aware of the extreme left wing opinions in this country represented by the honourable member interrupting, and know that even if the Congress assumes office it will lose caste with these advanced politicians of the left wing. (*An honourable member*: They will give you a model). I certainly will welcome it.

It is futile to criticise the budget by relying on uncritical and hopelessly inapplicable labels. They cannot take the place of arguments. May I now, refer to one other sweeping mode of describing the budget? That is this. My friend opposite, my esteemed friend, Dr. Alam, I had expected otherwise from him, said that the budget is a slave budget and the ministry that composed it is a slave ministry. I am not so sure whether he said so in such categorical and clear terms but what he said implied further that this ministry is run by a slave-minded Premier. Now I must repel, repel emphatically, the charges that lay behind those wild assertions. (*Hear, hear*). My friend has not taken the trouble to read the budget.

Dr. Shaikh Muhammad Alam: That is wrong: I have read it.

Minister for Finance: I trust you have. He had on his own statement not read the budget, the slave budget, when he made his speech. Why should he? Has he not before wasting any such effort come to the conclusion that the budget should be rejected—spurned and disdainfully cast aside? It is all very well to say it is a slave budget. But if you apply your mind for one minute (*Interruption*) you will see how meaningless is the attack. It pains me to hear it so light-heartedly made. It is a matter of the deepest concern, and not one of cheap gibe. (*Hear, hear and applause*). But, Sir, I am not here merely to repudiate that the budget is no such thing. But the honourable member thought fit to speak of our Premier as a slave-minded person. I must repel this attack as something unworthy even

of the most irresponsible back-bencher in the House. That anyone should dare to refer to our Premier in these terms ! (*An honourable member* : I take objection to this language.) At the head of our present Government, we have a gentleman with a heart aglow with love of country (*hear, hear*), an ardent patriot, a shining example of selflessness, a mind, an informed mind, well stocked with knowledge of practical politics and economics, a valiant knight, fearless in spirit and of indomitable courage, and withal humane, sagacious, kindly and amiable. Sir, if those be the marks and characteristics of slavery, may I say, I speak for myself and I venture to speak for many a gentleman in this House, we may all bear such a badge of slavery. (*Hear, hear and applause*). Such men are the salt of the earth. In this critical hour of India's destiny, such men alone can be of genuine service to the motherland, forging ahead fearlessly, unmindful of petty attack, undeterred by any sweeping calumny. Resolute in his difficult but noble task, Sir Sikander Hyat is not only doing incalculable service to the Punjab, but is to-day a guide and inspiration to India. (*Hear, hear.*) Such an one can have, if I may speak of my colleagues on this side, no slaves for his colleagues, and may I say that not only for his colleagues but as I look round for his whole party. We are not slaves ; we have no slavish mentality. We know what is good for this province. We study what is for our province's good to the best of our lights, and even thus do we determine the course of our conduct and the lines of our action. (*Hear, hear.*)

Sir, Mian Abdul Aziz, I am glad to see my friend there, whose love of country is such that he has secrets in his bosom for the betterment of this ailing province, but he would not impart those secrets to anyone.

Mian Abdul Aziz : I had no time.

Minister for Finance : He started with reference to many a vague long tale of 10 or 15 years ago, and he is still clinging fast to his treasures which he must keep to himself. But that is a matter which is entirely between himself and his conscience. We cannot force him to help his country. But I have one grievance against a statement which he had the temerity to make, and that statement was this, that the Government has presented to him a portentous book of 250 or 300 pages of New Expenditure and there is nothing corresponding to it on the side of New Economy. That, Sir, if I may say so, for an old stager and a previous member of our provincial legislature is a remarkable statement to make. The complaint alleged against the Government is for helping the honourable members with all the possible details regarding the proposals of new expenditure. The complaint against the Government is that it has published a heavy mass of helpful facts in a book known as New Expenditure. May I say further in this regard that I wish, I very much wish, I think we all wish, we all on this side of the House and also on the other side of the House very much wish, that this book instead of being of 250 pages only had been of 600 pages or a thousand pages and that we had many times the present money available for new expenditure. (*Hear, hear.*) I am sure that in no event that is a subject of any grievance on the part of any member of this House, whatever his shade of opinion may be. May I explain because this is a matter of budgetary procedure, and naturally comes very natural to me, that there can be no such thing as a book of economy. My honourable friend has

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only to think for a moment what such a book of economy could mean. I have indicated in my budget speech the economies that have been introduced in the scales of pay. I have also indicated Government's great desire to secure as much retrenchment after proper advice and consideration as it is possible. But putting that aside it is obvious that Government has, as I pointed out, very narrow and rigid finances. The income is more or less fixed. With that fixed income we have, I shall not call it, unduly, because it is not for the Finance Minister to indulge in epithets, we have a certain amount of fixed expenditure, fixed in the sense that part of it is non-votable and part of it is votable but fixed, because it relates to obligations which we have permanently undertaken. What remains is what is called new expenditure. Part of this new expenditure again is more or less of a character that goes on from year to year. We cannot very well turn out the stenographers that certain selected magistrates or sub-judges in the province have had for the last 15 years, and so on and so forth. It is described as new expenditure as it has to be sanctioned from year to year. It is only a small part that remains after this annually fixed year to year expenditure has been met. There is no help for the amount of really new expenditure being small. Hard facts and arithmetic are against us. I also could devise an elaborate formula how the staggering poverty of this country could be relieved, cured if certain factors could be controlled. If a Finance Member inevitably tied down to figures, were to indulge in unrestrained 'ideology'—an honourable member said there was no ideology in the budget—he would bring the province to financial insolvency in a few months. It is on this that the attention of any Government, whether it be the Government as here constituted or whether it be the Congress Government that may take office in the United Provinces and other provinces has to be concentrated. We have done this work of allocation of new expenditure with the utmost care, and that is all that we could have done. My honourable friend has no genuine grievance on this matter of new expenditure.

Now, Sir, it has been said that we have been obliged to formulate apologies for the manner in which we have produced our estimates. I am not sure that that is the best method of describing our budget, but it must be admitted that the present Punjab Government started under not particularly favourable auspices. The day before we took over, a large part of the province was stricken with a great natural calamity. On the very morrow of our having taken office there was trouble in Panipat and in the remote north-western part of the Punjab at Kot Bhai Than Singh. As if that were not enough gram blight appeared fast on the heels of other disasters, and later there were further unseasonable and heavy rains. That, Sir, I trust everybody will admit does not constitute a very favourable atmosphere in which any striking budget can be framed, and all this happened in the short period of 10 weeks by which the budget had to be placed before this House. As I pointed out to the honourable members in my budget speech the actual presentation of the budget in this House is at least some weeks removed from the date when the Government has to arrive at its decisions. It takes some time before these decisions are incorporated in the budget. You will easily realise the high pressure under which proposals are given their proper shape and finally adopted.

A hardly serious remark was made in the opening discussion that we are 'necromancing' with the figures. I am not quite clear in my mind what necromancing means, but the honourable member proceeded to explain that we are conjurers and we have been playing conjuring tricks with the figures. May I say at once that this is a statement that no Finance Minister can allow to go unchallenged; no manner of conjuring has been made with your figures. (*Hear, hear.*) I am not a financial conjurer. I do not know whether such jugglery can be effectively practised. I am not so foolish as to imagine that it would not be immediately detected in this argus-eyed house. But none has been attempted. Our figures are compiled so as to present the estimates in the most accurate manner, and they are elucidated in an official Memorandum to help honourable members. If I have stated certain facts in the budget speech it was distinctly to help you and to show how exactly our finances stood during the years 1935-36, 1936-37 and 1937-38. I have with the greatest possible frankness shown to the House that the year 1935-36 where the budget expected a surplus of Rs. 56,000 has unhappily ended in a deficit of two lakhs, though happily the deficit was not so great as was expected last year. I have not done any trick with the figures. I said that so far as 1936-37 was concerned we have practically a realized surplus of 23 lakhs, this has been further established by the hard facts that the surplus of Rs. 23 lakhs is to be actually used in a particular manner. For the year 1937-38 again there has been no conjuring. I was perfectly frank and emphatically explicit. The honourable members no doubt found in my speech the best argument for saying that this small surplus of Rs. 1,72,000 might easily be converted into a deficit. Had I not put the facts with pointed clarity and emphasis in my budget speech, honourable members would have been hard put to it to find that the budget was not a surplus one. But if the honourable members have read that part of my speech carefully they have forgotten to notice that while saying that the budget may well turn into a deficit budget, I have also referred to the possibility of some of our revenues showing an increase or improvement in the upward direction. Not one honourable member did me the courtesy of reading that part of my speech. The charge of giving an 'unreal complexion' to our financial position cannot be laid at our door. The present year's small surplus may turn into a deficit, but that does not represent our "normal" position. Sir, I may go further. Even thoughtful legislators suffer from the idea that there is something particularly virtuous in a surplus. I am not here to say that a surplus is not better than a deficit. That admits of no doubt, but what modern chancellors have to see is that on a series of years the budgetary situation does not show a deficit. There is no virtue in a surplus. The ideal position is an exact balance, or what alone is practicable a fair balance on a run of years.

Some observations were made regarding what I said about unbalanced budget. I said nothing in their advocacy. But may
 5 P. M. I read, with your permission, a very small sentence from a recent book of a very great authority on modern finance, Professor Dalton. He says in his book called "Unbalanced Budget" "I heard it said recently that among all the governments of the world only those of India, Palestine and Isle of Man were at present balancing their budgets." That may not be exactly true. In fact there are other countries such as

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a few of the West Indian Colonies, Portugal, Czechoslovakia and Egypt who also report surpluses.

But these facts suggest a strong reflection and should save us from the fear that our critics would strike in our hearts. A criticism was advanced that the budget disclosed "senseless expenditure on unwanted things". Now, when an honourable member who initiates the debate on an occasion like ours, when the first budget presented by a Government, which claims to be a National Government, is criticised by those who profess that they alone are true representatives of the nation, and when a strong statement of that character is made, is it not up to the gentlemen to indicate precisely what are these unwanted things, for if there are any such dreadful things I am sure my friends on this side will tear me to pieces, nor would our Premier be spared the safe destiny. But there is nothing of the kind in the budget. No, there are many things in the budget, keenly wanted, and nothing will rejoice us more if they could be provided in a larger and more abundant measure.

Chaudhri Krishna Gopal Dutt : Where is then the need for the Retrenchment Committee ?

Minister for Finance : It does not mean unwanted things.

Chaudhri Krishna Gopal Dutt : It does.

Minister for Finance : It means still further desire to provide more wanted things. The honourable member who opened the discussion referred to our land revenue policy and condemned it roundly. He said that the Opposition utterly disapproved of it and that in his opinion "age gives it no sanctity". Now that was a bold assertion to make. The proposition that "age gives no sanctity to any kind of tax" is a proposition that if we had a jury of all the economists of the world will be rejected un-animously and in the strongest possible language. There is no such thing as a faultless tax—but time robs any tax of its most objectionable features. Here in India, our whole Indian economy, I say that with a full consciousness of the meaning of every word, has been built up round the system of land revenue. For any one to say that "age has no sanctity in his view" in this regard is to ignore to disregard the whole historic basis of our public economy. That is not the argument which will meet with the acceptance of any one accustomed to relate his thoughts to facts. It was said that the system of sliding scale brings to the honourable member no comfort. It does not require much perspicacity to see that whatever be the weakness in the claims made for the plan of sliding scale, it is better than a rigid fixed system under which the land revenue is absolutely invariable. It does provide some relief with falling prices though it may not give all the relief that the agriculturists may desire. The system of land revenue is not a thing easily understood, even officials who have been trained in the matter of these problems may miss its difficult and intricate implications. The idea of net assets is not easily grasped, and much error arises because the factors in the cost of the receiver of rent are not correctly apprehended. The net assets as normally calculated are found by deducting from the rent receivable by the landlord certain costs, only a few of which are of

more or less rigid character, and do not vary according to variations in prices. But the system of sliding scale fixes the upper limits of the state's demand, and while the lag in the costs of production of the agriculturists as the price of his produce falls naturally *protanto* works hardship its effect is apt to be exaggerated. The modifying and correcting factors are the way in which (1) net assets are calculated, (2) 'commutation price' estimated and (3) variations in prices are taken in view during any long period. Much in current criticism seems to suffer from inadequate analysis and from too rigid an attention to some of the factors and then at once to apply the mathematical machine to them. Sir, in the Punjab, we can pride ourselves on our land revenue policy. The actual settlement work is carried on under sympathetic conditions—an inheritance from the earliest days of our land revenue authorities—we are the first to place the system on a legislative basis rather than depend upon the whims of executive action, the maximum amount of state demand has been fixed at one-quarter of the net assets as compared with one-half under what is known as the Saharanpur rule (which in itself was a big advance on the previous position) and the period of settlement fixed at forty years—it used to be twenty and thirty years. To top all, now there is the sliding scale. No province in India can boast of a more satisfactory land revenue policy. Yet Government has promised to probe into the problem further and to see whether by a radical change in the whole system, by an appeal to quite other principles of taxation it is not practicable to discover modes of relief to the poor zamindars.

I must say one word in regard to what my honourable friend, Mir Maqbool Mahmood, said. He said we might have taken a view more favourable and a more generous attitude towards the beneficent departments if we had changed the direction of the surplus of Rs. 23 lakhs that is likely to arise in the year 1936-37. What we have done, as I explained in my budget speech, as regards a portion of this sum of Rs. 23 lakhs is that instead of placing it all in our ordinary balance, it is there in the balance still, it goes to reduce the debt which was due from the Hydro-Electric Scheme. Many members of this House have drawn the attention of the Government to the necessity of developing and lightening the burden on the Hydro-Electric Scheme and the step we have taken is in that direction. The other portion of it is kept where we were advised technically it must rest. If I had not put back Rs. 15 lakhs for the Hydro-Electric Scheme this year and had put only 7½ lakhs as was suggested by the honourable member there was little guarantee that I could do that at the end of 1937-38, as no surplus then on revenue account is likely.

The honourable member referred to another and a welcome idea—that of a five-year plan. Several departments are already thinking in terms of such plans—such as in the matter of our roads, and parts of our educational activity. But the difficulties of all comprehensive Government programmes are obvious. 'Finance' however, favours these plans and would press on all departments the desirability of looking ahead.

I must now refer to the New Famine Relief Fund. It was boldly asserted by some honourable members that we have made a raid on the fund in order to show a surplus. I must repudiate the suggestion. No raid was intended, none has been made. Let me in two words explain the real

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position. There was originally a fund built up out of revenue. Under the Devolution Rules, it was necessary to set aside out of revenues a sum of Rs. 2 lakhs annually till the fund, made up of unspent annual balances, reached the figure of Rs. 20 lakhs. Our fund stood at Rs. 20,89,000—on the introduction of reforms—and it came over to us from the Government of India who used to act as our bankers in this regard, on the 1st April, 1937. Now the question arose what we are to do with this sum of over Rs. 20 lakhs. Should the whole of it be kept for famine relief purposes? Was that the most appropriate use of that fund? The question was examined with reference to our expenditure on famine relief for the last many years. We came to the conclusion that the Famine Relief Fund need not be kept at a higher figure than ten lakhs. That being so, it would be improper husbandry of our resources, bad book-keeping and defective trusteeship to keep the fund at an unduly large figure. The fund is meant for a particular purpose and should provide for no more. In this particular year, a particularly unfortunate year, as every honourable member of this House knows, the Government further directed that a sum of Rs. 1,80,000 be spent on objects included in famine relief. I trust no one can object to it. Then remains a little over eight lakhs. The fund as I have just said and as explained in my budget speech very clearly was built up out of revenue and we were advised by a high technical authority—(*Diwan Chaman Lal* : Why do you not say the Accountant-General?)—yes, the Accountant-General advised us to transfer it to the revenue account. This, as I said, would have unduly swelled our year's revenue figures because of this merely technical accession to revenue and reflected itself in a wholly unreal surplus. We did not want to create or permit of any such surplus. Therefore we broke that 8 lakhs into two parts. Five and-a-half lakhs on one side goes to the reduction of debt, as advised by the Accountant-General, and strengthens the credit of the province. The other 2½ lakhs is utilised for adding to our beneficent activity—communications and sanitation. The Punjab Government did not use this for doing 'unwanted things' but to help our agriculturist brethren to the utmost extent we possibly could. The amount is *in addition* to what we had previously provided. Mark the words "in addition to what we had previously provided". It disturbed no budget decisions. It is an abuse of language to say that the Punjab Government has raided the Famine Relief Fund for the purpose of showing a surplus. If the Rs. 2½ lakhs had not thus been provided as an addition there would have been correspondingly less expenditure—the balance would not have been affected—no deficit would have arisen. That, Sir, is the way in which false cries are raised, indignant speeches developed, and attempts made to create the impression that something very heinous—'robbery' underhand trick or spoliation—has been committed by the Punjab Government. I am sure that everyone of us sitting here understands the essential hollowness of that accusation, and we do not consider it in any manner as in the least improper or objectionable use of this money by the Punjab Government. The honourable members have hurled their calumnies boldly, but nothing has stuck.

One honourable member opposite called upon us "without delay to raise the level of prices". I wish he could impart to governments that secret,

because that is what many mighty nations have reflected over during these past years of depression without discovering the arcana. Anyhow let me tell him—without dwelling on any theoretical considerations that nothing will please the Punjab Government more than a rise in the price of our agricultural produce.

Raja Ghazanfar Ali emphasized the grave consequences of largely non-votable part of the budget on our financial autonomy. Let him remember that as years pass and our services are increasingly provincialized—to that extent—the welcome change which he desires will come about. In the meantime he must seek consolation in the fact that all the world over large parts of the budgets are fixed and non-votable. He may also be reminded of the well-established constitutional practice that voting does not mean detailed control by legislatures over expenditure, and as for criticism of Government's policy there is the amplest scope within the limits of our procedure.

Now, Sir, permit me to refer to a very important matter—pressed for time I am passing over other subjects. I am anxious to say a few words about unemployment—a subject that naturally greatly exercises our mind. As a student I have paid some attention to this imperious but difficult problem. May I say this at once that by no efforts of Government alone can this trouble of unemployment be solved. We were told and quite correctly told that about forty years ago our dependence on agriculture was about 61 per cent. of the population. We were told by one honourable member that after 10 years it increased to 66 per cent. and that the recent census discloses a still larger dependence on agriculture.

Now, will any thinker apply his mind to the matter and tell me how the Punjab Government can necessarily provide employment for these 70, 75 or 80 per cent., an ever increasing part of our population that chuses to depend on agriculture? You know that we have 11 crores of rupees of income that comes to our fisc during the year. Reflect for a while, if no single rupee or pice out of the 11 crores, were to be spent on the administration and amelioration of the people and were merely to be distributed among the people even then you cannot solve the problem of unemployment. Mere rupees will not give you the cure. If you were to remit the whole of land revenue, the whole of abiana, you shall not solve the problem of unemployment. The problem is much more deep-seated. Economists concentrate their best analytic thought on it—historians would read its riddle in the vast panorama of social history. No certain opinion has been hazarded. It is a problem of high social adjustment requiring attack from us all, along multiplex, arduous lines. It is a problem more for the social reformer, for the great leaders of people than for mere governments. I am not referring to the Government in any deprecating sense.

Government has its duty in the matter—without good government the best of the schemes must go awry. But no one who makes a scientific approach to this question would suggest that by some wonderful feat one can immediately solve this very difficult problem of unemployment. May I in this connection be permitted to refer to the opinion of a leading authority and thinker in Economics. I refer to Sir Josiah Stamp, a leading authority

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on fiscal matters and a writer on social science of supreme excellence. He says :

“ To-day many of the factors formerly free are relatively fixed, such as wage levels, prices, market quotas, and when an external impact at some point strikes the organism, instead of the effect being absorbed throughout the system by adjustments of all the parts, it now finds the shock *added* or transmitted by many of them leaving the effects to be felt most severely at the new remaining points of free movement or accommodation. *Unemployment is one of these.* ”

Sir, the problem is one of large social adjustments, of the proper growth of populations, of balanced national and international economy. In all this Government has its part to play but the people more.

We invite the honourable members opposite to give their helping hand in finding out what will constitute the solution of this difficult problem of unemployment. It is not wise merely to accuse Government for having done nothing. This vast and comprehensive problem touches the very foundations of our social fabric. It transcends all mere attempts at providing employment in detail at any given time.

Now, Sir, I would mention another matter. Pointed reference to it was made by Chaudhri Krishna Gopal Dutt, and, of course, he merely voiced a common and widely-spread opinion. He said that for the economic prosperity of this province, it is necessary to secure certain changes in the policy which the Government of India is pursuing at the present time in the matter of ratio, exchange and tariffs. Now, Sir, I know, it is quite fashionable to think that all our country's ills can be settled and cured by making changes in the currency policy and the tariff scale of the country. I am aware too that with increasing productive power and comparatively shrinking markets—and under the stress of world depression—restriction and control of trade by currency manipulation and tariffs, have found much favour among large sections of people all over the world. But Economics furnish no sovereign remedies, and I am free to confess that I am not convinced that a change in our currency policy and a larger adoption of tariffs can affect fundamentally and for any great length of time our prosperity in the country. These will no doubt create a movement in the ebb and flow of the country's economic life. I do not know what the Honourable Premier would think of it, but I for one would hesitate a great deal before confidently pressing on the Government of India any firm opinions on the subject. Provincial governments as such are not particularly well qualified to express authoritative opinions and the Government of India is not without guidance, nay pressure from people whose opinions are entitled to weight. Further, it cannot be denied that during the last 20 years or so the fiscal policy of the Government of India has substantially changed and under the shelter of the discriminating protection, many industries have been built up. Many people hold that protection should not be limited, it should be largely extended. On this controversy I cannot enter here. I have not the time even if I had the capacity—and this were the occasion. Is it not further a fact that partly in consequence of that policy of discriminating protection and partly because of the general trend of economic events in this country capital here is no longer shy? Every one of us knows that capital is no longer shy. It is no longer necessary to bring capital out of its recesses to give it the

stimulus of an energetic indiscriminate protection. If honourable members will refer to their daily papers, they will see how many floatations take place every month in India and how many of these companies big as they are have their capital subscribed, I think I am not wrong in saying, in the course of a few hours. What really is more important for the industrial advancement of this country apart from discriminating protection and a sound system of currency, is a determination on our part to see that the management of our companies is in proper hands and those in charge are not allowed to play fast and loose with the hard earned money of the people. That is what is essential for the proper growth of large scale industry. And Government by recent legislation, is doing all that it can in this important respect.

Sir, one word about the Police. I made some remarks in my budget speech about the recrudescence of subversive tendencies in the province. It will be borne out by members of this House that hardly had I penned these words and the ink was not yet dry when disturbances arose in this province in more than one place, Gujrat, Amritsar, and the possibility of trouble at Lahore loomed large. I claim this, I claim it not as a Finance Minister but as an ordinary citizen of this province, that it is a matter of the greatest gratification and congratulation to ourselves that a first rate disaster was averted by the firm and timely action which the Punjab Government took (*hear, hear*). If steps had not been taken in the towns of Lahore and Amritsar we would have had bloody scenes on which the Panjabi would have to hang his head in shame. Untold harm to property, and what is more, incalculable injury to communal amity, was bound to happen. All this was averted, thanks to the existence of police, and our Premier's determination to stop mischief almost at the source. Sir, the police force is not built up in a day. None of us wants to spend money on police. But the honourable members, be they of this part of the House or that part, *must* remember that the police function is one of the minimum functions of the Government, and that the police is not an institution that can develop at a day's notice. No, you must have it ready. There is no use saying that your schools, colleges, and hospitals will develop character and good will among people and there is no need for the police. We want the police for immediate action and cannot wait upon the advent of the better day. We cannot wait till education has made angels of us all or as my friend said has "internationalised" brethren. The Government is called upon to take immediate steps, and for that as an ordinary citizen I am thankful to the Premier and this Government that they have done their work so effectively.

Sir, much of the criticism from my friends on the Opposition benches ignores the fundamental considerations that in the field of politics progress along various lines must be more or less simultaneous and there is eternal virtue in the ideas implicit in the word compromise. Progress in one line is not contingent on perfection in any other. We cannot say that we must achieve perfect freedom and then other things will be added unto our gifts.

The need for scientific study in the realm of social biology is being daily emphasized by competent students. Human nature, its wants, its joys, its sorrows, its hunger for progress cannot be hastily comprehended into a stringent formula. We here are conscious of our limitations, but we are

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determined to pursue steadfastly according to our light—the path of national advance. No one can do better. In this, on the present occasion we are pressed by the recognition of the fact that a good system of finance and good government are inter-dependent. Finance is not mere arithmetic ; Finance is a great policy. It has been universally recognised that nothing ensures a sound system of finance more than keeping and publication of true and intelligible accounts. I claim that the present Government has done this. And we are insisting on strict Treasury control. That I think was not a particularly strong feature of the previous governments. All proposals involving increase in expenditure are carefully scrutinised. With correct accounts, with proper watch on expenditure as we conduct our affairs, can it be said that we are lacking in policy, that we are not satisfying the most exacting demands of a policy of advance ? We were expeditious in the remission of land revenue, anxious to make large additions to expenditure on beneficent departments, determined to effect economies by introducing reduction in the rates of pay and we undertake big projects of irrigation for the benefit of the people and enrichment of state finances. Who could attempt more ? Who could conceive better ? And yet we are anxious to learn further and have appointed a committee of non-officials with two trained economists, to help us in the difficult problem of retrenchment and obtaining additional revenue, if possible. Sir, let the voice of criticism abate, for, why strike in the vacant air ? Your Ministers are solicitous of the province's welfare and anxious to abide by the Assembly's reasoned demands. It is the Assembly's business not to administer but to see that the administration is done by proper persons and to keep the executive to their duties. Deliberations and not actual despatch is the function of this House. Let us both, the Executive and the Legislature stand firm by our duties and our tasks, and the coach of the State will move on and the province march on the sure path of prosperity. I made a humble budget speech. I presented an unvarnished statement and attempted a rapid delineation of proper financial policy. I and our Government are prepared to be judged by these. We stand committed to the policy of courageous finance but of sound finance. Under the watchful eye of the Assembly we propose to build up our resources.

Chaudhri Kartar Singh : On a point of order. Sir, the Honourable Finance Minister now seems to be reading from a paper.

Mr. Speaker : Is the honourable member certain ?

Minister for Finance : I am happily under no necessity to read from any notes.

Mr. Speaker : The Honourable Minister is not reading a written speech.

Minister for Finance : Sir, under the watchful eye of this Assembly we propose to build up our resources and our income and we are firmly resolved to spend wisely and fruitfully. (*Loud and prolonged cheers.*)

The Assembly then adjourned till 11 A.M. on Friday, 25th June, 1967.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 25th June, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

Sardar Hari Singh : Sir, what about the questions that were not answered yesterday?

Mr. Speaker : The Secretary will arrange and place them on the agenda as he considers feasible.¹

PUNITIVE POLICE POST AT VILLAGE HARSE-CHHINA IN DISTRICT AMRITSAR.

*121. **Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post was located at village Harse-Chhina, district Amritsar, in December, 1929, for a period of two years ;
- (b) the details item by item of the estimated as well as actual costs for each year separately, the total amount recovered from the residents of the said village till the end of March, 1937, and the arrears due from these inhabitants by the end of March, 1937 ;
- (c) whether it is a fact that one Sardar Punjab Singh and other residents of the aforesaid village submitted an application on the 5th May, 1937, claiming therein a refund of a certain sum of money said to have been realized in excess of the actual costs of the punitive police post ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. For two years from the 15th December, 1929, to the 14th December, 1931.

(b) The principal figures have been given in the reply to question 29, put by the honourable member for Lahore City (General Constituency). As has been explained in replies to other questions, it is never possible to reckon the " actual cost " of a body of additional police with exactitude, as certain items in the bill (for example, charges for superintendence, the cost of the men's preliminary training, the cost of armament and interest charges during the period of recovery) cannot be precisely determined. Excluding these the amount spent on the post was Rs. 15,187-7-9. The full amount was recovered by the end of 1935, and no arrears are recoverable from the villagers.

(c) Yes. There is no case for any refund.

Dr. Sant Ram Seth : Will the Honourable the Premier please state how many constables, head constables, and sub-inspectors were stationed there ?

¹These questions were put and answered on 9th July, 1937.

Premier : I have already answered that part of the question.

Dr. Sant Ram Seth: Is it a fact that the salaries of some constables and head constables were drawn, but the police force was not sent there ?

Premier : I refer the honourable member to the reply already given.

PUNITIVE POLICE POST AT VILLAGE SABRAI IN LAHORE
DISTRICT.

***122. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that additional foot police force remained located at village Sabrai, police station Patti, district Lahore, from 1923-24 to 1928-29 ;
- (b) the details item by item of the estimated as well as actual costs for each year separately, sanctioned strength of the police force for each year, strength of the police force which actually remained posted to the village and the total costs of the punitive police post imposed upon and recovered from the inhabitants for the aforesaid period ;
- (c) whether it is a fact that on the 30th April, 1937, one Sardar Sundar Singh and other residents of village Sabrai, district Lahore, submitted an application to the Honourable the Premier claiming therein a certain sum of money said to have been realized in excess of the actual costs of the punitive police post ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : This has been dealt with in the reply to question *120.¹

PUNITIVE POLICE POST AT VILLAGE GHAWIND, TAHSIL
LAHORE.

***123. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that a punitive police force was quartered in village Ghawind, tahsil Lahore, on the 1st June, 1922, which remained posted there for a period of 3 years continuously ;
- (b) the details of the annual estimated and actual costs of the said punitive police post for each year, the total amount of money realized as costs from the village residents for the period of three years, the sanctioned strength of the police force for this punitive police post for each year and the actual strength of the police force which remained present during each quarter of these three years ;
- (c) whether it is a fact that Sardar Bhagat Singh, Kartar Singh and certain other residents of Ghawind submitted an application on 2nd December, 1936, and 30th April, 1937, claiming therein a refund of a certain sum said to have been realized in excess of the actual costs of the punitive police post ; if so, with what result ?

¹Vide debates of 9th July, 1937.

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, from the 1st June, 1922, to the 31st May, 1925.

(b) The principal figures have been given in the reply to question¹ 80 (unstarred), put by the honourable member for Lahore City (General Constituency). After this lapse of time Government do not think that they would be justified in attempting to collect more detailed figures.

(c) Yes. Recoveries in this case were completed in December, 1929, and Government are not prepared at this stage to make further inquiries, or allow the matter to be re-opened.

PUNITIVE POLICE POST AT VILLAGE BHARDEO IN AMRITSAR
DISTRICT.

***124. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that additional police force was quartered in village Bhardeo, police station Beas, district Amritsar, in 1936 ;

(b) if so, the date of its arrival in the village, the detailed monthly actual costs of the aforesaid punitive police post for the period of twelve months since its arrival in the village ; the details of the estimated costs for the period of first year ; the amount imposed upon the village residents as the cost of the punitive police post for the first year, the amount actually realized from the village inhabitants by the end of March, 1937, out of the total demand for the first year, the sanctioned strength of the police force for this punitive police post for the first year ; and the police force which remained practically present in the police post for the first year ?

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

(b) The force took up its duties in the village on the 17th February, 1936. The sanctioned strength was—

One assistant sub-inspector ;

Two head constables ;

Eleven foot constables (including two for the contingency reserve).

The force in the village during the first year was generally up to full strength. The cost of the force of the first year was calculated at Rs. 6,999-7-1, and this amount was realised in full before the end of March, 1937. As has been explained in the replies to other questions, it is never possible to give the "actual cost" of a body of additional police, as it is not practicable to calculate with accuracy such charges as those due on account of superintendence, the cost of training the men employed, the armament charges of the force, and interest charges during the period of recovery. I am placing on the table a statement showing the actual outgoings on account of this post, excluding items such as those which have just been mentioned. These totalled Rs. 6,253-10-7 for the first year.

Dr. Sant Ram Seth : Is it a fact that some constables of this police post remained in the Police Lines at Amritsar ?

Premier : I am afraid I have nothing to add to the answer already given.

Premier]

Actual cost of Additional Police Post at Bhardoo (Amritsar).

| PERIOD. | | Contingences. | Clothing and equipment for one year. | Pensionary charges. | Leave contributions for one year | Total. |
|---------------------|----------------------|---------------------|--------------------------------------|---------------------|----------------------------------|-----------------------|
| From | To | | | | | |
| 17th February, 1936 | 29th February, 1936 | Rs. A. P. 19 0 0 | Rs. A. P. .. | Rs. A. P. .. | Rs. A. P. .. | Rs. A. P. 153 14 0 |
| 1st March, 1936 | 31st March, 1936 | 9 8 0 | .. | .. | .. | 310 8 0 |
| 1st April, 1936 | 30th April, 1936 | 51 5 6 | 915 0 0 | 448 13 4 | .. | 1,742 2 10 |
| 1st May, 1936 | 31st May, 1936 | 10 6 3 | .. | .. | 516 14 6 | 855 9 9 |
| 1st June, 1936 | 30th June, 1936 | 6 8 0 | .. | .. | .. | 334 8 0 |
| 1st July, 1936 | 31st July, 1936 | 4 0 0 | .. | .. | .. | 331 1 0 |
| 1st August, 1936 | 31st August, 1936 | 6 0 0 | .. | .. | .. | 334 0 0 |
| 1st September, 1936 | 30th September, 1936 | 216 0 0 | .. | .. | .. | 544 0 0 |
| 1st October, 1936 | 31st October, 1936 | 36 0 0 | .. | .. | .. | 366 8 0 |
| 1st November, 1936 | 30th November, 1936 | 36 0 0 | .. | .. | .. | 348 0 0 |
| 1st December, 1936 | 31st December, 1936 | 36 0 0 | .. | .. | .. | 363 0 0 |
| 1st January, 1937 | 31st January, 1937 | 36 0 0 | .. | .. | .. | 363 0 0 |
| 1st February, 1937 | 16th February, 1937 | 20 9 0 | .. | .. | .. | 207 7 0 |
| | Total | 437 4 9 | 915 0 0 | 448 13 4 | 516 14 6 | 6,253 10 7 |

NOTE.—This statement does not include charges for superintendence, the provision of trained men in place of recruits, armament and interest charges during the period of recovery of the cost (Police Rule 10-24 as amended).

ADDITIONAL POLICE FORCE QUARTERED IN VILLAGE GHAWIND,
TAHSIL LAHORE.

***125. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that additional police force was quartered in village Ghawind, tahsil Lahore, in June or May, 1980 ;
- (b) if so, the details of the estimated as well as actual costs calculated for the year 1980-81 of the police post for the period for which it remained located in the village ;
- (c) whether it is a fact that one Sardar Kartar Singh and other residents of Ghawind (Lahore) submitted an application on the 30th April, 1987, claiming therein a refund of a certain sum said to have been realized in excess of the actual costs of the punitive police post ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, from the 26th May, 1980, to the 14th March, 1981.

(b) The principal figures were given in the reply to unstarred question No. 80,¹ put by the honourable member for Lahore City (General Constituency). After this lapse of time Government do not think that they would be justified in attempting to collect more detailed figures. As will be seen from the reply to question 80, the recovery of certain portion of the cost of this post was waived.

(c) Yes. Recoveries in this case were completed in March, 1981, and Government are not prepared at this stage to make further inquiries, or allow the matter to be re-opened.

Dr. Sant Ram Seth : Is it a fact that practically the police force was removed from this village in January, 1981, and was sent to the village Jaman and that costs of this post were forcibly charged from the inhabitants of the village ?

Premier : If the honourable member or his predecessor had put that question in 1981, the answer would have been available.

Diwan Chaman Lall : Will the Honourable the Premier state whether it is too late to put a wrong right ?

Premier : It is never too late to put a wrong right.

Diwan Chaman Lall : Why cannot this question be gone into ?

Premier : It has been gone into.

Diwan Chaman Lall : Is the allegation made by the honourable member correct ?

Premier : No.

WHITE LIST.

***126. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that the Punjab Government maintain a list called the White List and notices of different Government

¹Pages 284—89, ante.

[Maulvi Mazhar Ali Azhar]

Departments are only sent to such newspapers as are included in that list ;

- (b) whether it is a fact that the Honourable the High Court of Judicature at Lahore maintains another White List of its own based on the list mentioned in (a) above and sends Court notices for publication only to those papers as are included in this List ;
- (c) if answers to (a) and (b) be in the affirmative whether the lists maintained by them and the High Court are dissimilar ;
- (d) whether the Government is prepared to consider and advise sending of Government notices to such papers only as command the greatest circulation and influence and are read by such sections of the populace as are concerned with the subject matter of a particular notice ?

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

(b) Yes.

(c) The two lists are not dissimilar, but the High Court list may exclude certain papers that are on Government list.

(d) The considerations suggested by the honourable member are borne in mind when the list is prepared.

INTERNEES IN THE PUNJAB.

***127. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

- (a) (i) the number of internees in the Punjab, (ii) the law under which they are interned, (iii) since how long they have been so detained and (iv) the authority under whose orders they are detained ;
- (b) whether any persons have been interned or released from internment after the inauguration of the new Constitution ;
- (c) whether the Government propose to release all the internees ?

The Honourable Major Sir Sikander Hyat-Khan : (a) (i) and (ii) It is not understood what exactly the honourable member means by "internees." If he means the persons against whom action under the Punjab Criminal Law (Amendment) Act, 1935, has been taken, the number is 20 ; if he means the persons dealt with under Regulation III of 1918, the number is 7.

(iii) It is not convenient or in the public interest to supply this information.

(iv) In twenty cases under the orders of the Punjab Government and in seven cases under the orders of the Government of India.

(b) Yes, assuming that the honourable member refers to cases described in (a) (i) and (ii) above.

(c) No, but the cases of such persons are examined by Government periodically to consider the question of their release.

Diwan Chaman Lall : Is it a fact that in the case of internees under Regulation III of 1818, the Government of India have laid down a rule that the examination of the cases of these internees shall be conducted by three Judges? May I know whether that procedure is being adopted in the Punjab?

Premier : If the honourable member will refer me to the authority I will certainly try to answer that question.

Sardar Sohan Singh Josh : Will the Honourable the Premier please state as to how many times the case of Mr. Ihsan Ilahi has been examined?

Premier : During my time, once.

Diwan Chaman Lall : May I ask the Honourable the Premier why it is impossible for him to give us information under (a) (iii), namely, the period of detention of these internees?

Premier : For the simple reason that they are sometimes interned only for a few weeks and if it is found in the public interest to remove their restriction, that restriction is removed.

Diwan Chaman Lall : Cannot he give that information regarding the present internees?

Premier : I think a statement has been tabled or will be tabled in connection with another question.

Diwan Chaman Lall : In regard to Regulation III prisoners is the Honourable the Premier willing to give information also?

Premier : Yes.

Sardar Hari Singh : Does the periodical examination take place yearly or half-yearly?

Premier : Monthly.

An honourable member : Are they usually interned in villages?

Premier : The restrictions are not limited to villages in all cases. In some cases it is a village, in other cases it is a district and in other cases they might be interned in a bigger area.

Lala Duni Chand : The Premier says that the cases of these internees are examined periodically every month. In the light of which facts are the cases examined every month? Will he please state those facts?

Premier : General conduct and behaviour during that period.

Lala Duni Chand : Their cases are examined only with reference to their conduct in the place within which they are confined?

Premier : Yes.

Mian Abdul Aziz : Will the Honourable the Premier kindly state the mode of examination of these cases periodically? Is it only based on the conclusions or reports which are submitted or whether they are independently seen?

Premier : The case has to be examined in the light of information which is available to Government. It cannot possibly be examined without any information. It is not understood what the honourable member means by 'independently seen'.

Mian Abdul Aziz : When these people are interned in a particular place there can be nothing new about them. How then can the Government judge them in the way the Honourable the Premier suggests ?

Premier : The honourable member ought to be aware that these internees can do mischief inside a village as much as inside a district.

Mian Abdul Aziz : As far as I understand Mr. Ihsan Ilahi has been in jail for the last 7 years. How are his cases being examined in the way suggested by the Honourable the Premier ?

Premier : I am afraid the honourable member is again confusing the people who are in jail and the people who are restricted under the Criminal Law (Amendment) Act. The former is a Regulation III prisoner and is in jail under the orders of the Government of India. The latter are interned under the orders of this Government.

Mian Abdul Aziz : Has any report been received against Mr. Ihsan Ilahi during the last six or seven years ?

Premier : Report about what ?

Mian Abdul Aziz : About his behaviour on which you base your conclusion as to whether he should be released or not.

Premier : I am afraid the honourable member is again confusing the issue. It is not about the Regulation 1818 prisoners that I am talking now. It is about the internees under the Criminal Law (Amendment) Act.

Lala Duni Chand : Am I to understand that the Punjab Government has nothing to do or has no voice in the case of those people who are interned in jails under Regulation 1818 ?

Premier : No. The honourable member would be wrong in making that assumption.

PRESS IN THE PUNJAB.

***128. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

(a) (i) the number of newspapers that have been called upon to deposit securities since January, 1936, (ii) how many of such papers have survived by depositing the sums demanded and how many have succumbed, (iii) how many demands to deposit securities have been made after the 1st April, 1937 ;

(b) whether the Government intends to cancel all such orders ?

The Honourable Major Sir Sikander Hyat-Khan : (a) (i) 13.

(ii) 7 and 6.

(iii) 1.

(b) No.

Lala Deshbandhu Gupta : Will the Honourable the Premier please state whether there have been cases of demand of security from such papers as have been newly started ?

Premier : That does not arise from the question.

Diwan Chaman Lall : On a point of order. Is it relevant for the Honourable Premier to make the suggestion that the point does not arise from the question? I think it is your prerogative, Mr. Speaker, to rule whether a supplementary question arises out of the main question or not. It is not for the Honourable the Premier to take upon himself that prerogative.

Premier : It is the privilege of the Chair to give the ruling and it is the prerogative of every member of this House to draw the attention of the Chair to the propriety or otherwise of a question.

Diwan Chaman Lall : May I draw your attention, Mr. Speaker, to the fact that the Honourable the Premier was not drawing your attention to the fact that the question did not arise, but was refusing to answer the question on the ground that the question did not arise.

Mr. Speaker : Answers to questions are addressed to the Chair just as honourable members' points of order are addressed to the Chair. In the same way any remark which any member may make in the House should be addressed to the Chair.

Diwan Chaman Lall : May I take it, then, that your ruling is that the question does not arise?

Lala Deshbandhu Gupta : Mr. Speaker, I appeal to you to help me in the matter whether the question does arise or not. The Honourable the Premier has in answer to part (a) of the question given the number of newspapers that have been asked to deposit security. What I want to know is whether there are any instances where the newspapers that have just come into existence have been asked to deposit security?

Premier : I am afraid the honourable member cannot possibly expect me to give that information without due notice.

Lala Deshbandhu Gupta : I would request the Honourable the Premier to take notice of this question.

Premier : I should like to have regular notice.

Mr. Speaker : I informed the House the other day that notices of all questions meant to be asked should be given under the rules in force to the Secretary of the Assembly. He will submit those questions to me for final orders.

Lala Deshbandhu Gupta : I now give notice of the question through you, Sir.

Mr. Speaker : No notice can be given through the Chair. All notices are to be given direct to the Secretary of the Assembly.

Sardar Hari Singh : May I ask the Honourable the Premier if he is aware that there is a suspicion in the minds of members on this side (Opposition) that their party organs may be victimised by the party in power?

Premier : That might be the impression of the gross communalists among the minorities.

Sardar Hari Singh : Is the Honourable the Premier aware that the honourable member who puts the question is free from communalism?

Premier : I have no personal information on that particular point.

TOMB OF FIR KAKU SHAH.

***129. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that a deputation of Mussalmans under the leadership of Maulvi Sir Muhammad Yaqub waited upon His Excellency the Governor of the Punjab at Simla in the summer of 1936, and requested him that an appeal be lodged by the Government in the High Court against the acquittal by Mr. Sale, the then Sessions Judge of Lahore, of the Sikhs accused of desecration and demolition of the tomb of Fir Kaku Shah ;
- (b) whether it is a fact that in reply the Governor on behalf of the Punjab Government informed the deputation that Government were not lodging this appeal because the Mussalmans had filed a civil suit regarding the tomb against the Sikhs ;
- (c) whether it is a fact that the leader of the deputations subsequently informed the Governor that no such suit had been filed ;
- (d) whether it is a fact that the Governor had also informed the deputation that if two or three prominent Muslim lawyers expressed the opinion that such an appeal will not adversely affect the Muslim interests the Government would be prepared to file an appeal ;
- (e) whether it is a fact that on account of this promise the organisers of the deputation obtained the opinions of the following advocates ; (i) Mr. Abdul Haye, B.A., LL.B., not then a Minister of the Government, (ii) Syed Mohsin Shah, Advocate and (iii) Dr. Khalifa Shuja-ud-Din, Bar-at-Law, and handed it over to the Chief Secretary of the Punjab Government ;
- (f) whether it is a fact that these Muslim lawyers favoured the lodging of an appeal ;
- (g) whether it is a fact that an appeal was not filed by the Government and the time limit was allowed to lapse ;
- (h) if the answer to (d) and (g) above be in the affirmative the reasons for which an appeal was not filed and the leader of the deputation or the organisers thereof not informed about the change in their opinion, to enable them to file the revision themselves, if they so desired ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. The deputation was received by His Excellency the Governor in Council. The Honourable Member for Finance, Sir Donald Boyd, the Chief Secretary, Mr. Puckle, and the Legal Remembrancer, Mr. Anderson, were also present.

(b) and (d). The question of filing an appeal was discussed from all points of view. Government did not inform the deputation that it was not lodging an appeal because a civil suit had been filed ; nor was any promise made that any appeal would be filed.

(c) Yes.

(e) The legal opinions of the three gentlemen were received by the Chief Secretary, but Government has no information whether these opinions were obtained by the organisers of the deputation.

(f) Yes.

(g) Yes.

(h) No appeal was filed because the conditions which usually justify appeals against acquittals were not satisfied, and because an appeal appeared to be unlikely to attain the object which the deputation had at heart. As the matter had been thoroughly discussed with the deputation it was not necessary to address them again.

EXODUS TO SIMLA.

***130. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

(a) if it has been brought to his notice that the United Provinces Ministry has decided to cancel the annual exodus of their Government to the hills ;

(b) if so, whether the Punjab Government proposes to forego their exodus to Simla, in the coming years ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Certain statements have appeared in the Press.

(b) The attention of the honourable member is invited to the reply given to starred question No. 16¹.

PRIVATE LORRY STAND.

***131. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the system of private lorry stands has been adversely criticised by the Punjab Motor Union as well as by independent observers, and the matter brought to the notice of the Government by memorials and other means ;

(b) whether the Government has given its attention to the matter ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Provisions enabling provincial Governments to control private stands have been included in the Bill which was introduced in the Central Legislature last year for the amendment of the Indian Motor Vehicles Act, 1914.

TRAFFIC CHALLANS.

***132. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that in this province the police constables are authorised to order traffic *challans* ;

[Maulvi Mazhar Ali Azhar]

(b) whether he is aware that in Calcutta and Bombay this authority is not vested in the police constables ;

(c) whether the Government intends to consider the question of entrusting the power to order traffic *challans* to officers not below the rank of sub-inspectors of police ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. Before traffic cases are put into court they are scrutinized by the prosecuting staff in the same way as other types of cases, and in several districts by a gazetted officer as well.

(b) Government have no information.

(c) Does not arise.

Lala Duni Chand : Is the Honourable Minister aware of the existence of strong feeling that most of those people, who displease constables or other police men, in any way, are challaned ?

Minister : I have no information on that point.

Lala Duni Chand : Will the Honourable Minister try to get that information ?

Minister : If you want the information please give me due notice for that.

Chaudhri Krishna Gopal Dutt : On a point of order, Sir. Is prompt allowed in this House ?

Maulvi Mazhar Ali Azhar : Will the Honourable Minister kindly state how many cases during the last few months challaned by the police were scrutinized and disallowed ?

Minister : I am afraid I cannot give a reply to that question just now. I want due notice.

Lala Duni Chand : I understand that the Honourable Minister travels from Kalka to Simla. Will he kindly make enquiries from motor drivers at Kalka and Simla ?

Maulvi Mazhar Ali Azhar : May I know whether there are any cases in which.....

Minister : May I reply to two members' questions ?

Mr. Speaker : No, only one member's question.

Maulvi Mazhar Ali Azhar : Will the Honourable Minister enlighten us whether he knows of any case in which *challan* was refused by scrutinizing authorities ?

Minister : So far as I can say there is none in my knowledge.

Sardar Hari Singh : What was the total number of *challans* during the last year ?

TRAFFIC CHALLANS.

*133. **Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that in traffic *challans* the constable ordering the *challans* is normally the only witness for the prosecution ;

- (b) whether representations have been made to Government to order the production of at least two independent witnesses to support a *challan* at least in the case of lorries plying for hire ;
- (c) whether the Government have considered the matter, if so, the decision arrived at ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) In many cases the constable at whose instance the proceedings were taken is the only witness.

(b) Yes.

(c) The honourable member has doubtless seen the definition of "proved" in section 3 of the Indian Evidence Act, 1872, and section 134 of the same Act. It is for the court to decide in each case whether the evidence produced suffices to prove the charge.

Mian Abdul Aziz : With regard to part (b) the Honourable Minister said "Yes." What does he mean? The question is very clear. He should point out whether or not he intends to issue such instructions?

Minister : I do not know what other meaning can be attached to the word "Yes."

Lala Duni Chand : Is it true that in such cases the only evidence produced is that of the constable who challans them?

Dr. Shaikh Muhammad Alam : Can the Honourable Minister cite a single case in which the only evidence was that of the constable and the case was decided in favour of the accused?

Chaudhri Krishna Gopal Dutt : Is it a fact that the Honourable Minister does not reply in view of the fact that the other day my honourable friend Mir Maqbool Mahmood asked us to treat the Ministry as a "shy maiden"?

Mr. Speaker : Such language is inconsistent with the dignity of the House.

Dr. Shaikh Muhammad Alam : I want answer to my question. Can the Honourable Minister cite a single instance in which the only evidence was that of the constable and the case was decided in favour of the accused?

Minister : I cannot give that reply unless I get notice for that.

Diwan Chaman Lall : Will the Honourable Speaker take note of the grave dissatisfaction in this House regarding the method and procedure adopted in this case?

Mr. Speaker : That is not a question.

TRAFFIC CHALLANS.

*134. **Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in ordering traffic *challans* the number of the rule alleged to have been contravened is stated, but the nature of the offence is not explained ;
- (b) whether it is a fact that this matter has been brought to the notice of the Government ;

[Maulvi Mazhar Ali Azhar]

(c) whether Government have taken the matter into consideration ;
if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The question is not clear, but it probably refers to the " notices of prosecution " which are often issued by the police to offenders in motor cases in advance of the regular court proceedings, rather than to the magisterial summonses. If so, the reply is in the negative. The form used in such notices provides a space for " particulars of the offence," as well as entries regarding the section and rule applicable. Stringent instructions have been issued to ensure that these entries are properly completed by the officials concerned.

(b) A representation was recently made to Government by the Punjab Motor Union, Amritsar.

(c) No action appears to be required.

Dr. Shaikh Muhammad Alam : Is the Honourable Minister aware that if accused in such are fined they are fined normally, but if they take up the time of the court then they are fined very heavily ?

Minister : I have no reply to this question.

Premier : May I draw the attention of the House that the Parliamentary Practice is that if a question is not capable of an answer and if the Government does not want to answer it, no answer is given.

Mr. Speaker : I am not quite sure of that practice.

Premier : I speak subject to correction.

Mr. Speaker : I also speak subject to correction. *Prima facie* it looks fair that when a question is put and the Honourable Minister is not in a position to answer it, he should stand up and say so. He should not answer it by silence. (*Cheers from the Opposition*).

Premier : Will you kindly study that particular point ?

Mr. Speaker : Yes, I will. If I am wrong I will correct myself.

Diwan Chaman Lall : May I point out the practice in the Central Legislature ? Whenever Treasury benches refuse to answer a question, the President has compelled them to answer it when there has been a demand on the side of the Opposition. (*Voices : Question*). I will cite instances.

Mr. Speaker : To refuse to answer is one thing and to plead inability or incapacity to answer is another thing.

Dr. Shaikh Muhammad Alam : And to keep sitting is another thing. (*Laughter*).

TRAFFIC OFFENCES.

*135. **Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it has been brought to the notice of the Government that for similar traffic offences dissimilar penalties are awarded and the magistrates have to state no reasons for the sentences passed ;

- (b) whether the Government have inquired into the matter and proposed any remedy, if so, what ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No ; but Government cannot interfere either with the discretion of the courts or with the procedure laid down by the Criminal Procedure Code.

- (b) Does not arise.

TRAFFIC CASES.

***136. Maulvi Mazhar Ali Azhar :** Will the Honourable the Minister for Revenue be pleased to state—

- (a) whether it has been brought to the notice of the Government that in traffic cases the persons challaned have to be present in person, and often have to present themselves on adjourned hearings, which results in preventing them from earning their scanty wages ;
- (b) whether the matter has engaged the attention of the Government ;
- (c) whether the Government is prepared to take necessary steps to exempt the accused in traffic *challans* from personal appearance and allow them to be represented by lawyers or their representatives ?

The Honourable Dr. Sir Sundar Singh Majithia : (a), (b) and (c). The courts already have discretion, under section 205 of the Code of Criminal Procedure, to dispense with the personal attendance of an accused person and to permit him to appear by pleader. The question whether further measures are necessary to save accused persons in traffic cases from undue inconvenience is already engaging the attention of Government.

Dr. Shaikh Muhammad Alam : Is the Honourable Minister aware of any cases in which the provisions of section 205 were applied ?

Mr. Speaker : May I ask the honourable member, before allowing his question, whether he is aware of any cases in which applications under section 205 were made and rejected by the court ?

Dr. Shaikh Muhammad Alam : I know such cases.

Mr. Speaker : Please cite them.

Dr. Shaikh Muhammad Alam : If I am given time I will certainly do that. (*Laughter from the Treasury benches*).

MOTOR LORRIES.

***137. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware that 1½ ton lorries carry goods to Srinagar by the (i) Havelian, (ii) Rawalpindi and (iii) Sialkot-Jammu routes ;
- (b) whether he is aware that these lorries are allowed by the Kashmir State and the North-West Frontier Province Government to carry 42 maunds of load in addition to the driver and cleaner ;

[Maulvi Mazhar Ali Azhar]

(c) whether it is a fact that in the Punjab M. T. and Postal lorries are allowed 42 maunds, but the public motor vehicles are allowed only 38 maunds ;

(d) whether the Government is prepared to allow lorries mentioned in (c) above to carry 42 maunds load instead of 38 maunds ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready.

PERMIT FOR MOTOR LORRIES.

***138. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that when motor lorries are presented for examination before the Inspector of Vehicles, the time during which the vehicles have been under repairs, amounting from a few days to two months, is generally included in the period of 3 months for which a permit is given ;

(b) whether it is a fact that the Inspector of Vehicles, Amritsar Group, alone makes allowance for the time during which vehicles have remained under repairs ;

(c) if the answer to (b) above be in the affirmative, whether the Government is prepared to consider the matter and order a uniform adoption of the system mentioned in part (b) ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member is asked to see rules 13-J and 13-K of the Punjab Motor Vehicles Rules, 1931. Public motor vehicle licences are validated for twelve months at a time : there is no question of giving a " permit " for a period of three months. It is possible that the honourable member has in mind the mechanical inspections required by rule 49. The rule requires that a public motor vehicle shall be produced for mechanical inspection once a quarter (in some cases once every six months). The honourable member would scarcely suggest that this rule should be modified merely because a vehicle has been off the road for some part of the quarter.

(b) and (c) Inquiries will be made, and orders issued, if necessary, to bring the system at Amritsar into conformity with the rule.

Sardar Hari Singh : Is the Honourable Minister aware that the examination of the vehicles at intervals of three months causes a great dislocation of traffic and also inconvenience to the public ?

Mr. Speaker : Is this done under the rules in force ?

Sardar Hari Singh : It is done under the rules. I want to attack the rules.

Mr. Speaker : The honourable member may move a resolution to cancel the rules.

MOTOR VEHICLES' INSPECTION.

***139. Maulvi Mahzar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware that most of the motor vehicles, plying in the Rawalpindi district, have business relations with Hazara, in the North-West Frontier Province, and Jammu and Kashmir State ;
- (b) whether he is aware that these vehicles are inspected twice annually in the State, twice in Hazara, and once in Peshawar ;
- (c) if the answer to (b) above be in the affirmative, whether the Government is prepared to reduce the number of inspections in the case of such vehicles from four to two, and have a six-monthly inspection instead of the quarterly one ;
- (d) if the answers to above parts be in the affirmative, whether the Government have been moved in the matter ; if so, what action they propose to take ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Government have no definite information, but they believe that this is correct.

(c) and (d). A suggestion was made to the Kashmir Government in 1933 that there should be some kind of reciprocity in regard to the inspection of public motor vehicles, but the negotiations at that time fell through. Government hope that it will be possible shortly to re-open them, and also to come to some arrangement with the Government of the North-West Frontier Province.

Diwan Chaman Lall : May I ask as to what he understands by the phrase "business relations with Hazara"—motor vehicle having business relation with Hazara ?

Mr. Speaker : Is interpretation a legitimate question ?

Diwan Chaman Lall : I want to know whether he has understood the significance of it.

Mr. Speaker : I disallow the question because it asks for the interpretation of law.

 MONOPOLIES FOR PLYING MOTOR VEHICLES.

***140. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the roads in the province on which monopolies are given for plying motor vehicles ;
- (b) the persons or bodies to whom monopolies are given ;
- (c) the reasons why monopolies are given, and
- (d) whether the Government has been moved to abolish these monopolies, if so, whether they propose to give up this system ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b). A statement is appended.

(c) The number of public motor vehicles permitted to ply on any given road can legally be restricted only if the road has been declared as a "hill road" under the Punjab Motor Vehicles Rules, 1931, or scheduled under rule 25 of those rules. The reason for declaring certain roads as "hill roads" is to secure that the traffic is properly controlled, and where necessary limited, on roads of a particularly dangerous character. The system of scheduling roads under rule 25, and restricting public motor transport on them, has been adopted in certain parts of the province to protect the weaker district board roads which could not be kept in motorable condition if unlimited traffic were allowed on them. In many cases when a road has been declared as a "hill road," or scheduled under the rule, it is still possible to allow a considerable number of public vehicles, belonging to several owners, to operate on it, and in such cases no question of a monopoly arises; but in certain instances the volume of traffic is so small that there is room for a single owner only. In such cases the arrangements become monopolistic, but I should make it clear that whenever this happens the working of the system is carefully watched to ensure that the interests of the travelling public are not prejudiced. If it is found that the monopolist is abusing his position, there is no hesitation in breaking his monopoly by the introduction of other owners.

(d) No.

Chaudhri Kartar Singh : Will the Honourable Minister be pleased to state whether the deputy commissioners who have given monopolies of roads to lorry-walas intend to withdraw those monopolies?

Minister : It does not arise out of this question.

Diwan Chaman Lall : May I ask the Honourable Minister whether the Government have decided not to issue any further monopolies until this matter has been decided by the Ministry?

Mr. Speaker : Is that a request for action or question for information?

Diwan Chaman Lall : I am asking whether the Government have decided—it is an information—that until they have collected the information they would not issue any further monopoly?

Minister : It is very difficult to say what reply can be given on a question which has been sprung up without due notice.

Diwan Chaman Lall : May I, with your permission, draw your attention to a decision given in the Central Legislative Assembly on the 27th of January, 1926, where the President after unsatisfactory replies have been given by the Treasury benches intervened and suggested: it is high time that the Chair should intervene now; there is a strong feeling in the House that information asked for should be supplied by Government and they would be well advised if they consider the desirability of supplying that information. This is after unsatisfactory replies have been given.

Minister : I said that certain information is coming into the hands of the Government and it has not yet been put into shape as a reply.

Diwan Chaman Lall : I want to know what the position would be if in the meanwhile, while the Honourable Minister is collecting information, monopolies are given out.

Minister : The heavens are not going to come down.

Diwan Chaman Lall : It may be that all the information will be nullified in view of the fact that the monopolies have already been given.

Mr. Speaker : The question as to whether the Government has come to any decision is a simple one and could be easily answered in the negative or in the affirmative.

Minister : We have not yet come to any definite conclusion, whether in the future monopolies ought to be given or not.

Lala Duni Chand : Is the Government prepared to abolish the system of granting monopoly ; if so, will the Government make a declaration to that effect on the floor of the House ?

Minister : The reply to the original question is given.

Statement.

| District. | Name of the road where monopoly is held. | Name of the person or the company which holds the monopoly. |
|---------------|--|---|
| Rohtak .. | 1 Beri-Dubaldhan-Majra and Sowana Road. | Pandit Nihal Singh Sharma of Sowana. |
| | 2 Gehana-Mehm Road .. | The Haryana Motor Transport Company, Rohtak. |
| Rawalpindi .. | 3 G. T. Sihala-Kabuta .. | B. Surat Singh and Sons. |
| | 4 Rewat-Kallar-Choha Khalsa Doberan. | S. Uttam Singh Duggal. |
| | 5 Rewat-Thoha Khalsa-Nara .. | Ditto |
| | 6 Mandra-Chawkpindori-Nara .. | Ditto. |
| | 7 Rewat-Dehra Khalsa .. | M. Abdul Khaliq. |
| | 8 Rewat-Bassali .. | S. Sujan Singh. |
| | 9 Lubani-Sagri .. | R. Gulab Khan. |
| | 10 Mandra-Chakwal .. | S. Jagat Singh Sethi. |
| | 11 Mandra-Seyyed .. | Better Farming Society. |
| | 12 Mandra-Daultala-Narali .. | Star Motor Company. |
| | 13 Rewat-Takhpari .. | Karamat Hussain. |
| | 14 Mandra-Sukho .. | Jagget Singh. |
| | 15 Sukho-Gujar Khan .. | Ram Lall-Mangal Singh. |
| | 16 Missa-Kaunrilla .. | S. Sujan Singh-Gurbachan Singh. |

[Minister for Revenue.]

| District | Name of the road where monopoly is held. | Name of the person or the company which holds the monopoly. |
|-------------------------------|---|---|
| Rawalpindi— <i>conced.</i> | 17 Missa-Naralli .. | Ahmad Shah-Ladha Singh. |
| | 18 Gujjar Khan-Bewal .. | Abdul Salim. |
| | 19 Rawalpindi-Maira-Chakri .. | Messrs. Abdul Khaliq-Muhammad Shah. |
| | 20 Rawalpindi-Banda .. | R. Jahan Dad Khan. |
| | 21 Rawalpindi-Dhalla-Chauntra .. | Amar Nath Issar and Co. |
| | 22 Rawalpindi-Chirah-Lehtrar .. | Ditto. |
| Jhelum .. | 23 Jhelum-Jalalpur .. | Bikramjit of Pindi Saidpur. |
| | 24 Chakwal-Rupwal .. | Autar Singh of Bhaun, Tahsil Chakwal, Jhelum district. |
| | 25 Chakwal-Nilla .. | Lala Malak Chand of Nila. |
| | 26 Chakwal-Choa Saidan Shah .. | Lala Ram Autar of Khewra. |
| | 27 Taraki-Domeli .. | Lala Daulat Ram of Domeli. |
| | 28 Dina-Padhri .. | S. Gamandha Singh of Domeli. |
| | 29 Bhaun-Nurpur .. | Lala Arjan Dass of Tallagang. |
| | 30 Chakwal-Mandhra .. | Sethi Jagat Singh of Rawalpindi. |
| | 31 Jalalpur-Pind Dadan Khan .. | Lala Sain Dass of Rawalpindi. |
| | 32 Dalwal-Kallar Kahar-Basharat | Lala Ram Autar of Khewra. |
| | 33 Chakwal-Chak Maluk Dhubar | Bhai Harbans Singh of Chakwal. |
| Attock .. | 34 Hassan Abdal-Fatehjang .. | Sant Singh-Mohan Singh of Fatehjang tahsil. |
| | 35 Injra-Talagang .. | Lala Fateh Chand of Pindigheb. |
| | 36 Talagang-Chinji-Jaba .. | Ditto. |
| | 37 Pindsultani-Thatta-Nara .. | Jehandad Khan of Nara in Attock district. |
| | 38 Pindigheb-Khaur .. | Fateh Khan of Khaur. |
| | 39 Fatehjang-Gandakhas .. | Sardar Singh of Ganda Kas. |
| Multan .. | 40 Multan-Dunyapur .. | Abdul Aziz, Proprietor of Aziz Motor Works, Multan City. |
| | 41 Multan-Basti Maluk .. | Allah Bakhsh and Ilahi Bakhsh, son of Isa, of Multan City. |
| | 42 Makhdumpur to Kacha Khuh.. | Gbulam Muhammad. |
| | 43 Jalalpur, via Lodhran, Kahrer Mails to Luddan. | Seth Sham Sunder, Proprietor, Imperial Bus Service, Multan. |

| District. | Name of the road where monopoly is held. | Name of the person or the company which holds the monopoly. |
|---------------|---|--|
| Multan—contd. | 44 Multan-Lutafabad .. | Muhammad Bakhsh Wains, of Multan. |
| | 45 Abdul Hakim, via Kaacha Khuh to Vehari. | Bakhshi Raghunath Rai, Proprietor, Vehari Bus Service. |
| | 46 Khanewal to Jahanian .. | Hazura Singh-Kartar Singh of Khanewal, Proprietor, Khalsa Motor Company, Khanewal. |
| Shahpur .. | 47 Khushab to Pail .. | Dalip Singh, son of Makhan Singh. |
| Amritsar .. | 48 Amritsar-Mehta Road .. | S. Jagat Singh of Udho Nangal. |
| | 49 Amritsar-Lopoke Road .. | S. Bhagat Singh of Kohala. |
| | 50 Baba Bakala-Mehta Road .. | S. Santa Singh of Batala. |
| | 51 Amritsar-Jhabal Road .. | S. Wadhawa Singh of Bhakna. |
| Gujrat .. | 52 That portion of the road from Gujrat to Bhimber which lies in the Gujrat district. | Fazal Illahi Pagganwala, of Gujrat. |
| | 53 The road from Gujrat to Awan Sharif. | Fazal Illahi Pagganwala, of Gujrat. |
| | 54 The road from Mandi Baha-ud-Din to Phalia. | Fazal Ahmad Nur-Ahmed, of Gujrat. |
| | 55 The road from Mandi Baha-ud-Din to Kothala Sheikhan and Qadarabad. | Budh Singh, Bagh Singh, son of Giam Singh, of Mandi Baha-ud-din. |
| | 56 The road from Gujrat to Phalia | Sujan Singh, son of Jawand Singh, of Pabrianwalli. |
| | 57 The road from Lalamusa to Dinga and Mandi Baha-ud-Din, via Chilianwala. | Budh Singh-Amir Chand, of Mandi Baha-ud-Din. |
| Hoshiarpur .. | 58 Gagret-Una, via Ispur .. | Lala Amolak Ram Sarin, Hoshiarpur. |
| | 59 Gagret-Jowar .. | Ditto. |
| | 60 Gagret-Daulatpur .. | Ditto. |
| | 61 Una-Guzar Nangal .. | S. Sujan Singh Ahluwalia, Hoshiarpur. |
| | 62 Garhsankar-Santokhgarh .. | Ran-Bahdaur Singh, of Manawal. |
| | 63 Garhsankar-Nurpur .. | M. Labh Singh, of Hoshiarpur. |
| | 64 Balachaur-Nurpur .. | M. Mehdi Khan, of Garhsankar. |
| Mianwali .. | 65 Dhak to Chakrala .. | Sardar Singh. |

MOTOR VEHICLE PERMITS.

***141. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that at the time of inspection of motor vehicles permits are made over to the Registering Authority office for due endorsements ;
- (b) whether it is a fact that the permits are usually delayed for a day or two ;
- (c) whether it is a fact that the Government have been moved to order that a provisional certificate be given in lieu of the permit to enable the motor vehicles to ply even during the time taken for the endorsement of the permits ;
- (d) if the answers to (a), (b) and (c) above be in the affirmative, whether the Government have considered the matter ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) The question probably refers to delays by licensing officers at the time when vehicle owners come up to pay their taxes, rather than to delays in inspections. Government are aware that in some districts delays of this kind do occur at rush seasons, but efforts are continually being made to minimise them. It would not be correct to say that there is usually a delay of a day or two.

(c) Yes.

(d) The suggestion made in part (c) of the question has already been adopted in most districts and is now being extended to the remainder.

MOTOR LORRIES ON AMRITSAR-JULLUNDUR GRAND TRUNK ROAD AND THE KAPURTHALA POLICE.

***142. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

- (a) whether it has been brought to his notice that motor lorries plying for hire on the Amritsar-Jullundur road are now-a-days stopped by the Kapurthala police, taken to State police stations and the drivers forced to pay certain amount although they take no passengers or luggage from the State territory ;
- (b) whether the Amritsar-Jullundur Grand Trunk road belongs wholly to the Government or also partially to the Kapurthala State ;
- (c) what action has been taken or is proposed to be taken in the matter ?

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

DEBTS OWED BY THE PUNJAB GOVERNMENT.

***143. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Finance be pleased to state—

- (a) the debts owed by the Punjab Government ;
- (b) the account on which the debt was incurred ;

- (c) the date on which the debt was incurred ;
 (d) the interest that has so far been paid on the debt, and the dates of payment of interest ;
 (e) when and how the debt is sought to be repaid ?

The Honourable Mr. Manohar Lal : (a), (b) and (c) The details of the debt outstanding on the 1st April, 1937, are given on page 26 of the Budget for the year 1937-38, a copy of which has been supplied to the honourable member. For information in regard to the dates on which and the purposes for which loans were taken from the Government of India, I would invite the honourable member's attention to pages 20—22 of the Budget for 1936-37, a copy of which will be found in the library of the House.

(d) A statement showing the amount of interest paid annually during the last 15 years is placed on the table. It is regretted that figures for previous years are not readily available. Their collection will involve considerable labour which will not be commensurate with the result likely to be achieved.

(e) Loans raised in the market will be liquidated when they fall due for repayment. The debt to the Government of India will be repaid in accordance with the terms prescribed in paragraphs 13, 14 and 15 of their Finance Department Resolution No. D/1214-Ref., dated the 26th March, 1937, a copy of which has been placed in the library of the House.

Interest paid every year since 1921.

| Year. | INTEREST PAID ON | | |
|---------------------------|-----------------------------|-------------------------------------|------------------|
| | Loans raised in the market. | Loans from the Government of India. | |
| | | Provincial loans fund. | Pre-reform Debt. |
| | Rs. | Rs. | Rs. |
| 1923-23 | .. | 9,78,721 | 73,66,332 |
| 1923-24 | 1,51,155 | 19,39,659 | 73,76,576 |
| 1924-25 | 11,61,110 | 8,58,119 | 73,68,973 |
| 1925-26 | 12,33,770 | 8,49,929 | 73,53,913 |
| 1926-27 | 16,47,329 | 8,41,429 | 73,53,913 |
| 1927-28 | 17,04,192 | 8,44,877 | 73,53,913 |
| 1928-29 | 17,09,470 | 10,31,069 | 73,53,913 |
| 1929-30 | 16,88,406 | 22,28,562 | 73,53,913 |
| 1930-31 | 16,89,640 | 32,83,901 | 73,53,913 |
| 1931-32 | 16,57,522 | 45,82,097 | 73,53,913 |
| 1932-33 | 16,81,744 | 56,98,490 | 73,53,913 |
| 1933-34 | 21,84,061 | 55,22,989 | 73,53,913 |
| 1934-35 | 17,79,858 | 50,43,645 | 73,53,913 |
| 1935-36 | 17,83,402 | 49,32,909 | 73,53,913 |
| 1936-37 (Revised) | 17,86,760 | 46,66,648 | 73,53,913 |

PERSONS ABDUCTED AND KIDNAPPED.

***144. Maulvi Mazhar Ali Azhar:** Will the Honourable the Premier be pleased to state—

- (a) the number of persons (i) abducted and (ii) kidnapped in the Punjab during 1935-36, and during the first four months of 1937 ;
- (b) the number of females among them ?

The Honourable Major Sir Sikander Hyat-Khan :

| | 1935-36. | First four months of 1937. |
|--------------------------------------|----------|----------------------------|
| (a) (i) Abducted | 603 | 138 |
| (ii) Kidnapped | 584 | 166 |
| (b) Females included in the above .. | 948 | 190 |

DEBTS OF THE AGRICULTURAL AND NON-AGRICULTURAL CLASSES.

***145. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the estimate of the existing debts of the (i) agricultural and (ii) non-agricultural classes in the province ;
- (b) the estimate last made, if no estimate of the existing debts is available ;
- (c) the amount of annual interest paid on such debts ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No estimate is available.

(b) For the agricultural classes the last estimate of the debt made in 1931 is 140 crores. For 1929 the Punjab Banking Enquiry Committee estimated the debt at 135 crores. Both estimates are very tentative, and very possibly an over-estimate.

There is not even a tentative estimate of the debt of the non-agricultural classes.

(c) In 1931 it was estimated that on the average about 15 crores a year were paid in interest on the agricultural debt of the province. This estimate included the rents received in cash and in kind by usufructuary mortgages. Since the fall in prices the amount actually paid from year to year has probably been very much less.

ACCOMMODATION IN JAILS.

***146. Maulvi Mazhar Ali Azhar:** Will the Honourable the Premier be pleased to state—

- (a) the existing accommodation in jails, and the number of convicts and undertrial prisoners ;
- (b) the methods the Government are contemplating to adopt to meet the situation if the accommodation is not sufficient ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member will find the figures in the last (1935) Report on the Administration of the Jails in the Punjab. Since these figures were compiled there has been a slight decrease in the total jail population and in view of this Government have during the last few days found it possible to issue orders for the closure of the Camp Jail at Attock. At the same time the fact remains that the jail population is several thousand in excess of the *pucca* accommodation.

(b) This was dealt with in paragraph 2 of the Government Review on the same Report, to which the honourable member is asked to refer.

CHOBACHA SAHIB NEW ABADI, LAHORE.

***147. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state, whether he has recently received any representation on behalf of the residents of Chobacha Sahib *new abadi*, Lahore, for the removal of certain inconveniences due to the canal in its neighbourhood, if so, what steps he proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. It is not proposed to build a bridge as one exists within half a mile from the *abadi*. It is not considered desirable to build a cattle *ghat* in this reach of the Lahore Branch.

BEGAR TAKEN BY POLICE OFFICIALS FROM CERTAIN CARPENTERS AND BLACKSMITHS.

***148. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that M. Sant Ram, Bhai Ram Singh and other carpenters and blacksmiths of Lulliani, tahsil Kasur, district Lahore, had to work without remuneration for some of the police staff during the course of this year ; if so, what action the Government propose to take against such officials and to stop such *begar* in future ?

The Honourable Major Sir Sikander Hyat-Khan : No, Sir. This is not a fact.

REMODELLING OF RASIANA MINOR.

***149. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the outlets from the Rasiaana Minor which irrigate the lands in chak Nos. 138, 139 in tahsil Samundri, district Lyallpur, were remodelled in April, 1937 ;
- (b) whether it is a fact, that some of the leading zamindars of the said chaks waited in deputation on the Superintending Engineer, at Lyallpur ;
- (c) whether it is also a fact that the said Superintending Engineer used abusive language in his interview with the deputation ; if so, what action, if any, the Government proposes to take against the officer concerned for this ill-behaviour ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) Yes.

(c) The Superintending Engineer denies having used any abusive language. The probability is there appears to be some misunderstanding owing to the remodelling of outlets which have been again changed temporarily. The Chief Engineer will look into the matter during monsoon and decide the question of the type of outlets finally.

ROADS IN THE MIANWALI DISTRICT.

***150. Khan Bahadur Captain Malik Muzaffar Khan :** Will the Honourable Minister for Public Works kindly state—

- (a) the mileage of metalled and unmetalled roads in the Mianwali district ;
- (b) whether it is a fact that the mileage of metalled roads per square mile in the said district is the lowest in the whole province ;
- (c) whether it is also a fact that the District Board, Mianwali, is, on account of paucity of funds, not in a position to extend or maintain the means of communication in that district ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a)—

| | <i>Miles.</i> |
|-------------------------|---------------|
| Metalled road | 24·46 |
| Unmetalled road | 595·33 |

(b) No. The Dera Ghazi Khan district has the lowest mileage of metalled roads.

(c) It is realised that the District Board, Mianwali, has a small margin of funds for development of its roads and certainly it is not in a position to extend the district road system if it cannot maintain existing roads from its own resources, assisted by grants from Government.

Khan Bahadur Captain Malik Muzaffar Khan : Do the Government intend to make a road from Mianwali to Khushab ? If so, when and if not, why not ?

Minister : The matter is under consideration. As regards District Board roads Government intends helping backward boards including that of Mianwali.

SHORT NOTICE QUESTION AND ANSWER.

REMOVAL OF THE NATIONAL FLAG FROM THE SHUDH KHADI BHANDAR,
SIMLA.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

- (a) whether his attention has been drawn to the unfortunate incident of removing the National Flag from the premises of the Shudh Khadi Bhandar situated on the Mall of the summer capital of the Government on the night of 30th May by some Europeans under the very nose of the police constable on duty ;

(b) if so, whether Government are aware that this incident has provoked widespread resentment throughout the province and a number of protest meetings have been held in different places to condemn it ;

(c) whether the Government have received any report from the officials concerned ; if so, whether the Government will lay the same on the table of the House ; if not, the reasons why no action has been taken so far, although three weeks have elapsed since the incident took place ;

(d) what steps, if any, the Government propose to take with a view to stop repetition of such incidents in the province in future ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes ; but it has not yet been established that the incident took place in the presence of a police constable. Enquiry with regard to this is proceeding ;

(b) Government are not aware that the incident has provoked widespread resentment, but a number of protest meetings have been held ;

(c) Yes. Government are not prepared to lay the report from the officers concerned on the table. Action has been taken and investigation is proceeding ;

(d) No special steps are necessary. But I can assure the honourable member opposite that I share their regret and concern with regard to this matter. (*Hear, hear*).

Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to say what sort of action has been taken ?

Premier : Investigations are proceeding vigorously in the matter.

Diwan Chaman Lall : Has the Honourable Member taken evidence of the police constable ?

Premier : The evidence must have been taken.

Lala Deshbandhu Gupta : Will the Honourable Member please give me an idea as to how long this enquiry will take ?

Premier : This depends on the question of catching hold of the culprits.

Diwan Chaman Lall : May I know whether it has also been considered necessary to take adequate administrative action against those particular constables or constable who allowed this incident to happen ?

Premier : If a case is established against him, the honourable member may rest assured that adequate punishment will be given (*hear, hear*).

ANNOUNCEMENT FROM THE CHAIR.

Mr. Speaker : My attention has been drawn by the Secretary to Parliamentary practice about answering supplementary questions by silence. When the Honourable Minister, who is to answer the question, is not in a position to reply to it, he keeps quiet and does not give an answer.

Premier : Thank you, Sir.

RESOLUTIONS.

DEBT CONCILIATION BOARDS.

Pir Akbar Ali (Fazilka, Muhammadan, Rural) : I beg to move—

This Assembly recommends to the Government that the number of debt conciliation boards be increased in the Punjab.

(The honourable member then started addressing the House in Urdu.)

Dr. Shaikh Muhammad Alam : On a point of order, Sir. The honourable member is a B.A., LL.B. and he can speak in English. He is an advocate of the High Court.

Mr. Speaker : Is the honourable member a B.A., LL.B. ?

Pir Akbar Ali : It is my birth right to speak in my own vernacular and nobody can prevent me from doing so.

Mr. Speaker : Will the honourable member please answer my question ? Does he not appear in the High Court ? Does he not speak there in English ?

Premier : On a point of order. Is it necessary that a B.A., LL.B. should necessarily know sufficient English to express himself in English ?

Pir Akbar Ali : The rules do not require that anybody practising in the High Court should not speak in vernacular.

Premier : The honourable member has dug his own grave.

Mr. Speaker : I request the honourable member to speak in English.

Pir Akbar Ali : I obey your ruling. I had to address through your the audience the majority of whom does not know English and therefore I will request you kindly to allow me to speak in my own vernacular.

Mr. Speaker : I am in perfect sympathy with the honourable member but the provisions of the Government of India Act, section 85, are mandatory and I have no option, but to request him to speak in English.

Pir Akbar Ali : I bow to your ruling.

Chaudhri Krishna Gopal Dutt : Birthright gone ?

Pir Akbar Ali : Sir, at the very outset I wish to impress on the members of this honourable House that class prejudices should not influence our deliberations.

Chaudhri Krishna Gopal Dutt : Sir, I rise on a point of order very reluctantly. I would draw your attention to the fact that in the budget for 1937-38 provision has been made for more debt conciliation boards in the province and it is up to the Government to see whether there is any need for extending conciliation boards to other districts. In view of this, Sir, is it necessary that the sanction of this House should be obtained when provision has already been made ?

Maulvi Ghulam Mohy-ud-din : On a point of order. Is a speech allowed on a point of order ?

Mr. Speaker : What the honourable member meant to say was that when Government had already made provision for increasing the number of conciliation boards, whether this resolution was necessary.

Chaudhri Krishna Gopal Dutt : On a point of further explanation. I may state that I am not opposed to the resolution.

Syed Amjad Ali Shah : Sir, before you decide the point of order I should like to bring to your notice that although Government has made provision for five boards, yet members of this House who represent their constituencies want to bring to the notice of the Government their special grievances and the indebted condition of that particular constituency so that members of that particular constituency may be able to press their point.

Mr. Speaker : What the honourable member said was that provision had, no doubt, been made in the budget for increasing the number of conciliation boards ; but that number insufficient and that, therefore, he wanted it to be increased. Consequently, the resolution appears to be in order.

Malik Barkat Ali : I rise on a point of order. My point of order is this, whether it is open to any member of the House to propose an addition in expenditure.

Mr. Speaker : The honourable member being an able and learned lawyer should know the rules better than anybody else. It does not entail any additional expenditure. It is only a recommendation to Government, which may or may not be accepted.

Pir Akbar Ali : Sir, I was submitting that it is now the time when our deliberations should not be influenced by class prejudices otherwise we will not achieve the object and I hope my motion will be examined in the same spirit.

Sir, towards the end of the last century it was realised that the plight of the agricultural classes was going from bad to worse every day. At that time it was considered that to remedy the disease an act should be brought. The result of the deliberations was the passage of the Alienation of Land Act. But, since the passage of that Act up to this time about 40 years have passed and this interval has shown that the provisions of Alienation of Land Act have not proved effective to cure the disease. The Alienation of Land Act also requires certain amendments, and particularly in three respects. First of all in regard to benami transactions, secondly to find ways to redeem old standing mortgages and thirdly to find means how to prevent big fishes eating up the smaller ones, I mean crocodiles, big bulls, whom I would have expressed in some other way, but for the lady members. I submit that they be disabled otherwise the whole herd would be in danger of being deteriorated. These are the three suggestions as to the Alienation of Land Act. The well-wishers of the agriculturists finding that the Alienation of Land Act was not sufficient, passed the Usurious Loans Act in 1918 but, afterwards it was found out to be a dead letter. It was not made use of at all because the judges who were expected to administer the law were not in favour of it and were not inclined to apply that law. Afterwards in this very House a Money Lenders Bill was introduced by Mir Maqbool Mahmood. But, Sir, in place of that Act another Act was passed called the Regulation of Accounts Act. That Act also met with the same fate which the Usurious Loans Act had met. It was not at all found useful, for giving any redress to the debtors, and particularly the agricultural class of debtors. Then, Sir, many committees were appointed to find ways how to redress the grievances of the debtors. Afterwards the Relief of Indebtedness Act was

[Pir Akbar Ali.]

passed in this House. It was passed in 1934 but it was put in force, I think, in April 1935. The reliefs provided in that Act were of seven kinds which I will lay before you. First of all there was the amendment of the Insolvency Act. So far as I know that provision of law which was passed into an Act has not been extended to any area in the Punjab, though the power of extending it to any area was left to the discretion of the Government. The words of the Act are "as the Government may from time to time by notification direct." I think that this provision has either not yet come to the notice of the Government or the Government did not want to apply it. I hope that the present Government, which is alive to the difficulties

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of all classes, will now find their way to extend this provision to all the districts in the Punjab. This provision is very important and without this a big measure of relief is being withheld from the zamindars. Next was the amendment of the Usurious Loans Act for the reduction of rate of interest. The rate of interest even now allowed under this law is about 19 per cent. which is a very high rate and I am sure nobody would agree that this can be considered as any relief to the debtor. The third was the debt conciliation board to which I will now refer, but before doing so I will refer to the other provisions of the Relief of Indebtedness Act. The fourth was the application of the rule of *Dumdupat*. That also, I submit respectfully, has not given any relief to the agriculturists.

Mr. Speaker : Is that a reason for increasing the number of conciliation boards? The honourable member is now discussing and criticising the provision of the Act. That is not fair. He may give reasons why the number of boards should be increased.

Pir Akbar Ali : I will give them in a minute if you will patiently hear me. In order to settle the outstanding debts, it is necessary that debt conciliation boards be established throughout the Punjab. I was putting my case before you that the relief intended to be given to the debtor had not been given. And because I suspect that the other side of the House, who do not agree with me in increasing the number of boards, may say that all sorts of relief had already been given to the debtors and no further relief is now required by increasing the number of debt conciliation boards that I wanted to discuss the provisions of the Relief of Indebtedness Bill in order to meet those gentlemen who want to contradict me in this House. The fifth is the Redemption of Mortgages Act and the sixth and seventh are some amendments of the Civil Procedure Code. The sixth was that the debtors may not be arrested so far as possible but they are still being arrested. The last was that the houses of agriculturists may not be attached. This is also being done. The only useful remedy provided by the Relief of Indebtedness Act which can be effectively applied is the debt conciliation boards. I submit that they should be established in every district. The utility of these boards will be proved by my quoting the figures of the applications given by the creditors to the Debt Conciliation Board, Jhang, which is the most criticised Board. I will submit that in the month of January 66 applications were given by debtors and 70 by creditors in the Jhang District. In February 70 applications were given by debtors and 75 by creditors. In March

72 applications were given by debtors and 111 by creditors. In April the number of debtors' applications was a little more. In the month of May 32 applications were given by debtors and 57 by creditors. In Shorkot tahsil in the four months referred to above applications by debtors number 205 while those given by the creditors number 208. This is the reason why the Jhang Conciliation Board is being adversely criticised and hue and cry is being raised against it by certain interested persons out of whom some happen to be lawyers, who are themselves the creditors or are friends of creditors. I fail to understand why the debt conciliation board the number of applications to which made by the creditors is more than the number of applications given by the debtors, is so adversely criticised. These figures regarding the conciliation board of Jhang would suffice for me to strengthen my plea and, therefore, no honourable member would oppose my motion. The provisions relating to the debt conciliation boards were very minutely examined at the time of the consideration of the Relief of Indebtedness Act. Almost all the suggestions made by Diwan Bahadur Raja Narendra Nath were unanimously accepted by us and he was very clear in his object—I do not say that he was in any way interested in the creditors. But endeavours were made to explain every thing and that is the reason why out of 86 clauses of the whole Act more than 25 relate to the debt conciliation boards. When the provisions had been minutely scrutinised by Raja Sahib and other members of the select committee and then by the House, nothing can be said now against those provisions. It may be stated that in some cases the personnel of the board may not have come up to the standard expected but I can now assure you that the Premier will not let anything go unexamined or unnoticed in which there are any such defects. It is our duty to give relief to the class which deserves it more. We should try and impress through you upon the members and upon this Government that the personnel of the boards should be such that at least the Chairman should represent the class which is more in need of help.

Mr. Speaker : Is the honourable member discussing the constitution of the conciliation boards ?

Pir Akbar Ali : It is high time that the settlement of debts be made. The courts have failed to give relief to the debtors. These debts have now grown very old as has now been shown, in an answer to a question, by the Honourable the Minister for Revenue ; the amount is more than 140 crores. These debts cannot be settled in courts because the creditors are unable to find court fees for these cases and, moreover, after obtaining the decrees in courts there are the difficulties in execution proceedings. Execution proceedings go on for many years and then even the debts are not satisfied. Therefore, it is in the interest of both the creditors and the debtors that these debts be settled by the debt conciliation boards. I submit that every district should have one conciliation board. Some of the districts like Ferozepore and Mianwali urgently require the establishment of these boards. The Government might say that they have not got the funds to meet this expenditure. But I submit that the salaries of the members of the board may be reduced to half of what they are. In that way the number will rise to 20, and for the remaining 10 Government can find more funds. I submit that my neighbouring district of Hissar is urgently in need of the establishment of a conciliation board. I cannot say whether the boards were urgently

[Pir Akbar Ali.]

required in places where they have been established, but I can say that they are very urgently required in the districts of Mianwali, Hissar and some other districts. I submit that this is an innocent motion which should be agreed to by all the honourable members, and I hope that no opposition will be shown to it. With these remarks I put before you my motion.

Mr. Speaker : The resolution moved is—

This Assembly recommends to the Government that the number of debt conciliation boards be increased in the Punjab.

Sardar Kartar Singh (Layllpur East, Sikh, Rural) (*Punjabi*) : It was not long ago when this Act was passed amid a storm of objections, and it was hoped that the Act, the passage of which was carried in the teeth of great opposition, would come into force at once to the immense benefit of the people of this country. But it is disappointing to note that the Act has not been enforced throughout the province. In many parts of the province it is nothing more than a dead letter. Government ought to bring it into force without any further delay so that we may be able to judge what amount of relief it has offered to the debtors and what further measure of relief is still needed. I remember that this Act was passed after duly meeting the objections raised by various parties with the exception of one. There is no reason why it should be kept in abeyance in certain parts of the province and why it should not be extended to the whole of the Punjab. I would like to point out that whenever any scheme for the relief of indebtedness comes up before the House, the honourable members sitting on the opposite benches begin to throw out hints that the Opposition would not be agreeable to it. But I may tell them once for all that we are always prepared to extend our helping hand to the poor peasants. On the contrary, we are deeply concerned with the doubtful attitude of the Government. When we see the honourable Raja Narendra Nath sitting on the right hand side of the Honourable the Premier serious doubts arise in our mind as to whether this Government will do any thing for the relief of the poor debtors. When the elections were going on, every party came forward with its own programme and placed it before the voters. At that time we also kept the question of agricultural debt in the forefront.

Sir, the parties, which promised during the election campaign to help the debtors are present in this Assembly. And that party is also present which begged for votes from the electorate on the ground that they will leave no stone unturned to help the sahuikars and moneylenders to recover their debts. At that time these two parties, *i.e.*, the Hindu Party and the Unionist Party were dead set against each other, but now they have come to join hands with each other. I think the following couplet by Waris Shah is applicable as far as this dispute of theirs is concerned—

اک دے مہنا دوجی دے گالی ایہہ فناں بہائی وچوں سکھیاں نے

The parties which were at daggers drawn before the election, have now come to an understanding and we are doubtful whether they will help the zamindars in any way because it is evidently clear that their point of views is entirely different.

When Chaudhri Sir Chhotu Ram and Raja Narendra Nath have come together it would be foolish on our part to believe that anything would be done to relieve the zamindars of their debts.

We need not ponder much over this resolution. It has been said that it will be given effect to and the debtor classes will thus be given relief. If this resolution was meant to be given effect to in the province then, where was the necessity for carrying on agitation in the country? May I humbly request that this resolution should be given effect to forthwith. This simple resolution will be passed, but our only request now is that the Government may be pleased to give effect to it at an early date so that no need in future may arise to put this question in the Assembly.

As there are many other important items on the agenda, I do not propose to make a lengthy speech in favour of this resolution. I support this resolution once again and with these words I resume my seat.

(At this stage an honourable member crossed the floor.)

Sardar Hari Singh : On a point of order, regarding a parliamentary convention and practice in the House of Commons. We are being criticised for it even in the Press and I think you should give a definite ruling that no member should break the convention about crossing the floor of the House.

Mr. Speaker : Members are not prohibited to cross the floor of the House, but they are not to cross between the Chair and a member who is speaking, nor should they cross irregularly. That is to say, they should not cross the House or leave their places without making obeisance to the Chair. It is desirable that the crossing of the House should be avoided as far as may be possible.

Sardar Sohan Singh Josh : I want to speak, Sir.

Mr. Speaker : It is unparliamentary on the part of honourable members to stand up and say that they want to speak.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I rise to oppose this resolution. (*Hear, hear*). It may give surprise to some members, but it should not give any surprise to those who have studied the question properly. This Act was passed two years ago. Some of its provisions were vehemently opposed by me as a member of the Government but I was overruled and those provisions were included in the Act. Some provisions which I wanted to be included were not included. The result therefore from my point of view is that the Act which as passed is a very objectionable, inequitable and unsatisfactory one—

Raja Ghazanfar Ali Khan : On a point of order. The honourable member has just stated that he opposed this Bill as a member of Government. I should like to know whether he meant that he opposed it in the Cabinet meeting and if so, whether he can divulge confidential proceedings of the Cabinet.

An honourable member : The honourable member has not revealed any fact.

Dr. Sir Gokul Chand Narang : The result has been, as I have said, a most unsatisfactory and inequitable Act. One of the most important features of this kind of legislation in other countries and in some parts of our own country also, has been, that whereas it has been provided by law that in certain cases and by a certain procedure debts should be scaled down, a provision is also made for the recovery of the balance of the debts. In this Act there is absolutely no provision to ensure the recovery even of the scaled down debt.

Mr. Speaker : The honourable member is not in order in discussing these points.

Dr. Sir Gokul Chand Narang : I will not dwell on them at any length. It is absolutely necessary that before we extend the operation of this Act, the defects in the Act should be removed or in other words, until the defects in the Act are removed its operation should not be extended. It is on this ground that I oppose the resolution in which this House is asked to recommend to the Government that more conciliation boards should be appointed.

Another reason why I oppose this resolution is that the experience so far has been most unfortunate. The conciliation boards which have been functioning in the province under this Act have not been able, with exceptions here and there, to do justice to both the parties, that is, the creditors and the debtors. It has become the fashion to speak in most lachrymose terms of the debtors as if they formed the only population of the world. (*Hear, hear*). There are other people also who have a right to exist and it is most regrettable that when anybody in this House or outside gets up to propose a better measure he only takes into consideration the miseries and troubles of the debtors, which are many, I admit, but entirely ignores the troubles and worries and miseries of the other class. I have before me a pamphlet which has been published by a responsible body at Jhang to which reference has been made by the mover of the resolution. They have pointed out how this Board has functioned and I am referring to this Board not on any personal grounds, but by way of illustration to show how these boards have been acting. I speak from my personal knowledge, because I made enquiries from the members of two boards at least regarding the manner in which they were doing this conciliation work and I was told by members of the two boards that justice was not being done. For obvious reasons I cannot disclose their names, but they said they were helpless.

Maulvi Ghulam Mohy-ud-Din : Is the honourable member in order in discussing the personnel or the procedure adopted by the members of these boards ?

Dr. Sir Gokul Chand Narang : I am not discussing either the personnel or the procedure of the boards.

Mr. Speaker : The honourable member is quite in order in giving reasons for not increasing the number of conciliation boards.

Dr. Sir Gokul Chand Narang : I would request the members on the Government benches not to raise points of order simply to throw me off the track, for, that would be a vain effort. It would simply waste the time of the House.

Mr. Speaker : I would request the honourable member to proceed with his speech.

Dr. Sir Gokul Chand Narang : I have before me a pamphlet containing personal strictures on the members of the board, but I would not say a word about them.

Khan Bahadur Nawab Muzaffar Khan : What is the name of that responsible body ?

Dr. Sir Gokul Chand Narang : Hindu Sahayak Sabha of Jhang. Before this, the Bar Association, Jhang, also issued a similar pamphlet, but unfortunately no notice, so far as I am aware, was taken of it beyond perhaps suspending the activities of this board for sometime. I, of course, speak subject to correction.

Premier : I am afraid the honourable member's information is not correct.

Dr. Sir Gokul Chand Narang : It means that no action was taken. *At this stage the Assembly adjourned for lunch.*

The Assembly re-assembled at 2-30 P.M. of the clock. Mr. Speaker in the Chair.

COMPLAINT AGAINST CIVIL AND MILITARY GAZETTE.

Diwan Chaman Lall : Mr. Speaker, with your permission may I raise a point of order for your consideration ? I do not know if you intend to permit me to raise it now in connection with the matter which has appeared in the *Civil and Military Gazette*.

Mr. Speaker : May I have the complaint in writing ?

Diwan Chaman Lall : It is a very serious matter. On the last occasion, as you will recollect, in the last session at Lahore the Honourable Leader of the House was pleased to make a reference to a particular newspaper and objected to the articles contained therein, whereupon after the statement made by the Honourable Leader of the House you were pleased to make comments yourself regarding the articles appearing in that paper.

Mr. Speaker : I may do the same thing again. What I want is that my attention to the objectionable words, sentences and paragraph may be drawn in writing. If facts justify I shall gladly try to protect the honourable members of this House. Their protection is my protection. (*Hear, hear*).

Diwan Chaman Lall : Thank you for your expression of opinion. We shall, as early as possible, take steps to bring it to your notice in writing.

RESOLUTIONS.

DEBT CONCILIATION BOARDS.

Dr. Sir Gokul Chand Narang : I was stating the reasons why I am opposed to this resolution. I have already submitted two. The third one is practically a simple explanation of the second one. The establishment of these conciliation boards was intended to be experimental, to see the result of their working. As the result of their working has not been satisfactory I have to oppose the extension of these conciliation boards.

[Dr. Sir Gokal Chand Narang.]

Now I am going to invite the attention of the House to what has been said about the conciliation board at Jhang. It is stated:—

The members of the Debt Conciliation Board on taking charge of their office openly began to preach to their debtor class that they were to insert fictitious claims of their friends and relations in their petitions so as to facilitate the imposition of their own terms of settlement upon the creditors. Their suggestions were readily taken up by the debtor class with the consequence that there was hardly any petition instituted in the Board in which the bogus claims of the friends and relations of the debtor did not appear.

This is with reference to section 20 of the Act, under which, if those to whom 40 per cent. of the debts are due, agree to settle, all the creditors are bound under the law. In order to secure the consent of holders of 40 per cent. of debts, fictitious debts are entered in the applications. If it so happens that new debts entered in the applications do not come up to 40 per cent., the allegation is, that the board reduces genuine debts in order to raise the proportion of fictitious debts to 40 per cent. This is an allegation which has been clearly made and instances have been given by the publishers of this pamphlet.

Then, again, there is another section which has been badly abused by these boards according to the publishers of this pamphlet. Under section 13, it is necessary that the creditors should submit within two months of the date of the publication of the notice a statement of their claims against a particular debtor, who comes to the board with an application for conciliation of the debts. The allegation is that a very long date is fixed for the hearing and, as under the law, the statement of claims must be submitted within two months, the creditors file their statements but they are not taken by the board. They are returned on oral direction that they can be presented on the date of the next hearing, whereas that date of hearing is much after the lapse of two months, with the result that their debts are discharged. If this is the practice certainly we must look into the matter. I may say that either the writers of this pamphlet should be prosecuted or the members of the conciliation board should be prosecuted for the various dishonest practices that have been attributed to them. It is only for them, *i.e.*, members of Government to know what course should be adopted. It is for them to see what action should be taken against these things. Let this allegation not go unchallenged. I have no doubt that the authorities responsible for the working of this Act will look into this matter.

Pir Akbar Ali : Under what law can they be prosecuted ?

Dr. Sir Gokal Chand Narang : Come to me and I shall tell you. There is a regular body who has published this pamphlet. You can at least prosecute the publisher who has published this pamphlet under the authority of Hindu Sahayak Sabha. They are the publishers. Catch hold of them. A serious abuse of the provision of section 13 of the Act at the hands of the members of the board that has been brought to our notice is that the creditors are occasionally given wrong dates for the hearing of applications and when they are absent, naturally, on that date, their debts are discharged. Instances have been given with respect to this delinquency also.

Then thirdly section 13 of the Act is alleged to be violated by the members of the board in making an abrupt change in their own programme.

The creditors not knowing of the change of the board's programme, fail to appear before them. Instances of this also have been given.

Fourthly, section 13 is misapplied by the members of the board in cancelling the just debts of the creditors when owing to some unavoidable cause or other sufficient reason the latter fail to appear on a particular hearing. One of the recent instances is that a case was fixed for the 15th of a certain month and the creditor could not appear on that date. He came on the 18th and put an application that he was ill and therefore could not appear on the due date. They said 'How can he be ill on the 15th when he has put in his application personally on the 18th, and, therefore, his application must be rejected.'

Fifthly, section 13 provides that the creditors must submit a written statement of the debts within two months of the date of publication of the notice under clause (1) of that section. Publication of notice is provided under the Act. Section 14 further lays down that the creditors must furnish all documents and copies and so on. These sections do not give power to the board to re-open the previous accounts of the creditors. This is what they do. Generally these accounts are examined by the chaprasi in their court. He is asked to go into all the *bahis* of the creditors and find out the amount due. That is the way in which things are being done. The chaprasi is the auditor, accountant and the commission. He is the unqualified assistant of the court. I do not want to mention his name here.

Khan Bahadur Nawab Muzaffar Khan : On a point of order, Sir, He is reading from an unauthorised publication of which we have not received any copy.

Diwan Chaman Lall : May I ask the honourable member under what point of order he raises this objection? Is there any rule to that effect?

Mr. Speaker : The point, as I understand, is that when an honourable member makes a statement on the floor of this House, he should make himself responsible for its accuracy or quote facts from some book or pamphlet of established reputation.

Dr. Sir Gokul Chand Narang : I take the responsibility, Sir. This pamphlet was, I believe, sent to every member of this House. (*Some honourable members :* No, no). I received this pamphlet. (*An honourable member :* Hindu members). May be Hindu members. I received it and if I am not mistaken, it must have been sent to the Premier and other members of the Government. Let them say that they did not get it or if they got it they threw it into the waste paper basket.

Mr. Speaker : Assuming that it was published, as stated by the honourable member. Does that publication make it an authentic document?

Dr. Sir Gokul Chand Narang : It is an authentic document. It is published by a body which is well established, which is popular which has got an office in Jhang. The name of the publishers is the District Hindu Sahayak Sabha, Jhang.

Premier : Is it a registered body?

Dr. Sir Gokul Chand Narang : What does it matter? Is the Unionist Party a registered body? (*Hear, hear*) Have they any status? Have they any *locus standi*? If they have a standing this Hindu Sabha also has a standing. (*Hear, hear*).

Premier : Their statements are not quoted on the floor of the House. They do not publish pamphlets.

Dr. Sir Gokul Chand Narang : You say the Unionist Party have issued this programme, they have decided this, the Unionist Party has done this, they have done that.

Premier : Under the signature of a responsible secretary.

Dr. Sir Gokul Chand Narang : One of the honourable Ministers was reading out the programme and the resolutions which had been tabled by the Unionist party and he read out the whole list. What is the Unionist Party? It is not a registered body. (*Hear, hear*).

Diwan Chaman Lall : If the honourable member has taken the responsibility for these statements the matter is at an end.

Dr. Sir Gokul Chand Narang : This information has reached me from a certain source. I believe it to be correct and I have a right to bring it to the notice of Government. Let the Government prosecute the people who have published this information. This is what I have said. (*An honourable member :* Who are those people?) They know it all right, who are the people. They dare not prosecute them because whatever they have stated is correct. They have taken it from judicial files.

Premier : The honourable member has not made it clear whether he is prepared to take the responsibility for the allegations made in the pamphlet. That is what we need. If he takes the responsibility for the allegations made in the pamphlet, then he is perfectly in order to quote from that pamphlet.

Dr. Sir Gokul Chand Narang : I take this responsibility. Information has been communicated to me. I believe it to be correct and I have a right to bring it to the notice of the Government. If they are fighting shy to receive this information, it is their look out. But I stand by what I say here. If they want my responsibility I take the responsibility. (*Hear, hear*). Let them prosecute me for stating this.

Premier : I am not fighting shy. As a matter of fact I request the honourable member not to be in the heat of the moment, so indiscreet as to take the responsibility for all the allegations contained in that statement. The honourable member may be protected for what he says in this House. But what about those people?

Dr. Sir Gokul Chand Narang : The allegations I have read, I take the responsibility for them and if those people have communicated false information to me and have asked me to take action on it, even then in their interest I am prepared to suffer. I take the responsibility. Let the Premier prosecute me for the allegations that I am making on the floor of the House. Let him set the machinery of law in motion. I take the responsibility.

Pir Akbar Ali : On a point of order, may I request the honourable member in possession of the House to name the man?

Diwan Chaman Lall : Is that a point of order?

Mr. Speaker : No, it is not.

Dr. Sir Gokul Chand Narang : Then my information is that this board has been exceeding its monetary jurisdiction.

Mr. Speaker : This may be taken to be true for the purpose of his speech.

Dr. Sir Gokul Chand Narang : This is the information I have received. I sincerely believe it to be correct. Those people have no interest in giving false information to a man of my position or to other members.

Mr. Speaker : The honourable member may proceed with his arguments.

Dr. Sir Gokul Chand Narang : They have exceeded their jurisdiction in various ways. Their jurisdiction is confined to Rs. 10,000; but they have been dealing with cases in which debts of more than Rs. 10,000 in value are involved. This is one way in which they have exceeded their jurisdiction and instances can be quoted. One other way they have exceeded their jurisdiction is this. Under section (7) the definition of the debtor is given and they have taken cognisance of cases in which the persons concerned are not always debtors coming within the definition of the word 'debtor' as given in section 7 of the Act. Then again they are debarred from taking cognisance of cases concerning mortgages with possession and my information is that they are dealing with cases in which mortgages with possession are concerned. It has also been reported, I have already stated it, that they are employing a chaprasi for doing the work of an accountant, an auditor or the commission in court. They have also proceeded to take action under section 87 according to my information which they have no right to do. These are the things which have been reported to me. Again an allegation is also to the effect that even correct records are not sometimes kept and an order is reported to have been written and then torn and pieces of that torn paper are in the possession of some people and if necessary they can probably be produced. It has also been reported that the members have tried to popularise the blessings of these boards by issuing pamphlets which were kept in the office of the board and distributed freely among the zamindar classes and by enacting dramas in the rural areas of the district in which the Hindu creditor is depicted in very black colours with the consequence that feelings of hatred and contempt and distrust are created between the two classes of the country leading to breaches of peace and making it impossible for the Hindus to live in the villages. It is a patent fact that many Hindus have left the villages because they did not consider it safe to live there as a result of the propaganda partly of the cooperative societies and partly of organisations like these.

Mr. Speaker : May I request the honourable member to wind up ?

Dr. Sir Gokul Chand Narang : I would therefore submit that unless suitable amendments are made in the Act no further extension of the principle which is not a bad one, I admit, should be allowed. In principle, I approve of conciliation of debts and scaling down of debts provided that some provision is made also for recovery, but until a provision is made for effective supervision of the working of these boards, they should not be extended further. As it is, under the law there is no provision for appeal,

[Dr. Sir Gokul Chand Narang.]

there is no provision for revision, there is no *vakil*, without the permission of the board, there is practically no *daili* and there is no appeal and that is reminiscent of the Rowlatt Act which we succeeded by at a very great cost in knocking at the head. I am not, I may say again, against the principle involved in the Act or the establishment of these boards, but, as I have submitted, unless suitable changes are made in the Act, this experiment should not be extended, as the experiment made so far has not been a very successful one, in fact has been very unfortunate. Out of the five boards I have actually received complaints against the working of three and the other two boards may not also be working very satisfactorily. If they are working satisfactorily I shall be very happy, but it is really a sad and unfortunate thing that there should be so many boards which have not given satisfaction by their work. On these grounds I would oppose this resolution.

Malik Barkat Ali (*Without being called upon by the Speaker*):

Mr. Speaker.

Mr. Speaker: Yes, Mr. Barkat Ali.

Malik Barkat Ali: I am sorry, sir.

Mr. Speaker: If and when an honourable member wishes to speak, he may rise in his seat but he should not address the chair or make a request for permission to speak.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*): I rise to support this resolution. (*Cheers*). I do not want to take much time, for we are anxious to speak on the next resolution which is more important.

This resolution has been moved by a member of the Unionist Party, and I was wondering whether the programme of that party provides for the relief of indebtedness only through the machinery of the conciliation boards. We are prepared to go further. We stand not only for the cancellation of all debts but also for the handing over of the lands of the big landlords to the peasantry. (*Applause*).

The Unionist Party is labouring under a gross misunderstanding in so far as they imagine that the Congress would oppose them in such measures. They are mistaken; the Congress would not do that, and the Socialists, as I have said, would go further. Small mercies like this, will not avert the disruption of the Unionist Party. To prolong its life they shall have to do a great deal more.

Diwan Bahadur Raja Narendra Nath (East Punjab Landholders): Sir, the honourable mover of the resolution appealed to the House that his proposal should be considered in a dispassionate spirit without any class prejudice. I do not think it is necessary to assure the House that I never had any class prejudice (*hear, hear*), have none and will have none. I always like, at least profess to like to look at measures coming before me in a dispassionate spirit. So the honourable member need not entertain any fears on this ground so far as I am concerned. (*Hear, hear*). The Punjab Relief of Indebtedness Bill when it came before us was opposed by me. It was

opposed by me not because I have no sympathy with the peasant or that I have no sympathy with the debtors, it was opposed by me on economic grounds. I hold and I held then that any measure that lowers the credit of the peasant is not free from objection. What we want is banks—state banks—founded on a sound financial basis. The agriculturist needs money, he wants money and if his credit is lowered he would not be able to get anything and he will be reduced to misfortune. That was my reason for opposing the Act, but the Act was passed and we must take the facts as they are (*hear, hear*). Conciliatory boards were sanctioned and conciliatory boards have been brought into existence. I do not think that we will gain much or anything for the matter of that by opposing the resolution. I take the view which Mr. Krishna Gopal Dutt put before the House and it is this that the resolution is perfectly unnecessary. Even if it had not been brought before the House the Government had full authority to establish conciliatory boards and to allow their working. I am glad that my honourable friend the mover has given us an opportunity of bringing before the House the grievances of the class which has been adversely affected by the working of the conciliation boards. Complaints have been coming to me and I have particularly received complaints from Jhang, the report of the Hindu Sahaik Sabha has been before me but, probably I need not plead before the House, I have not been very well of late and I did not have time to examine every instance that has been quoted in the book. I know instances have been quoted but they are not all of them to be taken as gospel truth. Enquiry must be made (*hear, hear*). As a matter of fact on receipt of this report I wrote a letter to Sir Chhotu Ram asking him whether the report has been brought to his notice and whether anything had been done. He told me that the matter concerned the Honourable Premier and that some sort of enquiry had been made into it. I had no time to look at the enquiry or to study the result or the report of the enquiry. I am not therefore in a position to make definite and a specific proposal based on the report of the Hindu Sahaik Sabha. When I have time to go through the report thoroughly which I propose to do before October next I will probably send for the writers of the report and go through each instance. Then I will be able to decide whether there are any definite and specific proposals which I can put before the Premier or the House. At present so far as Jhang case is concerned I have very little to say, because, as I have explained I have not had time to examine the report carefully. I have read through it. Of course instances have been mentioned. The points that I am now going to put before the House and some of which have been put by Dr. Sir Gokul Chand Narang, are these. I was so anxious about them that although Dr. Gokul Chand Narang sits now on the opposite benches I wrote to him yesterday about the matter and I am glad that he has not only supported me, but gone a little further.

I have not been able to understand the attitude taken up by my friend whom I have always called the best constitutional lawyer in the Akali party, the honourable member from Lyallpur. He supported the resolution and shifted the responsibility on me because I am sitting on the right side of the Premier. (*Diswan Chaman Lall*: It is a wrong side all the same). Let me point out to him what my proposals are

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[D. B. Raja Narindra Nath.]

and if the Honourable the Premier gives me an assurance I find no reason to oppose the resolution because the conciliatory boards are there and they will be established as finances permit. Therefore it is better to have some assurance of purging them of irregularities. Well, Sir, one thing that has been brought to my notice and to which Sir Gokul Chand also referred was that bogus debtors are put forward; and as there is no clear provision in the Act of making any enquiries as to the genuineness or otherwise of the debt, no enquiry is made. I say that the Act is not interpreted in the proper spirit and is not rightly understood. I bring to the notice of the House sections 10 and 11 of the Act. Section 10 says—

‘Every application to a board shall be in writing and be signed by the applicant and verified in such manner as may be prescribed.’

Section 11 reads as follows—

‘Every application presented by a debtor to a board shall contain the following particulars, namely—
the place where the debtor resides or holds land;
the amount and particulars of his claim against such debtor, &c., &c., &c.’

I say that when it is alleged by a party that the verification is false, it becomes the duty of the board to enquire into that fact.

Dr. Sir Gokul Chand Narang : They say it is not their business.

Diwan Bahadur Raja Narendra Nath : I want the Premier to give us an assurance that he will issue instructions to all the boards that it is their duty to enquire into the matter, because the amount of the debt has to be verified, and if a man says that the verification is false, then enquiry must be made. I think the board has been failing in its duty if it is acting in this manner.

Again section 13, to which my friend Sir Gokul Chand also referred says—

On the date fixed the board shall publish, in such manner as may be prescribed, a notice calling upon every creditor of the debtor to submit a statement of debts owed to such creditor by the debtor. Such statement shall be submitted to the board in writing within two months from the date of publication of the notice :

Provided that, if the board is satisfied that any creditor was, for good and sufficient cause, unable to comply with such direction within the time fixed, it may extend the period for the submission of his statement of the debts owed to him.

Well, I say that directions ought to issue to the boards that they must record reasons which constitute sufficient cause for extending time. Instructions should issue to all the boards.

Another point is this that there is no appeal or application for revision from the decision of the board, as my honourable friend pointed ‘*na appeal, na dahil, na vakil.*’ I think that the deputy commissioners should be directed to make periodical inspection of the files, and if he discovers any irregularities he should report to Government so that action may be taken under section 8.

Dr. Sir Gokul Chand Narang : The deputy commissioner has no jurisdiction.

Diwan Bahadur Raja Narendra Nath : He is the chief executive officer and he can take over any file lying anywhere (*Dr. Sir Gokul Chand Narang :* No.) Certainly anything happening in the district can be supervised by the deputy commissioner. I do not see any objection to that.

(*Dr. Sir Gokul Chand Narang* : No.) Let me see if the Premier takes the same view. (*Dr. Sir Gokul Chand Narang* : Even the High Court has no jurisdiction).

Now I want to have an assurance that instructions will be issued to the boards and to the deputy commissioners as I have suggested. As to the Jhang case, I am not prepared to express any opinion. I will make further enquiries, go through each instance and see how far they are capable of proof and how far it is possible to prove those facts.

Supposing a man says—

مجھ کو کوئی تاریخ دی دو۔۔۔۔۔ کو اور

How can this be proved. Therefore I need not bring such cases to the notice of the Premier. But there are other cases which if properly scrutinised can be made the subject of definite proposals. And I should also like to see the report of the enquiry which has already been made by Government. If I am concerned I will come forward with specific proposals later on.

If the Premier gives an assurance that he will issue instructions on the lines I have suggested, I will not oppose the proposals and I do not mind if it is carried.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : On behalf of the Congress party I have to state that the Congress considers it as its paramount duty to assist in the extension of the application of the principles of debt conciliation boards (*Hear, hear*). We are all aware of the fact that there is much to be desired in the actual working of the boards and we desire that effective steps should be taken to see that the main principles underlying the activities of the boards are effectively applied in justice and impartiality. (*Hear, hear*). It must not be forgotten that the personnel of the conciliation boards is a matter of great importance and we shall support every attempt made to ensure the working of the conciliatory boards, both in action and in personnel, and see that they inspire complete confidence, justice and impartiality. With these words we fully support the resolution (*Voices* : Question be now put).

Shaikh Faiz Muhammad (Dera Ghazi Khan Central, Muhammadan, Rural) : I did not expect that I would be called upon to speak (*Voices* : Do not speak then). I thought that opportunity will be given to other honourable members to speak—particularly those members who are not supporting the resolution. I am grateful to you, Sir, for giving me this opportunity. At the very outset I have to say that my honourable friend opposite, Dr. Sir Gokul Chand Narang, for whose independent views I have always had a very great respect, has given me the shock of my life to-day. He has not given me that shock by the arguments he has advanced in support of his views and against the resolution, but by the statement with which he has prefaced his arguments. If I understood him aright, he said that when this Relief of Indebtedness Act was in an embryonic state, he was a member of the Cabinet and that in the Cabinet he opposed the principle of this Bill.

Dr. Sir Gokul Chand Narang : I did not mention the word 'Cabinet'

Shaikh Faiz Muhammad : The Cabinet, the Government, or the Ministry—whatever it may be—the question which naturally arises in such circumstances is, that being at that time a member of the Government and having opposed that measure and failed in his opposition to bring about the result which he wanted to bring about may I ask the honourable gentleman if he still continued in that Government as a Minister ? If he did, I must confess I have been to-day completely disillusioned.

Coming to the resolution itself it is hardly necessary for me to say that I support it and while doing so I wish to make a few observations to dispel some doubts that have been expressed outside this House and even in this House as regards the principle underlying this Act and the actual working of the conciliation boards.

Mr. Speaker : No one in this House has questioned the principle of the Act, Only its working has been questioned.

Shaikh Faiz Muhammad : It is said that these boards are an anomaly on two grounds. Firstly because the object of these boards is to keep people from having their claims settled through a court of law and secondly that these boards are bad because the persons who are appointed to serve on them are not conversant with the provisions of law and, therefore, they make mistakes which they should not make. My submission is that this criticism is based on misconception of the real functions of the boards.

Dr. Sir Gokul Chand Narang : Your remarks are based on mere misconception of what I said.

Shaikh Faiz Muhammad : My submission is that these boards are not courts of law. Their sole function is to effect settlement between the parties if such a settlement can be arrived at and if after the best efforts, a settlement cannot be arrived at, then the parties are at liberty to go to a court of law and litigate (*Voices : You are wrong*).

Dr. Sir Gokul Chand Narang : The honourable member does not seem to have read the Act. If he had ever read it, surely now he seems to have forgotten it.

Dr. Shaikh Muhammad Alam : The honourable member was lately a public prosecutor and not a civil lawyer.

Shaikh Faiz Muhammad : I am definitely of the opinion that the parties can go to a court of law and have their claims settled. The Board can in such cases issue certificate for the information of the court that the settlement could not be arrived at because of the unreasonable attitude of one party or the other. My submission is that for the settlement of debts it is not always necessary that we should have people serving on the board who are conversant with all the provisions of law and my learned friends opposite, who are lawyers, know fully well that many cases involving large sums of money are settled outside the courts by the intervention of even illiterate people. All that is needed in such cases is that persons who are appointed to serve on the boards should have good will and sympathy for the parties.

Dr. Sir Gokul Chand Narang : Some commonsense too.

Shaikh Faiz Muhammad : I have been concerned in three cases of fairly big amounts. In these cases settlements have been arrived at through the intervention of not a lawyer, not a man conversant with the legal procedure but by an ordinary gentleman who is perhaps not even a matriculate. The only thing is that he had good will and sympathy for both sides. If the principle of the Bill is accepted by the House and by the honourable members opposite and if it is believed that conciliation is better than litigation (*Chaudhri Krishna Gopal Dutt* : Nobody doubts that) then we should make provision as Raja Sahib has pointed out, to improve the working of the boards.

Dr. Sir Gokul Chand Narang : This can only be done by the amendment of the Act itself.

Shaikh Faiz Muhammad : My learned friend, Dr. Sir Gokul Chand Narang, has referred to certain definite allegations in a pamphlet but we do not know who the author of that pamphlet is. He says that these boards are not popular and that they have not been doing justice to the creditors. My submission in this connection is that it would be far better for the House to accept facts and not to go by reports published by interested persons. We should take facts as they are. For instance, we should take the case of Jhang Conciliation Board. It is not necessary for us to go through the details of the cases which have come up before that Board since its inception but we can confine ourselves to cases for two or three months. We have to see that the total number of cases which came up before the Board and the number of cases brought by the creditors themselves. My learned friend has said that sometimes debtors put in the list of creditors including some fictitious names. It may be so although I question that statement.

Chaudhri Krishna Gopal Dutt : A point of order. The honourable member is repeating the arguments advanced by other speakers.

Mr. Speaker : I would request the honourable member not to repeat arguments advanced by other speakers.

Shaikh Faiz Muhammad : My learned friend Dr. Sir Gokul Chand Narang said that in many of the applications which debtors put in a particular district—probably he was referring to Jhang district—the names of fictitious creditors were given with a particular object. For the sake of arguments I will accept the statement, but what about the applications that were presented by the creditors themselves? My learned friend should know that from January 1937 to date 718 applications have been presented to the Board in Jhang tahsil for settlement.

Dr. Sir Gokul Chand Narang : Do you want me to explain?

Shaikh Faiz Muhammad : No, Sir. Out of these applications, 348 applications were put in by the debtors and, as pointed out by my learned friend, it is possible that in these 348 applications, some of the debtors may have included fictitious names. But what about the remaining applications which were put in by the creditors themselves?

Dr. Sir Gokul Chand Narang : How do you know that fictitious creditors are not included in the written statement?

Shaikh Faiz Muhammad : These applications were put in by persons who called themselves creditors and they had not been mentioned in the applications put in by the defendants. This clearly shows that these boards, in spite of the criticism that has appeared against them in the Press and in spite of that pamphlet, are popular not only with the debtors but also with the creditors.

With these few remarks I support this resolution whole-heartedly and I hope that it will be carried by a great majority.

Diwan Chaman Lall : I beg to move—

That the question be now put.

(Voices of no, no.)

Mr. Speaker : The question is—

That the question be now put.

The motion was lost.

Chaudhri Krishna Gopal Dutt : Sir, is this how the interests of minorities are protected? (*Interruption*). This is a dodge being played.

Premier : I think the honourable member is making an unnecessary, uncalled for and unjust insinuation.

Chaudhri Krishna Gopal Dutt : Not against you. I made a general statement.

Mr. Speaker : That word is unparliamentary. I would request the honourable member to withdraw it.

Chaudhri Krishna Gopal Dutt : Which word is not parliamentary?

Mr. Speaker : To use the word 'dodge' about any member is clearly unparliamentary.

Chaudhri Krishna Gopal Dutt : I did not use it for any particular member. I said, that a dodge is being played. I never ascribed it to any particular member.

Mr. Speaker : But who is playing it ?

Chaudhri Krishna Gopal Dutt : I made a general statement.

Mr. Speaker : The statement clearly refers to the other side.

Chaudhri Krishna Gopal Dutt : This might apply to a particular propensity of the party, to a particular tendency—

Mr. Speaker : The word 'dodge' is unparliamentary and I request the honourable member to withdraw it.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, I would be delighted to withdraw it, although the other day the Premier refused to withdraw some unparliamentary words.

Mr. Speaker : He said that he had not used those words on his behalf. He said that that was only stated outside.

Chaudhri Krishna Gopal Dutt : Why was not the Reporter asked to read out ?

Mr. Speaker : The Reporter was not present and there is no reason to disbelieve the Honourable Premier. The discussion may proceed.

Pir Mohy-ud-Din Lal Badshah (Attock South, Muhammadan, Rural, Urdu) : Sir, while heartily supporting the resolution moved by my honourable friend, Pir Akbar Ali, I want to congratulate the House on the fact that the motion before it has the support of both the parties in the Assembly. And I consider it a sign of good fortune that both the parties are agreed as to its great utility. There is, however, a small party which is opposing it because of their selfish ends.

The capitalists have been opposing the establishment of conciliation boards and they will continue to do so. But I fail to understand the logic of this opposition. Whenever there is a money suit to be filed they readily agree to submit it to the decision of a sub-judge, even though they may have to spend a good deal of money on court-fees. I wonder why they do not agree to get such suits decided by arbitrators and without incurring any expenditure.

I want to ask a question from the honourable members who are opposing this resolution. Is it their wish that the poor zamindar's household goods should be sold by auction in order to pay off the money-lender? Do they want that poor zamindars should be deprived of their means of subsistence and that they should be thrown into civil prison?

My honourable friend Dr. Sir Gokul Chand Narang has stated that the conciliation boards are not functioning properly. This I submit is not a sound argument for abolishing these boards. It would be like a person, who while on his way to Simla experiences some nasty jolts in the railway train, and in order to avenge himself on the railway administration proposes that the Kalka-Simla Railway line should be closed. Would you regard his demand a just one, or would you try to remove the hardships which he experienced on the Kalka-Simla Railway line? (*An honourable member* : Our only object is to see these boards function properly). Dr. Sir Gokul Chand Narang has made certain complaints about the unsatisfactory working of the Jhang Conciliation Board. I would, therefore, be perfectly justified, if I bring the same kind of charges against the working of the conciliation board at Rawalpindi. There the debtors are loud in their complaints against it. (*An honourable member* : Set it right too). If we do not derive any benefit from these debt conciliation boards and do not work them properly, we have only ourselves to thank for it. The question is whether or not these boards are useful for both the debtor and the money-lender. Needless to say that both the parties are in complete agreement with regard to the underlying principle and admit that the existence of these boards is a source of advantage both to the debtor and the creditor.

The present budget shows that for lack of funds only a few more conciliation boards can be set up. I will submit, Sir, that more money should be spared for the conciliation boards by reducing the police force. Economy should be effected in the expenditure on the administration of justice and the money thus saved should be utilized in establishing more conciliation boards, for they are a means of preserving peace and order.

You know, Sir, that frequent reports are received to the effect that at such and such a place a money-lender has been killed by a debtor. If there

[Pir Mohy-ud-Din Lal Badshah.]

are conciliation boards to bring about an amicable settlement between the debtor and the money-lender most of their troubles will, I am sure, automatically disappear, and things would not come to such a pass. It is more advisable to put up with a slight pain involved in the treatment of a disease than to allow it to grow and prove fatal to the patient. So neither the public peace nor the money-lender's wealth can in any way be secure unless the debtor-money lender question is solved once for all.

If for lack of funds a conciliation board cannot be established in every district, I would suggest that every two districts should be given a joint board, so that work may be started simultaneously all over the province.

If the Debtors' Protection Act is not in any way benefiting the zamindars, it was useless to undertake this piece of legislation. The money-lenders would of course, try to keep them in the dark about its useful provisions. The establishment of joint boards will familiarize the peasantry with the provisions of this Act and will thus serve a useful purpose.

I would like to draw, through you, Sir, the attention of the House to the fact that notwithstanding the Debtors' Protection Act, temporary alienation of the debtors' lands is being allowed without making any provision for the maintenance of the debtor's wife and children. So far as this matter concerns the Attock District, I have addressed several questions to the Honourable Premier, urging upon the Government the necessity of revising such temporary alienations. In case some more conciliation boards are to be established I would request the Honourable Premier not to forget the Attock District, as its zamindars are extremely poor and have no other property than their household goods.

With these words, Sir, I strongly support this resolution.

Dr. Sir Gokul Chand Narang : On a point of order. The honourable member who has just resumed his seat is evidently new to this House and, therefore, does not know its convention that it is not proper to attribute motives to other honourable members. I should, therefore, like you to draw his attention to this convention.

Mr. Speaker : I wish the honourable member had drawn my attention in time.

Dr. Sir Gokul Chand Narang : You were reading something very attentively and so I did not like to disturb you then.

Diwan Chaman Lall : May I move closure now ?

Mr. Speaker : No.

Diwan Chaman Lall : May I appeal to the honourable members opposite to remember that this is a non-official day. There is studied unanimity regarding this resolution, practical unanimity. I do not see why we should not be allowed to utilise the time of the House for the next resolution on the agenda.

Lala Duni Chand : I submit that it is the inherent power of the Chair to stop the debate when it is of opinion that the debate is being continued in order to prevent the next resolution coming up.

Premier : Honourable members opposite are certainly anxious to close the debate on this resolution. But it must be remembered that this House consists of 175 members and every member is naturally as anxious as members opposite to do justice to their constituencies and they want to put forward the case of their own constituencies with regard to the extension of these conciliation boards, and do not see why these honourable members should be deprived of that opportunity when even during question hour we waste—I am sorry for using that expression, I withdraw it—the opposition takes up the time of the House unnecessarily.

Diwan Chaman Lall : I have no desire to intervene in this debate, but since the Honourable Premier has stated that the time of the House is unnecessarily taken up by the Opposition during question hour, may I ask you to direct him to withdraw that expression, in view of the fact that we are at the present moment asking the honourable member to close the debate since we are in agreement with the resolution? This resolution is moved by a member of the Ministerial Party, and if he is in favour of the resolution the matter comes to an end. If he is in agreement with the resolution, why does he want the time of the House to be taken up in further discussing the obvious resolution and thereby prevent the Opposition from getting on to the next resolution?

Premier : It is not so obvious as the honourable member opposite thinks. The real position is this. We have provided only for five more conciliation boards in the budget. I know it for a fact that there are several members in this House each of whom wants to advocate the necessity of providing a board in his particular district or in his constituency. I do not want to deprive them of this opportunity of putting forward the claims of their constituencies so that the Government may know which is the most deserving district where these boards should be located.

Dr. Sir Gokul Chand Narang : You have seen from the trend of the debate that almost every member of the House is in favour of the resolution. I would, therefore, request you to call upon only those members to speak who are opposed to it. Up to this time I am the only member who has opposed it. Nobody else has been given an opportunity to oppose the resolution. Sardar Uttam Singh has risen two or three times and Mr. Rai has also risen to speak. I know that they want to say something in opposition to the resolution and it will be only fair that when the opposition is in such a microscopic minority it should be given full chance. The Government does see that it is no use calling upon every member who wants to support the resolution to speak as to in what particular ilaqa these boards should be created. The Honourable Premier knows where the boards have to be appointed.

Premier : Sir, I entirely endorse the opinion of my honourable friend opposite and I think those members, who want to oppose this resolution, should certainly be given an opportunity to voice and ventilate their views.

Diwan Chaman Lall : On a point of order, Sir, with regard to the procedure. May I have your opinion with regard to this matter? I take it that the Honourable Premier stated that the Government is in agreement regarding the extension of this measure to 5 districts. When the matter goes to the vote, does the Government agree to the extension of boards

[Diwan Chaman Lala.]

throughout the province ? (*Voices from the Treasury Benches : No.*) May I take it that if this motion goes to the vote and honourable members carry this resolution, will Government resign ? (*Voices from the Treasury Benches : Why ?*) Because it goes against the position of the Government.

Diwan Bahadur Raja Narendra Nath : There are members behind me who insist upon an assurance being given to them as I have demanded and I should certainly request you to give them an opportunity. It is not a question of opposing or supporting the resolution. It is a question of demanding certain safeguards on which the opinion of the members sitting behind must be heard.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) : Sir, I rise to lend my fullest support to the resolution under discussion. (*Hear, hear from the Treasury Benches*). It appears to me that so long as the Punjab Relief of Indebtedness Act (7 of 1934) is on the statute book, there is no reason why the scope of those benefits which this Act was intended to confer on the poor peasantry of this province, who have been growing under the crushing burden of 140 crores, should not be extended to all the districts of the Punjab (*Hear, hear*). I take it, Sir, that this Act was not passed in any spirit of banter or in any spirit of jest. It was not intended that it should remain on the statute-book as a kind of decoration. It was intended as a serious piece of legislation. It was a true socialist piece of legislation on which, certainly, this House, when it passed it, deserved to be congratulated. Sir, conciliation boards are not a peculiarity of this province. They exist in the Central Provinces also.

Dr. Sir Gokul Chand Narang : There is a difference between the boards there and the boards here.

Malik Barkat Ali : Yes, there is a difference and the difference is that while the limit of jurisdiction of the conciliation boards in the Punjab is ten thousand, that in the Central Provinces is 25 thousand.

Sir, it is common ground that originally 5 conciliation boards were set up and the House will support me when I say that so far as the working of these boards is concerned, not a single word has been said in this House as regards four boards. Only the Jhang Conciliation Board has been criticised in this House. If it has misbehaved, the remedy is there. But does it follow from its alleged misbehaviour that all the conciliation boards should be wiped off and that their benefits should not be extended to other districts ? If a certain judge misbehaves, does it mean that the whole administration of justice should be wiped off ? I think you will agree with me, Sir, that if abuses have come to light in the working of the conciliation board of Jhang, certainly, those abuses should be looked into and redressed. (*Dr. Sir Gokul Chand Narang : Abuses of the Act*). My friend says, abuses of the Act. There was nothing in his speech indicating that the Act was radically defective. On the contrary, I was reading just now a commentary on that Act by the Honourable Chaudhri Sir Chhotu Ram. He says that the conciliation boards should see to it that no bogus debts are shown and there should be no resort to mal-practices. The law is not bad ; it is quite allright. If any

conciliation board is not working properly it should be set right. That does not mean that the machinery of conciliation boards should be either withdrawn or should not be extended and applied to other districts. I desire to make it clear that I do not, in any manner, associate myself with the aspersions and abuses, the so-called abuses, mentioned in the report relied on by Dr. Gokul Chand. That report is admittedly the work of the Hindu Sabha. We know that when this Act was passed, the Hindu Sabha was the only body in the province which opposed it. Reports of abuses from those quarters must be received with a grain of salt. Through you, Sir, may I respectfully submit that so far as the essence of this resolution is concerned, namely, the extension of conciliation boards, it is a matter for congratulation to this province that the opposition is not opposing it. It is in fact in agreement with the resolution, with the exception of "a microscopic minority," to use the words of Dr. Gokul Chand. (*Hear, hear*). Far be it from me to suggest that the honest creditor should not be protected. We are all for the protection of honest creditors. If we want to reach anybody we want to reach the dishonest creditor. This piece of legislation is an instrument whereby the oppression, which has been practised on the peasantry of this province, should be completely eliminated. The proposition deserves to be fully supported. I do not want to take any further time of the House. I am glad that there is only a microscopic minority to oppose this resolution. With these words I fully support the resolution and I hope that the Unionist Government will use all its powers to extend the conciliation boards to every district in the province. (*Hear, hear, from the Treasury Benches*).

Mr. C. Rai (Amritsar and Sialkot General, Rural): Mr. Speaker, I am sure that the honourable members of this House have not forgotten the storm that raged in the province when this Act was about to be passed, and I further believe that it is not the intention of the honourable members that that storm should be re-kindled by extension of the operation of boards for the decision of those cases that fall within the Act. We, in the Punjab, have our hands already full with one problem and that is communalism. Do the honourable members want that our difficulties should be increased by accentuating differences, not only between Hindus and Muhammadans, but between Muhammadans and Muhammadans and Hindus and Hindus? Because, so far as this Act is concerned, we find that in its working it is causing hardship on the creditors. Claim is made here that we are for the protection of the minorities as well. The question is whether by our conduct we are establishing our profession, whether any legislation has been proposed so far to protect the minorities. I should like to ask, and I challenge through you Sir, my learned friends to show any indication of the direction in which they wish to proceed in order to protect the much maligned creditors. Is not all this legislation and what is proposed to be done a one-sided measure? Is not this a measure that tries to hit only one man, the most miserable and the most maligned and I would say unjustly maligned creditor money-lender whose only fault is to advance money to his neighbour, whose only fault is to give a helping hand at a time when the poor peasant can neither get anything for himself nor a bullock to cultivate. In order to show that there is a lot of substance in what I say, I appeal to my friends to look to one fact and that is this, Government have started co-operative banks. Is the peasant in his dealings with the co-operative banks satisfied? The private money-lenders cannot attach the property, cannot attach anything belonging to the

[Mr. C. Rai.]

debtor. But a co-operative bank (just certain people sitting together and passing a decree against which there is no appeal, a sort of arbitration) can do it. A decree is passed and that is sent to the civil court which executes it and everything possible can be attached. (*Some honourable members* : No, no ; absolutely not). Is that showing sympathy for the peasant ? My submission is that the arrears are treated to be as good as land revenue in the case of the co-operative banks. I am only referring to it to illustrate my point that co-operative bank is not in the interests of the peasant. There may be hard cases on the side of the money-lenders. I do not say that there are not. There may be some money-lenders who are cruel. But does it mean that just because there are some blacksheep in a class, the whole class should be condemned ? Is that justice ? So my submission to my honourable friends is that this Act is not intended so much to help the debtor as it is intended to involve the creditor into trouble and misery. Otherwise, the Act would have been differently framed. There is absolutely no relief provided or no provision made for the realisation of the amounts that are decreed in favour of the creditor. A reference was made by the honourable member Malik Barkat Ali to the fact that in the Central Provinces the boards exercise their jurisdiction up to Rs. 25,000. That was the difference which he made out between the boards of the Punjab and the boards in the Central Provinces. But there is another big difference which affects the creditors of the two provinces so far as the constitution of the boards is concerned. I draw the attention of the House to section 13 of the Central Provinces Indebtedness Relief Act. "If a debtor defaults in paying any amount due in accordance with the terms of agreement registered under sub-section 2 of section 12, such amount shall be recoverable as an arrear of land revenue on the application of the creditor made within 90 days from the date of default." Now, I ask in all sincerity and humility, have you made a provision similar to this in your Act ? What safeguards did you provide at the time of the passing of the Act which you are trying to enforce now in the face of opposition on behalf of what is contemptuously called 'microscopic minority' ? (*Malik Barkat Ali* : Dr. Sir Gokul Chand Narang used that expression). I feel proud to belong to that microscopic minority. (*Hear, hear*). And that microscopic minority will do its duty to its last drop of blood, although it is regrettable that some gentlemen who should have been sitting here are sitting opposite. In spite of that weakness I say that we will stand on our pledges and we will do our duty to our constituents. This is by the way. I really wanted to submit to the House and the honourable members that such a provision is non-existent in our Act as has been pointed out by one of the honourable speakers. Unless and until such a safeguard is introduced, is it right, is it equitable, is it just that the operation of the boards should be extended and thereby the mischief of the Act brought into greater operation ? In the province there is a feeling among the creditors that the debts that are owing to them are going to be washed out by the Unionist Government and it was only the other day, just 3 days before I came up to Simla that a retired military Sikh gentleman came up to me in the bar room and wanted to know whether it was safe for him to take a piece of land in mortgage. I questioned him what was the trouble and why he hesitated to do so and he said that a rumour was current that the Unionist

Government was shortly going to declare that all mortgaged property would be made free from encumbrances. This is an indication of the alarm that is prevailing in the province. My honourable friends are in duty bound to take notice of this alarm. It would not do to merely harp on the difficulties, the troubles and the privations of the poor peasant. Please say a word of sympathy for the poor money-lender as well. (*Some honourable members* : Certainly). Not only say it but translate it into action and then I would be prepared to co-operate with you. (*An honourable member* : Poor money-lender !) Poor in the sense—my friend understands English—that the whole world is unsympathetic towards him—not poor in finance.

I may submit to the Honourable House that so far as the principle of conciliation boards is concerned, I am not against it, but the question is that this Act gives the authority to decide cases up to the value of Rs. 10,000. Cases of the value of Rs. 10,000 cannot in the regular courts be tried by a third class, or a second class sub-judge. They have to be tried by a first class sub-judge a man of great experience and here you give that authority to persons some of whom I am sorry to say, have not good reputation. They may have been selected with the very best of intentions on the part of the Government no doubt, but in the working of the Act great hardship is being caused and, therefore, I strongly oppose the extension of the principle until the Act is amended in the proper spirit keeping in view all the defects. Until then I request that such a resolution should not be passed and if it is passed it should not be given effect to. It has been urged by the honourable mover of the resolution as also by my honourable friend opposite that in Jhang district, about which a pamphlet has been issued in which most serious allegations have been made and which allegations have not been made in the street, these allegations have been conveyed to most responsible officers of the Government, so many creditors made applications to the board for settlement of their disputes or debts owing to them. There is a very simple explanation for the creditors to go to the board. It is not only that he has confidence in the board that he goes to it, but because he cannot realize anything if he were to go to civil courts and get a decree. By agreement he may get an anna or two in a rupee. The second reason in some cases why he goes to the Board is that these creditors were waiting till the last day of limitation for the debtor to settle the debt and now instead of spending money on court-fees and going to civil courts they come to the boards having lost everything and having no hopes of recovery. (*Voices* : That is a good thing).

Mr. Speaker : Will the honourable member please wind up ?

Mr. C. Rai : Section 25 of the Act lays down—

“When an application has been made to a board under section 9 no civil court shall entertain any new suit or any other proceeding brought for the recovery of any debt for the settlement of which an application has been made to the board and any suit or other proceeding pending before a civil court in respect of it shall be suspended, until the Board has dismissed the application or agreement has been made under section 17.”

It is obvious. Why should they ? They have paid court fees and filed a suit before a civil court. Then the debtor comes to the board and puts in an application and his court-fee is wasted. The creditors do not come

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voluntarily or willingly before these boards. They are compelled and forced to come and make applications. There is no use going to civil courts. For these reasons I oppose this resolution.

Syed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) : Mr. Speaker I would only refer to one or two aspects of this question. My honourable and gallant friend Sardar Sohan Singh Josh in his speech said that the Unionist Party were considering very petty questions and were not taking up important questions which were brought to their notice by the Opposition. Sir, I would refer him to the present condition of indebtedness in the province. The question is a very grave one and much greater than my honourable friend thinks. The total debt in the Punjab in the year 1929 as calculated by the Punjab Provincial Banking Enquiry Committee was 185 crores. In 1921 it was 90 crores and by 1929 it had increased by 40 crores. In 1930 the debt was 140 crores and if I am correct in estimating the present debt, the figure would have reached somewhere near 200 crores or more. Mr. Darling in his book "Punjab Peasant in Prosperity and Debt" has dealt with this question and he worked out that with 140 crores the debt per acre was Rs. 47. Working on the same basis at 200 crores it works to Rs. 67 per acre. The experts have estimated the present value of land at Rs. 100 per acre. This means that the debt per acre is Rs. 67 and the value is Rs. 100. This is a very grave situation for if the increase is not checked then we are leading towards bankruptcy and disaster. My honourable friend Mr. Rai has just now stated that no legislation has been brought forward to sympathise with the creditor. Sir, we have every sympathy with the creditor but only when his demands are just. Does he expect us to sympathise with the creditor when having advanced a sum of Rs. 100 he claims Rs. 5,000? No one in this House, I am sure, is going to sympathise with such a creditor; on the other hand every one's sympathies will go to the debtor. I am very glad that the Government is making a provision in the budget for 5 more debt conciliation boards, but I would ask them to refer to the conditions in other provinces. I understand that in the Central Provinces there are about a few scores of boards, in Bengal there are 1,700 boards established since 1935 and many more are being established now. Coming to the position of the tahsil I have the honour to represent, Mr. Darling says that Ferozepore is the most heavily indebted district of the Punjab. He estimates the debt of Ferozepore to be somewhere near 7 crores. It is a very big debt.

Pir Akbar Ali : It is much more now.

Syed Amjad Ali Shah : I hope when the Government decides to select the districts for the establishment of these boards, Ferozepore will be first in the list as it stands first in the list of indebted districts of the Punjab.

(At this stage a number of members including S. Uttam Singh, Duggal, and the Honourable Premier stood up to speak. Dr. Sir Gokul Chand Narang invited the attention of the Speaker to S. Uttam Singh when the Premier resumed his seat.)

Diwan Chaman Lall : Is it not the convention that when the Leader of the House wishes to speak he should get preference over others.

Mr. Speaker : Certainly.

(The Honourable Speaker then called the Honourable Premier to speak.)

Premier (The Honourable Major Sir Sikandar Hyat-Khan): I am sorry I have deprived some honourable members on this side of the House from speaking, but I see that the Opposition is feeling very nervous.

Chaudhri Krishna Gopal Dutt : Sir, is the word 'nervous' parliamentary. My difficulty is this that the words "dodges and tactics" have been declared unparliamentary. The Honourable the Leader of the House has used the word 'nervous' Is that word parliamentary? *(laughter)*.

Premier : If the honourable member opposite had not been impatient and if he had allowed me to finish my sentence, I think he would not have risen to a point of order. I was going to say that some members opposite are feeling nervous that we may not prolong the discussion over this motion so that the Opposition is not in a position to move the second resolution. Therefore I thought it necessary to get up in spite of the fact, as I have said, that I am depriving from speaking some of my colleagues on this side of the House and also some other members who want to speak. *(Voices from the Opposition benches : No, no, we are not anxious to finish)*. If the honourable members think that they are not anxious to finish the resolution I am sure the Speaker will allow other members to speak.

Mr. Speaker : As we had two hours recess, we shall have to sit up till half past five so that the daily sitting of 4½ hours may be completed.

Premier : I thought we were going to sit up till 5 o'clock. I am prepared to sit till 5-30 if the Opposition want it.

Chaudhri Krishna Gopal Dutt : We are prepared to sit over night.

Premier : I know you are prepared to sit till dooms day.

Chaudhri Krishna Gopal Dutt : We have to look to the interest of the electorate.

Premier : We have to look to the interest of the province also.

Dr. Shaikh Muhammad Alam : Well looked after.

Premier : Thank you. I would very briefly deal with the points raised by my honourable friend and my ex-colleague, Sir Gokul Chand Narang. With your permission, Sir, may I in a very friendly spirit enter a very mild protest against his divulging the secrets of the Cabinet. Sir, in the very beginning he said that he as a member of the Government objected to certain clauses of the Bill when this Bill was being considered by Government. I think he has committed an indiscretion in divulging that fact because it is not only a question of the secrecy of the Cabinet proceedings, but also I think it is a breach of the oath which we take on the assumption of office.

Dr. Sir Gokul Chand Narang : I do not agree. It was incumbent upon me otherwise I would have been bombarded by questions.

Premier : However, the honourable member is perfectly at liberty to interpret it as he thinks best. Then he waxed eloquent over the iniquities of the Jhang Conciliation Board — allegations of iniquities for the

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correctness of which he has the audacity to take the responsibility. I am afraid, Sir, in the heat of the moment and in the heat of the speech he forgot that the pamphlet was unsigned. There was not even the name of the Secretary nor of any other authority or officer of the body by which the pamphlet purports to have been published. But, Sir, may I tell the honourable member that I received not only a copy of this pamphlet but also further representation very likely from the same quarters, and again under the name of a body whose *bona fides* were far from certain to me but since the honourable member has stated that it comes from a responsible body, I am prepared to take the House into my confidence and say that I had enquiries instituted with regard to the allegations made in the pamphlet and with regard to the allegations made previously, and I am very glad to inform the House that practically every one of these allegations has proved to be untrue (*Cheers*). I might go further and for the information of my honourable friend opposite tell him that the local authorities and the Commissioner went to the extent of recommending to Government that the writer of this pamphlet should be prosecuted for making false and libellous statements against members of the conciliatory board? But, Sir, having regard to the feelings of the people in that part of the world, I did not think it expedient to give sanction to the prosecution of this gentleman; but if the honourable member still insists that we should further sift this matter by sanctioning the prosecution, I am still in a position to authorise the prosecution of the gentleman who has written the pamphlet. I can assure the honourable member that there are two allegations in this pamphlet which are absolutely false, and on the basis of which he can legally be prosecuted.

Dr. Sir Gokul Chand Narang : What about others ?

Premier : I have said that they are all without foundation. Where there is any substance we have already taken action and with regard to others — I am just coming to that point — I may be able to take further action.

Chaudhri Krishna Gopal Dutt : Are you satisfied with the working of the conciliatory boards ?

Premier : That is a wider question and one of opinion. I have got no personal knowledge of the working of the boards, but I have got a very able officer of the government, *i. e.*, the Financial Commissioner — Mr. Darling who is an expert in these matters. He has inspected practically every one of these conciliatory boards, and his reports are on the whole satisfactory. Even with regard to the Jhang board he says that in spite of these allegations it is an agreeable surprise that the number of applications from creditors is increasing. With regard to Jhang and other conciliatory boards, I might give consolidated figures, and inform the House that in several cases creditors are coming forward in increasing numbers to take advantage of this simplified procedure provided by the Act. One of the advantages which they get is that they avoid payment of court fee, and they have not to compound their debts, as is being commonly done in all parts of the province, or as was being done when I was in touch with that particular department which deals with these things in 1934 before I

went over to the Reserve Bank, for anything between two and three annas in a rupee, provided they got tangible assets in return. But what is the amount which the conciliation boards are giving to the creditors? You will be interested to learn that the amount of the debt claimed is 46 per cent. which means that they are getting nearly seven annas in the rupee instead of two to four annas. So, that is one of the reasons why creditors are coming forward in increasing numbers to take advantage of this Act.

Dr. Sir Gokul Chand Narang : Including the fictitious creditors.

Premier : Here are some more figures which would interest the House and the honourable member opposite. Out of 1,171 cases 392 cases have been settled without instalments which means that they paid money at once or gave away cattle or other tangible assets with the result that instead of their going through the protracted process of a civil court and having the decree executed, they are now getting nine annas in the rupee instead of two to four annas which they would otherwise have got. That is the reason why they are coming forward in increasing numbers. That fact should not be ignored. Again, several of the debts are settled once for all and there is no bitterness left. I have given you the figures of debts which have been paid straightaway after conciliation. Then there is another 28 per cent. which has been settled by means of *mustajri* mortgages. That is an additional advantage to both parties. It avoids bitterness and gives something tangible to creditors who otherwise would not have been able to realise anything from some of the debtors.

Dr. Sir Gokul Chand Narang : The complaint is that available assets are given to fictitious creditors who are relations of the debtors and the genuine creditors get nothing and this is consistent with the statement made by the Honourable Premier.

Premier : No, as a matter of fact, I have got somewhere also the amount actually paid.

Dr. Sir Gokul Chand Narang : Yes, paid to fictitious creditors.

Premier : The honourable member's assertion is that they are all fictitious. The complaints have not only come from the Jhang district. As a matter of fact, I might inform the honourable member through you that in every case the complaints are coming from the other side.

Mr. C. Rai : Also from Rawalpindi.

Premier : Yes, but those complaints are something quite different from the complaints of the honourable member. Complaints from the Karnal side are that the debt conciliation boards are working very sternly so far as the debtors are concerned. They say that the amount conciliated is much beyond their capacity to pay. If these boards had not been set up, the creditors would have been forced to come to terms with the debtors and settle the debts at a much smaller figure. What now happens is that instead of paying two to four annas in the rupee, they have to pay as much as seven annas, or possibly even more in the rupee.

Dr. Sir Gokul Chand Narang : The debtor is in no case bound to agree. It is the creditor who in certain cases is bound to accept.

Premier : I am giving you concrete examples of complaints that I have received. It is quite possible that six months hence we might receive

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complaints from the debtors themselves that these conciliation boards are of no use to them and that they should be scrapped.

Now with regard to the suggestion made by my honourable friend on my right, he has suggested that we should issue instructions to the local officers to see that the Act is properly worked and that there are no irregularities so far as the procedure is concerned. He has cited section 10 of the Punjab Relief of Indebtedness Act which reads as follows :—

“Every application to a board shall be in writing and be signed by the applicant and verified in such manner as may be prescribed.”

If this section is read with sections 11 to 15, it will clearly indicate that every application, when it is made, has to be verified and looked into and examined carefully by the board. If they are not doing so, we shall certainly issue instructions that they should conform strictly to the provisions of this Act and to see that every application is properly scrutinised and that the claims and debts mentioned therein are not bogus.

Dr. Sir Gokul Chand Narang : They should make enquiries.

Premier : Under section 10 read with sections 11 and 15 they are entitled to make enquiries, and it is incumbent on them to make that enquiry before starting the proceedings.

Dr. Sir Gokul Chand Narang : They say that they have no concern with it. That is the allegation.

Premier : I might acquaint the honourable member with the fact that in deference to my friend Diwan Bahadur Raja Narendra Nath's suggestion, I will issue necessary instructions that they should look to these applications (*hear, hear*). The Raja Sahib has mentioned the power of superintendence of deputy commissioners. I think there is nothing in the Act itself which would entitle the deputy commissioner or any other authority to look into these files, but as Raja Sahib has pointed out to me, there are certain inherent powers vested in the deputy commissioner as representative of the Crown — and I do not know whether it is legal or not, but in any case with regard to this particular board, we had several cases examined to satisfy ourselves whether these allegations were correct or not.

Malik Barkat Ali : Examined by the agents of the Executive Government.

Premier : We are going to issue instructions to all the deputy commissioners that they should occasionally inspect these boards (*hear, hear*).

Dr. Sir Gokul Chand Narang : Were all the files, which have been referred to, examined?

Premier : Every one of those files has been examined. My honourable friend from Rawalpindi (Sardar Uttam Singh) who unfortunately did not catch your eye, mentioned to me yesterday that there is a certain amount of discontent amongst the creditors. He said that the creditors complain that they are not properly represented on these boards. Till the honourable member mentioned to me, I did not know that there was any board in the Punjab on which there was not a representative of the creditors. He gave me the instances of his own conciliation board and said that there was no representation of the creditors on that board. I can

assure him that so far as the constitution and extension of these boards is concerned, when we are considering the personnel of these boards, I shall see that there is a real representative of the creditors on every new board constituted (*Hear, hear and cheers*). The honourable members opposite must remember that we do not want to pillory the honest creditor but as he will himself admit, there are honest creditors and dishonest creditors just as there are honest debtors and dishonest debtors. We want to eliminate both the dishonest creditor and the dishonest debtor. We want to give protection to the honest creditor as well as the honest debtor. I do not think I need take the time of this House any more, but before I sit down, I must ask the House to rest assured that as far as this Government is concerned, it will endeavour, as far as it is humanly possible, to follow this policy. (*Cheers*).

Mr. Speaker : The question is—

This Assembly recommends to the Government that the number of debt conciliation boards be increased in the Punjab."

The motion was carried.

RELEASE OF POLITICAL PRISONERS AND DETENUES.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) :
Sir, I beg to move—

This Assembly recommends to the Government that all political prisoners and detenues (including Martial Law and Lahore Conspiracy Case prisoners) be forthwith released and that restrictions imposed by the Government on free movements of all political workers in the Punjab be immediately withdrawn.

Since some honourable members on the Government benches have succeeded in depriving me of my proud privilege of speaking in my own language, I will speak in a foreign tongue.

Khan Bahadur Nawab Muzaffar Khan : Who has deprived you ?

Premier : On a point of order. The point of order raised the other day seems to have been perfectly justified as I find that the honourable member is speaking English fluently although he had denied his ability to speak in English.

Dr. Sir Gokul Chand Narang : He wants a certificate that his point of order has turned out correct.

Lala Deshbandhu Gupta : I am sorry, Sir, to make a speech in language which is not my own, but I would request the honourable members of this House not to judge my speech from the high standard of eloquence and oratory set up by the Honourable Finance Minister and some other able speakers on that side of the House, and to overlook the defects of language, and faults of expression and to confine their attention only to the appeal that I have to make to the benches opposite.

Sir, the proposition which I have placed before the House consists of two parts, first that all political prisoners and detenues who are kept in jails without trial be forthwith released and, secondly, that all restrictions placed on the free movements of political workers be forthwith removed. I shall be failing in my duty if at the very start I do not congratulate and thank the Honourable Premier and his colleagues for the small mercy they have shown by releasing the Martial Law prisoners who had been rotting in

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jails for over 18 years and whose release was really long overdue. Since small mercies have also to be thanked for, I whole-heartedly thank the Honourable Premier for having ordered their release. But I must be permitted to express my great disappointment and in fact the disappointment of all the members sitting on this side of the House for not having extended that amnesty to all those persons who are convicted of almost similar offences or for their holding patriotic opinions, and allowing them still to rot in jail. It would have given me far greater pleasure and genuine delight to have moved a vote of thanks and congratulations to the Honourable Premier instead of moving a resolution of this nature, if only his Government had provided an occasion to the Opposition benches for doing so, by taking a bold stand in this matter and had celebrated their accession to power by opening the doors of those solitary cells in which some of the jewels of our country are still rotting—rotting for our sake, for the sake of those who have assumed power to-day, for the sake of those who have taken offices and, for the sake of the liberty of our country. But I am sorry, Sir, that no such occasion has been provided. The Government has badly failed to rise to the occasion and I cannot help expressing my disappointment at that.

My resolution, as I have already stated, Sir, consists of two parts and as it deals with all the political prisoners I might as well give the definition of the term "political prisoner" before I proceed further. I have noticed while going through the pages of the debate that was held on a similar motion in the last Legislative Council that there was a tendency on the part of certain members, who have the honour to sit on the Unionist benches to-day, of arguing that the political prisoners were just as bad as ordinary felons or criminals. So, it is for their benefit and also with a view to explain to my honourable friend on my right (Sardar Hari Singh) who has tabled an amendment to this resolution, that I would like to give the definition. It will be seen that the definition that I am going to give presently really covers that amendment. But I must tell the Government benches that the definition that I am giving is not my own. I am quoting from the Encyclopædia of the Laws of England which I do not think the Honourable Premier or the Advocate-General (who is not at present in his seat) will take exception to. The definition is—

"Where an offence has been committed, not from motives of private spite or interest, but in order to change the legislature or executive Government in the country, it is freely contended that the offence is political and that persons convicted of it should not be treated as ordinary prisoners, and should be pardoned or amnestied on the earliest opportunity."

It goes further, Sir. It says, that the offences to which this contention applies are—

"those described as against public order, namely, treason, treason-felony and sedition or interference with the Executive or Legislature by unlawful assemblies intended to defy or overawe either, or riotous protests against the law, and in fact, all acts directed to obtain by unlawful means a change in the law or general government of the realm."

In my opinion no clearer and more comprehensive definition could have been given and, further, in no clearer terms could the duties of Government in respect of such prisoners have been given or indicated. I am thankful to the Government for having released the Martial Law prisoners for one

more reason and that is that by doing so they have expressed their agreement with the principle of placing political prisoners or prisoners other than ordinary criminals on a different footing, and having done so, I think it will not lie now in the mouth of any honourable member on the other side to assail my proposition on that ground. What I really ask for, is the mere extension of that principle to those young men who are still rotting in jail. We are told that there has been a change, we are told that there has been a revolution, we are told that we are to-day living under provincial autonomy, we are told that the alien bureaucracy is gone, we are also told by His Excellency the Viceroy that the ministries that have been formed in the different provinces have got full powers under the Government of India Act within the scope allowed to them and that their advice has got to be accepted by the Governors in the different provinces. So far as our province is concerned, the Honourable Minister for Education was able to tell this House that the ministry is fortunate in getting a definite promise from His Excellency the Governor that the advice of the ministry shall be accepted on every matter. Now the question boils down to this. If those young men whose sin is nothing but that of patriotism are still rotting behind the bars, the responsibility for same is not that of an alien bureaucracy, the responsibility for that is not that of His Excellency the Governor, but the sole responsibility is of the present Unionist Government which is formed of our own kith and kin. I ask in all humility the Honourable Premier, who is esteemed by all of us, whether he considers it an enviable position. I want to know from him whether it does not do him and his Government a positive discredit, not to have released those persons who had no selfish motives in going to the jails, who were sent there for our sake and but for whose sacrifices, sufferings and efforts neither they nor we would have been here in this House in this position.

Sir, since an argument is required in favour of the resolution which I really feel there is no necessity for, I would refer the Government benches to the two tests which Sir Malcolm Hailey, now Lord Hailey, once the Governor of this province, laid or propounded as Home Member in the Legislative Assembly. Some ten years ago, when a similar motion in the Central House was moved by my honourable friend Mr. Shafi Daudi, Sir Alexander Muddiman the then Home Member quoting him said—

“ One of the tests was that the state of affairs in the country should be such that some political object would be served by the release, and the other, if I recollect rightly, was that when a political movement had spent its force it was possible, if there was no danger to the public safety, to release prisoners generally.”

(At this stage Mr. Speaker left the chair and it was occupied by Mr. Deputy Speaker.)

I put these two tests to the Honourable Premier and ask him to consider dispassionately whether after having got the definition that I have given, and having known that the two tests I have referred to were laid down, not by a member of the Congress party, nor by any revolutionary, but by no less a person than an *ex*-Governor of the Punjab, he should accept these tests or not. If he does, then my work is finished. I will ask him then whether any abnormal state of affairs exists in the province to-day. Both from the platform and in the press we hear of the victory of the Unionist Party during the last elections. We have been hearing all that and it is

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also a matter of fact, that during the past six or seven years there has been no overt acts of violence throughout the province. Why to speak of violence, there has not even been a single case of civil disobedience after 1932. I ask then, with all humility, with all respects due to the benches opposite, what earthly justification is there for allowing these young men to rot in the jails just as they were doing under an alien bureaucracy? He will be a bold man indeed who will say that abnormal conditions still exist in the province. If that is the contention of my Honourable friend, the Premier on the other side, I will say that I have nothing but pity for him. But if he says that abnormal conditions do not exist, then I would ask him to convince this House as to the reasons for allowing these young men still to rot behind the bars.

Again, how many prisoners are there for whom I plead? The information that has been given to this House in reply to a question does not show that there are even 100 such men. I think it is very much less. I should like to know whether the Honourable Premier and his mighty Government which has the support not only of the British Government behind it, but also of the people who voted for them cannot run the risk of releasing these one hundred or even less number of young men? It was quite a different thing if the previous Government had raised the bugbear of peace and tranquillity and public safety. I do not expect that from the Government which they claim is an independent Government. I may also tell the Honourable Premier that if by peace he means the peace of the grave he will never have it. If, on the other hand, he means normal state of affairs in the province then nobody can dispute that normal state of affairs does exist to-day. As a matter of fact, Sir, it should have been the concern of the Government itself to have taken the initiative in this matter. Let me also tell them as to what is the lesson of history. Do not the Honourable Premier and his colleagues know that even the Government of India—an alien bureaucracy, did release certain important political prisoners in 1919? Does not the Honourable Premier know that even the British Government for whom he is offering unasked applause every day, had to release the Boers who rebelled against it? Take Italy. What did Garibaldi do? I wish the Honourable Premier had the courage of Garibaldi! Garibaldi had gone to jail with keys in his hands and had opened the doors of the cells and released all the prisoners when he got powers. I wish our Premier who had not the good fortune of going to jail as a political prisoner had at least done so now and followed the example of Garibaldi. I really do not understand what harm would befall this province if these young men are released. I read in the papers that the Unionists have decided to oppose this resolution. I wish they had at least given the Opposition a chance to convince them of the righteousness of the cause they are fighting for. They know that the Unionist Party is sure of its majority of votes. Where then was the hurry of coming to a decision in the matter? Since they have come to a decision, it follows that they are not out to convince us of their view point. At least they should have given us an opportunity to convince them that they have failed in their duty. If Mahatma Gandhi can be allowed freedom, if Mr. Subash Chandra Bose can be set free and can be allowed to remain in

Dalhousie, if Pandit Jawahar Lal Nehru can go to Chittagong and deliver lectures then I ask, why is this anxiety on the part of the Punjab Government for this reputation? Why not give these young men who might have committed some offence in an impulse of patriotism, an opportunity to change? You say there has been a change in the Government, there has been a revolution in the country, show us where that change has come in. We will not be convinced by the mere fact that the complexion of the member opposite has changed. That will not satisfy us. We want proof of the real change. The other day the honourable lady member sitting on the opposite side, I mean Begum Shah Nawaz, made a fervent appeal to us. She accused us of not behaving towards the new Government and the Honourable Premier nodded in appreciation. May I ask the honourable lady member to think coolly, ponder well over what she said and see where the fault lies, whether it is with the Opposition or with the benches which she, I am sorry, has the honour to adorn. I have been sitting with closed tongue in this House so far. Speeches have been made by the Honourable Finance Member pointing out his difficulties, saying that there is no money for popular or beneficent departments. He has also told us that without taxation he could not do much. I ask the Honourable Premier, is there any expenditure involved in releasing these young men also? I feel that the Government has failed, and failed very badly in its duty towards these young men who have done so much for our country; but it is not too late in the day to revise their decision in the matter.

If I were to take the House through the individual cases of these prisoners I shall be able to point out that most of them deserve to be let out. There are some who have been disabled and turned physical wrecks, there are some who come from very respectable families, for instance, Mr. Kundan Lal of the second Lahore Conspiracy Case and Mr. Parmanand, the only solitary prisoner left behind of the first Lahore Conspiracy Case.

Sir, the new Government, has not only not released them, but has not even gone to the extent of undertaking that their grievances in regard to classification will be removed. The second Lahore Conspiracy Case prisoners were allowed B class in the beginning, they had it for 5 years, but what do we see now? We find that B class has also been withdrawn and they have been placed in C class and are being treated like ordinary prisoners (*Premier: Which prisoners?*). All the second Lahore Conspiracy Case prisoners. I wonder how this fact has not come to the notice of the Honourable Premier.

Sir, I do not want to take more time of the House, I feel that justice has not been done to the Opposition by putting this important resolution at the rag-end of the day. But I must sound a note of warning before I conclude. It is one thing to come to power, it is one thing to carry the day in the elections, it is one thing to form ministry; but I say it is quite a different thing to carry the people with you in your administrative policy, it is quite a different thing to work according to the expectations of those who voted for you. I say so in all sincerity and in all seriousness. I offer this advice to the benches opposite. If they persist in their callousness towards their own kith and kin, towards their own brethren and sisters, who have been fighting the country's battle of freedom, I say, the time may

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come that in this very hall some of the members of the Unionist Party may change their creed and come over to this side of the House. (*Hear, hear from the Opposition*). I will add you have proved that you are strong, you have proved that you were successful in the elections, but I say, with all the emphasis I command, that you have yet to prove that you are statesmen, you have yet to prove that you have due regard for the feelings of the people. I may also assure the Government benches and particularly the honourable lady member sitting on that side, that the Opposition is not unreasonable. The Opposition, Sir, is not here to add to their difficulties or the difficulties of the administration. They should know that it may not be to-day, it may be to-morrow, it may not be in the Punjab, it may be in other provinces, far more important, that the Congress may have to accept the burden and responsibility of offices. (*Hear, hear from the Opposition*). Their Governments will have to face these very problems in those provinces then.

Premier : We would welcome that day.

Lala Deshbandhu Gupta : The Honourable Premier says that he would welcome that day. But I fear that he will, perhaps, find his task much more difficult if the Congress comes to power. (*Hear, hear from the Opposition*). He as well as the country will then know the difference between a Congress Government and a non-Congress Government. (*Hear, hear from the Opposition*). I assure him, with all the responsibility I carry with me, that Government will find the Opposition always helpful, provided the Government convinces us that there is some real change for the better in the present Government, provided the Government convinces us that they mean business, provided the Government convinces us that they do not want to take shelter always under the cloak of peace and tranquillity of the country. I assure them that the day there is a real change the Opposition will not be found wanting in its duty towards the Government. Members of the Opposition will even volunteer their honorary services to the Government, provided the Government comes forward to do something real for the people in this country. But so far what do we find? We are made to feel at every step that "this is Punjab," these words were uttered by a police officer in the Punjab, and have become almost proverbial since then. Sir, I do not now come from the Punjab. I come from a place which happens to be the seat of the Central Government. But I do feel the truth of those words that this is Punjab and, Sir, I admit this to my shame, because this is the first Government under the new Act, this is the first Government which carries with it such a big majority. Even then the Government is not prepared to concede to a very moderate demand of the Opposition, I say to them that if not for the sake of good name, do it for the sake of convincing the Opposition that you have an open mind on important matters like this. They should behave properly. They should take this opportunity of winning over the heart of the Opposition. We know that the Opposition is not in a position to make its will felt. We know that every day, from morn till evening, we are meted out a treatment, which I should call the worst tyranny of the majority. (*Voices from the Treasury benches : Question*). But even so I do not make a grievance of that. I still repeat, you can have our co-operation provided you deserve it. We are sincere representatives

of the people. We are not here to waste our time. We are not here to enjoy rickshaw rides, to enjoy cinemas or the hills of this summer capital of the Government. Sir, you are aware that even dinner parties and luncheons, we boycott. What is the use then of our remaining in this House? Our only motive in coming to these Assemblies is the high motive of service of the country, a motive for which many of us have suffered and suffered badly.

Mr. Deputy Speaker : The honourable member should confine his speech to the motion before the House.

Lala Deshbandhu Gupta : Sir, it is after all a matter of policy. My resolution really amounts to this : Does the Unionist Government wish to practise the same policy of repression which was the policy of the old bureaucracy, or is prepared to change that policy? That is all. I am not pleading for mercy. I am not basing my resolution on the plea of mercy. I tell the Unionist Government that it is in their own interest, as well as in the interest of the province and its people that they should release all the political prisoners and remove all such restrictions that are placed on the movements of political workers.

Diwan Chaman Lall : On a point of order, Sir, I hope the honourable Secretary is not tendering advice to you, Mr. Deputy Speaker, regarding the topic of this debate.

Lala Deshbandhu Gupta : Sir, I do not want to take more time of the House. I must however, refer to an extract of the speech which was delivered in the Central Legislative Assembly 10 years back by a gentleman, now an honourable Minister of this House—I mean the present Honourable Minister for Education. I wonder if he still remembers what he had said in those days when he used to sit on the opposition benches in the Central Assembly. Sir, the honourable the Education Minister in that memorable debate on the same subject had said—

“Coming, Sir, now to the merits of the question, everywhere in the world patriotism and loyalty go hand in hand except in this unfortunate country. Here one and the same man cannot afford to be a loyalist as well as a patriot.”

I invite the special attention of the honourable members sitting on the Government, benches, to the words—

“Here one and the same man cannot afford to be a loyalist as well as a patriot. The very moment you become a loyalist you cease to be a patriot, “(Hear, hear and applause)” and the very moment you take up the rôle of a patriot you cease to be loyal. I want to say that although these people who are rotting in jails are, according to you, seditionists, in my vocabulary they are called patriotic men.” (Hear, hear and applause.” So we are justified in protesting, it is perfectly natural for us to enter a very strong protest, against the treatment that is being meted out to them. I hope the Government will rise equal to the occasion and prove their sincerity by releasing them, and it is only then that they can show that they are out for co-operation in this country.

These are the words uttered by him and I could not have concluded my speech in a better way than by quoting the Honourable Minister for Education. I put it to him and his worthy colleagues and ask whether they are loyalists or patriots in his words. Let them answer whether they deserve our co-operation without releasing these young men who are still rotting in jails (hear, hear) or do not deserve that. I want judgment from him. I

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mean the Minister for Education. I want an expression of opinion from him. It may be that there is a change and in these days of changes his opinions may have also undergone a change or he may have chosen, for reasons best known to him, to become a loyalist rather than a patriot. But I still think that every Indian in this House, every man who has eaten the salt of this country has got an element of patriotism in him and I rely on that hope. It may be a faint hope, but I do hope, Sir, that the Unionist Party will still reconsider its attitude, will ponder, will think twice before they reject a resolution of this nature. To the honourable lady member I would address once again. She was pleased to inform this House that she is not chained to the Government benches. I expect of her at least as a brave sister, as a brave daughter of India to vote independently for this resolution. (*Hear, hear and applause*).

Mr. Deputy Speaker : Resolution moved is—

This Assembly recommends to the Government that all political prisoners and detainees (including Martial Law and Lahore Conspiracy Case prisoners) be forthwith released and that restrictions imposed by the Government on free movements of all political workers in the Punjab be immediately withdrawn.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): I wish at the very outset to congratulate the honourable mover of the resolution on the facility and the charm of delivery of his speech in English second not even to his delivery in Urdu. (*Hear, hear*). Sir, it is a very difficult resolution which we are discussing to-day. It deals with a very important and a very delicate matter. Such resolutions have no doubt been previously discussed by various legislatures in India, provincial and Central. But to-day for the first time in the history of India a legislature which is responsible for the law and order of the province is dealing with a matter of this nature, and the verdict of the House on this matter shall have to be given effect to by the ministry. As such it calls for a most anxious and dispassionate consideration of the resolution that is before the House, and I appeal to both sides of the House that we should discuss this question forgetting any kind of false notions based on sentiment on one side or on prestige on the other; and we should as a responsible Government party and a responsible Opposition party deal with this delicate question which we are now discussing. I would state at the very outset and I wish my friends of the Opposition to accept it in all sincerity, that it is not a pleasant task for any government and least of all for a national government, to have to put people in jails for political or other offences. (*Hear, hear*). And I am sure that I am speaking for my friends on this side of the House and for all of them, that it is definitely unpleasant for us to have to see that circumstances occur which necessitate that some of our countrymen be put in jails or their liberties otherwise curtailed. Nobody would be happier, I am sure, than the Honourable Premier and we on this side of the House to see a state of affairs when we may be able to proclaim that we have not got a single prisoner in the jails. (*Hear, hear*). (*Interruption*). I deliberately refer to prisoners, political and others. That being our attitude, Sir, considering that within two months of his taking office, the Honourable Premier has had the courage and the statesmanship to release the Martial Law prisoners who were in jails for over 18 or 19 years—

Chaudhri Krishna Gopal Dutt : Was not that question of the release of Martial Law prisoners under the consideration of the preceding Government ?

Premier : I am very sorry that the honourable member always takes an uncharitable view of whatever this Government does. It is very unfair.

Chaudhri Krishna Gopal Dutt : Mr. Deputy Speaker, I do not want to answer in the tone in which the honourable Premier is answering. I only wanted to know whether the question was not under the consideration of the preceding Government.

Premier : It was. It must have been several times, because resolutions were moved in the previous Councils.

Mir Maqbool Mahmood : When the Premier had the courage and statemanship of releasing within two months of his taking office all the Martial Law prisoners who had been rotting in jails all these years, he must have some reason and the party that supports him must have some reason, if they cannot readily accept the ordinarily popular resolution of the nature that has been moved. I appeal through you, Sir, to the honourable members of the Opposition that they should give us the same open-minded consideration which was demanded in the appeal that the opener of this debate made.

Lala Deshbandhu Gupta : Let him take the Leader of the Opposition into confidence and convince him.

Mir Maqbool Mahmood : Wait, so far as I know the circumstances, I will take the House including the Opposition into confidence and ask for their verdict. It is necessary at this stage to examine what the resolution actually requires. My honourable friend demands that all political prisoners involved in the commission of violent offences or otherwise shall be forthwith released. That is the main part of his resolution and the second part deals with political workers with which I will deal later. He has tried to define what he means by political offenders and he has brought in a definition from the Encyclopædia of Laws. I am sure he will bear me out that in the same Encyclopædia a little later it is definitely stated that under the British laws, there is no difference between political offenders and other offenders. He will find it stated there that so far as motives are concerned the British Jurisprudence and the British system of laws makes no difference and does not take into consideration the motives in the definition of a crime.

An Honourable Member : May I ask whether these differences are observed in England or not ?

Mir Maqbool Mahmood : My answer to this question is, "no" in Municipal law and "yes" in Civil law. The position legally is this that so far as International law is concerned only for the purpose of extradition a certain difference is kept.

Chaudhri Krishna Gopal Dutt : May I take it that the honourable member is suggesting that the Government do not know who are political prisoners and who are not ?

Mir Maqbool Mahmood : I was trying to bring out that an offence is an offence whatever the circumstances under which it is committed, that there are many cases where the motive of the offender is such that many of us feel sympathy with the offender, but that does not mean that the law shall not take its course. Now, I come to the specific point raised by the honourable mover of this resolution. He stated that to-day behind the bars in the Punjab jails lie the jewels and the youthful hopes of the Punjab, people whom he had—I would not use stronger language, lest I exceed the parliamentary limit—likened to such great patriots as Mahatma Gandhi and Pandit Jawaharlal for whose liberation keys of prison locks had not been taken by the Honourable Premier. I wish he had the courtesy or the patience or the industry to ascertain from the Honourable Premier or the Jail departments concerned as to whether these political prisoners who have not been released were convicted of violent offences or not.

An Honourable Member : Perhaps the honourable member is not aware that the mover of the resolution has made this point clear.

Mir Maqbool Mahmood : I wish the honourable member would show me a little patience and that open-mindedness which he demanded from us. If he had cared to enquire he would have found that the jails of the Punjab do not contain such "jewels" for whose liberation he pleads. I have here a list that I have been able to secure from the various jail department reports and what do I find? They include five prisoners who have been convicted by a regular court in connection with the Ahmedgarh Train Dacoity Case, people who formed a conspiracy to stop the train in jungle and pounced upon innocent women and children. (*Voices—No, No*). Are these the jewels of the Punjab who have been likened to the patriots like Mahatma Gandhi and Pandit Jawaharlal.

Diwan Chaman Lall : On a point of order. May I ask in what sense he considers these people as political prisoners, in terms of the resolution? In this particular way, my honourable friend might quite easily turn to the record of the jails and point out murderers also as political prisoners. Then again my second point of order is whether the honourable member is in order in making a reference to people who are not here to defend themselves.

Mir Maqbool Mahmood : I am afraid my honourable friend who has just sat down has allowed his anxiety to make a display of his oratorical "rumbas" on the floor of this House to overpower a sense of proportion and realities of this debate.

Diwan Chaman Lall : What does this sentence mean?

Mir Maqbool Mahmood : I will explain what I mean. These people who, my friends say, are not here to defend themselves, have been convicted of murders by regular courts of law after a regular trial. They are described as political prisoners.

Diwan Chaman Lall : Will the honourable member tell the House how this resolution relates to these people?

Mir Maqbool Mahmood : Will my honourable friend say that it does not intend to cover such people?

Diwan Chaman Lall : On a point of order—

Mir Maqbool Mahmood : I do not think there is any point of order.

Dr. Gopi Chand Bhargava : May I know how the honourable member in possession of the House, could, without hearing the honourable member who wanted to raise a point of order, say that it was no point of order? Is he entitled to say that it is no point of order, is it not for you, Mr. Deputy Speaker, to decide the question?

(At this stage Diwan Chaman Lall, and the Honourable Premier were both seen standing.)

Diwan Chaman Lall : On a point of order. May I draw your attention that I have a right of precedence when I rise to a point of order. I want to know whether I have or have not a precedence of speech.

(The Honourable Premier and Diwan Chaman Lall were both standing.)

Mr. Deputy Speaker : Order, order.

Diwan Chaman Lall : No question of order, order. I want your ruling that when I rise to a point of order I have a right of precedence. I refuse to give way and I demand your ruling.

Mr. Deputy Speaker : What is it that Diwan Chaman Lall has got to say?

Diwan Chaman Lall : Let me express my regret to the Honourable Premier but I have had to rise in order to establish my right and the right of members to precedence when they wish to raise a point of order. Otherwise I would have been only glad to give way to the Honourable Premier. It was only because of that that I did not give way. If the Honourable Premier wishes now to make a statement and he is willing to do so, I shall raise my point of order after he has made his statement.

Premier : I was not going to make a statement. I got up immediately after the Leader of the Opposition stood up and raised the point of order. My honourable friend on the other side also, I think, rose almost simultaneously; but I think that instead of turning this House into a forum of undignified contentiousness he would have been well advised to give way because I was also raising a point of order. Since he thinks that this House—

Diwan Chaman Lall : On a point of order. Is the honourable the Premier entitled to make a statement which is not relevant?

Mr. Deputy Speaker : Order, order.

Premier : I have nothing more to say. I wanted merely to point out that the honourable member did not raise any point of order.

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

Mr. Speaker : Sorry! I am not well, otherwise I would not have left the Chair.

Diwan Chaman Lall : I raised a point of order before you were pleased to occupy the Chair. My friend says that this resolution relates to the release of political prisoners. Was the honourable member in order in referring to other prisoners not included in the term 'political'?

Mr. Speaker : That would depend upon, I think, the trend of arguments. It may or may not be irrelevant.

Mir Maqbool Mahmood : Sir, just when this interesting interruption came in—interesting but unfortunate—I was asking the honourable mover of this resolution whether he included in his resolution political offenders who had been convicted of or involved in offences of violence. Does he include them or not ?

Lala Deshbandhu Gupta : The honourable member will have a reply. The terms of the resolution are quite clear. I have made it perfectly clear as to what sort of people are included in that category. I do not think it requires any further elucidation.

Mr. Speaker : The honourable member's resolution is perfectly clear. The honourable mover says—

This Assembly recommends to the Government that all political prisoners and detainees⁶ (including Martial Law and Lahore Conspiracy Case prisoners) be forthwith released, etc., etc.

whether they are political or not.

Mir Maqbool Mahmood : Violent or non-violent. That is exactly what I was stating when I was contradicted. It was said by my honourable friend that the definition covered such cases. Does he or does he not want that persons who have been convicted in Lahore, Delhi and United Provinces Conspiracy Cases, are political prisoners, criminals who organised political conspiracies in the Punjab, made raids on the life of police officers and killed some of them, does he want that they should also be given the benefit of this resolution? Are these the great jewels and those whom my honourable friend compared with patriots like Mahatma Gandhi and Pandit Jawahar Lal Nehru whom we all respect despite differences in policy and methods ?

Lala Deshbandhu Gupta : That question has again been raised. I must say once again that it is unfair. My honourable friend wants to know whether the Lahore Conspiracy Case prisoners are also included. The resolution is perfectly clear and there is no ambiguity about it.

Mr. Speaker : The honourable member may proceed with his speech. The resolution is quite clear.

Dr. Sir Gokul Chand Narang : Are there any martial law prisoners still in confinement? We were under the impression that they have all been released and that this part of the resolution was redundant.

Mr. Speaker : I have not been able to follow the point of order.

Dr. Sir Gokul Chand Narang : My point of order was this. The resolution says all political prisoners including Martial Law prisoners should be released along with some Conspiracy Case prisoners. I understand that the Martial Law prisoners have been released. I want to know whether they have been released.

Premier : Yes, those in the Punjab jails have been released and those who are in the Andamans will soon come out. If the honourable member has read the newspaper reports he would have seen that actually a procession of these men was taken out in Amritsar. It was suggested that one of them will replace the President of the provincial congress committee.

Mir Maqbool Mahmood : Seven of such jewels, again convicted of conspiracy for murder are in the jails of the Punjab. There are four prisoners of the Gurdaspur Conspiracy Case—people who organised conspiracies in order to kill police officers and actually made pistol raids on their life and one of them was killed in the discharge of duty. Take again the case of the Babar Akalies—criminals who started a reign of terror in the Doaba and killed men who were in any way connected with the Punjab administration, people who gave evidence in cases against persons involved in murderous offences. They created a reign of terror. Are these the jewels of the Punjab whom my friend would liken to people like Mahatma Gandhi and Pandit Jawahar Lal Nehru? (*Interruption*). I do not want any interruptions. I claim I have gone carefully through the lists and I find that out of the whole lists of the so-called political prisoners—the jewels of the Punjab—there are only seven in the Punjab jails, who have not been directly associated with or convicted by a court of violent offences.

Lala Deshbandhu Gupta : I do not want to obstruct the honourable member. I only want to correct him. This morning the Honourable Premier was pleased to state that there were 20 prisoners in the Punjab jail who come under the category of this resolution. My honourable friend says that there are only seven.

Premier : I think the honourable member wants correction. Those people are not in jail : they are confined in their villages.

Mir Maqbool Mahmood : My honourable friends who are so hasty in making interruptions should correct themselves.

Mr. Speaker : Has the honourable member spoken for 25 minutes ?

Mir Maqbool Mahmood : I am afraid, Sir, I have had about 15 minutes of interruptions. Considering the time given to the mover of the resolution I plead that I may be given more time.

Mr. Speaker : The honourable member has already spoken for 15 minutes.

Mir Maqbool Mahmood : I appeal to your discretion on account of interruptions.

At this stage the Assembly adjourned till 11 A. M., on Monday, 28th June, 1937.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 28th June, 1937.

*The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

COW SACRIFICE IN THE RASUL ENGINEERING SCHOOL.

***151. Sardar Muhammad Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a report was made about two months ago by Pandit Krishan Kumar of the Rasul Engineering School Staff to the Principal of the said School about the sacrifice of a cow and the use of beef in the Muslim quarters of the school ;
- (b) whether it is a fact that on investigation the said report was found to be false ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Government is inquiring into the circumstances that led to the recent troubles at the Engineering School at Rasul and is, therefore, not in a position to furnish any information on the subject at this stage.

PRINCIPAL OF THE RASUL ENGINEERING SCHOOL.

***152. Sardar Muhammad Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Pandit Krishan Kumar of the Rasul Engineering School at the time of the survey camp in 1936 forbade the Muslim students of the School to say their prayers ;
- (b) whether it is a fact that the matter was at once reported to the Principal ;
- (c) whether it is a fact that the Principal took no action in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The honourable member is referred to the answer to question No. *151 (above.)

RASUL ENGINEERING SCHOOL.

***153. Sardar Muhammad Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that in 1935 an order was passed by the then Principal of the Rasul Engineering School that the sons of

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Pandit Krishan Kumar of the same institution were not to enter the school boundaries ;

- (b) if the answer to (a) above be in the affirmative, the circumstances which necessitated the passing of this order ;
- (c) whether it is a fact that that order has since been frequently disobeyed ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The honourable member is referred to the answer to question¹ No. *151.

PRINCIPAL OF THE RASUL ENGINEERING SCHOOL.

***154. Sardar Muhammad Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that on the night of the 21st April, 1937, at 10-30 P. M. with the connivance of Pandit Krishan Kumar of the Rasul Engineering School, Waliati Ram and Indar Krishan, students of the draftsman class, entered the school mosque with shoes on ;
- (b) whether it is a fact that the incident was promptly reported to the Principal ;
- (c) whether it is a fact that the Principal let off the culprits without awarding any punishment ;
- (d) whether it is a fact that as a result of the outrage the Muslim students were compelled to resort to a hunger strike ;
- (e) what action Government intends to take or has taken against Pandit Krishan Kumar ;
- (f) if the answer to (c) be in the affirmative, whether Government intends to take some action against the present Principal of the Rasul Engineering School ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The honourable member is referred to the answer to question¹ No. *151.

PRINCIPAL, RASUL SCHOOL OF ENGINEERING.

***155. Sardar Muhammad Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) how many years' service the present Principal of the Rasul School of Engineering has put in the Department ;
- (b) whether it is a fact that all his previous service has been in the Forest Department ;
- (c) why a person who has no previous experience of the Engineering Department has been given the charge of the office of the Principal of the Rasul School of Engineering ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Mr. T. Kirkham-Jones has now completed more than 18 years' service.

(b) He served as Forest Engineer, not "Forest Officer," for 8 years. He was in the Electricity Branch for 6 years, and in the Irrigation Branch for about one year before being posted to the Rasul School.

(c) Mr. Kirkham-Jones has now had not only 17 years' experience as a working engineer, but has had engineering experience of a most varied nature. His experience in the Forest Department was entirely of an engineering nature.

RASUL SCHOOL OF ENGINEERING.

***156. Sardar Muhammad Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the community-wise distribution of posts in (i) the teaching and instructing staff, (ii) ministerial and clerical staff, and (iii) menial staff of the Rasul School of Engineering stating under each head community-wise the total emoluments per mensem ;
- (b) the reasons for the extreme paucity, if any, of Muslims in these appointments ;
- (c) the measures, if any, which are being adopted to secure a proper representation of Muslims in these appointments ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The attention of the honourable member is drawn to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937, on page 21 of which figures for the Rasul Engineering School are given. It will serve no useful purpose to give community-wise the total emoluments drawn per mensem, or to include figures for menials.

(b) This statement shows that of the 21 appointments—

2 are held by Europeans, or 9.50 per cent.

8 are held by Muslims, or 38.00 per cent.

9 are held by Hindus, or 43.00 per cent.

2 are held by Sikhs, or 9.50 per cent.

There is, therefore, no "extreme paucity" of Muslims.

(c) The whole question of communal representation is under consideration.

ARABIC IN GIRLS' EDUCATIONAL INSTITUTIONS.

***157. Sardar Muhammad Hussain :** Will the Honourable Minister for Education be pleased to state—

- (a) the total number of Government (i) middle schools for girls, (ii) high schools for girls, (iii) colleges for girls in the province,

[Sardar Muhammad Hussain.]

and (iv) the number of those under each head in which Arabic is taught ;

(b) the reason for not having teachers of Arabic in these institutions ;

(c) what measures the Government intends to employ to make arrangements for the teaching of Arabic in these institutions ?

The Honourable Mian Abdul Haye :

| | | | | |
|----------------------------------|----|----|----|------|
| (a) (i) Middle Schools for Girls | .. | .. | .. | 11 |
| (ii) High Schools for Girls | .. | .. | .. | 23 |
| (iii) Colleges for Girls | .. | .. | .. | 3 |
| (iv) 1. Schools | .. | .. | .. | Nil. |

2. *Colleges.*—Only one college, viz., the Lahore College for Women is affiliated to the Punjab University in Arabic up to the B.A. standard.

(b) 1. Few, if any, women teachers of Arabic, who are also trained, are available.

2. According to Departmental orders an optional subject cannot be taught unless at least 20 pupils are taking it. This would preclude the teaching of Arabic in most schools.

3. There is little, if any, demand for it.

4. With numbers in the high classes as they are at present it is not possible to have more than two optionals taught in the smaller schools.

(c) Not any at present.

KILLABANDI IN ILAQA THAR IN THE LAHORE DISTRICT.

*158. **Sardar Muhammad Hussain :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether *killabandi* in *ilaqa Thar*, district Lahore, in the year 1930 was done against the wishes of the zamindars concerned ;

(b) whether this *killabandi* was done chiefly in the interest of the Irrigation Department ;

(c) whether it was done in such areas only as are irrigated by the canals ;

(d) whether it is a fact that the zamindars have to bear expenditure for the digging of water courses ;

(e) if the answer to (d) be in the affirmative whether Government intend to remove this burden from the zamindars ;

(f) the length of water courses newly dug up and the amount realized for this purpose from the zamindars ;

(g) whether there are any villages in this area where no watercourses have been dug up after the *killabandi* referred to above ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) No. *Killabandi* was done both in the interest of Government and standowners.

- (c) Yes.
- (d) Yes.
- (e) No. Watercourses are dug for use by the zamindars who must pay for services rendered.
- (f) The labour involved in obtaining this information is considerable and Government consider that no useful purpose will be served by collecting it.
- (g) The information is not readily available and is being collected.

ZAMINDARS AND LAND REVENUE.

***159. Sardar Muhammad Hussain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the present rates of the land revenue in the province were fixed at a time when the prices of grains were high ;
- (b) whether Government proposes to reduce the land revenue in areas where settlement operations are taking place now ?

The Honourable Dr. Sir Sunder Singh Majithia : (a) The suggestion is correct in regard to a few districts settled after the war, but not of all districts in the province.

(b) Government propose to adopt wherever practicable the sliding scale system of assessment in the areas now under settlement so that the land revenue will vary with the prices of agricultural produce.

WATER RATES.

***160. Sardar Muhammad Hussain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the water rates charged for maize, rice, cotton and wheat crops on the Dipalpur Canal are higher than those charged for the same crops on the Upper Bari Doab Canal ;
- (b) whether it is a fact that the soil of *ilaga Thar* which is irrigated by the Dipalpur Canal is poorer than that of *Majha* which is irrigated by the Upper Bari Doab Canal ;
- (c) whether it is a fact that the Dipalpur Canal flows only in *Sharif* and irrigates wheat crop only once ;
- (d) whether it is a fact that the water rate charged for watering wheat crops once on the Dipalpur Canal is higher than that charged on the Upper Bari Doab Canal for watering the same crops four times ;
- (e) if the answer to (c) and (d) be in the affirmative whether the same is true in the case of *toria* ;
- (f) if the answers to above parts be in the affirmative what steps Government propose to take to redress the grievances of *ilaga Thar* ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Water rates for maize and cotton on the Dipalpur Canal are higher by Re. 0-8-0 and Re. 0-12-0 respectively than on the Upper Bari Doab Canal, but the rate for rice is the same on both the canals and the rate for wheat on the Dipalpur Canal is lower by Re. 0-12-5 and Rs. 2-0-7 than the rate on the *kharif* and the perennial channels of the Upper Bari Doab Canal respectively.

(b) Not as far as is known.

(c) Yes.

(d) No, *vide* reply to (a).

(e) For *toria* reply to (c) and (d) is the same as for wheat, water rate for *toria* being Rs. 2-4-0 on the Dipalpur Canal against Rs. 3-12-6 and Rs. 4-4-7 on the *kharif* and the perennial channels of the Upper Bari Doab Canal respectively.

(f) Does not arise.

FACILITIES FOR VISITORS TO PRISONERS.

***161. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that no shelter or facility of any kind is provided to the visitors who go to see their relations or friends in jails ;

(b) whether it is a fact that these visitors have to wait for a long time outside the jail without any shelter against rain or sun ;

(c) whether it is a fact that no provision for drinking water is made for these visitors ;

(d) if the answers to (a), (b) & (c) above be in the affirmative, what steps Government proposes to take to remove these grievances ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (d). In a certain number of jails special rooms have been constructed for interviews. In most of the others, arrangements are made for interviews to be held in a convenient verandah or otherwise under cover. Sheds have already been provided outside a number of jails for persons waiting to be admitted for interviews. The desirability of extending these facilities is recognised by Government, but is a matter of funds.

(c) Provision for supplying water to interviewers exist in 27 out of the 36 jails in the province.

LATHI CHARGE AT CHHEHARTA.

***162. Diwan Chaman Lall :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that on 4th May, 1937, the Police indulged in a lathi charge against workers on strike at Chheharta

outside the Narain Swadeshi Ribbon and Trimmings Mills, Chheharta as well as in the quarters occupied by the workers ;

(b) if the answer to (a) above be in the affirmative, the names of the police officers present ;

(c) whether Government received any report regarding this lathi charge and instituted an inquiry into this incident ; if not, why not ;

(d) whether it is a fact that even women and children were assaulted by the police in the workmen's quarters ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No.

(b) and (c) do not arise.

(d) No.

Diwan Chaman Lall : May I ask the Honourable the Premier whether a strict inquiry has been held into these allegations ?

Premier : Yes.

Diwan Chaman Lall : What was the method of the enquiry ?

Premier : Through local officers.

Diwan Chaman Lall : Were any statements taken ?

Premier : It was not necessary to take the statements.

Diwan Chaman Lall : If the allegations were of a serious nature, why was it not necessary to make enquiries from the workers ?

Premier : The local officers did make enquiries.

Diwan Chaman Lall : Is the Honourable the Premier prepared to see that a regular enquiry is held and statements taken from those who alleged that they were the victims of the lathi charge ?

Premier : It is not necessary to make further enquiries.

Diwan Chaman Lall : Why is the Honourable the Premier not prepared to make further enquiries ?

Premier : Because those allegations were not correct.

Diwan Chaman Lall : How can the Honourable the Premier state that the allegations were not correct when the allegations were examined only through the agency of those people who were being charged with having taken that action ?

Premier : No further enquiry can be made.

Diwan Chaman Lall : What independent evidence was taken by those people who held the enquiry ?

LATHI CHARGE AT AMRITSAR.

*163. **Diwan Chaman Lall :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that on the 19th of May, 1937, the police surrounded the students of the Khalsa College, Amritsar, and indulged in an indiscriminate lathi charge against the

[Diwan Chaman Lall.]

students, wounding a number of them; if so, the names of the police officers incharge and also the name of the Superintendent, Police;

- (b) whether the Government have received a report regarding this *lathi* charge and instituted an enquiry into this matter if not, why not?

The Honourable Major Sir Sikander Hyat-Khan : (a) On the morning of the 19th May, 1937, a large number of persons, including the students on strike and several outsiders, made an attempt to enter forcibly the premises of the Khalsa College and later resorted to picketing for the purpose of obstructing non-resident students who wanted to attend the College. The picketers closed the entrance to the College completely, refused to pay any heed to the repeated requests of the Principal and the officer in charge of the small police guard to permit non-resident students to enter the College, and assumed a very defiant attitude. Eventually at the request of the Principal, the police cleared a passage to the College by using the minimum force necessary for the purpose. It was in these circumstances that some of the students received minor injuries. No indiscriminate *lathi* charge was made by the police. Mr. G. Durrant was the Superintendent of Police at the time and Mr. A. J. V. Saunders, Deputy Superintendent of Police, was in charge of the police guard.

(b) Yes. On the facts stated in (a) Government were satisfied that no special enquiry into the matter was called for.

Sardar Lal Singh : Was this so-called *lathi* charge indulged under the instructions of the Principal or by the Police of its own accord?

Premier : The Principal requested the Police to clear up the passage.

Diwan Chaman Lall : May I ask the Honourable the Premier whether he is prepared to lay on the table the report of the enquiry instituted into this question?

Premier : No, Sir.

Diwan Chaman Lall : May I ask the Honourable the Premier the reason why he is not prepared to do so?

Premier : Because it is not in my possession.

Diwan Chaman Lall : May I ask him whether, as head of the department which is being questioned, the document cannot come into his possession?

Premier : It can, but I do not think it is necessary in view of my answer to the question placed on the table of the House.

Diwan Chaman Lall : I did not quite catch what the Honourable Premier said.

Premier : I can get the document, but in view of the answer given to this question by me in this House, I do not consider it necessary that it should be laid on the table.

Diwan Chaman Lall : Is the Honourable the Premier prepared to institute an impartial enquiry into this question?

Premier : No further enquiry is contemplated.

Diwan Chaman Lal : Is the Honourable the Premier prepared to regard this matter as fit enough for an independent enquiry ?

Premier : I consider the matter as closed.

*164. *Cancelled.*

WHITE AND BLACK LISTS MAINTAINED BY GOVERNMENT.

*165. **Malik Barkat Ali :** Will the Honourable the Premier be pleased to state—

- (a) the considerations on which newspapers are taken on the white or the black list of the newspaper ;
- (b) whether circulation of the newspaper alone is the consideration for Government's decision in the matter or whether other considerations, for example the policy pursued by the paper, are also taken into account ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b). No Black list is maintained. What is maintained is a list of newspapers and periodicals approved by Government as media for official notices and advertisements. The principal considerations which govern the preparation of the list are—

- (1) the period for which a newspaper has been in existence ;
- (2) its circulation ; and
- (3) public interest.

Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to define " public interest " in this respect ?

Premier : I am afraid it is a very wide question the honourable member has asked.

Lala Deshbandhu Gupta : I will narrow down my question. What are the considerations really which lead to the inclusion or exclusion of certain papers from the white lists ?

Premier : I have given the three main considerations.

Lala Deshbandhu Gupta : The third one is not understandable.

Premier : As I have said already, it is a very wide question. I can give him one consideration, and that is that the paper which circulates in a particular part of the province to which a case relates, naturally would get preference so that the people thereabout may know what the court desires.

Lala Deshbandhu Gupta : Is the Honourable the Premier aware that the most widely circulated papers are not on the white list ?

Premier : I have no such information.

Lala Deshbandhu Gupta : Will he kindly collect facts on that question ?

Premier : If the honourable member gives me notice.

WHITE LISTS MAINTAINED BY GOVERNMENT.

***166. Malik Barkat Ali:** Will the Honourable the Premier be pleased to state—

- (a) whether the white list approved by Government is sent for information to Heads of Departments;
- (b) whether the Heads of Departments forward this white lists, sent to them by Government, intact to their subordinates or whether they prepare another white list out of that list and send that list so prepared by them to their subordinates?

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

(b) The Heads of Departments generally circulate to their subordinates the list approved by Government. The High Court, however, circulates a separate list of its own which is based on the Government list.

PRIMARY SCHOOLS IN ILAQA BEIT.

***167. Chaudhri Muhammad Hassan:** Will the Honourable Minister for Education be pleased to state—

- (a) the number of primary schools in *ilaga Beit* in the Ludhiana district;
- (b) the number and the names of places in the said *ilaga* where primary schools were at some time opened and where these schools have now been closed, and also the number and the names of places in *ilaga Beit* where primary schools have now been opened;
- (c) whether the Honourable Minister intends to push the scheme of spreading education in this *ilaga* at an early date?

The Honourable Mian Abdul Haye:

(a) 15 Primary schools.

8 branch schools.

- (b) 1. District Board Primary, Punjgarain .. Closed,—*vide* District Board resolution No. 37, dated 26th July, 1935.
2. District Board Primary, Nurpur Jhugian. Ditto.
3. District Board Primary, Malakpur Beit Ditto.
4. District Board Primary, Marewal .. Ditto.
5. District Board Primary, Kaka Dhaura Ditto.
6. Branch School, Dhanasu .. Ditto.
7. Branch School, Abbu Pura .. Closed,—*vide* District Board resolution No. 41, dated 16th February 1935.

1. District Board Primary, Panjgarain .. Reopened in 1936.
2. District Board Primary, Nutpur Jhan- Ditto.
gian.
3. District Board Primary Branch School, Malak- Ditto.
pur Beit.

(c) The matter will be brought to the notice of the Divisional Inspector of Schools, Jullundur division, and the District Board, Ludhiana.

Chaudhri Muhammad Hassan : Is not the number of primary schools inadequate, and does the Honourable Minister intend to issue instructions to the District Board, Ludhiana ?

Minister : Government cannot issue any instructions in this matter, only the attention of the District Board can be drawn to it.

DISTRICT MAGISTRATE AND SUPERINTENDENT, POLICE, LUDHIANA.

***168. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

- (a) the number of occasions on which the present District Magistrate and the Superintendent, Police, Ludhiana, encamped together at one and the same place during their tour ;
- (b) the object of their joint visits to any particular place in the district ;
- (c) whether Government require these officers to keep a regular record of their tour programme and the work done by them during their tours in the district ?

The Honourable Major Sir Sikander Hyat-Khan : (a) On about sixteen occasions during the last twelve months.

(b) If the honourable member will mention the particular place or places to which he refers, I will endeavour to answer his question. District officers are expected to visit every part of their districts, so far as it is possible for them to do so.

(c) There is no rule making it obligatory for Deputy Commissioners and Superintendents of Police to maintain a diary showing the work done by them on tour, but they are required to submit periodical returns showing the amount of touring and in the case of police officers the inspections done by them.

Sardar Gopal Singh : Do not the Government appreciate these joint visits ?

Premier : It is left to the discretion of the local officers.

ANTI-CORRUPTION, LEAGUE, LUDHIANA.

***169. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

- (a) whether any anti-corruption league was formed in Ludhiana by the present District Magistrate and the Superintendent, Police ; if so, when ;
- (b) the names of the members of the anti-corruption league ;

[Chaudhri Muhammad Hassan.]

- (c) the number of complaints received by it ;
 (d) any enquiries made by the anti-corruption league with the result of those enquiries ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No.
 (b), (c) and (d) Do not arise.

CONSTRUCTIONS IN BAGH RAMANAND, AMRITSAR.

***170. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that suspension orders were issued by the Deputy Commissioner, Amritsar, prohibiting constructions in Bagh Ramanand, Amritsar ;
 (b) the date of this order ;
 (c) whether he is aware of the fact that some of the residents of Amritsar who had purchased land in Bagh Ramanand had to bear heavy losses on account of the suspension order which issued very late ;
 (d) if so, what action he proposes to take to redress this grievance ?

The Honourable Nawabzada Major Malik Khizar Hyat Khan Tiwana : (a) Yes.

(b) 26th October 1936.

(c) A few persons who bought plots have laid the foundations of their houses and to that extent have suffered loss.

(d) The remedy lies in the hands of the Municipal Committee which has to put up a proper building scheme to Government for sanction under section 192 of the Punjab Municipal Act, 1911.

Dr. Gopi Chand Bhargava : On what date did the Municipality permit by way of a resolution the building on these areas ?

Minister : I am afraid I cannot give the date without proper notice.

Dr. Gopi Chand Bhargava : Is the Honourable Minister aware of the fact that the Deputy Commissioner called upon the proprietors of this area to deposit a certain amount of money as on payment of that amount they would be allowed to build.

Minister : I have no information on that subject. There is a big depression and no building can be erected before the depression is filled up. There can be no drainage either under the present circumstances.

Dr. Gopi Chand Bhargava : When did the Commissioner ask the Municipal Committee to submit a building scheme of this area ?

Minister : I have no information on that subject, but can enquire if notice is given.

REMISSION OF REVENUE IN SERAI KHURJA, DISTRICT GURGAON.

***171. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he has received a representation from the peasants of village Sarai Khurja, Talsil Ballabgarh, District Gurgaon,

about the condition of crops there and praying remission of revenue thereon ;

(b) if so, what Government propose to do in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) It has been decided not to collect anything out of the suspended land revenue demand of this village and to remit Rs. 186 out of the demand for *kharif* 1932.

DAMAGE TO RABI CROPS IN HOSHIARPUR DISTRICT.

***172. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the extent to which the *rabi* crops for this year have been damaged in the Hoshiarpur district ;
- (b) whether it is a fact that this year the gram crop in the Hoshiarpur district has been totally damaged ;
- (c) the amount of remission granted in that district in regard to wheat and gram crops ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member's attention is invited to the answer given to part (b) of question No. 53¹.

(b) No.

(c) Rs. 591.

TACCAVI LOANS.

***173. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state the amount of *taccavi* loans that have been recently granted to the zamindars in the various districts of the Punjab ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member's question is vague and unless the period for which information is asked for is definitely stated it is not possible to give an answer.

DAMAGE TO MANGO CROP IN MUZAFFARGARH DISTRICT.

***174. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the mango crop in Bhutapur and Jalwahan villages, district Muzaffargarh, has been totally damaged ; if so, the amount of remission proposed to be granted to cultivators of the said villages ?

The Honourable Dr. Sir Sundar Singh Majithia : The reply to the first part of the question is no ; the second does not, therefore, arise.

COMPLAINTS AGAINST WATER SUPPLY.

***175. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state whether he has received a repre-

[Dr. Gopi Chand Bhargava.]

sentation, dated the 20th May, 1937, re complaints against water supply from the residents of chak Nos. 137, 138, 139 and 140-G. B., tahsil Samundri, district Lyallpur, through Sardar Sant Singh, Secretary, Zamindars Committee, if so, what action Government propose to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : Reply to the first part is in the affirmative. As regards the second part, the matter is still under investigation, but temporary relief has been given for the current crop.

SARDAR ATMA SINGH, PRESIDENT, MUNICIPAL COMMITTEE,
SHEIKHUPURA.

***176. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether his attention has been drawn to the remarks passed by Lala Sant Ram, Special Magistrate, against a sub-inspector of police in the case of Sardar Atma Singh, President, Sheikhpura Municipality; if so, what action does Government propose to take against the police officer concerned?

The Honourable Major Sir Sikander Hyat-Khan : The answer to the first part of the question is in the affirmative. It is understood that Sardar Atma Singh has since applied to the magistrate under section 476 of the Code of Criminal Procedure, praying him to make a complaint against the sub-inspector under section 211 and other sections of the Indian Penal Code. The matter is thus *sub judice*, and the honourable member will not expect me to answer questions regarding it.

ZAMINDARS OF AMBALA DIVISION IN PUNJAB EDUCATIONAL
SERVICE.

***177. Chaudhri Sumer Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the number, if any, of the Muslim zamindars of the Ambala Division employed at present in the Punjab Educational Service;
- (b) if no Muslim zamindar of the Ambala Division is at present employed in the Punjab Educational Service, reasons for the same;
- (c) the number of Hindu zamindars of the Ambala Division at present employed in the Punjab Educational Service.
- (d) if no Hindu zamindar of the Ambala Division is at present employed in the Punjab Educational Service, the reasons for the same?

The Honourable Mian Abdul Haye : (a) Two.

(b) Does not arise.

(c) One.

(d) Does not arise.

Chaudhri Sumer Singh : Will he please give the particulars as regards (c) ?

Minister : I am not in a position to give particulars, but my definite information is that one zamindar is at present employed.

Chaudhri Sumer Singh : I think he is not a zamindar.

Minister : Then the honourable member is giving information, he is not seeking information.

DEBTS DUE TO CO-OPERATIVE BANKS.

***178. Chaudhri Sumer Singh :** Will the Honourable Minister for Development be pleased to state whether any measures are being adopted by the Government to relieve the poor people of the extreme burden of the heavy debts due to co-operative banks in the province; if not, why not ?

The Honourable Chaudhri Sir Chhotu Ram : The honourable member's attention is invited to the reply given to part (b) of question No. *81¹ in the present session of the Assembly.

EXODUS TO SIMLA.

***179. Chaudhri Sumer Singh :** Will the Honourable Minister for Finance please state the average expenditure incurred annually during the last five years by the Government on account of exodus to Simla ?

The Honourable Mr. Manohar Lal : On an average for the last five years the annual expenditure on the move of officers and establishment required to accompany Government to Simla was Rs. 1,30,552.

REPRESENTATIONS FROM THE PUNJAB SHAREHOLDERS ASSOCIATION.

***180. Diwan Chaman Lal :** Will the Honourable Minister for Development be pleased to state—

- (a) whether he has recently received any representations from the Punjab Shareholders' Association ;
- (b) what action, if any, has been taken by the Government on these representations ;
- (c) whether he has obtained legal opinion regarding the applicability of the Gambling Act (iii) of 1867 to corporations, firms or individuals dealing in stocks and shares in a forward business ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes.

(b) The matter is under examination.

(c) No.

UNSTARRED QUESTIONS AND ANSWERS.

PERMISSIONS REGARDING CONSTRUCTIONS GRANTED BY THE
MUNICIPAL COMMITTEE, BHIWANI.

96. Pandit Shri Ram Sharma : Will the Honourable Minister for Public Works be pleased to state the number of cases—

- (a) in which the present Municipal Committee of Bhiwani granted permissions regarding constructions which contravened the entries in the town map ;
- (b) in which the Deputy Commissioner ordered the Committee to alter its decisions and to fight the cases in civil court ;
- (c) in which the decision of the courts was according to the view taken by the Deputy Commissioner?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 38.

(b) None.

(c) In ten cases the Deputy Commissioner disagreed with the decisions of the Municipal Committee and consequently civil suits in respect of these were defended. Out of these only three have been decided ; one was compromised and in two the decisions were against the view taken by the Deputy Commissioner.

LITIGATION IN MUNICIPAL COMMITTEE, BHIWANI.

97. Pandit Shri Ram Sharma : Will the Honourable Minister for Public Works be pleased to state the amount of expenditure, if any, which the present Municipal Committee of Bhiwani has incurred for the litigation which the Committee had to undertake under the orders of the Deputy Commissioner in respect of cases in which those orders were found to be wrong in the light of the decisions of the courts ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The honourable member's attention is invited to the answer given to question No. 96 (above).

In the three decided cases the expenditure incurred is Rs. 143-2-8.

MEMBERSHIP OF MUNICIPAL COMMITTEE, BHIWANI.

98. Pandit Shri Ram Sharma : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Municipal Committee of Bhiwani by its resolution No. 9 of 29th May, 1936, had requested the Government to increase the strength of its membership from 16 to 25 in view of the population and importance of the Bhiwani town ;
- (b) the date on which the resolution of the Committee was forwarded to the Government by the Deputy Commissioner with the decision which the Government has taken in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) 1st August, 1936. Government did not agree to the proposal.

RURAL RECONSTRUCTION.

99. **Chaudhri Kartar Singh** : Will the Honourable Minister for Development be pleased to state—

- (a) the year in which the department of Rural Reconstruction was started in the Punjab by the Government and at whose instance it was started ;
- (b) the number of officers and the strength of the subordinate staff employed in this department and the total expenditure so far expended on it with the sources of income from which this expenditure is met ;
- (c) whether any grant of land; *inam*, jagir, title or special promotions have been awarded to the workers or helpers of this department ; if so, a statement showing detailed information in this behalf may be laid on the table of the House?

The Honourable Chaudhri Sir Chhotu Ram : (a) There is no department of rural reconstruction. A Commissioner, Rural Reconstruction, was appointed in October, 1933. The honourable member's attention is invited to a Press *communiqué*, dated the 24th February, 1934. Although the appointment was made by Government at their own instance the suggestion was also made when a deputation of the leading zamindars of the province waited upon His Excellency the Governor in August 1933. They urged, among other schemes, that an officer be placed on special duty to organize the work of rural reconstruction.

(b) A statement is laid on the table. The cost is met from the general revenue of the province.

(c) No.

Statement showing the number of officers and the strength of the subordinate staff employed in the office of the Commissioner, Rural Reconstruction and the total expenditure incurred so far.

Officers—

One Commissioner, Rural Reconstruction (I.C.S.).

One Personal Assistant to the Commissioner, Rural Reconstruction (P. C. S.).

Subordinate Staff—

| | | | | | |
|------------------------------------|----|----|----|----|---|
| Superintendent | .. | .. | .. | .. | 1 |
| Assistant | .. | .. | .. | .. | 1 |
| Stenographer | .. | .. | .. | .. | 1 |
| Senior Clerks | .. | .. | .. | .. | 4 |
| Clerks | .. | .. | .. | .. | 6 |
| Demonstrator for exhibitions, etc. | .. | .. | .. | .. | 1 |

Rs.

Total expenditure from October, 1933 to March, 1937

1,09,885 (Non-voted)

1,19,098 (Voted).

2,28,983

UNTRAINED TEACHERS IN THE MUNICIPAL BOARD PRIMARY
SCHOOLS.

100. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state—

- (a) the number of municipalities in the province who have in the staff employed by them for their primary schools more than one-fifth untrained teachers on 31st March, 1937 ;
- (b) whether Government intends to take some action in the matter of the appointment of trained teachers through District Inspectors of Schools in consultation with whom the appointments of teachers are made for the Board Schools?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

STANDARD OF EDUCATION IN MEDICINE FOR HAKIMS, VAIDS, ETC.

101. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state—

- (a) whether there are any educational qualifications prescribed, the attainment of which may be necessary before one could practise any system of medicine other than the allopathic as daily recognised medical practitioners ;
- (b) if so, whether the Government propose to prescribe some standard of education in medicine for hakims, homœopathics or vaids?

The Honourable Mian Abdul Haye : (a) No.

(b) There is no intention of doing so at present.

BOYS OF SCHOOL-GOING AGE IN SCHOOLS IN RURAL AND URBAN AREAS.

102. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state community-wise :—

- (a) the percentages of boys of school-going age enrolled on 31st March, 1937 in such recognised schools in the rural and urban areas of the province as enforce free and compulsory primary education ;
- (b) whether Government proposes to take action to raise these percentages ; if so, what?

The Honourable Mian Adbul Haye : I regret that the answer to this question is not yet ready.

BUILDINGS OWNED AND RENTED BY THE MUNICIPALITIES OF
THE PROVINCE FOR PRIMARY SCHOOLS.

103. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be please to state—

- (a) the number of school buildings owned and rented respectively for primary schools at present by various municipalities in the Punjab ;

(b) whether these buildings are inspected and recommended by Public Health Officers as fit for habitation by school children ;

(c) if so, in how many cases action was taken during the last financial year by various municipalities on reports to the contrary?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

RULES FOR ISSUE AND RETURN OF MUNICIPALITY AND DISTRICT BOARD LIBRARY BOOKS.

104. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state—

(a) the number of municipalities and district boards on 31st March, 1937, having libraries recognised and aided by the Government ;

(b) the number of those among the libraries mentioned in (a) above which have rules and regulations for the issue and return of books?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

MONEY SUITS AND DEBT CONCILIATION BOARDS.

105. Khan Sahib Chaudhri Fazal Din : Will the Honourable the Premier be pleased to give the number of money suits, parties to which belonged to the rural areas, that were filed separately in the financial year 1934-35 and 1936-37 in the courts situated within the jurisdiction of the various Debt Conciliation boards?

The Honourable Major Sir Sikander Hyat Khan : This information could not be collected without an expenditure of time and labour out of all proportion to the results to be secured.

PROPERTY INVESTED BY GOVERNMENT SERVANTS WITH THE OFFICIAL TRUSTEE OR ADMINISTRATOR GENERAL OF WILLS AND ESTATES.

106. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Revenue be pleased to state—

(a) the approximate value of property and money invested respectively by Government servants and others with the Official Trustee or Administrator-General of Wills and Estates in the Punjab during each of the last five years ;

(b) Whether Government propose to take such action as they may deem necessary in the matter of giving wider publicity of his functions in the Punjab?

The Honourable Dr. Sir Sundar Singh Majithia : (a)—

| | Rs. |
|--------------|----------|
| 1932 | 1,44,000 |
| 1933 | 2,06,000 |
| 1934 | 2,27,000 |
| 1935 | 2,04,000 |
| 1936 | 3,37,000 |

The figures for 1934 include a sum of Rs. 30,000 invested by a Government servant. In no other case were funds or property deposited by Government servants.

(b) Between 1924 and 1934 it was the practice to publish notices periodically in the newspapers, advertising the facilities offered by the Official Trustee's office. This practice was discontinued in 1935 as the amount of business brought by the advertisements did not appear to be commensurate with the expenditure.

CONSOLIDATION OF HOLDINGS IN VILLAGES.

107. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Development be pleased to state—

- (a) the number of villages in the province in which consolidation of holdings has been effected so far through the agency of the Co-operative Department, Punjab, or otherwise;
- (b) the number of villages among those mentioned in (a) in which arrangements have been made for the reservation of suitable pasture grounds and village roads, respectively?

The Honourable Chaudhri Sir Chhotu Ram : (a) 1,462.

- (b) (i) 110 (pasture grounds).
- (ii) 502 (village roads).

PASTURE LANDS.

108. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that old pasture grounds are now being utilized for purposes other than they were meant for in several villages in the various districts of the province causing scarcity of food for cattle;
- (b) if so, whether the Government proposes to take any action in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government is not aware of it.

(b) Does not arise. The honourable member's attention is, however, invited to the answer given to question No. 145* in February, 1927.

DEDICATED BULLS.

109. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Development be pleased to state the number of dedicated bulls approved and branded by the Veterinary Department during the last six months ?

The Honourable Chaudhri Sir Chhotu Ram : 822 privately owned bulls were approved by the Civil Veterinary Department for breeding purposes in the province during the half year from October 1st, 1936 to March 31st, 1937.

PEDIGREE BULLS.

110. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Development be pleased to state the number of Veterinary Hospitals in which pedigree bulls are at present being maintained by local bodies and charitably minded persons, respectively?

The Honourable Chaudhri Sir Chhotu Ram : No pedigree bulls are being maintained in Veterinary Hospitals either by local bodies or by charitably minded persons.

PASTURE GROUNDS MAINTAINED BY DISTRICT BOARDS AND MUNICIPALITIES.

111. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Public Works be pleased to state the names of municipalities and district boards which are maintaining at present their own pasture grounds or those donated by charitably-minded persons within their jurisdictions ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Only the Municipal Committees of Sirsa and Dharamsala are maintaining their own pasture grounds. In Dalhousie Municipality pasturing is allowed in certain Government forests under the control of the Municipal Committee.

ESSAY COMPETITIONS HELD BY THE COMMISSIONER, RURAL RECONSTRUCTION.

112. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Development be pleased to state—

(a) the names of Vernaculars in which essay competitions were held by the Commissioner, Rural Reconstruction, Punjab, during the last 18 months ;

(b) the number of prize winners therein community-wise (Hindus, Muslims, Christians and Sikhs)?

The Honourable Chaudhri Sir Chhotu Ram : (a) Urdu, Hindi and Punjabi.

| | | | | | |
|-----|-----------------|----|----|----|------|
| (b) | (i) Hindus | .. | .. | .. | 10 |
| | (ii) Muslims | .. | .. | .. | 82 |
| | (iii) Sikhs | .. | .. | .. | 7 |
| | (iv) Christians | .. | .. | .. | Nil. |

DETERMINATION OF THE SENIORITY OF GOVERNMENT SERVANTS.

113. Rai Sahib Lala Atma Ram : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that in some departments of Government seniority of Government servants is determined by the dates of their confirmation and in others by the dates of their appointment ;
- (b) if so, whether Government proposes to bring about uniformity of practice in the matter of determining the seniority of Government servants?

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

(b) Government considered this question some few years ago but found it impracticable to introduce a uniform rule because methods of recruitment vary considerably in different services.

UNEMPLOYMENT AND RETENTION OF OLD GOVERNMENT SERVANTS IN SERVICE.

114. Rai Sahib Lala Atma Ram : Will the Honourable Premier be pleased to state—

- (a) whether it is fact that normally the retiring age for Government servants is 55 years ;
- (b) whether it is also a fact that in some departments of the Punjab Government persons above 55 years of age are still in service?

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

PERSONAL FILES OF GOVERNMENT SERVANTS.

115. Rai Sahib Lala Atma Ram : Will the Honourable Premier kindly state—

- (a) whether in some departments of the Government personal files of Government servants are shown to them while in others they are not shown to them ;
- (b) if so, whether Government propose to adopt a uniform practice in the matter?

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

(b) The question whether it is feasible to have a uniform practice in the various departments is being examined by Government.

ELECTIVE SUBJECT FOR F. A.

116. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Economics, an elective subject for the intermediate examination, is not taught in the F. A. classes of any of the Government colleges in the Punjab ;
- (b) whether Geography was approved as an elective subject for F. A. some years after Economics ;
- (c) whether Geography has been introduced in several of the Government colleges in the F. A. classes ;

- (d) if so, why arrangements have not been made for the teaching of Economics in the intermediate department of Government colleges in the Punjab?

The Honourable Mian Abdul Haye : (a) to (c) Yes ;

(d) Financial considerations prevent Government from making provision for the teaching of all elective subjects in Government colleges. Further Economics being a subject which requires a sound foundation knowledge of history, geography and mathematics it is academically unsound to introduce it at the intermediate stage.

ADMISSION OF MEMBERS OF DEPRESSED CLASSES INTO SENIOR
VERNAacular AND JUNIOR VERNACULAR CLASSES.

117. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Education please state—

- (a) the number of Hindus, Sikhs, Christians, members of depressed classes and Muslims recommended by each of the Divisional Inspectors of Schools for admission to the Senior Vernacular and Junior Vernacular classes this year ;
- (b) the number of Hindus, Sikhs, Christians, members of depressed classes and Muslims admitted by the head masters of each of the three Normal Schools in the province?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

COMMUNAL REPRESENTATION AMONG BOYS ADMITTED TO THE
NORMAL SCHOOLS.

118. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Education kindly state—

- (a) the number of Normal Schools for boys in the Punjab ;
- (b) the number of head masters of these schools, community-wise and the number community-wise of students admitted in these schools in 1986 and 1987?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

PRINCIPLES OF PROMOTIONS TO THE POSTS OF SENIOR CLERKS
AND ASSISTANTS IN THE PUNJAB CIVIL SECRETARIAT.

119. Rai Sahib Lala Atam Ram : Will the Honourable Premier be pleased to state—

- (a) the principles of promotions to the posts of senior clerks and Assistants in the Punjab Civil Secretariat ;
- (b) whether these principles are followed by the other departments ;
- (c) if not, whether Government proposes to direct that the rules of promotion shall be the same for the clerical service in all the departments of the Punjab Government?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member is referred to rules 6 (1) (b) (2) and 7 (3) of the Punjab Civil Secretariat Rules, a copy of which is placed on the table. All promotions are made strictly by 'selection.' The educational qualification for the posts

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of Senior clerk and Assistant is a 'Degree' and the practice in the Civil Secretariat has been to give accelerated promotion to graduates.

(b) and (c) Each office has its own rules and the educational and other qualifications required for various posts are not necessarily the same. Consequently the need for uniformity does not arise.

Extracts from the Punjab Civil Secretariat Rules.

6. (1) No person shall be appointed to the service unless in the case of appointment to the post of—

(b) Assistant and Senior or Junior translator, he is a graduate of a recognised university, or has passed the European High School or Senior Oxford or Cambridge Local examination ;

(2) No person who is not already in Government service shall be appointed to the post of Senior Clerk unless he is a graduate of a recognised university or has passed the European High School or Senior Oxford or Cambridge local examination.

7. (3) Appointment to any post by the promotion of officials already in the service or by the transfer of officials employed in Government departments other than the Civil Secretariat shall be made strictly by selection, and no official shall have any claim to such appointment as of right.

DISTRICT INSPECTORS OF SCHOOLS AND SENIOR ANGLO-VERNACULAR
AND B.T. HINDU AGRICULTURISTS.

120. Rai Sahib Lala Atma Ram : Will the Honourable Minister for Education kindly state—

(a) the number of Senior-Anglo Vernacular and B. T. Hindu agriculturists on the waiting list maintained by each of the Divisional Inspectors of Schools in the province ;

(b) the number of Hindu agriculturists appointed as teachers in Government Schools and as Assistant District Inspector of Schools in the province during the last three years ;

(c) the number of Hindu non-agriculturists appointed to the posts mentioned in (b) above ;

(d) what steps Government proposes to take to improve the representation of Hindu agriculturists in the subordinate educational service?

The Honourable Mian Abdul Haye : (a) I regret that the answer to this part of the question is not ready.

(b) Eight.

(c) Fourteen.

(d) The Government is already doing its best to improve the representation of agriculturists in the S. E. S.

CONCESSION TO AUCTION PURCHASERS IN THE NILI BAR COLONY.

121. Sardar Ajit Singh : Will the Honourable Minister for Revenue be pleased to state—

(a) whether he is aware of the fact that under the orders of the Government the forfeited lands of the auction purchasers in the Nili Bar Colony were re-allotted to some of them and not to all

of the purchasers to the extent to which they were entitled according to the amount actually paid by them;

- (b) if so, what action is proposed to be taken to redress the grievances of those who were similarly entitled to such re-allotment but were deprived of this concession?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. Under the conditions of sale if a purchaser make default in payment of any sums due, the sale is liable to be rescinded and land resumed. This was done in the case of defaulting auction purchasers in the Colony. In order, however to mitigate the hardship involved in confiscations on a large scale during the period of depression, Government decided, as an act of grace, to re-grant the area actually paid for on account of the principal up to the nearest *killa*. The concession was subject *inter alia* to one important condition that the land originally purchased must not have been re-sold or re-allotted permanently.

There were some purchasers who came under the latter class of cases.

- (b) None.

EMPLOYEES IN THE IRRIGATION DEPARTMENT.

122. Sayad Mubarak Ali Shah : Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of employees in the Irrigation Department throughout the province who were retrenched during the years 1929-34 ;
- (b) the proportion of various communities among the retrenched hands above mentioned?

The Honourable Dr. Sir Sundar Singh Majithia : The information is not available and its collection would involve an expenditure of time and labour out of all proportion to the value of the information when collected.

RECRUITMENT IN CONNECTION WITH HAVELI PROJECT SCHEME.

123. Sayad Mubarak Ali Shah : Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of men recruited communitywise in connection with the Haveli Project Scheme since April 1937 ;
- (b) whether the principle of communal representation was observed in this recruitment?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The number of men recruited community-wise in connection with the Haveli Project since April 1937 is as below :—

| Class of Establishments. | | | | Muslims | Hindus. | Sikhs. |
|--------------------------|----|----|----|---------|---------|--------|
| Subordinates | .. | .. | .. | 4 | 2 | 1 |
| Draftsmen | .. | .. | .. | 2 | 1 | 1 |
| Clerks | .. | .. | .. | 8 | 4 | 2 |
| Total | | | | 14 | 7 | 4 |

- (b) Yes.

CONTRACTORS FOR THE HAVELI PROJECT.

124. Sayad Mubarik Ali Shah : Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of contractors community-wise who gave tenders for the contracts recently given in connexion with the Haveli Project ;
- (b) the names and the communities of the contractors to whom these contracts have been given ;
- (c) the actual terms offered by the contractors to whom these contracts have been given ;
- (d) the lowest and the highest terms offered by contractors in this connexion?

The Honourable Dr. Sir Sundar Singh Majithia :

Contract for Brick Burning at Trimmu.

- (a) Hindus 44
- Muhammadans 5
- Sikhs 13
- (b) Malak Ram and Karam Chand, Hindus.
- (c) Rates offered by these Contractors were—

| Name. | 1st class. | | | 2nd class. | | |
|-------------------------|----------------------|----|----|------------|----|----|
| | Rs. | A. | P. | Rs. | A. | P. |
| Malak Ram | 8 | 8 | 0 | 7 | 0 | 0 |
| Karam Chand | { offered .. 9 0 0 } | | | 7 0 0 | | |
| | { given .. 8 8 0 } | | | | | |
| (d) <i>Lowest—</i> | | | | | | |
| Basant Ram | 7 | 15 | 0 | 7 | 0 | 0 |
| <i>Highest—</i> | | | | | | |
| Rup Chand Nanda | 15 | 0 | 0 | 13 | 0 | 0 |

Bricks are 10" size about 40 per cent. larger in contents to the usual 9" commercial brick.

VOTERS BELONGING TO BURIA IN THE AMBALA DISTRICT.

125. Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that Buria in the Ambala district was announced as one of the polling stations for the Rural General Constituency for election to the Punjab Legislative Assembly and that votes were to be recorded on 23rd January, 1987 ;

- (b) whether it is a fact that the voters belonging to Buria were about 150 in number ;
- (c) whether it is a fact that no arrangements were made for polling at Buria on 23rd January, 1937 ;
- (d) whether voters belonging to Buria had to go to Dadupur at a distance of about six miles to record their votes on 26th January, 1937 ; if so, the reasons for the same?

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

(b) The voters of the Rural General Constituency residing in Buria were 150 in number.

(c) No.

(d) The General voters of Buria were assigned to the polling station at Dadupur Chhaoni, which is only about four miles from Buria, and their polling day was January 26th. Administrative reasons such as those of geography and the numbers of voters of the various communities in the area made it desirable that all the General voters of Kharwan Zail, in which Buria is situated, should be polled at Dadupur Chhaoni on January 26th, and that the polling stations at Buria should be reserved for voters of other areas and constituencies on January 23rd.

DEMANDS FOR GRANTS.

Finance Minister (The Honourable Mr. Manohar Lal) : I have to intimate that the Government's Demands for grants are made on the recommendations of His Excellency the Governor.

LAND REVENUE.

Finance Minister (The Honourable Mr. Manohar Lal) : I beg to move—

That a sum not exceeding Rs. 40,00,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Land Revenue.

Mr. Speaker : Motion moved—

That a sum not exceeding Rs. 40,00,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Land Revenue.

Point of order re Order of Reduction motions.

Diwan Chaman Lal : May I with your permission raise for the benefit of honourable members on this side of the House a point which might clarify the procedure that is likely to be adopted. I would request you to be kind enough to give your ruling in regard to the point that I am about to raise before you. The procedure, as I take it, in the central legislature is that when a bigger reduction is moved, that takes precedence over the lesser reduction in any particular grant. I am fortified in my view in regard to this matter by reference to May's Parliamentary Practice and Procedure, pages 533 and 534 of the latest edition. At the top of page 534 it is stated that after a question has been proposed from the Chair—the procedure in the committee of supply and the House of Commons is that the proposition does not come from the Honourable Minister, but comes from the Chair—

[Diwan Chaman Lal.]

for the reduction of the whole vote no motion shall be made for omitting or reducing any item, meaning that when there is a reduction of the whole vote proposed other items do not take precedence. Other reductions proposed do not take precedence of the entire item being omitted. For instance, it is tantamount to saying that when the honourable member is demanding a grant of Rs. 40,00,600, if a reduction is moved practically to the extent of Rs. 40,00,599, then this reduction ought to take precedence over any other reduction proposed to be moved. In this view I am still further fortified by a later statement in May's Parliamentary Procedure on the same page (page 534) where the question of greater and lesser sums is specifically discussed. That statement is as follows—

When two or more amendments upon the same grant are at the same time, tendered to the committee, the Chairman puts first the amendment which proposes the largest reduction and then, if that be not accepted, the lesser amendments.

In view of this specific statement in May's Parliamentary Procedure I request you, Mr. Speaker, to be kind enough to give a ruling as to whether the larger reduction proposed by amendments is to be taken up first and the lesser reductions later. For instance, in the demand for Rs. 40,00,600, if a reduction is proposed of an amount of Rs. 40,00,599, whether that should not take precedence over lesser reductions proposed in particular items.

Mr. Speaker : Before I give my ruling I would like to know whether the honourable member has any other point to raise.

Diwan Chaman Lal : The second point I wish to raise is this. The Leader of the House asked us to be kind enough to agree to a convention being created on the floor of the House—

Mr. Speaker : That point will be taken up later.

Diwan Chaman Lal : Very well, Sir.

Mr. Speaker : Does that point relate to the order in which motions should be arranged ?

Diwan Chaman Lal : That is in regard to the latitude to be allowed in regard to discussion.

Mr. Speaker : That is a separate matter.

Sardar Hari Singh : I have another point of order to raise. My point of order relates not to the order in which the items are to be taken up. It relates to the order in which the demands are to be taken up.

Mr. Speaker : Let us first dispose of one point of order. Apparently the honourable member has not read May's Parliamentary Practice very carefully. He is confusing two things which I venture to explain. The first point is whether the whole or total demand should be taken up first or, if there are any amendments to the several items of the demand, they should be taken up first. The rule that a bigger reduction should be taken up first and then the next smaller reduction and so on applies to reductions proposed to total grants as well as to the motions for reducing the several items of each total grant. The Parliamentary Practice

on this point is perfectly clear and that has also been the practice of this House for the past seventeen years. I invite the attention of the House to page 242 of Campion's book, where it is clearly stated—

“ Amendments to items are taken before amendments to a vote as a whole, and when the question for reducing the vote as a whole has been proposed, it is not in order to move an amendment to an item”.

Rule 3) (4) of the Punjab Legislative Council ran as follows :—

“ No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed.”

Perhaps the honourable member is misinterpreting the word ‘ proposed ’ in the 1st sentence at the top of page 534 of May's book. It means ‘ proposed ’ from the Chair for the final decision of the House. It does not mean ‘ proposed from the Chair for the purpose of discussion.’ May I further draw the honourable member's attention to page 533 of May's Parliamentary Practice? The relevant passage runs as follows :—

“ The form of amendment hitherto considered is to obtain a reduction of the total grant proposed from the Chair. Following the like method of procedure, a motion for a grant can be dealt with in detail by proposals to omit or to reduce the items of expenditure which compose the grant, in the manner prescribed by the following rules.....”

“ That when a motion is made, in committee of supply, to omit or reduce any item of a vote, a question shall be proposed from the Chair for omitting or reducing such item accordingly; and members shall speak to such question only, until it has been disposed of.”

“ That when several motions are offered, they shall be taken in the order in which the items to which they relate appear in the printed estimates.”

“ That after a question has been proposed from the Chair for omitting or reducing any item, no motion shall be made, or debate allowed upon any preceding item.”

Here also the expression ‘ proposed ’ means proposed for *decision or vote* of the House. Then follows the most important rule—

“ That when it has been proposed to omit or reduce items in a vote, the question shall be afterwards put upon the original vote, or upon the reduced vote, as the case may be.”

The last rule on page 534 is—

“ That after a question has been proposed from the Chair for a reduction of the whole vote, no motion shall be made for omitting or reducing any item.”

Diwan Chaman Lall : Please refer to the last 4 lines on the same page.

Mr. Speaker : Yes, I will read them out—

“ When two or more amendments upon the same grant are, at the same time, tendered to the committee, the chairman puts first the amendment which proposes the largest reduction, and then, if that be not accepted, the lesser amendments.”

That is exactly my view. When the whole grant is taken up, after the disposal of items, the order will be that the largest reduction will be taken first, lesser next and so on. That order will be followed when the whole grant is taken up. Just now we have to take up motions for the reduction and omission of the various items of the total grant.

Points of order re discussion of policy of Government when considering a demand and the order in which demands are to be taken up for discussion.

Diwan Chaman Lall : Mr. Speaker, with your permission—and now that you have given your ruling and we are bound by that—may I raise a second point of order which I reserved when I was raising the first? The reason of my raising the second point of order is not only the convention that existed in the Central Legislature, a convention which was created, I believe, in the year 1924, when the President of the Central Legislature, Sir Fredrick Whyte, ruled that it was better to act by the spirit of the Legislature rather than the strict rule of law and permitted on the first grant, namely Excise, a general discussion on the policy of the Government without confining the members to discussing details of that particular grant with the proviso that although the practical reduction of the grant was also moved, he would not allow repetition of the general discussion on other grants, after having completed the discussion of the Customs. The reason why I desire to raise this matter is not only because of the convention existing in the Central Legislature which, by the way, existed in spite of the fact that the Finance Bill is presented to the Legislature enabling members to discuss to an unlimited extent the general policy of the Government when the Finance Bill is presented, but my reason for raising this matter, is this. We have had a budget which affects the destiny of 23 millions of people and it is a tragedy that the members of this House are unable to discuss in detail that budget from the point of view of general policy financial, economic, constitutional and political, except for a limited period of 10 minutes, in some cases 15 minutes and in most cases 5 minutes. I do submit that it is not possible to do justice to the budget, presented by the Honourable Finance Minister or the policy of the Government within the short space of speeches of 10 minutes and no other opportunity exists for honourable members on this side of the House on the budget to discuss the general policy, financial, economic, constitutional and political. Therefore, I submit, Sir, before you that you might be pleased to ask the Honourable Leader of the House if he is not unwilling that this convention might be created for this specific purpose, until, we are in a position to bring in a Finance Bill thereby giving an opportunity to the members of this House, to discuss the entire policy of the Government at length.

Premier : Sir, I would have been delighted to accommodate my honourable friend opposite, but before I come to that particular point, may I say that the House had 3 full days in which it discussed the general policy of the Government and not only the honourable member himself, but several other members spoke not only for 10 minutes, but even for 30 or 40 minutes. The honourable Leader of the Opposition, who naturally is the proper person to lead an attack against the Government policy, was given unlimited time—30 or 40 minutes. Therefore, I submit that the charge that sufficient time was not given to this House is not a sound one. With regard to the particular request which the honourable member has made, I would have been delighted to accommodate him, but I am afraid that it would not be right for this House to follow the convention which was set up by an irresponsible House, the Legislative Assembly. As you know that Government is not responsible to the Legislature or anybody outside.

Sardar Hari Singh : Let us follow the example of the Mother of Parliaments.

Premier : I am afraid the honourable member does not know his brief. As a matter of fact, we have been following the Parliamentary convention and I shall be only too glad, if there are no constitutional defects, to allow or rather introduce the budget in the shape of a Finance Bill from next year, if it is possible to do so. But, I must request the honourable members opposite that just for a doubtful temporary convenience they should not overlook the fact that we should try to follow the Parliamentary practice as far as possible and not the practice of the Central Legislature or any other House, which is not a responsible body. We should try to follow the practice and authority of the free House of Commons and not that of any other body, least of all, any irresponsible body. As you are aware, I consulted the Honourable Leader of the Opposition and suggested to him that he could choose to take up any demand in the budget so that we may make a beginning from that demand and begin next year from the demand where we leave this year. That would give us an opportunity to go over the whole field of administration. It is essential that it should be so from the point of view of this House as well as from the point of view of administration, because, as it happened several times, that, if we begin from demand No. 1 this year and from the last demand the next year, the demands in the middle always escaped and I suspect that this course was to some extent responsible for making the departments not exposed to scrutiny possibly slack. That I think is a very important consideration from the point of view of administration. Therefore, I suggest that the convention which we have adopted with the concurrence of the Leader of the Opposition should be adopted and next year, if it is constitutionally possible, we will try to bring in a Finance Bill.

Dr. Gopi Chand Bhargava : Sir, I want your ruling on some method of procedure. It is a fact that the Leader of the House wanted me to select the demand wherefrom we were to begin. I also had a discussion with the Honourable Finance Minister and I was told that the procedure in the House of Commons is that it is for the Opposition to select demands which they want to be discussed and also the order in which they are to be discussed. That is a privilege which is granted to the Opposition in the House of Commons. I consulted the Honourable Finance Minister, as I have said before and he was agreeable to permit me, on behalf of the Opposition, to select the order of the demands in which they were to be put. I approached the Honourable Leader of the House but he was not agreeable to give me permission to select the demands as I liked. He only permitted me to select the order. I said if we were to begin with demand No. 1 I, hope he would have no objection to take up demand No. 13 after demand No. 1. But he said that we could only take up demand No. 2 after demand No. 1. Therefore, Sir, I want your ruling whether in the House of Commons the Opposition is permitted to select any demands for discussion on the floor of the House.

Premier : So far as the convention is concerned, my honourable friend opposite is perfectly correct. That is the convention in the House of Commons. But there, as you are aware, the budget is not discussed in the House as a whole. It is discussed in the committee of supply. The whole House

[Premier.]

is converted into committee and the budget is taken up in the committee of supply. Then, as you know it is put forward in the shape of a Finance Bill and it is easy to pick out any item which you want and discuss the whole policy, going over the whole field of administration during that committee stage. As I have already submitted, if it is possible for us constitutionally to bring forward a Finance Bill next year, we will do so and then the honourable members will have an opportunity of discussing the whole policy when the Finance Bill is introduced. There is the first reading and then the second reading when they can discuss individual items of demand and in the third reading stage they would also be at liberty to cover the whole field. But here as I have pointed out we have to look to the interests of the administration as a whole. If you take the demands anywhere as it may well be the tendency of the opposition, to pick out demand 5 or 7 or 10, we will be discussing the same demand year after year and the rest of the House will not have an opportunity to discuss other items, while at the same time the departments which are left out of discussion altogether are likely to become slack—it is only human nature—knowing that the Opposition would concentrate only on particular demands which will give them an opportunity of—I would not say advertising themselves—but an opportunity of more or less putting forward the Opposition point of view year in and year out and I think that the best course might be, as suggested by my honourable friend representing labour, to try to bring in a Finance Bill, if possible. This will give a wide latitude both to the Opposition and members on this side to discuss the policy of the Government and also the individual demands.

Diwan Chaman Lall : May I make one request to the Honourable Premier about the order in which the demands are to be taken up ?

Mr. Speaker : The Leader of the Opposition and the Leader of the House have spoken. Now I will give my ruling.

Diwan Chaman Lall : All that I wanted to say was whether the Honourable Premier would be prepared to take up General Administration after Land Revenue. That is all that I wanted to suggest.

Mr. Speaker : That may be arranged by honourable members with the Leader of the House.

Two points have been raised, one by Diwan Chaman Lall and the other by Dr. Gopi Chand Bhargava, the Leader of the Opposition. I will take the points one by one.

Diwan Chaman Lall's contention is that in discussing any one demand the policy of the Government in all its departments can be discussed. There can be no doubt, that if the House agrees that can be done, though our rules and standing orders are silent on the point. (*Hear, hear*). But the Parliamentary practice, which we have been following for the last 17 years and which is yet in full swing in the mother of Parliaments, is different. According to constitutional authorities the practice of the House of Commons is—

1.—May's Parliamentary Practice (page 531)—

“ The procedure of the committee of supply follows the ordinary usage of a committee of the whole House. No amendment can be moved which is not relevant to the grant under consideration.”

If no amendment can be moved, which is not relevant to the grant, under consideration, how can a speech be made which is not relevant to that grant ?

2.—Another passage from the same standard writer on page 535 is—

“ In accordance with general usage, the main principle which governs debate in the committee of supply is relevancy to the matter which the question proposed from the Chair submits to the committee”.

3.—Campion on page 242 of his book says—

“ The general rule requiring relevancy to the matter contained in the question proposed from the Chair is observed in Committee of supply, whether that question is on a vote or an item, or other sub-division of a vote”.

4.—Masterman, 1st edition, page 346—

“ A reduction may be either because the House really objects to the appropriation, or as a means of expressing condemnation of some act of the Government connected with the item in question.”

That is, heads of Government not connected with the item in question cannot be discussed.

5.—Durell, page 94—

“ The committee of supply is used by all sections of the House, as an opportunity for discussing the policy of the Government in respect to the subject matter of the department which is being paid for.”

That is to say, only the salaries of the department to be paid for from the demand can be discussed.

6.—Lowell's Government in England, Volume I, page 206—

“ When Government is asking Parliament to provide money for the carrying on of the work of any department the House of Commons, first through a committee, and second when the discussion of its committee is reported to the House, has opportunities given it to attack any suspected delinquencies in that department.”

It is perfectly clear from the above quotations that all constitutional writers are unanimous that only matters relevant to the demand, or if an item is under discussion, relevant to that item, can be discussed.

Now as to the point which has been raised by Dr. Gopi Chand Bhargava, I gave the following ruling in the year 1931—

“The other day when the question regarding the admissibility of the motion relating to the reduction of Ministers' salaries was being discussed, I suggested to the Government to so arrange the order of budget demands for grants as to give for certain the opposition an opportunity to discuss the demand relating to the salaries of Ministers. I take this opportunity to point out that according to Parliamentary Practice it is immaterial in which order demands for grants are taken, and that the Government readily cedes to the opposition the right of choosing a particular demand for grant to be taken on a particular day. If necessary reference may be made to pages 92-94 of Campion's Introduction to the Procedure of the House of Commons (*Vol. XVIII, p. 531 of Punjab Debates*).”

I hold the same view to-day as I held in the year 1931. The Government, if possible, should give to the Opposition the right of choosing the demands for grants it may like to discuss. But that is a matter to be decided by the Government and the Opposition.

Premier : I have already suggested to the honourable members that if they want to get to any particular item, it is for them to pass over other items.

Mr. Speaker : That is for the Leader of the House and the Opposition to decide and not for me.

Tirini and Grazing Tax.

Pandit Bhagat Ram Sharma (Kangra West, General, Rural) : Sir, I beg to move—

That the item of Rs. 22,200 on account of forest reserves and grazing lands be omitted.

Before I discuss it directly, Sir, I want just to draw the attention of this august Assembly to the general condition of the peasants in my district. The peasant in the district of Kangra is very much poverty stricken and in his case the saturation point is almost reached. Sir, I like to draw the attention of this Assembly to the fact that the zamindar in that district can give you his lifeblood but not money. He has no money to spend even on bare necessities of life. The land revenue which is already so heavy, has broken the neck of the poor zamindar. Sixty per cent. of his net income goes to the coffers of the government. In this connection I would put to the Honourable Ministers occupying the Treasury benches, one question that if 60 per cent. of their income was to be paid to the government coffers I am sure, all of them will resign or at least will sail to England on pretext of bad health.

Next, Sir, I would suggest that the zamindar of the Kangra district is the backbone of the government in more than one sense : first because most of the revenue is paid from his pocket, secondly, because he provides the background of recruiting. That district is the most important district as far as that particular point is concerned.

Premier : The honourable member seems to be under some misapprehension. He is discussing tirini paid by people in the Kangra forests. That is a different item altogether and it has nothing to do with the grant. This particular item of Rs. 22,200 relates to special officers being provided for the distribution of Murree forests. This has nothing to do with Kangra forests at all. I am afraid the honourable member has anticipated the Forest demand in discussing the particular item.

Pandit Bhagat Ram Sharma : This particular demand goes to the district board.

Premier : This demand relates to the Rawalpindi district only.

Pandit Bhagat Ram Sharma : I have given a separate notice for that demand. If the Honourable the Premier objects I will discuss it under that demand.

Working of laws re re-afforestation.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : I beg to move—

That the item of Rs. 27,700 on account of re-afforestation be reduced by Rs. 100.

My object in moving this cut motion is to draw the attention of the Government to a particular grievance of the inhabitants of a particular area in the district of Hoshiarpur, what is known as Kattardhar. The object of the Government in bringing the land in that area under forests is laudable indeed, laudable from the point of view especially of the people living in the plains. I have no objection to the laws governing the re-afforestation policy of the Government. I do not want any abrogation or amendment of these laws, nor do I want to very much stress this point here. What I want to emphasise is that these laws should be administered in such a manner that the hardships of life which are entailed on the people living there on account of these laws should be eased. Before these lands were taken from the people living there for the purpose of bringing them under the forests, the subsistence of those people was bound up with pastoral activities. They used to graze their cattle, sheep and goat, in these lands. They were free to move about in these lands. When these lands were taken over by the department for the purpose of bringing them under the forests, then these people were practically muzzled and their means of subsistence were practically reduced to zero. On account of these laws there is very little land left for the people where they can graze their cattle, their sheep and goat. They are prohibited from cutting wood from these lands. If the laws demand that they should be prohibited from doing these things I have no objection. What I want to emphasise is that the Government should work these laws in a humanitarian spirit, in a manner that the lot of the people may be made softer than it is at present. These people complain that they are unnecessarily on flimsy grounds harassed and prosecuted by the officers responsible for the working of these laws. They say that they are compelled to pay illegal gratification to the officers responsible for working these laws.

With these words, Sir, I would humbly implore Government to make enquiries into this matter and to find out whether these complaints which have been brought to our notice by the people, and which we believe to be right, are well founded. I would implore Government to go into these grievances, as I have pointed out, and see if the lot of the people living there can be made better and more tolerable. It would have been better for Government to do it in those days: it would be the duty of the Government even now to see that whenever the distribution of the colony land takes place next time, these people, whose land has been taken away for a laudable purpose, should be given some land in the colony area, so that they may carry on their life there.

Mr. Speaker : Demand under consideration, motion moved is—

That the item of Rs. 27,700 on account of Re-afforestation be reduced by Rs. 100.

Rai Hari Chand (Una, General, Rural) (*Urdu*): Sir, I am an inhabitant of this ilaqa and I have personal relation with the ilaqa.

12 Noon.

Chaudhri Kartar Singh : On a point of order, Sir, my honourable friend is a B.A., LL.B. He is well-acquainted with the English language. I would request him to deliver his speech in English.

Rai Hari Chand (*Urdu*): I propose to address the Assembly in the language which I know best. I passed my LL.B. Examination in 1922.

[Rai Hari Chand.]

Ever since that year I have lived at home. I have been working at my lands and following agricultural pursuits. I am unable to express myself as fluently in the English language as some of my friends can do.

Mr. Speaker : As the honourable member says that he is not a practising lawyer and that for the last 15 years he has been working as a zamindar, very naturally his vocabulary has become poorer than it was. What can be done when he says that he cannot express himself in English ?

Diwan Chaman Lall : On a point of order, Sir. I do not think it would be proper to permit to speak in Urdu a member who, under the statute has to speak in English if he is sufficiently acquainted with the language. A gentleman who is a graduate and has passed a legal examination,—LL.B.—may not be able to speak the choice language that the Honourable Finance Minister may be guilty of on the floor of the House, but certainly by any stretch of imagination he cannot be considered inadequately or insufficiently acquainted with the language.

Rai Hari Chand (Urdu) : I have spent 15 years in agricultural pursuits at my home. I cannot fluently speak in English like my honourable friends, who are in the habit of studying English literature and read their papers regularly. If I am obliged to make a speech in English, it would be tantamount to penalising me.

Mr. Speaker : All I can do is to ask the honourable member to speak in English if he can possibly do so, but if he says on the floor of the House that he is unable to do so, I cannot compel him to speak in English. All I can do is to ask him to speak in English or not to speak at all.

Rai Hari Chand (Urdu) : I oppose the motion moved by my learned friend Sardar Hari Singh. I am a resident of the *ilaga* and I live in that very hilly tract of land, which is mostly affected by Katar Dhar. All my dear and near ones live in that *ilaga*. My property is situated in that *ilaga*. The Katar Dhar is 90 miles long and it follows a north-southerly course in between the Beas and the Sutlej. It is unlike other mountain ranges, which are full of forests and forest growths. The Katar Dhar is a sandy hill. When it rains crores of maunds of sand fall down to destroy agricultural land below, which happens to be the only means of livelihood of the zamindars. With your permission, I should like to tell the House that in 1933 as many as twelve villages were destroyed in my Zail alone. The Deputy Commissioner of the district was approached by the inhabitants and the Government was pleased to grant a sum of Rs. 900 to the zamindars of the villages in addition to the remission of Rs. 2,000 in land revenue.

This hill is completely bare. There are no forests to be found on it. The honourable members of this house are aware of the fact that the presence of water and thick forests is necessary for attracting clouds. But here you find sandy hills and that is why rainfall is decreasing in the Hoshiarpur district.

As the water-level was steadily going down and fertile lands were gradually going out of cultivation, all the magnates of the district approached the Deputy Commissioner. A number of schemes were put forward

and given due consideration. At last the best of these was adopted, viz., that re-afforestation and re-plantation of trees should be taken in hand and every attempt should be made to preserve the humidity of the soil.

I have been living in that *ilaga* since 1926 and during all these years, i.e., 1926-35 the respective deputy commissioners of the district have been making representations to the Government. At long last the Government acceded to their request and Mr. Hamilton, I.F.S. was appointed on special duty in that *ilaga*. If you want to preserve the fertility of the soil and keep up the water-level, it is essential that forests should be maintained.

Sardar Hari Singh : On a point of order. The honourable member is talking quite irrelevantly. My object was to draw the attention of the Government to particular grievances of people living in a particular area. So the theme of my speech was the grievances of the people on account of the working of these laws. I am not against those forests or forest laws.

Mr. Speaker : Will the honourable member please speak to the motion ?

Rai Hari Chand (Urdu) : Sir, with your permission I should like to say a word about the objection raised by my honourable friend, the Sardar Sahib. Wherever these forest laws are proposed to be enforced, the proprietors of the village give an undertaking in writing that they may be subjected to forest laws.

People who live by grazing goats and sheep are not debarred from grazing cattle. With the permission of village proprietors grass can be cut. These people can cut down dry wood for their use. The grazing of goats, sheep and camels is of course prohibited. The only reason for this prohibition is that goats, sheep, etc., destroy vegetation.

The question before us is this, whether we should allow a small number of men to enjoy their vested rights without interruption or whether we should allow thousands of *ghumaons* of land to be destroyed. The people of the *ilaga*, whose only means of subsistence is their land, have suffered heavily.

Another objection raised by Sardar Sahib is that the officials entrusted with the enforcement of this law misuse their powers and indulge in corrupt practices. I cannot do better than quote the Honourable the Premier who said that if the people of any *ilaga* have any complaints of corrupt practices to make against any Government official, then five respectable persons can make a representation to this effect.

I would again urge that this law is an extremely important one and is essential for the well-being of the Hoshiarpur district. I, therefore, oppose the motion moved by Sardar Hari Singh.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (Urdu) : Sir, I have got up to support the motion moved by my honourable friend Sardar Hari Singh. This act was enforced only a few years ago. It has benefited only a few capitalists and zamindars, whose income has increased. It has been said that goats and sheep destroy the forests. The Gujars eke out a precarious living by selling milk of goats. How do you propose to provide them with the means of livelihood ?

I lend my support to this cut and I will request the Treasury benches that such people should be granted squares of land in the Montgomery

[Ch. Kartar Singh.]

district so as to provide them with the means of earning a livelihood. They are allowed to cut down wood when it is dry, and it proves very troublesome for them. To add to their miseries the guards ill-treat the zamindars of the adjoining villages. They suffer a number of hardships at the hand of Government officials.

I would request the Treasury benches that steps may be taken to redress the grievances of the people concerned. I am prepared to admit the fact that owing to rains sand-hills begin to slide down, and they cause no end of trouble to the zamindars. The Honourable Chaudhri Sir Chhotu Ram is well aware of the difficult times through which these people are passing. I would, therefore, request him to grant these people lands in some colony, so as to enable them to earn their living.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : So far as this cut motion is concerned, I fully agree with the Government that this Act is a necessity not only for these parts of the province but for conserving the water-supply for canals as well (*hear, hear*) which not only affect those areas but practically affect beneficially the whole of the Punjab. As an analogy I may give an instance of the canals. Nobody can deny or question the utility of the canals for the whole of the province, but there are people whose lands sometimes adjoin its bank and get water-logged or alkalinised. The Government for that reason compensates them for the loss which they sustain on account of having their lands so close to the canals. In the same way, so far as the bad effects of this Act about re-forestation are concerned—bad effects upon Hoshiarpur and other people of submontane villages—I would submit that their troubles and their grievances should be removed even at the sacrifice of the revenues of the province to a certain extent, because if we are trying to do good to other parts of the province and also we are trying to save the lands in that neighbourhood, there are people who must be compensated in some form even though they take a little advantage of these provisions but that advantage is very trifling in comparison with the loss which they are suffering.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : My honourable colleague, Rai Hari Chand, was harping on a wrong theme and working under a misapprehension. I have already made my amendment clear. I want to draw the attention of the department to the grievances of the people living in Katar Dhar. To my mind a *prima facie* case has been made out for an enquiry into the grievances of the people living there by our first National Government and if the Honourable Minister for Revenue gives me a promise that he will make enquiries, I am quite willing to withdraw my motion.

Minister for Revenue (The Honourable Dr. Sir Sunder Singh Majithia) : My friend Sardar Hari Singh has not gone into the question whether the law is right or whether it is wrong. But I may point out one thing to him.

Sardar Hari Singh : The laws are right.

Minister for Revenue : Very well. I may point out one thing to him and it is that under this Act no land can be taken by Government for the purposes of this Act unless and until the people of the place apply for the application of this law to that area. That is the first thing that he has missed.

Mr. Speaker : Rai Hari Chand said this.

Minister for Revenue : I need not then repeat what my friend Rai Hari Chand has said, but I must say that the grievances, if there are any, will be looked into and sympathetically considered.

Sardar Hari Singh : In view of the assurances given by the Honourable Minister for Revenue and thinking that he will be as good as his word and that he will make enquiries into the matter, I beg leave to withdraw my amendment.

The motion was, by leave, withdrawn.

Introduction of Elective system for the posts of lambardar, sufedposh and zaildar.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural): I beg to move—

That the item of Rs. 1,53,900 on account of Charges of Administration be reduced by Rs. 100.

Point of order re. discussion of matters involving legislation on demands for grants.

Mir Maqbool Mahmood : Sir, I rise to a point of order. The cut proposed by the honourable member would necessitate the amendment of section 28 of the Land Revenue Act before it can be given effect to and the point of order which I beg leave to raise is, whether in the discussion of grants and cuts on the budget it is in order to raise suggestions which involve amendment of legislation. In raising this point of order—

Mr. Speaker : The point raised is whether in discussing the Demands for Grants necessity for legislation or matters involving legislation can be discussed. According to the practice of the Central Assembly and Parliament this cannot be done. As regards the practice of this House, I ruled a few years back that matters involving legislation could not be discussed in discussing the Demands for Grants. But for a number of reasons the elected members of the Council requested me to relax my ruling and I was constrained to accede to their request. Just now, on this point, we have no rule of our own, nor have we any settled practice. Therefore, the House may decide whether necessity for legislation and matters involving legislation should or should not be discussed in discussing the Demands for Grants. I may add that the object of every legislature in discussing the budget is to see whether the Government has been governing according to the laws in force, that is to say, according to the laws as they are and not according to the laws as they should be; because unless the laws are actually amended or repealed there shall be no sense in criticising the Government on the basis of laws which do not exist yet. Now I leave it to the House to decide whether the necessity for legislation or matters involving legislation should be discussed or not.

Sardar Sampuran Singh : This measure does not require any change in law.

Mr. Speaker : Section 28 of the Land Revenue Act, if I remember aright, says that the Financial Commissioners will make rules for the appointment, punishment and dismissal of zaildars. (A voice : That is so). Rules

[Mr. Speaker.]

are made by the Financial Commissioners and not by Government. If the rules were made by the Government, then this House would be justified to recommend anything to the Government, but as the power of rule-making vests in the Financial Commissioners, Government cannot interfere with that power.

Premier : Sir, normally you have always been pleased, where we have got no specific rules with regard to procedure, to follow the Parliamentary practice and may I suggest that in this case also we should follow the Parliamentary practice. It is unnecessary to take the view of the House.

Sardar Sampuran Singh : This point was raised in the Committee appointed to revise the rules and the tendency of that Committee, if I remember rightly was—

Mir Maqbool Mahmood : Can reference be made to the proceedings of that Committee ?

Sardar Sampuran Singh : The Honourable Speaker has himself made a reference to that Committee. As I was saying, the tendency in that Committee was in favour of such things being allowed to be discussed in the House, but since no rules have yet been passed, I would submit that the old practice, or the *status quo* should be allowed to continue. That would be only fair.

Sardar Sohan Singh Josh (Punjabi) : Sir, I do not mean to have the Act amended. What I mean is simply to discuss a matter of general public importance and that can be discussed under the head General Administration. It is with this end in view that this cut motion has been submitted.

Mr. Speaker : I wish the honourable member had so worded his cut motion. The remarks say : " In order to ensure the good working of the village administration, the posts of lambardari, sufedposhi and zaildari be made elective."

Sardar Hari Singh : My submission is that this can be done without amending the law.

Mr. Speaker : Will the Honourable Advocate General please throw some light ?

Advocate General (Diwan Ram Lal) : It seems to me that unless section 28 of the Act is amended you have no power over the actions of the Financial Commissioner. The Financial Commissioner is the final authority till the Act is amended.

Sardar Sampuran Singh : The law as it stands does not require any change. This motion can be moved with a view to effect a change in the rules made under the Act.

Mr. Speaker : Is that a point of order ?

Sardar Sampuran Singh : Yes, Sir.

Mr. Speaker : Or a speech ?

Sardar Sampuran Singh : A point of order.

Mr. Speaker : Sorry !

Premier : Have you considered my suggestion ?

Mr. Speaker : It is for the House to decide.

Premier : It is in the interest of the Opposition. My submission was that where we have no code or specific rule with regard to the procedure on any particular matter, you have always been pleased to follow Parliamentary practice where necessary, and I suggest that you should adopt that as a general practice. If the rule is later on amended then we can follow that.

Sardar Sohan Singh Josh (Punjabi) : In my opinion, the sense of the House should be taken.

Premier : My suggestion was made in the interests of the Opposition. We have a majority on this side and we will be able to swamp them every time.

Lala Bhim Sen Sachar : My submission is that the restriction which is sought to be imposed on the ventilation of the grievances of the people may not be rigidly enforced, and more so by taking a stand on the majority which the Government happen to have in this House. If you wish to shut the ventilation of the grievances of the people on this score that it will involve amendment of law, the only effect of it will be that some things which the Opposition can bring to the notice of the Government, the Government will be deprived of knowing. If I am right in understanding the assurances of the Honourable Premier as given to the people outside and to the honourable members of this House, I take it that he is always willing, and not merely willing but perhaps anxious, to know what the people generally think and in particular what the Opposition thinks. Therefore, I appeal to the Honourable Leader of the House not to insist that reference to matters which might necessitate amendments to legislation may be excluded, because the only effect of it will be that the Government will not be able to know certain things which may be in the possession of the Opposition.

Mr. Speaker : I would rather take the sense of the House than give a ruling myself. I gave a ruling once, but had to relax it in deference to the wishes of the elected members of the Council. So, I prefer to be guided by the wishes of the honourable members.

Premier : Our rules of procedure are under the consideration of a committee of this House. When those rules come up before the House we will be in a position to come to a final decision on that point. Till then, I suggest that we should follow the Parliamentary practice which you have adopted in other cases.

Lala Bhim Sen Sachar : Why not follow the ruling of the Speaker ?

Premier : Yes, the latest ruling is that if any motion involves legislation it should be ruled out.

Dr. Gopi Chand Bhargava : You were pleased to remark that you could only suggest a method according to which we should discuss items in the demands here. It was the Honourable Leader of the House who agreed to your advice. Now, the Honourable Premier has been pleased to state that he was prepared to accommodate the Opposition and he suggested that the opinion of the House be taken. He was also pleased to remark that as he commanded the majority in the House his opinion would be the opinion of the House. Therefore, I would submit that whatever the Leader of the House agrees may be adopted by you.

Mr. Speaker : The Leader of the House says that we should follow the Parliamentary practice.

Chaudhri Krishna Gopal Dutt : The main point is whether this question requires an amendment of the Act.

Mr. Speaker : That is a different question. The Advocate General has already given his opinion on that point.

Sardar Sampuran Singh : His opinion on the matter is not final.

Mr. Speaker : But the Chair cannot reject it except for very strong reasons. The honourable member should not discuss that point.

Sardar Sampuran Singh : Do you mean to say then that we should not criticise that opinion of the Advocate General?

Mr. Speaker : Yes. In view of the sense of the House, the motion of Sardar Sohan Singh Josh is of order.

Land Revenue System.

Pandit Muni Lal Kalia : I beg to move—

That the item of Rs. 1,53,900 on account of charges of administration be reduced by Rs. 500.

Mir Maqbool Mahmood : I rise to a point of order. The honourable member's object in moving this reduction is to invite the attention of the House to certain defects in the administration, and for that purpose he must have moved a token cut of Re. 1 or Rs. 100.

Mr. Speaker : Out of 175 members of the House, I do not know the exact number, but I think about 150 are entirely new to parliamentary life. Therefore I do not, and nobody else can, reasonably expect them to know all details of practice. Consequently, I allow the motion. But I may make it clear, that in future whenever a cut is not intended to be a financial or economic cut and is intended only to criticise the actions of the ministry or the officers of Government; or to ventilate the grievances of the public, it should be invariably for Rs. 100.

Mir Maqbool Mahmood : I rise to another point of order. The item referred to in the cut motion relates to forests, whereas as explained in the note to the cut motion the honourable member wants to discuss the system of land revenue. Is that in order?

Mr. Speaker : No. In moving this cut to an item the honourable member is not entitled to discuss the policy underlying the whole demand. His motion is apparently out of order, but I would like to hear him before ruling it out of order.

Pandit Muni Lal Kalia : In view of the ruling you have given, two points have been raised. As regards the first point I want to put a word of explanation for putting Rs. 500. I thought it was nothing else, but a nominal cut.

Mr. Speaker : A nominal cut should be for Rs. 100.

Pandit Muni Lal Kalia : With regard to the second point, as you were kind enough to allow me to speak, I have to point out that the system of land revenue is most defective and, therefore, if the figure is not correct, as pointed out just now by my honourable friend on the other side, my idea is only to criticise the Department in its various aspects.

Premier : The item has got nothing to do with land revenue.

Mr. Speaker : The item of Rs. 1,53,900 has nothing to do with the system of land revenue.

Pandit Muni Lal Kalia : I have taken the total charges of administration.

Mr. Speaker : The honourable member's motion relates to the Forest Department. Therefore, he can criticise that department only.

Pandit Muni Lal Kalia : I do not want to criticise anything so far as the Forest Department is concerned. As you were pleased to say that you will hear me—

Mr. Speaker : I shall gladly hear the honourable member on some other point.

Pandit Muni Lal Kalia : The language is quite clear, except the figures. I want to criticise the whole department.

Mr. Speaker : As the honourable member's amendment is to the item, which relates to the Forest Department, he cannot discuss the land revenue system.

Pandit Muni Lal Kalia : Will you permit me to alter that?

Mr. Speaker : Not at this stage.

Chaukidars in villages.

Chaudhri Ram Sarup : Sir, I beg to move—

That the item of Rs. 1,53,900 on account of Charges of Administration be reduced by Re. 1.

Mir Maqbool Mahmood : On a point of order, Sir. I am sorry to raise a point of order on a motion moved by my honourable friend on this side (Government benches). This demand relates to forest establishment and so far as I am aware, there are no chaukidars in the Forest Department.

The motion was accordingly ruled out of order.

Land Revenue Settlements.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, I beg to move—

That the item of Rs. 37,790 on account of Total Pay of Officers (voted) be reduced by Re. 1.

As it will appear from the remarks, my object in moving this motion is to discuss the policy of the Government underlying periodical settlements and specially pointing out that in this direction a good deal of retrenchment and saving can be affected. Sir, it appears from the budget that 3 or 4 settlement operations in Lahore, Amritsar and Lyallpur districts are already going on and the settlement operations in Jhelum district are about to begin. I see from the budget that on all these settlement operations—

Mir Maqbool Mahmood : On a point of order. Is the honourable member relevant in criticising the settlement operations in other districts? They have nothing to do with the revenue settlements in Amritsar, or Jhelum or Lahore. The item to which the cut is proposed relates to the settlement operations in the Lyallpur district which are now coming to a close.

Mr. Speaker : Item of Rs. 37,790 relates only to Lyallpur district.

Mir Maqbool Mahmood : But the honourable member started discussing Amritsar, Lahore and Jhelum settlements.

Lala Duni Chand : When I raise the question of policy underlying periodical settlements, it is not necessary that I should propose a cut motion with regard to all the items relating to different districts. It is quite sufficient for me that I move the motion with regard to one particular item relating to one particular district. While discussing that item, I can certainly raise the question of policy underlying all periodical settlements.

Premier : On a point of order, Sir. This is in direct contravention of your ruling.

Mr. Speaker : Will the honourable member please say what he wishes to say only about the Lyallpur district settlement ?

Lala Duni Chand : I accept your ruling and proceed further. My submission before the House is that a large sum of money has been spent on settlement operations in the Lyallpur district. It is ruinous to this province.

Premier : I again rise to a point of order. The remarks, which the honourable member has tabled in connection with this cut, are "to discuss the policy underlying periodical settlements with special reference to retrenchment and economy." As pointed out, this particular item relates to the Lyallpur settlement which is at its closing stages. What particular economy does he want there ? The settlement operations will be closed in 2 months and therefore this motion will have no practical effect whatever.

Lala Duni Chand : In the first place I am not quite certain that the settlement operations of the Lyallpur district are going to be completed.

Mr. Speaker : The honourable member is requested to take the word of the Leader of the House on that point.

Lala Duni Chand : It is not a question of his making a statement with regard to any particular figures. That is his estimate and I do not think he himself means to say that necessarily all the settlement operations of the Lyallpur district will be completed within two months.

Mr. Speaker : The honourable member is at liberty to say what he likes with regard to the Lyallpur settlement operations. But he should not, directly or indirectly, bring in other matters.

Lala Duni Chand : In any case, I beg to submit that the amount that has been spent on the settlement operations of the Lyallpur district is a waste of public money. These settlement operations of which Lyallpur district operations are only a part, go from year to year and if we take the average period of settlement to be 25 years, the settlements of 30 or 31 districts of the Punjab will take about 25 years. On that basis the Government spends about 50 lakhs in the course of 25 years on settlement operations and I say that the spending of this amount is quite unnecessary. In this connection I want to make two suggestions. If the Government were to accept them, a good deal of saving can be effected in this direction.

In the first place the settlement of some of the districts can be done by the already existing agencies of the districts such as the collector, who can easily do this work, engaging at the most a supplementary or additional

establishment for the time being. It is unnecessary to have a separate establishment costing one lakh and fifty thousand for the purpose of settlement operations of each district.

Mr. Speaker : Does the honourable member mean that this should be done in the case of the Lyallpur district ?

Lala Duni Chand : The example of Lyallpur should be an eye-opener to the Government and the waste that is made in the case of Lyallpur should not be repeated in the case of other districts. The case of Lyallpur can be taken as an illustration to suggest that the Government should adopt a different policy with regard to settlement operations.

Another suggestion which I want to make is this. Quite a different principle should be adopted with regard to the levying of land revenue from the one now adopted. A stereotyped kind of policy is being now adopted in the matter of assessment of land revenue. I suggest that in future the principle which is applied in the assessment of income tax, should also be applied in the assessment of land revenue. I cannot precisely say in what way this should be done. It is a matter of detail.

Mr. Speaker : The honourable member is requested to speak to the motion. He is wandering far away from it.

Lala Duni Chand : I accept your ruling. I am discussing the policy of the periodical settlement with special reference to the Lyallpur district. Lyallpur district is the point in issue. Certainly I can discuss all relevant points in order to throw light on the point at issue, namely, settlement operations of the Lyallpur district, if the Honourable Speaker allows me.

Mr. Speaker : Everything, which is relevant to that point, the honourable member may discuss.

Lala Duni Chand : I was submitting that in future the Government should adopt, in the case of land revenue assessment, the same principle as is applied in the case of income tax assessment. If that is done it will be quite unnecessary to engage all this paraphernalia for these settlement operations, settlement collectors, assistant settlement collectors, settlement tahsildars, naib-tahsildars and so on. It will be enough for the Government to keep correct and up to-date records. These are the two constructive suggestions that I wanted to make for the consideration of the Government. The policy that the Government has been so long pursuing is not only wrong to the Government itself— (*The Honourable Chaudhri Sir Chhotu Ram : Has this anything to do with Lyallpur ?*) According to the law of evidence, Lyallpur district is the point in issue, and in order to throw light on this issue I can discuss all relevant facts. If my suggestions are accepted I think it will be quite unnecessary to spend huge amounts on settlement operations. I have already told the House that in the course of 25 years the Government spends about 50 lakhs on these operations and if not 50 lakhs, at least 30 lakhs can be saved if my suggestions are accepted.

Mr. Speaker : The question is—

That the item of Rs. 37,790 on account of Total Pay of Officers (Voted) be reduced by Rs. 1.

The motion was lost.

The Assembly then adjourned for lunch.

The Assembly re-assembled at 2 P.M. Mr. Speaker in the chair.

Pay and pensions of peons and patwaris.

Lala Bhagat Ram Choda (Jullundur, General, Rural), (Urdu) : Sir, I beg to move—

That the item of Rs. 1,14,600 on account of Total Pay of Establishment be reduced by Rs. 1.

Mir Maqbool Mahmood : On a point of order. Sir, this cut motion brings in two grievances, and it has been held in the Assembly elsewhere that in view of the difficulty to which honourable members would be put in voting on the motion which involves two grievances, such motions are in not in order. Patwaris and peons as well as pays and pensions are two different items.

Mr. Speaker : I am not prepared to hold that pay and pensions should be treated as separate subjects for the purpose of this amendment. But there appears to be some force in the objection that peons and patwaris ought to be dealt with separately.

Premier : The question is whether they are provided in this particular item.

Khan Sahib Chaudhri Riasat Ali : On a point of order. Page 90 refers to temporary assessment establishment in Jhelum district and also a part of the Amritsar district. The question is whether the honourable member wants to discuss the pension of peons and patwaris as a whole or only with special reference to the temporary appointments in the district of Jhelum. I would draw attention to page 90.

Mr. Speaker : The amendment moved is that the total grant be reduced by Re. 1. The object of the mover is to discuss that the pay and pensions of peons and patwaris are insufficient and should be increased. The question is whether the motion is in order. The item of Rs. 1,14,600 relates to the pay of temporary establishment of settlement.

Lala Bhagat Ram Choda : Sir, they are not simply temporary. If I am not permitted to discuss the pensions I will speak on their pay.

Premier : The pay of patwaris and peons working under settlement parties is different.

Mr. Speaker : The honourable member now proposes to speak about pay and not about pension. Is there any objection to this ?

Premier : I have no objection.

Mr. Speaker : That would amount to an alteration of the motion at this stage ; but I have no objection, as the amended motion is within the scope of the original amendment.

Lala Bhagat Ram Choda (Urdu) : I will discuss only the salaries of peons and not of patwaris.

Sir, I wish to bring this fact to the notice of Government that the poor chaprasis are paid only Rs. 14 per mensem which is a very meagre sum. They are whole time servants and have to work for 24 hours. Besides, their officers utilize their services for domestic purposes also (*laughter*). These poor people get no holiday whatsoever for the whole year round. Then at the time of retirement from service they do not receive sufficient pension. All other Government servants on retirement are rewarded

pensions to the extent of 50 per cent. while the peons are granted pension equal to one third of their pay. This is an example of divine wrath to which poor people are subjected.

In the old Punjab Legislative Council a resolution recommending an increase in the salaries of peons was moved and passed but so far no satisfactory result has been achieved. It is a matter of great regret that while on the one hand the ministers draw fat salaries amounting to three or four thousand rupees per mensem, on the other hand the monthly wages paid to these wretched beings amount only to Rs. 14. Their salaries are so inadequate that it is well nigh impossible for them to support their wives and children. Sir, such a glaring difference in salaries is simply intolerable. Besides they are expected to keep themselves clean and wear clothes washed by the washermen. How on earth is it possible for them to meet all sundry expenses out of a paltry sum of Rs. 14. I would request Government to enhance their salaries as their present rates of pay are quite insufficient and they should be granted pensions equal to one half of their pay. With these words I close my speech.

Mr. Speaker : Demand under consideration, motion moved —

That the item of Rs. 1,14,600 on account of Total pay of establishment be reduced by Rs. 1.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, I have every sympathy with the motion of my honourable friend. I may point out to him that now-a-days even graduates of the University of the Punjab and other universities are applying for the post of peons in the postal department (*A voice from the Opposition :* Due to whom?) Due to yourself.

Dr. Gopi Chand Bhargava : What does the Honourable Minister mean ?

Minister for Revenue : I was simply joking.

Sir, it is a question of supply and demand. You know, that one advertisement brings in thousands and thousands of applications ; and if we increase the pay of these people considerably beyond what other people get in Government offices this will create a difficult position which this House will have to consider.

As regards the suggestion of my friend regarding pensions I may inform him that this question is being considered by the Finance Department.

Sardar Hari Singh : Cogent argument !

Minister for Revenue : Whether cogent or not, this question will have to be decided by the vote of the House.

Lala Bhagat Ram Choda (*Urdu*) : As the Honourable Minister for Revenue has expressed great sympathy for the peons and has promised to give favourable consideration to the question of enhancement of their salaries I wish to withdraw my cut motion with your permission.

The motion was by leave withdrawn.

Survey and Settlement Parties.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : Sir I beg to move—

That the item of Rs. 2,58,900 on account of Survey and Settlement Parties be omitted.

I move this motion as a matter of retrenchment and to urge on the Government that recurring settlements are an unnecessary expense on the province and generally detrimental to the interests of the people.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu) : On a point of order, Sir. The aim of the cut motion before the House is to effect certain changes in the system of settlements, but under section 53 (a) of Land Revenue Act the term of settlements is fixed and the Government have no powers to revise it. In this connection I would like to draw your attention to the ruling which you were pleased to give this morning according to which the discussion on this cut motion cannot be allowed.

Sardar Sampuran Singh : I would like the honourable member to read the section under which settlements are made.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, the section reads :—

“ The Local Government shall when announcing an assessment under sub-section (1) of Section 53 fix a period of time for which the assessment shall remain in force ;
(2) The period fixed under sub-section (1) shall be 40 years.”

Sardar Sampuran Singh : This point of order would not apply to these particular cases which are in view because these settlements are not taking place after forty years and the section which has been quoted does not apply to these particular cases.

Sardar Sohan Singh, Josh : Does the honourable member know sufficient English to understand and read the section ?

Sardar Sampuran Singh : These settlements do not take place after forty years and they are not under the section which has been quoted by my honourable friend.

Mr. Speaker : What does the honourable member mean by the expression “ recurring settlements ”? The expression is not quite clear. Perhaps the Honourable Advocate-General will throw some light on the subject.

Sardar Sampuran Singh : The word “ recurring ” applies to the settlement which is taking place now. These are not under the section quoted. “ recurring ” means which comes again and again. That does not mean that these come after 40 years. These settlements which are now going on do not take place under this section. They recur all the same. Recurring means recurring, but that does not mean recurring under the section quoted by my honourable friend.

Khan Sahib Chaudhri Riasat Ali : The item refers to the re-settlement operations only in the Jhelum District. Please refer to page 91.

Sardar Sampuran Singh : It includes the total for all settlements. These periodical settlements in the province are a cause of great sense of insecurity amongst the people. A very large number of staff is introduced into a district and they are not only the cause of harassment to the people in the way of increasing their revenue, but such a large staff living all over the district causes so much expense to the people that they are almost like a scourge for the people of that district. The result of these settlements is not the betterment of the peasants of these districts. At this time people are so heavily taxed that they are looking forward to any decrease in the present assessments rather than increase in the old assessments. I give an instance of my own district. The old settlement of Lyallpur district took place under the old law which meant that the Government was entitled to get 50 per cent. of the net assets of the land. (*Diwan Bahadur Raja Narendar Nath* : 35 per cent.) I am talking of the old rule, Sir. This law was amended by the Punjab Government and this maximum was reduced to 25 per cent. The present settlement of the Lyallpur district has been carried out under the amended law. The result is that despite the fact that the share of the Government has been reduced from 50 to 25 per cent. of the net assets, in the actual figures the revenue has arisen from the old revenue. I have very carefully gone into the figures of the assessment of my district and find that this change has been introduced by raising the yield and the commutation prices, while we are aware of the fact that the rates of the agricultural commodities, when the old settlement took place, was higher than the time when the present operations were carried out. These results are brought out by the jugglery of figures. The same figures are twisted in one way or the other and the results are brought out exactly in the way that the Government wants them to be brought out. So far as the giving of relief to the zamindars is concerned, these settlements are not made for that purpose nor is any relief brought to the zamindars under the settlement operations. I want to say a word about this new system of sliding scale. No doubt it has a great point in it that at the time of exceptionally low rates of prices the revenue will slide down as a matter of course. But if this process were to be introduced all over the province—and that in a bad year—I would ask the Government only to imagine what would be the result. We hear so much in the various reports, budget and other speeches from the side of the Government that in a bad year or some other year the income of the Government would fall on account of their having introduced the sliding scale in the district of Lyallpur.

Mr. Speaker : Order, order. The Honourable Minister for Development is reading a newspaper. This should not be done.

Sardar Sampuran Singh : This sliding scale may be a good thing if its field of operation is limited. If the sliding scale is going to be spread all over the province, then I am afraid that it will work such a havoc on the finances of the province that I consider it impracticable, when I consider it from a bigger point of view. I would submit one more point in this connection and that is the appointment of the expert committee for revenue in the province. My first grievance in that respect is that no zamindar as such has been appointed on it.

Minister for Revenue : Are you referring to the Darling Committee? Are you referring to the Committee an announcement regarding which was made by the Premier two days ago?

Sardar Sampuran Singh : Well that is the only Committee which was appointed two days ago. That is the only Committee you have appointed to consider the revenues so far. You are correct and so far as I can recollect an announcement regarding it was made by the Honourable Premier only two days ago. (*Voices :* It is the Land Revenue Committee). Yes it is the Land Revenue Committee. I do not see why there is any confusion about it. So far as the districts of Jhelum, Lahore and Amritsar are concerned, their settlement should be postponed till the Land Revenue Committee has given its report. I need not press about Lyallpur because, as the Honourable Minister for Revenue says, its settlement is practically over. If settlement of these districts is made before the Report of the Land Revenue Committee is out, I am sure these districts would not be getting the benefit of the report, advice and recommendations of that Committee. With these few remarks I beg to move that this total item, which will be a substantial economy in our budget should be omitted as the settlements which are at present going on, are not necessary for this province and they are doing more harm than good.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 2,58,000 on account of Survey and Settlement Parties be omitted.

Khan Bahadur Mian Mushtaq Ahmad, Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*) : Sir, If I understand my honourable friend, the mover of this cut motion aright, he alleged in his speech that Government resorts to recurring settlements with a view to enhance its revenues. This is not borne out by facts. Let me cite the example of the Lyallpur district which is also the home district of the honourable member who has moved this cut. In this district the results of the recent reassessment show a considerable decrease in the amount of land revenue. In certain tahsils of this district where new scale of assessment has been enforced, there has been a decrease in the amount of land revenue to the extent of over 10 lakhs. When the new rates of assessment are enforced in all tahsils of the district, I am sure, the decrease in the revenue will exceed this figure by a very much larger amount. It is neither reasonable nor just to say, without proof, that Government achieves, through the jugglery of figures, the desired results which they have already in mind. The honourable members would be well-advised not to make such unfounded and baseless allegations. The settlement operations and assessment of land revenue are carried out under specific provisions of the Land Revenue Act, as is explained in the Settlement Manual. The period of settlements is fixed under sections 53 and 53(a) of the Land Revenue Act, and the Government has no option to act to the contrary, unless of course, the Act is amended. Now let us examine, Sir, as to why settlements are necessary. The first object of resettlements is to bring the land records uptodate. It is essential to keep these records correct and uptodate as they form the basis of our entire land revenue system. The field maps and the records of rights undergo a great change during a period of 40 years and in view of these changes, it is necessary to prepare fresh and uptodate field maps and revenue records.

Secondly, Sir, in areas where permanent assessment is in force it is necessary to reassess them according to the changed conditions. The condition of soil greatly changes after a lapse of 40 years and makes it necessary

to make a new classification of that land for the purposes of assessment. Certain areas which were fertile at the last settlement and were assessed at a higher rate have deteriorated and become less productive, while other areas which were out of cultivation at that time have been brought under cultivation and are, therefore, liable to a higher rate of assessment. It is, therefore, equitable and just to reassess such areas and reclassify the fields according to their changed conditions so that the owners whose lands have deteriorated should get relief in assessment and those who have brought new lands under cultivation should pay a due share of land revenue to the State. For example in Jhelum district a large area which was under cultivation at the last settlement has become useless and unculturable on account of saltpetre and water-logging. Will it be fair on the part of the Government to charge land revenue on the basis of permanent assessment fixed at the last settlement on lands out of which the owners are getting no or little income today? If a reassessment is made it will surely relieve the owners of such lands from paying land revenue for their unproductive lands.

Thirdly under the old Act the Government could charge land revenue up to one-half of the total net assets. In settlements which were made under the old Act in every case the land revenue was fixed between $\frac{1}{3}$ and $\frac{1}{2}$ of the total net assets. But according to the amended Act which is now in force the Government cannot fix the land revenue at more than $\frac{1}{4}$ of the total net assets. Therefore, reassessment under the amended Act will be advantageous to the zamindars.

Fourthly the yield of various crops from various classes of soil is estimated during the settlement operations and a schedule is prepared accordingly, which forms the basis of assessment. These estimates of yields from various classes of lands undergo a considerable change after a lapse of 40 years. It is, therefore, necessary and equitable to prepare new estimates of yields and fix new assessments in view of these variations in different areas.

Sir, in parts of districts where facilities of perennial irrigation are introduced reassessment becomes necessary, because the producing capacity of land increases on account of the new and additional irrigation facilities. If the Government is prevented from resettling such lands, the Government will hesitate to introduce such new schemes, knowing that they will not be allowed to take a share from the increased incomes of such lands and a restriction of the kind suggested by my honourable friend will neither be in the interest of zamindars nor of the province. In view of these facts the contention of my honourable friend, the mover of this cut, that recurring settlements are unnecessary and that they are detrimental to the interests of the people, is not correct. I would therefore appeal to him in the name of justice and fair play to withdraw his cut motion.

Mr. Speaker : Only a few minutes ago, I asked the Honourable Chaudhri Sir Chhotu Ram, who was reading a newspaper, not to read it. Now I find that Sardar Hari Singh is reading a poster. I may state for the information of the honourable members of the House that they are not to read here books, newspapers, etc.

Pandit Shri Ram Sharma : On a point of order, Sir. Are we allowed to read or write letters?

Mr. Speaker : No.

Mir Maqbool Mahmood : Except connected with the business of the Assembly.

Mr. Speaker : Of course.

Advocate General : Sir, you were pleased to ask me to give an opinion as to whether with reference to section 53(a) of the Land Revenue Act, the cut motion of the honourable Sardar Sampuran Singh, was in order. I am sorry to have delayed the matter. My opinion is this that it is not clear as to whether or not the honourable member meant by moving the motion that we should do away with the system of recurring settlement and come to a system of permanent settlement. If this is what he meant, then the motion is obviously out of order. If he meant that the settlement should take place only after a fixed period of 40 years then the motion would be in order.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, as the next motion which stands in my name also relates to the same subject I should like to speak on it now. (*A voice :* Which motion is the honourable member speaking on ?) I am speaking on the cut motion of Sardar Sampuran Singh.

Mir Maqbool Mahmood : Is he speaking on Sardar Sampuran Singh's motion ?

Mr. Speaker : When there are several motions which cover substantially the same ground or relate to the same subject, I will call on the mover first, then on the other gentlemen turn by turn. Thus the motions shall be discussed together but if and when they are put to the vote of the House, they will be put separately.

Sardar Hari Singh : I was going to submit that only a few days ago our worthy Premier announced on the floor of this House that he was going to appoint an expert inquiry committee to go into the question of land assessment to explore and apply another system based on the principles of income-tax. However, much we on this side may differ from the worthy Premier on the question of the personnel of the Committee and on the question of the terms of reference which have been imposed on this Committee, I must say that this announcement constitutes a landmark in the history of land revenue policy in India, subject to the proviso that the necessary will and the necessary determination behind this move are there. If there is the necessary motive force behind this announcement, then we shall welcome it, because it means that there is going to be a break with the past land revenue policy of Government. Is that what the announcement means ? When you are going to overhaul the whole land revenue system of Government you are going to demolish the foundation on which the old system is based. The Government in making this announcement has made a most welcome admission that the present system of land revenue assessment is out of tune with the times, because it is based on rotten foundations, and that it must be done away with and a new system introduced into this province which may bring a new heaven and a new earth for the woe-begotten province of the Punjab and a new and better life for the peasant.

If you are really anxious to bring a new system into being, to demolish the whole structure of the present land revenue system, which, I take it, the Government condemns by this announcement, then I submit, would it not be desirable, nay, would it not be necessary for the Government to postpone the settlement operations that are now going on in the various parts of the Punjab? The reason why I suggest this is that the present settlements are based on the present system of land revenue which is going to be demolished. If you are going to change the fundamental basis of the old system, it is desirable, nay essential, in order to inspire confidence in the public that your announcement is quite genuine that the Government should give an earnest of their desire to revise the old system by forthwith ordering the postponement of all settlement operations until at least the report of the committee appointed by it is received. The people will not be satisfied by the announcement if the settlement operations under the old system are to continue. They will observe that the motives of the Government are not *bona fide*. They will conclude that the Government is only trying to play a trick. Therefore I would submit, I would implore the Government most humbly and most respectfully that the Honourable Premier who at the moment is responsible for the announcement should also give proof of the earnestness of his motives by postponing the settlement operations which constitutes unnecessary burden on the people of the province. With these words I support the motion.

Sardar Rur Singh (Ferozepore East, Sikh, Rural) (*Punjabi*): Sir, it is said that reassessment and settlement operations are intended for the good of the zamindars, but I should like to ask the Government why at the time of *Jaribkashi* areas of some lands are shown to be greater than they really are and *vice versa*. It has been said from the opposite benches that all settlement operations are meant for the benefit and well-being of the country, but my contention is that they are meant to harm the people. I think you are aware of the fact that in every settlement operation land revenue is increased and not decreased. Where is the necessity for conducting settlement operations again and again in the province? It is obvious that the land remains where it was and as it was. It does not expand with heat. It has been urged by Government again and again that these operations are intended for the well being of the people concerned. But in my opinion it is just the other way. There is a world of difference between what is said and what is actually done. These settlement operations are as deceptive as the tusks of the elephant. He has got one set of teeth for chewing and another set for mere show. If the Government really intend to do something for the good of the zamindars, it is time they paid attention to the prices of agricultural produce, which are going down everyday. It is a pity that the Government are neither paying any attention to the fall in the prices of agricultural produce nor are they giving a thought to the deleterious effects of recurring settlements. If the settlement operations were really intended for the good of the people concerned, no one would be happier than ourselves.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I had no intention of joining in this debate, but my honourable friend opposite, Sardar Hari Singh, has compelled me to say a few words. Let me at the outset

[Premier.]

point out to him that so long as the present system is not substituted by a better system, the present system will hold and we cannot condemn it until we can find a better substitute for it.

Sardar Hari Singh : You have condemned the present system by your announcement.

Premier : No. If as a result of that expert enquiry we come to the conclusion that assessment on income tax basis is practicable and feasible and that it would be in the interests of the province to introduce that system, we would certainly see that the new system is introduced. (*Inter-ruption*). I am as anxious as honourable members to consider plans for revising our present system of land revenue so as to bring it into line with income tax system.

Sardar Hari Singh : Does not the announcement mean that the Government is not satisfied with the present state of affairs ?

Premier : The Government has to be satisfied that the present state of affairs can be replaced by a better substitute.

Sardar Hari Singh : When does the necessity for a substitute arise ?

Premier : The honourable member is anticipating the report of the expert committee. I am not so foolhardy as not to wait for the report of the committee before coming to a conclusion. I might add that if I were one of the constituents of the honourable member, I would at once say ' God save me from my friends.' He says that we should stop all settlements everywhere because we are going to change the system and replace it by another system. He evidently does not know that from every district where the old settlement is expiring or has already expired people have come to me asking for resettlement.

Sardar Sampuran Singh : On a point of order. Is it not a personal aspersion to use the expression ' God save me from my friends ' in reference to a member of this House ?

Mr. Speaker : The honourable member may interpret the expression as he likes.

Sardar Sampuran Singh : Is it not unparliamentary to use that expression with reference to a member of this House ?

Mr. Speaker : There is nothing unparliamentary in it.

Premier : I merely said that if I was one of the constituents of the honourable member opposite I would say, ' God save me from my friends.'

Chaudhri Krishna Gopal Dutt : Then, your choice of friends is wrong.

Premier : As I tried to point out, I have received representations, and very strong representations that reassessments of the districts should be taken in hand at once. For instance I went to Gurgaon last month and the Zamindara League there presented an address and pressed upon me that the resettlement should be taken in hand immediately. The honourable member does not know that we have now introduced a sliding scale of assessment which is based on the current prices with the result that immediate relief is afforded. (*An honourable member :* Paper prices or assumed.

prices). The proof of the pudding is in the eating thereof. We have just finished the re-assessment of the Lyallpur district and the remission now as compared with the previous assessment as based on 1932 prices is nearly 30 lakhs. (*Interruption*). My honourable friend is merely talking theoretically but he has not been able to understand the system. If he will come and discuss this matter with me I will be able to point out to him where his fallacy lies.

As I was saying, the proof of the pudding is in the eating of it. In Lyallpur, as compared with the 1932 prices the people have received a remission of nearly 30 lakhs of rupees as compared with the previous assessment. During the last two harvests they have received a remission of 17 lakhs hard cash. Thus you see the benefit of the sliding scale. The honourable member opposite did not probably realise that the sliding scale gives a definite benefit to the zamindar as compared with the previous assessment; and that is why the people are anxious that if the old settlements have expired or are about to expire in a few months we should take up re-assessment of the district. I think this must satisfy the honourable member. As I have said already, the honourable member is merely talking theory and does not know anything about the present system or for that matter about land revenue system at all.

Chaudhri Kartar Singh (Western Hoshiarpur, General, Rural) (*Urdu*): Sir, I rise to support my honourable friend Sardar Hari Singh. The present system of settlement may be likened to the kit of a juggler who uses it in manipulating things. Similarly Government makes use of this system according to its own sweet will. It is an irony of fate that when a zamindar sinks a well in his five acres of land, at his own expense or uses artificial manure to increase the productivity of his land and bears all the expenses connected with cultivation, the only benefit that accrues to him is that Government enhances his land revenue. May I ask the Government whether they are dealing even-handed justice to the zamindars? It is the height of inequity that when the zamindar increases the produce of his land by his own efforts, the Government should step in and assess his land at the enhanced rates and place his land in a higher class.

Mr. Speaker : The honourable member is not speaking to the motion.

Chaudhri Kartar Singh : Sir, the Honourable Premier has just remarked that whenever settlement is carried out, a definite reduction is made in the land revenue. He has cited the case of the Lyallpur district. Every year remission is granted to that district. This year also remission to the extent of six annas in the rupee has been granted to the Lyallpur district. Sir, my submission is that if the Government were actually to reduce the land revenue, they would be saved the trouble of making settlements again and again. If the Honourable Premier were to read Prof. Brij Narain's works dispassionately, he would realize as to how far the professor is justified in holding the opinion that he does in regard to this matter. I would also like to point out that Government is not following a uniform policy whenever and wherever re-settlement is conducted. Officers concerned place lands of some of their favourites in class III. If I am permitted I will cite instances to show that in many villages the lands of people who are not in the good books of the Government officials, have been placed in class I.

Premier : On a point of order, Sir. The honourable member is not relevant. There is a separate cut No. 13 with regard to classification of lands.

Chaudhri Kartar Singh : Sir, with these words I support the cut motion of Sardar Sampuran Singh.

Sardar Sohan Singh Josh (Amritsar, North, Sikh, Rural), (*Urdu*) : Sir, I wish to draw the attention of the House to a very urgent and important matter.

Mir Maqbool Mahmood : On a point of order, Sir. My honourable friend, who comes from my constituency and who has been favouring us with a series of questions in beautiful English, is beginning his speech in Urdu.

Mr. Speaker : May I ask the honourable member whether he can speak English or not ?

Sardar Sohan Singh Josh : Sir, I cannot express myself adequately in English.

Mr. Speaker : I think I should take his word to be correct.

Premier : The honourable member is not a B.A., LL.B., so he ought to be allowed to speak in Urdu.

Sardar Sohan Singh Josh : Sir, I was submitting that the motion before the House is an urgent and important one. At present the re-settlement of Amritsar district is being carried out, as a result of which the zamindars and peasants of that place are undergoing great hardships. They are compelled to supply *Jhandibardars* and *Jaribkashes*. They are threatened that in case they fail to do so they will be charged in addition to the land revenue extra money for the entertainment of *jhandibardars* and *jaribkashes*.

Mir Maqbool Mahmood : On a point of order, Sir. With regard to this there is a separate cut No. 12.

Mr. Speaker : He can speak on it even now.

Mir Maqbool Mahmood : Then I rise to another point of order, with regard to this cut. The cut suggested by the honourable member cannot be given effect to without legislation being amended. It is in the same position as the cut dealing with lambardars and zilladars.

Mr. Speaker : How ?

Mir Maqbool Mahmood : Because all these settlement proceedings are regulated by section 152 of the Land Revenue Act which reads as follows :—

A revenue officer may give and apportion the cost of any proceeding under this Act in any manner he thinks fit.

It clearly says that the apportionment of costs rests with the revenue officer just as the appointment of lambardars and zilladars rests with the Financial Commissioner, and the honourable member wants that the discretion of the revenue officer may be restricted, that he may be given forced instructions which could not be done without amendment of legislation.

Premier : The note appended to the amendment intended to be moved by the honourable member reads—

That the expenses of the *jaribkashes* and *jhandibardars* should be borne by the Government.

What does that show ?

Mr. Speaker : Will the honourable member please explain what it means ?

Sardar Sohan Singh Josh : Sir, my submission is, that if the Government can bear the expenses of *tahsildars*, *naib-tahsildars*, *patwaris*, etc., can they not meet the expenses of these *jhandi bardars* and *jaribkashes* ? The condition of peasants is very pitiable. They are already crushed under the burden of land revenue, water rates, expenses of middlemen, etc.

Mr. Speaker : Does the honourable member mean that the money is recovered from the zamindars and paid to these people ? Who is paying at present ?

3 P. M.

Sardar Sohan Singh Josh : Zamindars.

Mir Maqbool Mahmood : The section reads—

A revenue officer may give and apportion the costs of any proceeding under this Act in any manner he thinks fit.

And my friend wants to restrict the discretion of the revenue officer.

Mr. Speaker : What does the expression ' apportion the costs ' mean ? Does it mean that he may apportion the costs to anybody he likes and recover the same from the zamindars ?

Sardar Sohan Singh Josh : Sir, what I mean to say is that the expenses of *jhandibardars* and *jaribkashes* should be borne by Government and the zamindars should not be burdened on that account.

Mir Maqbool Mahmood : The statement made by my honourable friend confirms the point I was raising. What he wants is that this clause should read like this :

A revenue officer may give and apportion the costs of any proceeding under this Act in any manner he thinks fit :

Provided that the expenses of the *jaribkashes* and *jhandibardars* shall be borne by the Government.

That means a legislative amendment.

Mr. Speaker : May I know whether the Government or the Financial Commissioner has made any rules under the Act ?

Pandit Muni Lal Kalia : On a point of order. Is the Financial Commissioner, sitting in the official gallery, entitled to issue instructions at the time when the matter is being discussed on the floor of the House ?

Mr. Speaker : What instructions ?

Pandit Muni Lal Kalia : Generally, on the subject under discussion. An honourable member has taken a book from the Financial Commissioner with pages flagged.

Mr. Speaker : If an honourable member wants some information or somebody wants him to come out, can he not go out and see him ?

Diwan Chaman Lall : Quite true, Mr. Speaker. But the point is whether any official has any business to make use of the official gallery to pass information or literature ? If he wants to give it, he can go out into the lobby.

Mr. Speaker : It was at the request of the chair that the Leader of the House had to collect some information. Could he not get it from a certain official ?

Diwan Chaman Lall : We have no objection to that. What we object to is the use of the floor of this House for that purpose.

Mr. Speaker : How is it used ?

Diwan Chaman Lall : The floor of the House is used for passing on the information. He should go out into the lobby and get the information.

Mr. Speaker : Is it within the Chamber or outside the Chamber ? These boxes to my right and my left are outside the floor of the House.

Premier : I believe my friend's objection is that the member should not have taken the book from the floor of the House. He should have gone out and taken the book from the official. If so, I think that that procedure is correct. (*Cheers*).

Mr. Speaker : What is objectionable is that the member has taken the book standing on the floor of the House. He could have gone to the box from the other side and taken the book. (*Cheers*).

Sardar Sohan Singh Josh (Urdu) : What actually happens is that peasants are compelled either to pay for 'Jaribkashes,' or provide labour instead. People have put in numerous complaints against this hardship, particularly the peasants of the Amritsar district have submitted thousands of petitions praying that Government may very kindly accept responsibility for the payment of this expenditure, but to no effect. Moreover the Jaribkashi rates differ at different places. From some villages this due is charged at the rate of 1½ anna while from other villages it is recovered at the rate of 1½ annas, there being no uniformity in rates. Unless this due is paid up, either the land revenue is not accepted, from a peasant, or if it is accepted at all—the receipt thereof is withheld till his arrears of Jaribkashi have been cleared. If a poor peasant is unable to pay this, he is subjected to various kinds of hardships. Our request is that these dues may be recovered after the Government has passed definite orders on the point and our request is not acceded to.

Another inconvenience to which peasants are subjected is that sometimes orders are issued by a settlement tahsildar or naib-tahsildar requiring the presence of zamindars on certain days and at certain places, and, in obedience to these orders the zamindars punctually turn up leaving whatever business they have in hand to find to their chagrin that the tehsildar or naib-tahsildar has not come. At last the poor people return disappointed. This happens over and over again, till an officer turns up after some five days, and, if unfortunately, the zamindars do not come at that time, the officer is infuriated and inflicts all sorts of punishments upon them. Moreover, Sir, our greatest misfortune is that whenever we cry for bread, you bid us wait

till you are convinced by some committee or commission that we really need bread. But I would submit that the prices of agricultural produce have fallen. The peasants have been reduced to abject poverty. These facts are patent to every one, yet the Government has taken no steps to end the miseries of the poor zamindars.

Mir Maqbool Mahmood : I have been able to find the relevant section. Section 106 of the Land Revenue Act reads as follows :—

For the purposes of the survey of any land in pursuance of rules under section 46, the landowners shall be bound to provide fit persons to act as flag-holders and chairmen.

If the landowners fail to provide such persons or to provide them in sufficient number such other persons as a revenue officer considers necessary may be employed and the cost of employing them recovered from the landowners as if it were an arrear of land-revenue.

Mr. Speaker : The motion (No. 19¹ on the list standing in the name of Sardar Sohan Singh Josh) is therefore out of order.

Sardar Sampuran Singh : Sir, this point cannot be raised at this stage.

Mr. Speaker : An amendment can be overruled at any stage if the Chair considers it to be out of order

The Honourable Minister for Revenue may reply with regard to cuts Nos. 11 and 12.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majitha) : Sir, many points have been made by my friend Mian Mushtaq Ahmed and by some other speakers, but with your permission, I propose to deal with a few of those relating to settlement of the Jhelum district. This settlement is as old as 1901. It was started principally for the purpose of revision of the record of rights and the revision of the maps which are most important for the administration of land revenue, and unless these maps are corrected and brought up-to-date, the work of administration would be hampered. Not only this, but the zamindars cannot get proper information from the patwaris if maps are wrong. Therefore as the settlement was rather old, many of the records required revision. In some cases the settlement has been made at such rates as require reduction. Therefore it was considered advisable and economical that we should start the settlement along with the revision of rights rather than take them up separately. We have appointed a settlement officer who is going to the district with an assistant settlement officer and his staff. The settlement operation commences in October next. The portion of the demand that is being placed before this House refers to the settlement operations during this year only, demand in respect to future work will appear in the next year's budget.

I am very glad to find that my friend Sardar Sampuran Singh has given due praise to the sliding scale. Some people during the course of the discussion of the budget said on the floor of the House that paper concessions

¹That the item of Rs. 2,58,900 on account of Survey and Settlement Parties be reduced by Rs. 2,58,899.

Remarks :—That the expenses of the *Jarib kashes* and *Jhandi bardars* should be borne by the Government.

[Minister for Revenue.]

have only been given and that there are no remissions that have been granted under this sliding scale. My honourable friend the Premier has told you, and I may supplement what he said by saying that remissions have been given ranging between 29 and 31 per cent. in Lyallpur. I do not think that is a paper concession. Anybody saying that these are only paper concessions is trying to give wrong information to this House.

My friend said that settlement operations in the districts cause a great deal of inconvenience to the people. Suggestions have been put forward in this House, Sir, that settlements should be done on the basis of income-tax. Do my friends realise that settlements that come after 40 years cause so much trouble to the people that they do not like to have settlements and perhaps they prefer to have permanent settlement in the province? How would they like every year assessment of the income of the zamindars? I should like to know whether that point has been kept in mind by my friend. Forty years inquisition—if I may use the expression—is going to be looked into by the Committee which has been appointed, whose result we await with great expectation and we will consider the question when it comes before us after the report is ready. But when they think those settlement operations, which are done after every 40 years, oppressive to the people, how would they like every year's inquisition when the settlement is made on the basis of income-tax?

Lala Duni Chand : Settlement based on income they get every year.

Minister for Revenue : I do not think that after the thing has been introduced on the basis of income, there will be any sliding scale left. There will be no necessity of having any sliding scale when the basis of assessment is income. However, I need not labour that point any more. That is a question which is going to come up later on. My friend Sardar Sampuran Singh said that whenever settlements are taken in hand, they are always taken with the object of trying to increase land revenue assessment. He has not given any instances to substantiate his point. I hold, Sir, that settlements are not necessarily made with the idea of enhancing the revenue but they are made with the idea to see that land is properly assessed, and that some people, whose land is good, have to pay more, while others whose land is bad have to pay less. Therefore there is this differentiation. We have to see that everybody is equitably assessed. Now, Sir, the Premier has cleared the point that when the report of the Committee, which is to be presided over by Mr. Darling, and which is to go into the intricacies of the question, is placed before the Government, I will see that it is carefully considered. If the report is such that we can adopt it, necessary steps will be taken to amend the Revenue Act. Now, some of my friends said that there are difficulties in the administration of land. I assure the House that if these difficulties of the zamindars are brought to my notice, I shall deal with them as sympathetically as I can. They can depend upon this that if there are any difficulties in the way of the zamindars I, as a zamindar, know those difficulties and I sympathise with the zamindars and will do my best to remove them. I will, with your permission, say that if there are any genuine difficulties or grievances regarding the working of the revenue administration in the province those may be referred to me as member of the Government and I assure

you that all suggestions will be referred to the Darling Committee to be looked into and reported upon and we will do our best to remove those grievances (*cheers*).

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : Sir, I appreciate some of the arguments brought forward by my honourable friend Mian Mushtaq Ahmad and the Honourable Revenue Minister. I make my speech subject to those view points which they have expressed. I quite agree that settlements are always welcomed when they are started because of the idea of reduction of revenue, but at the end we always find that revenue is never reduced. I am saying this from experience. My statement was challenged by the Honourable Minister for Revenue when he said that we should mention instances. I would just tell him, start from the north of the Punjab and go to the southernmost district of the province and see the annals and history of settlements and you will find that in every case revenue has been increased. Will that satisfy him or should I mention any particular district? Wait for a year more, and you will find in your own district of Amritsar the same thing happening.

Minister for Revenue : I will certainly wait for that.

Sardar Sampuran Singh : Two very good instances have been given of these operations of settlements and I submit that they are correct ones. In cases like that of Pind Dadan Khan and other places in the neighbourhood of Khewra Mines I admit that the lands have really gone bad and perhaps total reduction of land revenue or remission of revenue may be necessary, but such special cases can be dealt with without starting these expensive operations of recurring settlements after short periods.

Minister for Revenue : They would not be for short periods hereafter.

Sardar Sampuran Singh : The correction of record of rights in special cases like that of Pind Dadan Khan and the neighbouring places are exceptional and can always be remedied by the ordinary and permanent settlement staff of the land revenue department and there is no necessity of undergoing such heavy expenses on settlements for a few instances here and there in the province. The Honourable Minister for Revenue has mentioned that people do not like settlements which recur after 20 years or 40 years, how would they like assessments in their villages under the Income-tax system being held every year?

Minister for Revenue : You have said that.

Sardar Sampuran Singh : He forgets that we want that system to be introduced on the understanding that we expect that the people who earn less than a thousand rupees from the land would not be taxed and we presume that those people who are now paying 50 per cent., 40 per cent. or 25 per cent. will have to pay only one or two per cent. of their income. Give us settlements every year if you agree to these conditions. It has been said by my friend Mr. Gurmani that on account of the new canals being introduced in some parts of the province these lands have to be specially dealt with on account of their income having been increased. I would tell him that in these cases Government gains in two ways. They get water rate for the land irrigated. This is number one and number two is that lands which were not under cultivation are now under cultivation and the land revenue has

[Sardar Sampuran Singh.]

increased. Is not the Government satisfied with these two gains? I think it should be satisfied with these additional sources of new income and should not think it necessary to hold settlements for these areas. It has also been said that under the new sliding scale in the Lyallpur district 29 lakhs of rupees has been remitted to the zamindars. I am not exact about the figures but that is what I understood.

Minister for Revenue : 29 per cent.

Sardar Sampuran Singh : But the Government seem to forget the fact, I would not say they intentionally did so, nor would I say that they are ignorant of this fact, because they are supposed to be knowing everything, but they forget this fact that if they remitted 29 lakhs, they have increased it by perhaps 85 lakhs and thus the balance is still on the credit side. In the end I would say that whether we sit on this side of the House or on that side, the question of doing good to the zamindars is more or less common to all of us and I expect all those who hail from the rural areas and are in touch with the people and know their difficulties and the hardships under which they live, will sympathise with the motion I have made and they would see that the Government agree to it, but if they do not, I expect that the honourable members of this House, as well-wishers of the rural classes of this poor province, would vote for the motion (*hear, hear*).

Syed Afzaal Ali Hasnie : Have you then decided not to withdraw the motion?

Sardar Sampuran Singh : I never suggested that I will withdraw.

Minister for Revenue : My honourable friend wanted some further information about the Lyallpur district and I beg your permission to furnish him. Outwardly the assessment has been increased from Rs. 2 to Rs. 2-4-0 or from Rs. 6 to Rs. 7-8-0 but in the coming five years no such increase has to be taken into account.

Sardar Sampuran Singh : I know that.

Minister for Revenue : No increase will be taken, the assessment will remain on the same basis as it was at the last settlement and remission will be given still on the sliding scale. That is the point which I wanted to bring clearly to the notice of my honourable friend.

Sardar Sampuran Singh : I know it and I spoke subject to that knowledge.

Minister for Revenue : The second point that I wanted to make is that in the new assessment when commutation prices rise to a certain level the assessment which has been announced would be taken and not the earlier one. First of all for the five years there will be no increase in the demand from the present rates. If the prices go up to the level of the present rates, the five years assessment will remain up to that limit and if it is below those rates, the remission would be granted according to the sliding scale system. But if the prices go up beyond the scale at which they have been fixed, and at which announcement has been made, that the new assessment will come into force, then and then alone will the rise in demand take place. But where

the Government demand is fixed, there is no limit placed upon the remission that is to be given to the people. If the prices go down to 12 annas in some cases Government will still give remission but if the prices go down lower still, the whole system would be overhauled. Therefore, my friend must understand that where Government is going to give remission, they are going to give remissions throughout when the prices are low, but when the prices go up to commutation prices, the demand from zamindars would never increase beyond that even if the prices go higher, as they went during the war period. (*Hear, hear.*)

Mr. Speaker : The question is—

That the item of Rs. 2,58,900 on account of Survey and Settlement Parties be omitted.

The Assembly divided : Ayes 30, Noes 91.

Ayes 30.

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| Ajit Singh, Sardar. | Mazhar Ali Azhar, Maulvi. |
| Bhagat Ram Choda, Lala. | Muhammad Hassan, Chaudhri. |
| Bhim Sen Sachar, Lala. | Muhammad Iftikhar-ud-Din, Mian. |
| Chaman Lall, Diwan. | Muni Lal Kalia, Pandit. |
| Chanan Singh, Sardar. | Narotam Singh Siddhu, Sardar. |
| Deshbandhu Gupta, Lala. | Parbati Devi, Bibi. |
| Duni Chand, Lala. | Prem Singh, Mahant. |
| Gopi Chand Bhargava, Dr. | Raghubir Kaur, Shrimati. |
| Hari Singh, Sardar. | Rur Singh, Sardar. |
| Harjab Singh, Sardar. | Saif-ud-Din Kitchlew, Dr. |
| Kabul Singh, Master. | Sampuran Singh, Sardar. |
| Kartar Singh, Chaudhri. | Sant Ram Seth, Dr. |
| Kartar Singh, Sardar. | Shri Ram Sharma, Pandit. |
| Krishna Gopal Dutt, Chaudhri. | Sohan Singh Josh, Sardar. |
| Lal Singh, Sardar. | Sudarshan, Lala |

Noes 91.

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| Abdul Haye, The Honourable Mian. | Balwant Singh, Sardar. |
| Abdul Rahim, Chaudhri (Gurgaon). | Bhagwant Singh, Rai Sahib. |
| Afzaal Ali Hasnie, Sayad. | Chhotu Ram, The Honourable Chaudhri Sir. |
| Ahmad Bakhsh Khan, Mr. | Dasaundha Singh, Sardar. |
| Ahmad Yar Khan Daulatana, Khan Bahadur Mian. | Dina Nath, Captain. |
| Ahmad Yar Khan, Chaudhri. | Faiz Muhammad, Shaikh. |
| Ali Akbar, Chaudhri. | Faqir Chand, Chaudhri. |
| Allah Bakhsh Khan, Khan Bahadur Nawab Malik. | Farman Ali Khan, Subedar-Major. |
| Amjad Ali Shah, Sayed. | Fateh Khan, Raja. |
| Anant Ram, Chaudhri. | Fateh Muhammad, Mian. |
| Ashiq Hussain, Captain. | Fazl Ali, Khan Bahadur Nawab Chaudhri. |
| Badr-Mohy-ud-Din Qadri, Mian. | Fazal Din, Khan Sahib Chaudhri. |
| Balbir Singh, Rao Bahadur Captain Rao. | Fazal Karim Bakhsh, Mian. |
| | Few, Mr. E. |
| | Ghazanfar Ali Khan, Raja. |

Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Samad, Khawaja.
 Girdhari Das, Mahant.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib
 Sardar.
 Habib Ullah Khan, Malik.
 Haibat Khan Daha, Khan.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Das, Lala.
 Harnam Singh, Lieutenant Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Jagjit Singh Bedi, Tikka.
 Jahan Ara Shah Nawaz, Mrs.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Amber, Chaudhri.
 Jugal Kishore, Chaudhri.
 Karamat Ali, Sheikh.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Kishen Das, Seth.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mohy-ud-Din Lal Badshah, Pir.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Faiyaz Ali Khan Na-
 wabzada.
 Muhammad Hassan Khan Gurchani,
 Khan Bahadur Sardar.
 Muhammad Hussain, Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Raza Shah Jeelani,
 Makh-dumzada Haji Sayed.
 Muhammad Saadat Ali Khan, Khan
 Sahib Nawab.
 Muhammad Sarfraz Khan, Chaudhri

Muhammad Shafi Ali Khan, Khan
 Sahib Chaudhri.
 Muhammad Wilayat Hussain Jee-
 lani, Mukhdumzada Haji Sayad.
 Mushtaq Ahmad Gurmani, Khan Ba-
 hadur Mian.
 Muzaffar Ali Khan, Sardar.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Narendra Nath, Diwan Bahadur
 Raja.
 Nasir-ud-Din, Chaudhri.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib-
 Mian.
 Nurullah, Mian.
 Pir Muhammad, Khan Sahib Chau-
 dhri.
 Prem Singh, Chaudhri.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Rashida Latif Baji, Begum.
 Biasat Ali, Khan Sahib Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sikander Hyat-Khan, the Honour-
 able Major Sir.
 Singha, Mr. S. P.
 Sultan Mahmood Hotiana, Mian.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honour-
 able Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Ujjal Singh, Sardar Sahib Sardar.
 Uttam Singh Dugal, Sardar.
 Wali Muhammad Sayyal Hiraj, Sar-
 dar.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
 I beg to move—

That the item of Rs. 2,58,900 on account of Survey and Settlement Parties be reduced
 by Rs. 2,58,899.

The motion was put and lost.

Dress of Members.

Sayed Afzaal Ali Hasnie : I wonder, Sir, if there are any rules in the matter of dress to be worn by honourable members in this House. One honourable member was just seen in the lobby only in an underwear. May I know whether a mere underwear is permissible in the House ?

Mr. Speaker : So far as I know there are no rules on the point, but what I have observed during the past thirteen years is that gentlemen come decently dressed and that is all, I think, that is required. No special dress or uniform is prescribed by rules.

Classification of lands.

Khwaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban) : I beg to move—

That the item of Rs. 2,58,900 be reduced by Rs. 100.

My object in tabling this motion is to point out the defects in the classification of lands during settlement operations. The complaint precisely is this that the method adopted by settlement officers is defective. What is being done at present is this. The naib-tahsildars and tahsildars prepare the maps and they put black marks and red marks on certain specific areas. The settlement officer who is in charge of the operations goes to the villages and makes a most cursory inspection. My information is that he usually goes on horseback and runs through the village and he depends entirely on the work done by the subordinates, with the result that people are generally dissatisfied with the classification which is practically done by the naib-tahsildars. My submission is that in the matter of classification innumerable complaints arise on account of the cursory manner in which this thing is done. If the settlement officer or a responsible assistant of his goes to the spot and looks into the things personally, I am sure that these complaints will be considerably less. But under the present system the work is entrusted to subordinates, generally to patwaris, and from the number of appeals that have been lodged against the present classification, at least in the Lyallpur district, it will be obvious to anybody that there is some inherent defect in the classification. My object now is to point out this defect to the authorities in order that in future no such complaint should arise. So far as the Lyallpur district is concerned, this question is more or less of an academic nature, because the settlement operations have finished there. The only things now pending there are the appeals with regard to these classifications. If the Government is kind enough to issue directions to the Commissioner, with whom these appeals are pending, to go to the spot in some cases, then I think it will be doing a great favour to the people who feel aggrieved as a result of this classification.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 2,58,900 be reduced by Rs. 100.

Khan Bahadur Raja Muhammad Akram Khan (Jhelum, Muhammadan, Rural) (*Urdu*) : It has been alleged that classification of land is not carried out in the presence of the settlement officer, on the other hand it is based on reports made by patwaris and other subordinates. It is not correct. In the "*Barani Naqas*"

[K. B. Raja Muhammad Akram Khan.]

tahsildars and naib-tahsildars alter the classes of land after inspecting the site. The patwaris and girdawars are not allowed to make any alteration in the classification of land until the officers incharge of the circle have so decided as the result of inspection of the site.

My honourable friend Khwaja Ghulam Hussain said just now that squares of land in the Lyallpur district have been divided into three different classes and land revenue is assessed in accordance with the fertility of the soil in the three different classes, i.e., first class land is charged at the rate of Rs. 8 ; second class land is charged at the rate of Rs. 2 and third class land is charged at the rate of Re. 1 per acre. In my opinion this is a very fair distribution. If all lands were assessed to the same amount land revenue it would prove harmful to the zamindars concerned. You are aware that some portions of land are *kallar*, some are sandy, while others are rocky. If all kinds of land were assessed to the same amount of land revenue, it would not be appropriate and just. I assure the honourable members opposite that in canal irrigated areas the settlement officer himself assesses the land revenue per square of land after inspecting the site and he himself approves the and classification. The objection raised by my honourable friend was why squares of land are classified in different categories. I should like to tell him that if this were not done both the landlords and the *abadkars* stand to lose. If the lands of a village are assessed without any variation, there would be many an *abadkar* who would raise objection as to why their inferior lands have been assessed at the same rate as the superior lands of other *abadkars*. I also want to tell you that land revenue assessed according to different classes of land does not tend to increase the total amount of land revenue. On the other hand the burden of land revenue is equally divided amongst different classes of lands, and in this way everybody is charged according to his "hasiyat." Had my honourable friend asked the opinion of some poor zamindar in this matter he would never have raised this objection.

Diwan Bahadur Raja Narendra Nath (East Punjab, Landholders) : Sir, I do not understand the object of the mover of this cut. What does he mean when he says 'to discuss the classification of lands' ? Does he mean the classification of land as regards irrigation, that is, *chahi*, *nehri*, *sailabi* or *abi* or how much land is *chahi* and how much *nehri* ? Now all that must depend on the records which have been systematically kept for the preceding few years. Then there is another system of classification of land, that is to say, what is the productivity of the soil, whether it is *chahi* or *nehri* or *abi*. So far as this classification is concerned, it will depend largely on the enquiry which the settlement officers make from the zamindars who have a general knowledge of the place. I would not exclude the system of inspection by settlement officers. I think it is impossible for one officer to inspect all the villages and to do the inspection thoroughly of a district in the course of 2 or 3 years during which the settlement operations are to be completed. He has to entrust the duties of inspection to his assistants also and I have not been able to find that the selection of assistants is made on wrong principle. The best and most experienced men are selected. I have myself undergone various settlements, that is to say, my lands have been subjected to periodical settlements. I have had no occasion to complain of wrong

assessments. So it is the settlement officer and his assistants who have to do this classification work and they have to depend upon previous records. There is no other course. I do not know what the honourable mover means by finding fault with classification.

Now, there is another point. If a land-owner finds that his land has been wrongly classified, that is, put under a wrong head, he is—if he is intelligent or has an intelligent adviser by his side—at perfect liberty to bring the mistake to the notice of the settlement officer. I have myself done so recently with regard to my own land. (*A voice*: Everyone is not intelligent.) Well, perhaps, every land-owner is not intelligent but every land-owner has an intelligent adviser by his side. So I do not understand, so far as the classification is concerned, what defect there is in the system. Unless I understand what the honourable mover means, I cannot decide to support him.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural): Sir, the honourable Diwan Bahadur Raja Narendra Nath has just said that the quality of the land, that is, the productivity of a certain land is ordinarily judged by the enquiry from those people who have local knowledge of the place (*Diwan Bahadur Raja Narendra Nath*: And also by inspection) and also by inspection. I do not want to say anything about my own district, because I am a zamindar and one should be always afraid of the revenue authorities. (*Hear, hear*). But speaking from my general experience of the whole province, I may say that this enquiry is in these days held by riding a fast pony and by galloping through miles and miles and coming back to headquarters in the evening and telling the people that I know every inch of the area. That is how the enquiry from people who have local knowledge of the place and by inspection is done in these days, because this is an age of motor cars and I think they consider it quite sufficient to pass through miles and miles in a short period of time on horse back.

This subject has given me an opportunity to explain the point of remission of a very large amount of money in certain districts by the Honourable Revenue Minister. I particularly desire that the Honourable Revenue Minister should hear me on this subject. Firstly, the classification of land in the Lyallpur district. We know that in theory—as the Government is pleased to say—the revenue is raised from Rs. 4-8-0 to Rs. 6, that is, the highest revenue goes up to Rs. 9. I am taking a very ordinary instance and would say that in so many cases it has been raised from Rs. 4-8-0 to Rs. 6. It is possible that according to sliding scale revenue may go down. But under the conditions prevalent to-day he will get a remission of Re. 1. That means his revenue actually has been raised from Rs. 4-8-0 to Rs. 5. (*Question*).

Premier: The honourable member has not understood the sliding scale at all.

Sardar Sampuran Singh: Excuse me, Sir, I am talking on a greater authority than your papers and records.

Minister for Revenue: No revenue is to be raised for 5 years.

Sardar Sampuran Singh: Sir, the Honourable Minister for Revenue is kind to remark that for 5 years no revenue is to be raised.

Mr. Speaker : The honourable member should speak to the motion.

Sardar Sampuran Singh : It is to the motion.

Mr. Speaker : No. The motion which is under discussion does not relate to revenue, but to classification of lands.

Sardar Sampuran Singh : I am sorry. I submit to your ruling. I would say how the classification affects the zamindars ? The land is raised from 3rd class to 2nd class or 1st class. The revenue, as it should have been, goes up to Rs. 6 and when the remission is made it goes down to Rs. 5. All the same it is raised though in theory it is not to be raised.

Mr. Speaker : The honourable member is again irrelevant.

Sardar Sampuran Singh : So far as the zamindars are concerned, there are two points in classification which are extremely unfair. Some times the classification is made, not only on the quality of land, but on the person who possesses it. If it happens to be owned by an *Arain* or *Jat* the classification is higher.

If it belongs to the original tribes of the colony district—whom I would not like to call junglis—(*An honourable member:* Then why call them so?)—because officials would call them so and I am quoting official records.

Premier : They are called 'locals'.

Sardar Sampuran Singh : Their land is classified on a lower scale. I think that is only putting premium on bad work. If a person works hard, he should not be made to suffer. That should not be the policy. Another thing is that hard working people may improve their lands. Some people spend money on sinking wells and some people use artificial manure and improve their lands. Again some people spend money on tractors and by hard work make their land porous and consequently improve their production. But at the same time their classification is also raised and nobody cares to take into consideration how much money the man has spent on improving his land. This Government under the present system would not consider the question of the cost of production and consequently these things never count when the land is classified. So far as practical agriculture is concerned and the question of actual capacity of payment of land revenue is concerned, all these points should be considered when the lands are classified. Matters should be improved and justice done to the people.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh, Majithia) : The honourable mover of the motion has not gone deep into the question and he has merely relied on one or two statements. He said that the underlings inspect these things and he includes among them the naib-tahsildars as well and that the settlement officers ride hurriedly through the portion and the whole inspection is done. I am glad that he did not say that they go in motor cars. But I may tell my honourable friend that in the inspection of these lands for purposes of classification of land, every square of land is very carefully inspected not only once by the so-called underlings as he says, but by the assistant settlement officer and then by the settlement officer and in several cases, there is not one inspection but two or three inspections are made in respect of each square, so that the settlement officer satisfies himself that the classification has been properly made and unless he is satisfied he does not enter the land in the new classi-

fication. I may further say that in the Lyallpur district the settlement officer has done this work so very carefully that not a single complaint has come up. But in cases where objection is taken, there is a right of appeal to the Commissioner and from him to the Financial Commissioner. The Commissioner and the Financial Commissioner are not sitting in their houses at Lahore; they go on tour and inspect these places and devote their time in seeing whether the settlement work is going on satisfactorily and properly. When even the higher officers of Government are giving all their attention to this question, my honourable friend should have no occasion to say that the classification is done hurriedly and without proper inspection.

As regards the classification, my honourable friend, Raja Sahib, has referred to several points. I am not going to deal with them. The different kinds of land are considered before final classification is decided on. I need not detain the House any longer. If my honourable friends have any complaints and if they are not satisfied, they can get just consideration from the higher authorities who are expected to take necessary action, and if any wrong is done it will be set right.

Khawaja Ghulam Hussain : In view of the assurance that has been given by the Honourable Revenue Minister, I will not press this motion to a division. I only wish to point out for his information that the thing to which I explicitly referred in my speech was the cursory method in which classification is done. I do not deny that the settlement officers go to the places nor do I wish to say that the work should not be entrusted to their subordinates. It has got to be done by subordinates in certain cases. But what I suggest is this: the manner in which classification is done is not satisfactory and in proof of that I submitted that there are so many appeals to my knowledge which are pending with the learned Commissioner and are being dealt with by him. I have placed the point of view before the Honourable Revenue Minister so that instructions may be issued to the effect that if there is any grievance of the people on the score of classification, it should not be summarily dealt with.

The motion was by leave withdrawn.

Policy governing resettlement operations in Amritsar.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): Sir, I beg to move—

That the item of Rs. 2,58,900 on account of Survey and Settlement Parties be reduced by Rs. 100.

Raja Ghazanfar Ali Khan : On a point of order. I reluctantly rise to submit before you that in the light of the ruling given by you already this motion may be declared out of order. Because the honourable member wants to raise discussion on the policy underlying resettlement operations in Amritsar. As you are aware, a reference was made by the honourable mover of this motion to section 33 (a) of the Land Revenue Act wherein it is laid down that it is open to the Government to have periodical settlement operations in a particular district. The second reason I submit as to why this motion may be ruled out is that this item of Rs. 2,58,900 relates to the total amount in regard to all the districts. If the object of my friend was to raise the question relating to the settlement operations throughout

[Raja Ghazanfar Ali Khan.]

the province he could have certainly moved a motion like this. But there is a separate item under the detailed heads, concerning the settlement operations in Amritsar. Instead of moving a cut under that detailed head, he has given notice under the total head and this total includes settlement operations at Jhelum, Amritsar, Lahore and Lyallpur. Now the House would find itself under a very great handicap in regard to voting. For if this motion is passed it would mean that we are censuring the Government for the policy underlying the settlement operations in all the four districts.

It is quite possible that some members may feel inclined to censure Government for settlement operations in Amritsar, but by supporting this cut they would be, as a matter of fact, censuring the government for settlements in all the districts. This certainly is not right. What reason is there for raising a matter which has already been discussed and voted upon by this House? Any matter which has been discussed and disposed of by the House cannot be taken up in the same session.

Mr. Speaker : What matter is the honourable member referring to ?

Raja Ghazanfar Ali Khan : The matter of settlement policy. I would draw your attention to amendment No. 11 which has been disposed of and also the policy underlying that demand. Therefore so far as the question of the discussion of the policy is concerned, the House has already disposed it of, and after having once recorded its votes on the demand, this question cannot be discussed, and if it only relates to Amritsar, in that case he is wrong in moving it. I would, therefore, submit that in view of the ruling which you have already given, this motion is out of order.

Diwan Chaman Lall : Sir, may I with your permission, and as a very humble member of this House, understand the position that is being taken up by certain members on the Government benches in regard to the point of order raised? This is a very vital matter, as it seems to me, and might result in stifling the debate regarding this particular demand. I would, first of all, before I offer you my remarks, like to know exactly the point that is being raised by my honourable friend. As I take it there are two issues which he is raising. One is that in regard to this particular amendment, the honourable member who moved this reduction, is not in order because this matter has already been discussed. That is No. 1. No. 2 is that he is not in order because of certain ruling which has been given. Am I correct? I want to be perfectly clear.

Raja Ghazanfar Ali Khan : Periodical operations are permissible under the Land Revenue Act. Unless the legislation is changed, in view of Mr. Speaker's ruling, this cannot be discussed.

Diwan Chaman Lall : My honourable friend has made the position perfectly clear. Therefore the real objection, as I take it, resolves itself into two and not three points because it is permissible under the existing legislation. Therefore to challenge the policy underlying that action by means of reduction moved is not permissible in this House. I do submit that this proposition is so wide that it will be impossible for any member to discuss any sort of policy underlying that demand for grant if that wide proposition is accepted. Not only am I amazed at my learned friend who raised a proposition like this; but if this contention is correct, then the

demand for land revenue, which is now presented before you, no discussion can take place because the law says that you shall collect so much money. It is utterly impossible to continue discussion of the budget if this very narrow, restricted and unwarranted attitude is adopted by my honourable friend.

In regard to the second point which has been raised, I submit that the honourable member who moved the reduction is entirely within his right to move the reduction in order to discuss the policy relating to Amritsar. I cannot understand how his voice can be throttled by the interpretation which is sought to be put by the honourable member sitting behind him—the interpretation which he chose to place on the right of honourable members to discuss any reduction motion or cut motion. I submit that we are within our right, if there is legislation, to challenge the policy of the Government when they come up and demand a certain sum of money from us, to challenge the policy underlying a particular demand which they are asking us to grant them. If that were not possible no discussion on a matter of this description, could be possible on the floor of the House. I submit my honourable friend has been a little more zealous than he ought to have been in regard to this matter, because he may find presently that he is also desirous of discussing certain details of the budget, which, if his interpretation were accepted, he would not be allowed to do. I assert, and I assert with all the vigour that I command, that if this interpretation—a most novel interpretation—were to be put on the budget, no discussion of any demand would be possible on the floor of the House.

Raja Ghazanfar Ali Khan : It is a criticism of the ruling of the Chair.

Diwan Chaman Lall : I have no desire to accept the verdict of my honourable friend, because I have no desire to challenge the ruling of the Chair (*laughter*). Honourable members over there will make themselves utterly ridiculous by the laughter that has come from those benches, because they do not understand the position of the Opposition. I have no desire to challenge the ruling once given by the Chair (*hear, hear*), because the Opposition is equally desirous to uphold the dignity of the Chair as any member sitting on those benches. But we have every reason, Mr. Speaker, to draw attention to the methods that are being adopted—wrong methods—and wrong advice being given to you in regard to the throttling of discussion on the floor of the House. I do submit, Mr. Speaker, that you will give the widest latitude to honourable members on this side or that side of the House who desire to challenge the policy of the Government underlying any reduction that they may move on demand for grant.

Mr. Speaker : I rule that the honourable member's point of order is out of order.

SELECTION OF DEMANDS FOR GRANTS FOR DISCUSSION.

Premier : Sir, in deference to the suggestion made by you this morning, and in response to the request made by my honourable friend the Leader of the Opposition, I have decided to give the Opposition the opportunity of selecting the demands which they want to discuss. We have agreed

[Premier.]

that they should select two demands and that this side of the House will select the other two demands. It has also been agreed between ourselves—and I hope the House will also agree—that we might discuss only these four demands during the remaining 8 days after the Land Revenue Demand has been dealt with. That is to say other demands will be put merely to the vote of the House and there will be no discussion on the grant itself or any amendments which were given notice of with regard to other demands.

Mr. Speaker : I do not think there shall be time for discussion.

Premier : It is possible that discussion on one of the demands might finish before the allotted time. I wanted to make the position clear. The demands which the Opposition have selected—and which I anticipated they would select—are the General Administration (No. 10) and the Police (No. 13). This side of the House have suggested that we should discuss (No. 16) Education and (No. 19) Agriculture. I am prepared to accept this suggestion from both sides of the House.

Dr. Gopi Chand Bhargava : I have to make another request. I have requested the Leader of the House to agree to this also that we might discuss the general policy of administration of the Government while discussing the demand on General Administration. I understood that he had agreed to it, but now he says that in view of the ruling given by you, we cannot open this question. What I understood was that if the Leader of the House agreed you will have no objection to our discussing the demand from that point of view and, therefore, I would request you to please assure us or the Leader of the House that this is what you agree to and I hope the Leader of the House will agree to my request also.

Premier : There seems to be some misunderstanding or confusion. What I said to Mr. Chaman Lall when he made that proposition to me—and you are aware of it, Sir, was this. That since the demand for General Administration also contains the item for the salaries of the Ministers, it provides wide enough scope within the demand itself for the honourable members to discuss everything that they want to discuss and I am sure that a talented debater like Diwan Chaman Lall will find it possible to say everything which is relevant to the demand. So far as discussion is concerned, this I should think would meet his demand. The General Administration demand contains not only the salary of the services concerned, it also contains the salaries of the Ministers and therefore, subject to your ruling, I believe that honourable members would be able to say something with regard to the policy of the individual ministers, if they want to. Thus they can cover a very wide field.

Diwan Chaman Lall : Mr. Speaker, since I was a party to this arrangement, may I say just one word before you give your ruling. The intention with which this arrangement was arrived at was to enable honourable members of this House to discuss the general policy of the administration. That was the main object with which this arrangement was arrived at and you were also pleased this morning to say that if the Leader of the House and the Leader of the Opposition agree to an arrangement regarding discussion of the budget, you yourself will have no objection to that course being followed in regard to any particular demand. I do submit

that the Honourable Premier has said that there can be no objection to discussing the general question of the administration and the policy of the Government on that one demand regarding General Administration.

Dr. Sir Gokul Chand Narang : I just wanted to say one or two words. This agreement I hope is not going to be taken as shutting out any discussion, if any honourable member, who is not bound by anything that Dr. Gopi Chand or the Premier might have agreed to (*hear, hear*), wants to discuss any other demand. There are so many members here who might like to discuss a particular demand which is not covered by the agreement between these two parties. Are you going to decide that no one will be allowed to touch any other demand? Every demand will have to be moved. Does it mean that no one will be allowed to speak on any other demand?

Mr. Speaker : That is what the Honourable Premier said.

Premier : That is in accordance with the Parliamentary practice. The Opposition select certain items and discuss them and other demands are simply moved and carried or refused.

Mr. Speaker : The point is whether the general policy of the Government in all departments of administration can be discussed, while only a single demand for grant is under consideration? In the House of Commons; while the privilege of choosing the demands, which they would like to discuss, is given to the Opposition, the discussion of the policy of the Government in all departments is not allowed on the discussion of any one demand. It is discussed at the time of the Finance Bill and in the Central Legislative Assembly also that is done generally when the Finance Bill is discussed. I am not aware of a single instance either of the British Parliament or of any other legislature where this practice is observed that while discussing any particular demand the whole administration of the Government in all departments may be discussed. However, if the House wants it, I have no objection. I have expressed my view. Now it is for the House to decide; but I may point out, that that would be a departure, though only for this session, which it will be difficult to defend or justify. (*Hear, hear*). On the other hand you can have the Finance Bill if you like. However, that is a matter which you can still consider and decide, as it does not come up to-day.

Dr. Sir Gokul Chand Narang : To make the position quite clear will it be permissible for any particular member to discuss for instance the Department of Industries when the Police Demand is under discussion?

Mr. Speaker : This matter will be considered later.

At this stage the Assembly adjourned till 11 A.M. on Tuesday, 29th June, 1987.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 29th June, 1937.

*The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

RULES REGARDING GOVERNMENT BUSINESS AND PROCEDURE.

***181. Diwan Chaman Lall :** Will the Honourable the Premier be pleased to state—

- (a) whether rules framed for the transaction of business of the Government and for the allocation of that business to Ministers have been framed after consultation with Ministers and whether the advice of Ministers in this respect prevailed ;
- (b) whether rules relating to matters which affect the discharge of the Governor's functions in his discretion or by the exercise of his individual judgment were framed with the advice of the Ministers and whether this advice prevailed ;
- (c) whether such rules were communicated to the Rules Committee appointed to draft rules of procedure of the Assembly and the advice of that committee sought ;
- (d) whether rules framed for securing timely completion of financial business or for prohibiting discussion in the Chamber without his consent of certain matters specified in Government of India Act of 1935 were framed by the Governor with the concurrence of the Ministers and whether their advice prevailed ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The honourable member is referred to section 59 (5) of the Government of India Act. The Rules of Executive Business were framed after consultation and in agreement with the Ministers.

(c) No. The rules do not relate to the procedure of the Assembly.

(d) The honourable member is referred to the proviso to section 84 (1) of the Government of India Act, 1935. The rules are being framed by the Governor in consultation with the Speaker.

I would point out that questions of this character intended to suggest differences between the Governor and the Ministers for which there is no basis whatsoever in fact, are contrary to the public interest and I must make it clear that I reserve discretion to decline to answer such questions on this ground in future.

Is Diwan Chaman Lall not coming? He would have liked to ask many supplementary questions. (*Voices from Opposition benches : We are here to ask those questions.*)

Lala Duni Chand : Will the Honourable Premier be pleased to state if one of the rules framed for the transaction of business of the Government is to the effect that ordinarily His Excellency the Governor will preside at all the Cabinet meetings unless he is absent ?

Premier : No.

Lala Duni Chand : Is there no such rule ?

Premier : There is a specific provision in the Act itself which make it discretionary for the Governor to preside over the meetings.

Lala Duni Chand : I want to know whether there is any rule to that effect or not.

Premier : The rule cannot go beyond the scope of the Act itself.

Lala Duni Chand : Will the Honourable Premier admit or deny whether there is such a rule ?

Premier : The rules cannot go beyond the scope of the Act and the Act says that the Governor can preside at his discretion if he so desires.

Sardar Sampuran Singh : Will the Honourable Premier lay on the table of the House the Rules of Procedure of the Cabinet ?

Premier : No. The Rules of Procedure of the Cabinet are secret.

GRANT OF LEASE TO IMPERIAL CHEMICALS COMPANY LIMITED.

***182. Diwan Chaman Lall :** Will the Honourable Minister for Development be pleased to state—

(a) whether a lease was recently given to the Imperial Chemicals Company Limited, of certain areas in North-Western Punjab ; and, if so, whether he will give full details of the conditions attaching to the lease ;

(b) whether a public tender was called for in this behalf before deciding to grant the lease to the said company ?

The Honourable Chaudhri Sir Chhotu Ram : (a) A copy of the agreement between the Punjab Government and the Imperial Chemical Industries (India) Limited, is laid on the table.

(b) The agreement between the Punjab Government and the Imperial Chemical Industries was a corollary to the previous agreement between the Government of India and the said company. The question of calling for tenders therefore did not arise.

Copy of an Agreement.

Between—

Secretary of State for India in Council, through the Government of the Punjab :
AND
Imperial Chemical Industries (India) Ltd.

Dated 2nd November, 1934.

as follows :—

THIS AGREEMENT made the second day of November, 1934, between the *Secretary of State for India in Council* through the Government of the Punjab (hereinafter called the *Secretary of State*) of the One Part and *Imperial Chemical Industries (India) Ltd.*, a Company incorporated in British India with Head Office at 18, Strand Road, Calcutta, carrying on business also at 22, The Mall, Lahore, and elsewhere in British India of the other part (hereinafter referred to as the Company).

WHEREAS, by virtue of the terms of its Memorandum of Association the Company is empowered among other things :

" To carry on in all their respective branches the trades or businesses of engineers and mill-wrights, colliery proprietors, stone quarry proprietors, coke manufacturers, lime burners, owners of mines of all descriptions and winners and workers of minerals and manufacturers and producers of salt and the business of preparing mineral substances or any products of mineral substances for sale or for treatment in manufacturing processes."

AND with a view to the establishment of an Alkali factory in the Jhelum District of the Punjab the Company has made arrangements with the Government of India for an exclusive option exercisable at any time within the period of five years commencing from the second day of November, 1934, to accept for a further period of fifty years a license for mining and removing salt, salty material and brine, in certain areas in, or in the vicinity of, the areas hereinafter more particularly referred to and in the said areas or thereabout to erect buildings, premises, works, dissolving plant and so forth as may be necessary or desirable for the purposes of the Company hereinbefore referred to in so far as such buildings, etc., may be required to be erected on land owned by or under the control of the Salt Department of the Government of India ; which areas (described for ready reference as Area 'A' and Area 'B') have been delineated and referred to in a separate agreement (a copy of which is given in Schedule II to this agreement) entered into by the Company with the Secretary of State for India in Council through the Government of India and the Salt Department aforesaid.....

AND WHEREAS for the aforesaid purposes it is necessary to provide for supplies of limestone ; secondly, to provide for the compulsory acquisition of such lands and rights as may hereafter be required by the Company ; thirdly, to make provision for the supply to the Company of the necessary water both from the River Jhelum and likewise of water from the subsoil ; and, fourthly, for the necessary facilities for the disposal of effluents from the factory ; AND, apart from the said arrangements which have already been made with the Salt Department of the Government of India in connection with the two areas 'A' and 'B' aforesaid, the Company will require concessions and facilities for acquisition of lands in the vicinity including, among other sites for purposes hereinafter agreed upon, namely, (1) at or in the neighbourhood of a point approximately two miles to the south of, Dandot Railway Station, (2) a further site close to and south of, Dandot Railway Station on waste land probably of about 50 acres ; (hereinafter and in the Schedule No. 1 and plan annexed hereto referred to respectively as points 'C' and 'D') ; (3) an area (forming roughly the south-east corner of the aforesaid area 'B') of approximately 1,400 acres (delineated in the Schedule No. 1 and plan annexed hereto and hereinafter referred to as Area 'G') ; and (4) and (5) two areas in particular situate within Area 'G' in the annexed Schedule No. 1 and plan shown and hereinafter referred to as Areas 'E' and 'F'.

AND the Secretary of State is satisfied that the grant of such further concession and facilities as those last abovementioned will likewise be for the benefit of the industrial development of British India and in the interest of the public.

NOW THESE PRESENTS WITNESS that in consideration of the premises the parties hereto have agreed as follows :—

- (1) (a) The Company shall have the exclusive option, exercisable at any time within the period of five years from the Second day of November, 1934, to accept a lease for 50 years for quarrying and removing limestone in area 'G' or such part thereof as the Company may during the said period of 5 years notify to the Local Government of the Punjab as that required to be covered by the said lease ;
- (b) The lease so granted shall be for the purpose of an Alkali factory and for purposes incidental or connected therewith only, and the Company shall not be entitled during the pendency of the said lease to perform any act or carry out any purpose, which is not directly necessary for the manufacture of alkali and in particular the Company shall not undertake the manufacture for sale of Portland Cement, White Lime, or any other similar material ordinarily used for building and constructional purposes ;
- (c) During the said period allowed for the exercise of the option, other parties shall not be permitted to take out leases or licenses (even though otherwise approved of by Government) for quarrying limestone within area 'G' save for periods not exceeding one year ;
- (d) During the said period of 5 years or the part thereof prior to such date as the Company shall either exercise the option or intimate to the Local Government its intention not to exercise that option as the case may be, the Company shall be entitled to exercise all the rights and privileges and shall be subject to all the liabilities of a party holding a certificate of approval and prospecting license for limestone in respect of area 'G' but the liability of the Company in respect of the right to exercise the said option shall be limited to a maximum of annas four

[Minister for Development.]

per annum per acre of area 'G'; provided always that it shall not be obligatory upon the Company to exercise its option and no penalty shall be incurred as the result of the Company not exercising its option during or at the end of the said period of 5 years.....

(2) In the event of the said option being exercised :—

- (a) In and over area 'G' or such part or parts thereof as may have been notified by the Company as required for its purposes aforesaid, the Company shall have exclusive rights to win, work and carry away limestone the conditions of the lease being governed generally by such of the Mining Rules of the Government of India as refer to Mining Leases, except such of those rules as run counter to anything stated expressly or by implication in this agreement.
- (b) Within the said area 'G' no limiting minimum area shall be fixed for the Company's Mining Lease, and Rule No. 47 of the Mining Rules of the Government of India to the effect that "the length of an area held under a mining lease shall not be allowed to exceed four times its breadth" shall not apply to the lease granted to the Company; and, if and in so far as, clause 4 of part III of the standard form for Mining Lease may be held to affect the terms of this agreement, the words "on the plan hereto annexed" shall be deemed to refer to the plan attached to this agreement and not to the plan attached to any application by the Company to exercise the option;
- (c) The royalty payable to the Local Government shall not exceed annas nine per hundred cubic feet of limestone carried away by the Company and the maximum rate of dead rent payable, referred to in the mining rules of the Government of India, shall be annas four per acre per annum.

(3) In respect of area 'G' or any part or parts thereof which may be notified by the Company as required and also in respect of such lands as the Company may wish to acquire for such purposes as—

- (a) sites for wells both on the Dandot Plateau and at or in the vicinity of point 'G' shown in the plan annexed hereto;
- (b) a site for pumping plant on the right bank of the river Jhelum close to and down stream from the Chak Nizam Railway Bridge;
- (c) a site at Khewra for the Alkali factory itself or for such part or parts thereof as may extend beyond the land belonging to or under the control of the Satt Department of the Government of India;
- (d) a site close to and south of Dandot Railway Station at or in the vicinity of point 'D' in the plan annexed hereto;
- (e) sites for pipe lines, electric power lines, rope ways, tramways and railways, etc., for conveying materials and electric power to and from the factory; and
- (f) also for other sites which may be notified by the Company to the Local Government as required for the purposes aforesaid;

in the event of the Company, owing to any cause whatsoever failing to obtain a valid title at reasonable cost by private treaty or otherwise, the Local Government of the Punjab shall at any time, either during, at the end of, or after the period of 5 years above referred to but not beyond the term of the said lease apply Part VII of the Land Acquisition Act: provided that the acquisition of the land inflicts no hardship on the owners and tenants of the land to be acquired which in the opinion of the Local Government is unreasonable. Provided further that if in the opinion of the Local Government such acquisition is reasonable, the Local Government shall apply Part VII of the said Act to such alternative site as may in such case be selected, free from such objections by the Company; AND in addition or in substitution for the above procedure under Part VII in the cases above referred to or in any other case, the Local Government shall apply Part VI of the Act in respect of any of the above and/or any other sites which the Company may at any time during the said term require compulsorily to acquire temporarily under Section 35 of the Act.

(4) Further, in the event of the said option being exercised, the Company shall during the term of the said lease be entitled to withdraw water from the Jhelum river at a maximum rate of one million gallons per day on payment to the Punjab Government of a sum not exceeding Rs. 1,000 per annum, which sum shall not be payable on account of any year during which the Company has not drawn water from the river.

(5) The Company shall during the term of the said lease be entitled to obtain and use free of any charge subsoil water from any area owned or leased by the Company provided that due regard is paid to the existing rights of other parties.

(6) Subject to the provisions of any law for the time being in force the Company shall dispose of the salty effluent from the Alkali factory by discharging it, either into the nullah leading south from Khwera Gorge, or into the nullah which runs past the North-Western Railway's Station at Dandot but so that it shall not flow, after discharge from land in the occupation of the Company, for a greater distance than 50 yards as a surface stream. The quantity of effluent discharged shall not exceed the quantity of brine removed from the Khewra stream by more than 100,000 gallons a day and the effluent shall not contain more than 20 per cent. of salts of any and every kind. If at any time after the opening of the factory and during the term of the said lease—calcium chloride shall appear in the soil adjoining the course of the effluent the Company shall prevent any further addition of the effluent to the soil and shall pay to the owner of any land who has duly agreed to abide by the Collector's award, which in the opinion of the Collector has been damaged by such effluent: such compensation as the Collector may assess provided that if the appearance of Calcium Chloride in the soil does not cause any damage it shall not be necessary to prevent further addition of the effluent to the soil.

(7) Notwithstanding anything hereinbefore contained if and whenever any dispute shall arise in regard to the construction, meaning or effect of these presents or any clause or thing herein contained or in regard to the manner or sufficiency of the observance or performance by the Company of any covenant or agreement herein contained or in regard to the mode of working the said minerals or the maintenance or condition of any works in or upon the said lands or in regard to any valuation to be made under these presents or in regard to the amount or payment of any rent royalty compensation or other money payable by the Company or in regard to any other matter or thing relating to or arising out of these presents such question or dispute shall be referred to the arbitration of a committee consisting of a person nominated by the Punjab Government and a person nominated by the Company (or an Umpire named by them before they proceed with the arbitration or if they fail to agree on an Umpire by a person nominated by the Honourable the Chief Justice of the High Court of Judicature at Lahore in case they disagree) and the decision of such committee or Umpire (as the case may be) shall be final, and the Indian Arbitration Act and Rules thereunder for the time being in force shall apply to such arbitration.

IN WITNESS whereof the parties have hereunto and to the Schedules above referred to set their hands the day and year first above written.

(Name and description of officer signing).

Signed by

F. M. INNES,

*Deputy Commissioner,
Jhelum.*

Signature of officer signing.

(Sd.) F. M. INNES.

by the order and direction of the Governor of the Punjab in Council acting in the premises for and on behalf of the Secretary of State in the presence of—

(Signature: address, description).

(Name and description of attorney signing for the Company).

Signed by

E. C. G. HUGHES.

Attorney to Imperial Chemical Industries (India), Ltd., by virtue of Special Power of Attorney of the Board of Directors, dated the 21st day of March, 1934, in the presence of—

Signature of attorney.

(Sd.) E. C. G. HUGHES.

(Signature of witness, address, description).

(Sd.) E. H. ANDREWS.,

*Supdt., Deputy Commr's
Office, Jhelum.*

2-11-34.

Manager, I. C. I. (India), Ltd.

(Sd.) E. C. G. HUGHES.

(Sd.) F. M. INNES.

Enclosure No. 1.—To the agreement between the Government of the Punjab and Imperial Chemical Industries (India), Ltd.

[Minister for Development.]

AGREEMENT between the Secretary of State for India in Council and Imperial Chemical Industries (India), Limited.

Schedule I.—The area mentioned in the agreement and referred to therein as area 'G' is shown in the attached plan "BB" circumscribed by red lines.

Area 'G' is also more particularly defined by tables I and II below giving the positions and relationships of numbered points, on the boundary of the said area, which are also marked on the plan "BB."

TABLE I.

| Point. | Inward Angle. | Distance. Feet. |
|--------|---------------|--------------------|
| 2 | 90 | 10,230 |
| 5 | 90 | 4,125 |
| 6 | .. | 4,207 |
| 7 | .. | 860 |
| 8 | 270 | 2,062 |
| 9 | 270 | 1,856 |
| 10 | 270 | 537 |
| 11 | 90 | 4,042 |
| 12 | 90 | 4,661 |
| 13 | 90 | 9,157 |
| 2 | .. | .. |

TABLE II.

| Point | 2 to Point | 5 .. | .. South to north. |
|-------|------------|-------|---|
| " | 5 " | 6 .. | .. East to west. |
| " | 6 " | 7 .. | .. Coincides with the tramline shown in the plan. |
| " | 7 " | 8 .. | .. West to east. |
| " | 8 " | 9 .. | .. North to south. |
| " | 9 " | 10 .. | .. East to west. |
| " | 10 " | 11 .. | .. South to north. |
| " | 11 " | 12 .. | .. East to west. |
| " | 12 " | 13 .. | .. North to south. |
| " | 13 " | 2 .. | .. West to east. |

The approximate position of sites referred to in this agreement as "C," "D," "E" and "F" are also indicated in the plan "BB."

CANAL FOR IRRIGATING LAND NEAR BHERA.

*183. **Diwan Chaman Lall:** Will the Honourable Minister for Revenue be pleased to state—

- whether a canal for the purpose of irrigating a large territory round about Bhera was constructed; and, if so, when and at what cost;
- whether it is a fact that a private canal also has been in operation for some time in that area;
- whether it is a fact that the owners of this private canal charge the user-tenants and zamindars as much as 25 per cent. of the produce of the land in the shape of tax;

- (d) whether it is a fact that the existence of this private canal has so far prevented the said State canal from being brought into operation ;
- (e) whether the Government have decided to bring this canal into operation ; and if so, from what date ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, the Shahpur Branch of the Lower Jhelum Canal was partially completed by 1914, at a cost of Rs. 8,78,107.

(b) Yes.

(c) Yes, on certain of the private canals, $\frac{1}{4}$ th of the produce is charged.

(d) No. The investigations extending over a period of the last 30 years go to show that by the opening of the Shahpur Branch—

- (i) the danger of waterlogging is likely to be increased :
- (ii) the irrigation on the Government inundation canals will not be materially improved :
- (iii) the owners of the private canals are not agreeable to take water from this Branch.

(e) The Project has been finally abandoned.

Lala Bhim Sen Sachar : Will the Honourable Minister for Revenue find it convenient to give the names of the owners or the owner of the private canal ?

Minister : Unfortunately I cannot give the names just at present.

Lala Bhim Sen Sachar : He may be able to give one name only.

Minister : Malik Sir Umar Hyat Khan.

Maulvi Mazhar Ali Azhar : May I know if there was any danger of water-logging ten years ago, when the Honourable Minister of Revenue was in office, and the proposal of the Government was that the canal should be run ?

Minister : There was danger all the time.

Maulvi Mazhar Ali Azhar : Still it was proposed to run it ? Was it the opinion of the Chief Engineer then that it was not thought unfit to run it and the Government put in proposals to have the canal run ?

Minister : I do not think that was the opinion of the Government.

Maulvi Mazhar Ali Azhar : Does the Honourable Minister for Revenue remember that the proposal was put before the Government and it was the opinion of the engineers as well as the Government that the canal should be run ?

Minister : It is not possible to remember a thing that happened ten years ago.

Maulvi Mazhar Ali Azhar : Will the Honourable Minister for Revenue look into the papers and say whether the position taken up by him then was correct or whether the position taken up by him to-day is correct ?

Minister : I think the present position is correct.

Maulvi Mazhar Ali Azhar : Without knowing what the previous position was ?

Minister : We have looked into the matter very carefully and I know that the present position is correct.

Maulvi Mazhar Ali Azhar : But you do not know your decision of ten years ago.

STATE OF WORK IN THE LAHORE HIGH COURT.

***184. Diwan Chaman Lall :** (a) Has the Honourable the Premier recently obtained a report from the authorities of the High Court of Judicature at Lahore regarding the state of business in the High Court ;

(b) Will he please state whether (i) the work there justifies the number of judges at present in service ;

(ii) whether there is a proposal to move in the matter of providing the High Court with original jurisdiction ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. Figures on this subject are published in the annual Notes on the administration of civil justice and criminal justice.

(b) (i) Yes.

(ii) The High Court already exercises original jurisdiction in certain matters ; for example, in respect of cases under the Indian and Colonial Divorce Jurisdiction Act, 1926, and the Indian Companies Act, 1913. The Honourable Judges are further authorized, by the Letters Patent constituting the Court, to try and determine, as a court of extraordinary original jurisdiction, any suit falling within the jurisdiction of any court subject to their superintendence. There is no proposal to provide the High Court with any other original jurisdiction at present.

Lala Duni Chand : Does the Government approve of the idea of the High Court exercising original jurisdiction and trying original cases ?

Premier : I am afraid that is not a supplementary question.

REDUCTION IN THE SALARIES OF OFFICIALS.

***185. Diwan Chaman Lall :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that Government intends to reduce the salaries of officials engaged in the administration of the province ;

(b) the principles guiding the Government in this respect and the decision, tentative or otherwise, arrived at by the Government ;

(c) the classes or categories of individuals who will be exempted from the salary cut ?

The Honourable Mr. Manohar Lal : (a), (b) and (c) If the honourable member is referring to a reduction of the nature of the emergency cut, which was imposed in 1931 and removed in 1935, the answer is in the negative. If he is referring to the revised rates of pay for new entrants, they have generally been fixed lower than the old rates, as it was considered necessary to place them on an economic basis. A copy of the orders issued

in respect of new rates of pay for provincial and Subordinate Services has been placed in the library of the House. A statement showing the more important services or posts, the pay of which has not been reduced, is placed on the table.

Statement showing the more important services or posts, the pay of which has not been reduced.

1. Punjab Civil Medical Service, Class I and Class II (Men's Branch).
2. Clinical assistants.
3. Punjab Educational Service (Women's Branch), Class I and Class II.
4. Subordinate Educational Service (Women's Branch).
5. Posts of headmistress and certain other mistresses in Lawrence College, Ghoragali.
6. Female sub-assistant surgeons.
7. Female Dispensaries.
8. Tahsildars.
9. Naib-Tahsildars.
10. Head vernacular clerks employed in the offices of commissioners and deputy commissioners.
11. Kanungos.
12. Patwaris.
13. Inspectors, sergeants, sub-inspectors, assistant sub-Inspectors, head constables and constables in the Police department.
14. Zilladars in the Irrigation department.
15. Warders and head warders in the Jails department.
16. Posts carrying a pay of not more than Rs. 25 per mensem.

POST OF THE PROFESSOR OF HISTORY IN THE GOVERNMENT COLLEGE,
LAHORE.

***186. Sardar Sahib Sardar Ujjal Singh:** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the post of the Professor of History in the Government College, Lahore, has been vacant for about two years ;
- (b) whether it is a fact that applications for the post were invited from the European British subjects only ;
- (c) whether it is a fact that no European applied for the post ;
- (d) whether it is a fact that a fresh notification was issued laying down that preference would be given to candidates holding commissioned ranks in the Territorial Force ;
- (e) whether it is a fact that the notification mentioned in (d) above was also withdrawn and another notification was issued in its place ;
- (f) whether it is a fact that in response to this advertisement several applications were received and duly considered by the Government of India Public Service Commission who made certain recommendations which were not accepted by the Punjab Government ;

[S. S. S. Ujjal Singh.]

(g) whether Government will lay all the papers regarding this matter on the table and state why they are anxious to have a European for this post when several suitable Indians possessing the requisite qualifications are forthcoming;

(h) whether Government proposes to hand over the matter to the Punjab Public Service Commission with instructions that preference should be given to well qualified Punjabis?

The Honourable Mian Abdul Haye : (a) No. Vacant since 16th June, 1936.

(b) Yes.

(c) No. A number of Europeans applied for the post but the Selection Committee in England considered that none of the candidates was entirely suitable for appointment as the initial pay offered was insufficient to properly qualified men.

(d) Yes.

(e) Yes.

(f) Yes.

(g) An explanatory note is placed on the table¹.

(h) No, as Government have already asked the High Commissioner for India to recruit on behalf of the Punjab Government and the recommendation of the High Commissioner has since been received.

Lala Duni Chand : Is it a fact that several Indians with Honours of Oxford and Cambridge Universities had applied for this post?

Minister : On what occasion?

Lala Duni Chand : When the post was advertised.

Minister : When the post was advertised in India, the Government came to the conclusion that none of the candidates recommended (including a European) was qualified for this post.

Lala Duni Chand : My question was whether distinguished Indians with Honours of Oxford and Cambridge Universities applied for this post or not? Is the Honourable Minister for Education prepared to say that most of these Indians were unfit to hold this post?

Minister : The Government then in office came to this conclusion and I am not in a position to sit in judgment upon the previous Government.

Lala Duni Chand : Is it not the duty of the head of the department to look into these matters?

Minister : It is.

Lala Bhim Sen Sachar : Do the Government think it is very late for them to withdraw the matter of appointment from the hands of the High Commissioner in England and make the appointment here themselves?

Minister : When it was advertised in India, no qualified person was available and, therefore, this course was adopted.

Lala Bhim Sen Sachar : Will the Government be pleased to advertise once more because we feel that there are sufficient number of Indians available for this post ?

Minister : The Government is not prepared to advertise it so frequently.

Lala Duni Chand : Will the Honourable Minister for Education accept the principle that when fully qualified Indians for such posts are available, the post should be given to an Indian ?

Minister : Certainly, Sir. The selection will always be made in the best interests of the students of the college.

Lala Bhim Sen Sachar : Will the Government be pleased to allow sufficient time for this fact being known in India so that Indians can also apply for appointments in England ?

Minister : The Government is not in a position to do that at present because on a previous occasion it was advertised in India and we were unable to secure a suitable person.

Lala Bhim Sen Sachar : My question is, will the Government be pleased to request the High Commissioner to so advertise or so fix the time for selection of the candidates that sufficient time be available to people in India to apply for being considered in England by the High Commissioner ?

Minister : There will be no occasion to adopt that course because I have already said that the recommendation from London has been received.

Sardar Sampuran Singh : The old Government was not a national government, but the new one is. What is their policy in such matters ?

Minister : I have already stated that other things being equal, preference will be given to Punjabis in such matters.

Lala Duni Chand : In the opinion of the Honourable Minister for Education, are first and second class men from Oxford fit for this post ?

Mr. Speaker : No question asking for an expression of opinion can be asked.

Lala Duni Chand : Was the subject of Constitutional History mentioned as one of the qualifications required for the post ?

Minister : Yes.

Lala Duni Chand : Will the Honourable Minister consider the advisability of inviting further applications in India on a new scale of pay offered to Indians ?

Minister : The Government will have to come to a conclusion first on the recommendation made from England.

Maulvi Mazhar Ali Azhar : In case the man recommended by High Commissioner is not an Indian, will Government be filing the recommendation and not acting on it ?

Minister : If Government come to the conclusion that it is in the interests of the students and the institution to accept this recommendation, the Government will not hesitate to do so.

Lala Bhim Sen Sachar : That is perfectly so. I do not deny Government the right of discretion. Will Government consider it advisable not to proceed with that recommendation if the recommendation does not include an Indian, and re-advertise the post and give a chance to an Indian ?

Minister : I have already stated that our efforts will be to select the best person.

Lala Bhim Sen Sachar : That is not the point. The point for the Government to take into consideration is the wish of this side of the House and I am sure of the whole House that the post should go to an Indian and that Government should not proceed with the recommendation of the High Commissioner if the person recommended is not an Indian.

Minister : Government will not rule out a person on the ground of nationality if he is otherwise suitable and it is in the interests of the students and the institution to make that appointment. We did once invite applications in India, but we failed to get a suitable person.

Sardar Sampuran Singh : In view of the fact that our new Government is a national government—

Minister : In the interests of the other honourable members who have tabled other questions, I think it will be waste of time to go on with the present question.

Sardar Sampuran Singh : In view of the fact that the new Government is a national government—

Minister : I have already said enough on the subject.

Lala Duni Chand : Will the Minister for Education place on the table of the House the names of the Indians who applied for this post ?

Minister : Four persons were recommended including one European. I do not carry their names in my head.

Mr. Speaker : The next question.

Explanatory Note.

When Mr. H. L. O. Garrett, Principal and Professor of History, Government College, Lahore, retired from service in March, 1936, Government considered it desirable to recruit an Englishman from England, and the High Commissioner was accordingly requested to appoint a Selection Committee to recommend to the Punjab Government the name of a suitably qualified candidate for the post. In due course the High Commissioner informed the Punjab Government that seven candidates had been summoned for an interview by the Selection Committee, but that the latter was of the opinion that none of the candidates was entirely suitable for appointment.

The Punjab Government then decided in May, 1936, to ask the Public Service Commission (India) to intimate the names of three candidates whom the Commission might consider suitable for appointment to the post in question. Recruitment was not restricted to Europeans only. In addition to other qualifications which the candidate should possess, the Commission was told that other things being equal, preference should be given to a candidate who had athletic qualifications and commissioned service in the Territorial Force. On reconsideration the Commission was asked in September, 1936, to re-advertise the post omitting the sentence "Preference to a candidate with athletic qualifications and commissioned service in the Territorial Force."

The recommendations of the Commission were submitted to the Punjab Government in January, 1937. Four candidates were recommended, but the Punjab Government did not consider any of them fit for appointment as none was sufficiently qualified in Constitutional History nor to have had the desired University teaching or research experience in History.

The High Commissioner for India has, therefore, again been asked to recommend a suitable candidate and the advertisement published by the High Commissioner is as follows :—

Government of the Punjab, India.

Applications are invited for the appointment of Professor of History, Government College, Lahore. Candidates should be honours graduates in History of a British University, and have special qualifications in Constitutional History. Age 30 to 35 years. Post-graduate research an additional qualification. Permanent and pensionable post, subject to two years probation. Pay scale ranging from Rs. 300 plus Overseas pay of Rs. 150 per mensem (£405 per annum in all) to Rs. 1,000 and Overseas Pay of £30 per mensem (£1,260 per annum in all) with prospect of further advance. (Rupee = $\frac{1}{4}$ d. approximately). Candidates are eligible for higher commencing pay than the minimum of the scale, but not exceeding Rs. 600 + Overseas pay of £30 per mensem (£900 in all). Free passage to India if retained after probation, further passages for leave purposes.

Further particulars and forms of application may be obtained, on request by postcard, from the High Commissioner for India, General Department, India House, Aldwych, London, W.C. 2. Last date for receipt of applications 21st May, 1937."

The fact that the Federal Public Service Commission could not recommend an Indian, whom the Punjab Government could consider suitable for the post in question, showed clearly that no Indian with the necessary qualifications was available. And so it was decided to recruit a suitable European through the High Commissioner for India.

The Punjab Government is awaiting the recommendation of the High Commissioner.

ADDRESS TO PANDIT JAWAHAR LAL NEHRU ON HIS VISIT TO
BHIWANI.

*187. **Pandit Shri Ram Sharma :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that the sub-inspector of police, Bhiwani, brought pressure to bear on Municipal Committee, Bhiwani, to dissuade that local body from presenting the proposed address to Pandit Jawahar Lal Nehru, President, Indian National Congress, on the occasion of his visit to that place in January last ;
- (b) whether it is also a fact that the said sub-inspector of police called the shopkeepers to *thana* and tried to dissuade them from observing *hartal* on 1st April, 1937 ?

The Honourable Major Sir Sikander-Hyat Khan : (a) No.

(b) No.

Pandit Shri Ram Sharma : Was there any departmental inquiry held in the matter ?

Premier : Yes, Sir.

Pandit Shri Ram Sharma : Through whom ?

Premier : Through the local authorities.

Pandit Shri Ram Sharma : Which authority ?

Premier : I am not going to tell that.

Pandit Shri Ram Sharma : Police or civil ?

Premier : Civil.

Pandit Shri Ram Sharma : What was the result ?

Premier : As I have said in answer to the question.

EMPLOYMENT OF CHAUKIDARS AT BHIWANI.

***188. Pandit Shri Ram Sharma :** Will the Honourable the Premier be pleased to state whether it is a fact that the police authorities at Bhiwani are pressing the people of Bhiwani city to employ *chaukidars* to keep watch in the bazars at their own cost ; if so, why ?

The Honourable Major Sir Sikander-Hyat Khan : No.

EXTERMENT ORDER AGAINST MR. S. V. GHATE.

***189. Sardar Sohan Singh Josh :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that on the 18th April last, Mr. S. V. Ghate of Madras was arrested without warrant at the Lahore Railway Station at 8-30 A.M., and was thereafter taken to the Kotwali police station where his person and belongings were searched and nothing incriminating was found on him ;
- (b) whether it is a fact that the said Mr. S. V. Ghate was then taken to the Lahore fort where he was kept in a cell, and after 12 hours' detention there, was sent out of the province under police guard ;
- (c) whether it is also a fact that the order of externment under which he was externed for a period of 12 months was dated 17th April ;
- (d) if answers to parts (a), (b) and (c) be in the affirmative, the reasons for which he was arrested without warrant and detained for 12 hours in the fort ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Mr. S. V. Ghate of Madras was arrested under section 2 of the Punjab Criminal Law (Amendment) Act, 1935. His person and belongings were searched.

(b) Mr. S. V. Ghate was taken to the Lahore Fort and detained until 8-30 P.M., when he was served with an externment order under section 3 of the Criminal Law (Amendment) Act.

(c) Yes.

(d) In the interest of the public safety and peace.

Lala Duni Chand : Is Government prepared to make amends to this man who was arrested wrongfully ?

Premier : How does the honourable member conclude that he was arrested wrongfully ?

Lala Duni Chand : From the fact that Government did not take any action against him beyond sending him outside the province.

Premier : That does constitute an action which was justified in the eyes of Government.

Lala Bhim Sen Sachar : I understand from the reply of the Premier that the gentleman was externed on the 18th. If that is so, how could the order be dated the 17th ?

Premier : The honourable member ought to realise that we came to know of the people who propose to come to the province several days earlier.

RAID BY POLICE IN LAJPAT RAI BHAWAN.

***190. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that at 2 P.M. on the 18th April last a posse of police headed by C. I. D. officers raided the Lajpat Rai Bhawan in Lahore and dispersed an informal meeting of some of the congress socialists gathered there to discuss the future programme of work ; if so, the reasons for the same ;
- (b) the action which Government propose to take in the matter ?

The Honourable Major Sir Sikander-Hyat Khan : (a) No. The police headed by a C. I. D. officer searched the Lajpat Rai Bhawan in Lahore at 2 P.M. on the 18th April in the investigation of a case under section 18 of the Press Emergency Powers Act and 17 (2) of the Criminal Law (Amendment) Act, 1908. A small meeting was disturbed by the search.

(b) None.

CO-OPERATIVE SOCIETIES.

***191. Pandit Shri Ram Sharma :** Will the Honourable Minister for Development be pleased to state—

- (a) the number of co-operative societies A, B, C, and D, with their debts respectively in the districts of Rohtak, Gurgaon, Hissar and Karnal separately ;
- (b) the number of sub-inspectors, their educational qualifications caste, pay and duration of service in each district ;
- (c) how many suits were filed by each of these societies for the realization of debts during the last ten years, with the amount involved in these suits and costs allowed by courts when giving decrees ;
- (d) how much of the debt was realized by each of these societies through suits during the last ten years ?

The Honourable Chaudhri Sir Chhotu Ram : The results obtained by the information asked for in this question will not be commensurate with the time and labour required for the collection of this information.

CONTRACTORS OF THE IRRIGATION DEPARTMENT.

***192. Pandit Shri Ram Sharma :** Will the Honourable the Minister for Revenue be pleased to state—

- (a) whether it is a fact that the contractors of the Irrigation Department are required to advance small sums to chaprasis of rest-houses for miscellaneous expenses and that these sums are not paid back in full to the contractors ;
- (b) whether it is also a fact that a contractor of the same department Daulat Ram Gupta by name advanced Re. 1-13-0 to the chaprasi, rest-house, Rohtak, on 19th October, 1936, but got Re. 1 only from the Department ;

[Pt. Shri Ram Sharma.]

- (c) whether it is a fact that the same contractor spent according to the estimate of the overseer Rs. 4-10-0 for carpenter work and Rs. 3 for carriage in October, 1936, but was paid Rs. 2 and Re. 1-8-0 only, respectively; if so, what action is proposed to be taken to remove such complaints?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) No.

(c) No. The contractor was paid for the amount of work done and received payment in full.

— — — — —
WORK ORDERS TO CONTRACTORS OF PUBLIC WORKS
DEPARTMENT.

***193. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the standing orders of the Public Works Department require that the work orders given to the contractors must be in writing; if so, what is the general practice followed by the sub-divisional officers and the overseers in the matter;
- (b) whether it is a fact that one Mr. Jagan Nath, overseer, Rohtak, refused to give work order in writing to Lala Daulat Ram, contractor;
- (c) whether it is also a fact that the contractor complained to the sub-divisional officer in writing which his clerk refused to entertain and that no action was taken on the same complaint even on its being sent to the sub-divisional officer by name;
- (d) whether it is also a fact that Mr. Vasudev, sub-divisional officer, suggested to the Executive Engineer, Delhi Division, to strike off the name of the said contractor from the list of contractors; if so, the reasons for making this suggestion;
- (e) the steps Government would take to inquire into the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes: Work orders are given in writing by sub-divisional officers and selected subordinates if work exceeds Rs. 100 and Rs. 10, respectively;

(b) Yes, because Jagan Nath, Overseer, is not a selected subordinate.

(c) No action was necessary,—*vide* reply to (b).

(d) No.

(e) No enquiry appears to be called for.

— — — — —
ODES.

***194. Diwan Chaman Lall :** Will the Honourable the Premier be pleased to state—

(a) the number of Odes in the Punjab;

(b) whether the Odes in the Punjab are practically a landless class;

(c) what steps Government proposes to take for their amelioration?

The Honourable Major Sir Sikander-Hyat Khan : (a) In 1929-30 an effort was made to calculate the total number of Odes who regularly visit

the Punjab. The figure then taken was 2,520 families, totalling about 15,000 souls; but this is probably an under-estimate.

(b) Yes.

(c) I shall shortly be answering other questions relating to these people, and I propose then to make a brief reference to the problem which their presence in the province presents; but I may say here that the Odes do not appear in any special need of "amelioration." Though they are not a landed tribe, they are by no means badly off.

METALLED ROADS.

***195. Mir Maqbool Mahmood:** Will the Honourable Minister for Public Works be pleased to state—

- (a) the annual amount now granted by the Communications Board to each of the various district boards in the province for the maintenance of roads under them;
- (b) whether it is a fact that some time ago instructions were issued to the local bodies or district boards to recondition their metalled roads with tar treatment; if so, when these instructions were issued;
- (c) the total mileage of metalled roads under district board in the province, and how much of these roads has been reconditioned by each district board concerned with tar treatment;
- (d) whether it is a fact that the scheme of reconditioning all metalled roads under the district boards, with provincial funds has been sanctioned; if so, with what result;
- (e) what steps, if any, the Government intends to take with a view to encouraging the extension of metalled roads by those district boards which have completed the reconditioning of their existing metalled roads?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: (a) As per statement No. 1 attached.

(b) The Communications Board has at various times issued instructions that all the new metalling of roads by district boards should be protected by surface treatment. No specific date is on record to show when the surface treatment of roads was first officially recommended.

(c) As per statement No. 2 attached.

(d) No.

(e) The present policy of Government is to resist extension of metalled roads by district boards which cannot or will not keep up their existing metalled roads. On the other hand, the district boards which have given proof of efficiency as regards their metalled roads will be encouraged to extend the system by grants-in-aid, if and when available.

Sardar Sahib Sardar Gurbachan Singh: Is it not a fact that the Government of India offered a loan to tar all these district board roads?

Minister: Not to my knowledge.

Sardar Narotam Singh: Was not a consolidated grant fixed for the first five years?

Minister: I must ask for notice.

[Minister for Public Works.]

STATEMENT No. 1.

Statement showing the actual amount of Grant-in-aid paid to District Boards, during 1986-87.

| District. | | | | | | Amount. |
|-----------------|----|----|----|-------|----|----------|
| | | | | | | Rs. |
| Hissar | .. | .. | .. | .. | .. | 4,998 |
| Rohtak | .. | .. | .. | .. | .. | 32,842 |
| Gurgaon | .. | .. | .. | .. | .. | 10,945 |
| Karnal | .. | .. | .. | .. | .. | 9,852 |
| Ambala | .. | .. | .. | .. | .. | 28,942 |
| Simla | .. | .. | .. | .. | .. | 600 |
| Kangra | .. | .. | .. | .. | .. | 4,648 |
| Hoshiarpur | .. | .. | .. | .. | .. | 11,718 |
| Jullundur | .. | .. | .. | .. | .. | 31,746 |
| Ludhiana | .. | .. | .. | .. | .. | 26,891 |
| Ferozepore | .. | .. | .. | .. | .. | 34,710 |
| Lahore | .. | .. | .. | .. | .. | 18,335 |
| Amritsar | .. | .. | .. | .. | .. | 11,810 |
| Gurdaspur | .. | .. | .. | .. | .. | 6,646 |
| Sialkot | .. | .. | .. | .. | .. | 5,433 |
| Gujranwala | .. | .. | .. | .. | .. | 2,204 |
| Sheikhupura | .. | .. | .. | .. | .. | 5,535 |
| Gujrat | .. | .. | .. | .. | .. | 15,215 |
| Shahpur | .. | .. | .. | .. | .. | 12,694 |
| Jhelum | .. | .. | .. | .. | .. | 4,770 |
| Rawalpindi | .. | .. | .. | .. | .. | 10,264 |
| Attock | .. | .. | .. | .. | .. | 2,189 |
| Mianwali | .. | .. | .. | .. | .. | 919 |
| Montgomery | .. | .. | .. | .. | .. | 13,644 |
| Jhang | .. | .. | .. | .. | .. | 7,094 |
| Multan | .. | .. | .. | .. | .. | 14,657 |
| Muzaffargarh | .. | .. | .. | .. | .. | 2,746 |
| Dera Ghazi Khan | .. | .. | .. | .. | .. | 3,668 |
| | | | | Total | .. | 3,35,915 |

STATEMENT No. 2.

Statement showing total length of Class II Metalled Roads under the charge of each District Board and the total number of miles surfaced.

| No. | District. | Total length of Class II metalled Roads. | Total surfaced length of Class II Roads. |
|-----|-------------------------|--|--|
| | | Miles. | Miles. |
| 1 | Hissar | 22 | .. |
| 2 | Rohtak | 97.32 | .. 50 |
| 3 | Gurgaon | 49.50 | 13.25 |
| 4 | Karnal | 33.30 | 17 |
| 5 | Ambala | 93.25 | 58 |
| 6 | Simla | .. | .. |
| 7 | Kangra | .. | .. |
| 8 | Hoshiarpur | 64 | 20 |
| 9 | Jullundur | 117 | 34 |
| 10 | Lubbiana | 90 | 1 |
| 11 | Ferozepore | 85 | 58 |
| 12 | Lahore | 47 | 36 |
| 13 | Amritsar | 49 | 44 |
| 14 | Gurdaspur | 35.50 | 5 |
| 15 | Sialkot | 7.02 | 7.02 |
| 16 | Gujranwala | 9 | .. |
| 17 | Sheikhpura | 24 | 14 |
| 18 | Gujrat | 47.5 | 7.5 |
| 19 | Shahpur | 96.5 | 6 |
| 20 | Jhelum | 10.5 | 6.5 |
| 21 | Rawalpindi | 40 | .. |
| 22 | Attock | 6 | 3 |
| 23 | Mianwali | 4 | .. |
| 24 | Montgomery | 50 | 30 |
| 25 | Jhang | 19 | 2.55 |
| 26 | Lyalpur | 99 | 83 |
| 27 | Multan | 56 | 29 |
| 28 | Muzaffargarh | .. | .. |
| 29 | Dera Ghazi Khan | .. | .. |
| | Total | 1,251.39 | 475.32 |

IMPROVEMENTS MADE BY THE ADMINISTRATOR, LAHORE MUNICIPALITY.

*196. Dr. Gopi Chand Bhargava: Will the Honourable Minister for Public Works be pleased to state the improvements made since his appointment by the Administrator of Lahore Municipality under the following heads:—

1. (a) income from terminal tax, and
(b) expenditure over it.
2. (a) income from sanitation, and
(b) expenditure over it, and
(c) improvements made in sanitation of the town;
3. (a) income from the Public Works Department of municipality, and
(b) expenditure on this department,
(c) improvement in roads and drains of the town?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A statement giving the information required is laid on the table.

Statement showing the improvements made by the Administrator, Municipal Committee, Lahore.

1. (a) and (b)—2. (a) and (b) and 3. (a) and (b).—Comparative statements showing income and expenditure under the heads mentioned during the last six years and during the period from 1st November, 1936 to the 31st May, 1937, are attached.

2. (c) and 3 (c).—It will be realised that the municipal staff of Lahore has been handicapped by the arrears of work left by the late Committee and by the absence of funds immediately available for improvements. There were in fact 1,357 items of business which had actually been sent up to the General Committee or various Sub-Committees, but which had not been disposed off. No funds were available for improvement of roads at the time of the supersession of the Committee. In fact a large deficit had to be carried over to the Budget of 1937-38. The Administrator and his staff were, therefore, obliged to spend some months in clearing up the arrears of work and preparing for future improvements.

In spite of this definite improvements have been made. The Saadi Park drainage scheme is nearing completion and a similar scheme, which has been prepared for Krishna Nagar and adjoining areas, will be taken up in October next. Surveys have been made for similar schemes in other areas. Minor sanitary works have been carried out such as the construction of urinals, the replacing of stolen or broken manholes and a general improvement has been made in the work of the sanitary staff. The most important work as regards Sanitary Improvement, however, is the completion of the general scheme for the improvement of Lahore drainage and water supply and the proposals for financing these schemes. These have been submitted to Government and are now under the consideration of Government. When carried out they will put the sanitation of Lahore into a really satisfactory condition.

As noted above, there was no money available for the improvement of roads when the Committee was superseded. A road programme was, however, drawn up at the beginning of the year 1937-38 instead of at the end of the year, as in the past. The programme deals with retaxing and tarring of roads and provides for the improvement of 95 different roads.

Comparative statement of income and expenditure from terminal-tax, sanitation and public works department.

| | 1931-32. | 1932-33. | 1933-34. | 1934-35. | 1935-36. | 1936-37. | From 1st November, 1936 to 31st May, 1937. |
|---------------------------|-----------|-----------|-----------|-----------|-----------|-----------|--|
| | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. |
| <i>Income.</i> | | | | | | | |
| Terminal Tax. | 13,27,297 | 14,01,744 | 14,89,648 | 15,53,536 | 15,55,675 | 15,81,132 | 9,48,378 |
| Public Health Department. | 81,875 | 53,743 | 1,71,109 | 79,830 | 1,12,020 | 90,267 | 45,547 |
| Public Works | 1,350 | 1,350 | 2,350 | 1,350 | 1,350 | 1,350 | 153 |
| <i>Expenditure.</i> | | | | | | | |
| Terminal tax | 1,04,193 | 1,00,249 | 1,01,620 | 1,04,050 | 1,09,054 | 1,11,914 | 64,329 |
| Public Health | 4,25,891 | 4,32,118 | 4,37,027 | 5,14,068 | 4,84,372 | 5,22,790 | 3,26,111 |
| Public Works | 2,90,281 | 3,33,921 | 3,39,735 | 3,50,263 | 3,22,377 | 3,84,702 | 2,22,139 |

PUNJAB PURE FOODS ACT.

***197. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to lay on the table a list showing municipalities where the Punjab Pure Foods Act has been enforced, the names of public analysts appointed with their qualifications, the number of analyses conducted by them, the number of prosecutions launched with their results?

The Honourable Mian Abdul Haye : I regret that the answer to the question is not ready. It will be communicated to the honourable member when ready.

LAHORE IMPROVEMENT TRUST.

***198. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) how many lay-out plans have been sanctioned by the Lahore Improvement Trust so far and how many are pending with them for consideration and since when they have been so pending ;
- (b) the number of building plans sanctioned by them and the number of building plans lying with them ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The Lahore Improvement Trust are not competent to sanction any lay-out plans (building schemes), the sanctioning authority under section 192 of the Punjab Municipal Act, 1911, being the local Government. The Trust are, however, engaged in the preparation of a number of building schemes at the request of the Commissioner, Lahore division, who is authorised to publish them for objections and suggestions before submitting them to the local Government for sanction.

| | | |
|--|----|----|
| Number of lay-out plans (building schemes) prepared by the Lahore Improvement Trust so far | .. | 24 |
| Number of lay-out plans (building schemes) pending with the Trust | .. | 77 |

Out of the above 77 schemes, 26 are under preparation. The dates from which these schemes are pending are given below :—

| <i>Number of schemes.</i> | <i>Dates from which pending.</i> |
|---------------------------|----------------------------------|
| 81 | May, 1936. |
| 5 | August, 1936. |
| 10 | November, 1936. |
| 2 | March, 1937. |
| 29 | May, 1937. |
| — | — |
| Total | .. 77 |

(b) The Lahore Improvement Trust do not sanction any building plans, and none is pending with them. The Trust, however, frequently give advice on building applications sent to them for this purpose by the Lahore Municipal Committee. The number of applications dealt with in this way up to the end of May, 1937 is 101.

TRAVELLING ALLOWANCE OF THE JUDGES AND STAFF OF THE HIGH COURT.

***199. Dr. Gopi Chand Bhargava :** Will the Honourable the Premier be pleased to state the amount drawn by way of travelling allowance by each of the Judges of the High Court during the years 1931-1932 and 1936-1937, and the total expenditure under travelling allowances of the whole staff of the High Court for the same year?

The Honourable Major Sir Sikander Hyat-Khan : Statements giving the required information are laid on the table—

Statement showing the Travelling Allowance drawn by each of the High Court Judges during the year 1931-32 and the total expenditure on account of Travelling allowances of the whole staff for the same year.

TRAVELLING ALLOWANCE.

| Name of the Judges. | Drawn in cash. | | | Paid by book adjustment on account of reserved accommodation on the railway. | | | Cost of reserved accommodation paid to railway by book adjustment for journeys performed by Judges while proceeding on and returning from leave. | | | Total. | | |
|----------------------------------|----------------|----|----|--|----|----|--|----|----|--------|----|----|
| | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. |
| Honourable Sir Shadi Lal .. | 123 | 4 | 0 | 245 | 4 | 0 | 753 | 0 | 0 | 1,121 | 8 | 0 |
| Ditto A. B. Broadway .. | .. | .. | .. | .. | .. | .. | 1,506 | 0 | 0 | 1,506 | 0 | 0 |
| Ditto Mr. Justice Harrison .. | .. | .. | .. | .. | .. | .. | 753 | 0 | 0 | 753 | 0 | 0 |
| Ditto Sir James Addison .. | .. | .. | .. | .. | .. | .. | 753 | 0 | 0 | 753 | 0 | 0 |
| Ditto Mr. Justice Jai Lal .. | 200 | 0 | 0 | .. | .. | .. | 814 | 0 | 0 | 1,014 | 0 | 0 |
| Ditto Mr. Justice Agha Haidar .. | .. | .. | .. | .. | .. | .. | 753 | 0 | 0 | 753 | 0 | 0 |
| Ditto Mr. Justice Monroe .. | .. | .. | .. | .. | .. | .. | *241 | 10 | 0 | 241 | 10 | 0 |
| Ditto Sir Abdul Qadir .. | .. | .. | .. | .. | .. | .. | 753 | 0 | 0 | 753 | 0 | 0 |
| Total .. | 323 | 4 | 0 | 245 | 4 | 0 | 6,326 | 10 | 0 | 6,395 | 2 | 0 |

*On account of refund of two first class railway fares charged in excess from the Honourable Mr. Justice Monroe when travelling from Bombay to Lahore.

II—Total expenditure on account of travelling allowances of the whole staff of the High Court including Rs. 117-7-0 on account of travelling allowance drawn by the Registrar (Mr. F. M. Innes, I.C.S.)—Rs. 1,431.

Statement showing the travelling allowance drawn by each of the High Court Judges during the year 1936-37 and the total expenditure on account of Travelling allowances of the whole staff for the same year.

TRAVELLING ALLOWANCE.

| Name of the Judges. | Drawn in cash. | Paid by book adjustment on account of reserved accommodation on the railway. | Cost of reserved accommodation paid to railway by book adjustment for journeys performed by Judges while proceeding on and returning from leave. | Total. |
|------------------------------------|----------------|--|--|------------|
| | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| Honourable Sir John Douglas Young. | 2,705 0 0 | 373 2 0 | 791 12 0 | 3,869 14 0 |
| Ditto Sir James Addison | .. | .. | 603 0 0 | 603 0 0 |
| Ditto Mr. Justice Jai Lal | 1,127 0 0 | .. | 753 0 0 | 1,880 0 0 |
| Ditto Mr. Justice Dalip Singh. | .. | .. | 292 0 0 | 292 0 0 |
| Ditto Mr. Justice Monros | .. | .. | 376 8 0 | 376 8 0 |
| Ditto Mr. Justice Skemp | 1,283 0 0 | .. | 452 0 0 | 1,735 0 0 |
| Ditto Mr. Justice Bhide | 581 0 0 | .. | .. | 581 0 0 |
| Ditto Mr. Justice Abdul Rashid. | 108 0 0 | .. | .. | 108 0 0 |
| Total .. | 5,904 0 0 | 373 2 0 | 3,268 4 0 | 9,445 6 0 |

Total expenditure on account of travelling allowances of the whole staff of the High Court including Rs. 202-5-0 on account of travelling allowance drawn by Mr. Blacker, I.C.S., Registrar—Rs. 202.

SESSIONS JUDGES.

*200. Dr. Gopi Chand Bhargava : Will the Honourable the Premier be pleased to state—

- (a) how many sessions judges are there in the province ;
 - (i) who are members of the Indian Civil Service ;
 - (ii) who are members of the Provincial Civil Service ;
- (b) what was their proportion in the year 1933-1934 ;
- (c) if the proportion of I.C.S. has increased the reasons for the same and whether the Government propose to increase the number of P.C.S. sessions judges ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Twenty-four, excluding temporary additional district and sessions judgeships which are created for short periods in divisions where the accumulation of sessions cases and civil appeals demands special measures. Of this number, six posts are reserved for members of the Punjab Civil Service, two for judges recruited from the Bar and the remainder for members of the Indian Civil Service.

(b) There has been no change in the number of posts reserved for members of the Indian Civil Service, Punjab Civil Service, or the Bar. It is true that in 1933-34 the number of Punjab Civil Service officers officiating as district and sessions judges was unusually large, but this was because there was a dearth of qualified Indian Civil Service officers to fill these posts. The Indian Civil Service cadre is gradually returning to normal and that accounts for the decrease in the number of Punjab Civil Service officers officiating in superior posts on the judicial side.

(c) Does not arise.

Lala Duni Chand : Is it true that even the best subordinate judges take 15 to 20 years to become district and sessions judges while the members of the Indian Civil Service become district and sessions judges within a period of three or four years ?

Premier : I cannot definitely inform the honourable member of the period the I.C.S. officers take to become district and sessions judges ; but they certainly take a shorter time.

Lala Duni Chand : As head of the Punjab Government, is not the Honourable the Premier in a position to know this fact ?

Mr. Speaker : I disallow the question.

Lala Bhim Sen Sachar : Will the Honourable Premier please consider the desirability of so moving in the matter as to increase the number of P. C. S. officers recruited for the district judgeship in preference to the I. C. S. people ?

Premier : The honourable member is probably not aware of the existing rules under which we are working. Five years hence there will be a committee and then it will be time for us or for anybody else to press the point.

CHANGE IN THE COURSE OF WESTERN JUMNA CANAL.

*201. **Lala Duni Chand :** Will the Honourable Minister for Revenue kindly state—

(a) whether it is a fact that the course of Western Jumna Canal was altered in 1927 for a distance of about two furlongs and it was made to cut and flow through the lands of the village Haripore-Kambohian, tahsil Jagadhri, at mile No. 16 and that as a result thereof about 300 *bighas* of land have been thrown on the western side between the new channel and the old channel ;

(b) if reply to part (a) above be in the affirmative, whether it is a fact that there are no means of communication from the said village for access to the above land and that no tenants are available to cultivate this piece of land ;

- (c) whether it is also a fact that since the course of the said canal was changed repeated representations have been made to the Canal authorities and the Deputy Commissioner of Ambala for providing a ferry boat as a means of communication to the said land, and that no action has so far been taken on those representations ;
- (d) whether it is a fact that since 1927 the said land has been shown in the revenue records as " Khali " and that land revenue has all along been realized from the owners ;
- (e) if the answers to parts (a), (b), (c) and (d) be in the affirmative, whether Government intends to remove the complaints ; if so, when ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) A ferry exists at a reasonable distance from the village. Absence of tenants might be due to other causes.

(c) Yes. The representations have been given due consideration.

(d) No. An area of 88 *bighas* and 17 *biswas* only is assessed and land revenue for this has all along been realized from the owners.

(e) As a ferry exists, Government does not propose to take any further action.

CHANGES IN THE COURSE OF WESTERN JUMNA CANAL.

***292. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that villages Gulab Garh, Sabhapur and Haripore Kambohian in Jagadhri tahsil are situated in close proximity to the new course which the Western Jumna Canal was made to take in 1927 ;
- (b) whether it is also a fact that the lands in the said villages have become too much saturated with water and " khar " has appeared in these lands and that these lands have become absolutely unproductive for rabi crops ;
- (c) if the answer to above be in the affirmative, what action is proposed to be taken to afford relief to the zamindars who have suffered by the change in the course of the said canal ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The change made in the course of the Western Jumna Canal in 1927 did not affect villages Gulabgarh and Sabhapur at all and affected village Haripur to a very small extent.

(b) Some of the low lands in the said villages consisting of old river creeks have become saturated and are used for rice cultivation but the high lands are being used for rabi cultivation.

(c) Does not arise.

Lala Duni Chand : Does the Honourable Minister for Revenue accept the rule of equity and justice and whenever by any action of Government injury is done to a person that person should be compensated ?

Minister : I require notice of that question.

Lala Duni Chand : Does this question require notice at all ?

Minister : I must think over the question before I can give a reply to it. It involves a question of policy.

Lala Duni Chand : Does it require time to think whether Government will accept a policy of equity and justice ?

Minister : I will have to consult my colleagues.

Sardar Partap Singh : Does a statement of fact require thinking ?

*203. *Cancelled.*

DEPARTMENTAL PRIMARY SCHOOL EXAMINATION FOR GIRLS.

*204. **Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the pass percentage at the departmental primary school examination for girls this year and the pass percentage at the same examination last year ;
- (b) whether it is a fact that the pass percentage in these examinations has been disastrously low ; if so, the reasons for the same ;
- (c) whether it is also a fact that there have been complaints this year and also last year from the parents of examinees and also from those connected with the management of the primary girls' schools against the manner in which the primary school examination for girls is conducted ; if so, what steps are proposed to be taken in the matter ?

The Honourable Mian Abdul Haya : I regret that the figures required by the honourable member regarding pass percentage are not ready. If the honourable member does not require these figures I would be delighted to answer the rest of the question.

Sardar Hari Singh : I should like to have an answer for the rest of the question.

Minister : Complaints were made that in certain cases the pass percentage relating to departmental primary schools examination for girls were very low. Permission in such cases has been given to the headmistresses to promote students whom they consider fit after holding a test themselves.

Sardar Hari Singh : What steps does the Government propose to take to remedy the situation ?

Minister : The question of retaining or abolishing the departmental examination for girls is at present under consideration.

MALBA.

*205. **Sardar Hari Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) the manner in which the object for which *malba* is realized from landowners, is sought to be secured ;

- (b) whether it is a fact that *malba* fund is in most cases used for the entertainment of police and revenue subordinates or otherwise than what it is meant for ;
- (c) whether resolutions passed at hundreds of public meetings in the rural areas protesting against the wrong use of *malba* and urging the adoption of measures to ensure its proper use have been brought to his notice ; if so, whether it is proposed to take any steps to redress public complaints in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b). The Honourable member's attention is invited to the reply to question No. 24¹ Government have no direct concern with the *malba* fund and have no information in regard to its administration.

(c) No. Assuming that there is dissatisfaction, it is not the policy of Government to interfere in a matter which is the private concern of the village committees.

UNEMPLOYMENT IN THE PROVINCE.

***206 Sardar Hari Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) the number of unemployed graduates in the province holding Indian or Foreign, Arts or professional degrees, categorically in detail ;
- (b) the number of unemployed undergraduates and matriculates in the province ;
- (c) the estimated percentage of unemployment with reference to the population of the province ;
- (d) whether he is aware that unemployment figures are published weekly by Governments in countries like England ;
- (e) what steps are proposed to be taken by the Government to solve the problem of unemployment ?

The Honourable Chaudhri Sir Chhotu Ram : (a), (b), (c). Figures are not available.

(d) Yes.

(e) Government have appointed an unemployment committee to go into the problem of unemployment and suggest the best means to tackle it.

PROFESSIONAL TAX BY DISTRICT BOARDS.

***207. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware of the grievance that professional tax is levied upon the inhabitants of the villages in the province summarily and without proper inquiry by the district board officials ;

[S. Hari Singh.]

- (b) whether he is aware that personal grudge and whim of the village-officials play important part in the imposition of the professional tax ;
- (c) whether he is aware that ignorant rural folk are put to great hardship due to arbitrary assessment ;
- (d) whether he is aware that assessees on whom professional tax has been levied without there being any justification for the same have often to travel long distances to reach the district headquarters to seek redress against such imposition ;
- (e) what steps will the Government take to—
 - (i) prevent victimization of the poor villagers at the hands of prejudiced village officials and misinformed district boards tax inspectors ;
 - (ii) ensure facilities for effective appeals against arbitrary taxation, with due regard to the convenience of the assesseees ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No such grievance is reported to exist.

(b) No.

(c) Does not arise in view of (a) and (b) above.

(d) Appeals can be, and in fact are generally sent to the Commissioners by post.

(e) Does not arise.

SUPPLY OF ELECTRICITY FROM HYDRO-ELECTRIC SCHEME.

*208. **Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) when electricity from the Uhl River Hydro-Electric station may be expected to be supplied to Hoshiarpur town and the mufussil for lighting and agricultural purposes ;
- (b) whether the question of reduction in the present rates of electricity from the said source is under the consideration of Government ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Hoshiarpur is outside the scope of the first stage of the Uhl River Hydro-Electric Scheme and it is not yet known when further stages will be brought into being ;

(b) No question of the reduction of the general rates for lighting and fans has been considered as these rates are considered to be as low as economically possible, but consideration is being given to the reduction of the rate for power supplied to small industrial consumers under which classification agricultural pumping is listed.

EMPLOYMENT OF A CRICKET INSTRUCTOR IN JULLUNDUR
DIVISION.

***209. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Inspector of Schools, Jullundur division, has recently employed a cricket instructor for schools in his division ;
- (b) if answer to part (a) above be in the affirmative what are the qualifications of the said cricket instructor ;
- (c) whether it is proposed to employ cricket instructors in other divisions as well ;
- (d) if so, whether similarly foot-ball, hockey, volley-ball and *kabadi* instructors for schools in the province are also proposed to be employed ; if not, why not ?

The Honourable Mian Abdul Haye : (a) No. The services of an honorary itinerant-coach in cricket and athletics have been secured by the headmasters of the Ludhiana, Jullundur and Hoshiarpur. He is a Punjab and Aligarh Blue in cricket and athletics but is not a professional instructor, being merely paid out-of-pocket expenses.

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

Sardar Hari Singh : Were the appointments of these professional instructors made with the sanction of the Honourable Minister ?

Minister : No.

Sardar Hari Singh : How, then, did the Honourable Minister allow the headmasters of schools engaging honorary or paid instructors in certain games without his permission ?

Minister : No permission is needed. It is entirely the look-out of the headmasters and if they employ such instructors, I do not see any objection to it.

INUNDATION CANAL FROM THE RAVI.

***210. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that an inundation canal is proposed to be taken off the Ravi near Madhopur in order to pour its surplus flood water into the Upper Beas ; if so, when ?

The Honourable Dr. Sir Sundar Singh Majithia : A branch canal is to be dug from mile two of the existing Upper Bari Doab Canal to enable surplus waters of the Ravi to be passed into the Beas.

The date of construction has not yet been decided.

Sardar Hari Singh : Is the Honourable Minister aware that there is a great panic prevailing amongst the people of Dasuya and other areas of the Hoshiarpur district on account of the fact that Government is going to take out this canal.

Minister : I am not aware of it.

DEMANDS FOR GRANTS.

LAND REVENUE.

Re-settlement operations in Amritsar.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): Mr. Speaker, the position of the settlement officers under the policy and the law in force for these re-settlement operations reminds me of a famous town crier in a melo-drama in the south of London by Mr. Simps, who according to the exigency of the weather sells hot potatoes or ice-cream in the streets of London. But in view of uncertainty of the English weather he constructed a barrel with a freezer at the one end and a burning stove on the other. That is the position of a settlement officer with a barrel of sliding scales in his hands. If he exercises his various discretions given to him under that formula in equity and sympathetically to the interests of the revenue payers—that formula and policy can bring advantage and happiness to the people; but on the other hand if he exercises his various discretions given to him under the Act, it may be to the detriment of the people and it can bring nuisance and ruin to the peasantry of the Punjab. It is, therefore, that through my motion I wish to invite attention to certain aspects of the policy with special reference to the re-settlement now going on in Amritsar and I propose in my remarks to confine myself to such suggestions as do not involve any amendment of the legislation. The policy, as we all know, governing the settlement of Amritsar, is generally known as sliding scale policy. Now, Sir, the formula of the sliding scale policy is very difficult to understand. I confess that when re-settlement operations for Amritsar were declared and announcement regarding sliding scales was made, I happened to be one of those who rushed to the Honourable Premier and the Honourable Minister for Revenue with the request that the settlement operations may be stopped and we may be allowed to live where we were. Thereafter I am grateful to these Honourable Members and to certain officers of the Revenue Department who tried to explain the proposition to us. When I am in certain respects going to criticise certain aspects or certain phases of that policy, I feel that in fairness to the Government, I should clear my position with regard to certain good aspects of that formula. As a student of rural Economics I concede that this formula of sliding scales is an improvement on the old formula. I go a step further and say that up to this day we do not know of a better formula to be adopted. I know revenue assessments in various parts of India have proved to the better advantage of the people. I go a step further and say that in any way I do not claim that the sliding scale policy is perfect. It has certain phases where it can be improved. In fact in certain aspects it is necessary that it should be improved. But, Sir, all that I claim is that until such time as the Committee, that the Government has appointed have gone into various revenue assessments, all we can do is to confine ourselves to such aspects of this policy as do not involve an amendment of the legislation or recasting of the settlement system. (*Interruptions*). A question is put to me just now whether this is an improvement of old conditions. With regard to that I have only two suggestions to offer. The first is that the sliding scale system, inspite of the necessity of improvement in certain respects, introduced for the first time in the revenue settlement of this province, has an important element of income tax system, that is, consideration of the annual profit

Sardar Hari Singh : On a point of order. The honourable member is not speaking to the motion. He ought to criticise the policy in a particular area.

Mir Maqbool Mahmood : I will be glad if the honourable member will read the wording of my motion carefully. I feel that in fairness to the Government I should bring to light certain aspects also with which I agree. I do not believe, as some members of this House do, that when criticising or discussing the policy of Government, we should shut our eyes to the good points and only bring those points to light with which we do not agree. Now, Sir, with that preamble, I wish with due deference, to invite the attention particularly of the Honourable Minister for Revenue to the specific aspect of the application of this policy in the revenue assessment of Amritsar. With regard to this assessment my first submission is this. As I submitted, the formula of sliding scale is very difficult to understand. Under that formula there are two main and important aspects, I mean, the working out of the gross assets and the calculation of the net assets. For working out the cost of production calculations have to be made by the settlement staff in the settlement office. I submit that it is fair, it is expedient and it is necessary that in the working out of this formula the Government should have associated with it the representatives of the people of the district concerned, members of the Assembly, members of the district board and other important citizens in the rural side, so that in an informal capacity they may understand the real implication of the system. They may also suggest to the officer concerned what are their difficulties and what are the points regarding their own working out which have to be taken into consideration.

Sardar Hari Singh : On a point of order. The motion is moved with a view to discuss or criticise the policy regarding a particular area. The honourable member should confine himself to the particular grievances of the people of Amritsar while discussing his motion.

Mir Maqbool Mahmood : If my honourable friend would be patient and try to follow me he will find that I am talking about a particular area. When I say that the people of the district concerned, members of the Assembly and members of the district board and other citizens should associate in working out this formula —

Sardar Hari Singh : On a point of order. While discussing the cut motion on an item, the honourable member should confine himself to discussing the special grievances only.

Mir Maqbool Mahmood : Sir, when I am on my legs I know what I am talking.

Sardar Hari Singh : My point of order is whether by discussing a cut motion on an item of a demand, the honourable member can discuss the policy underlying the whole department.

Marshal of the Assembly.

Diwan Chaman Lall : Mr. Speaker, on a point of order, the Opposition would like to know who the stranger is who is sitting on your left?

Mr. Speaker : I am sorry and must apologise to the House for my failure to introduce him to the House. He is the marshal of the House.

Diwan Chaman Lall: May I know, Mr. Speaker, under what authority, and under whose authority this marshal was appointed to sit there and whether any resolution of the House has been passed on this matter?

Mr. Speaker: The marshal has been appointed by the Government and he is here. There is a marshal in the Central Assembly. The honourable member, who has been a member of that body must be aware of it. There is a sergeant-at-arms in the House of Commons and I am sure the honourable member knows this. In the same way our marshal is here and his presence is not an extraordinary thing.

Diwan Chaman Lall: Do I take it that it is the executive action on the part of the Government which has resulted in the appointment of the marshal without any attempt being made to obtain the sanction of this House for such an appointment?

Mr. Speaker: I am not aware of any rule or law under which sanction of the House should have been obtained. When his salary is entered in the budget, the House may sanction or reject it.

Diwan Chaman Lall: But did not ordinary courtesy demand that the Leader of the House should have consulted the Opposition in regard to the change in the office bearers of the House?

Mr. Speaker: That is a matter between the Premier and the Leader of the Opposition.

Diwan Chaman Lall: Have the functions of the marshal been defined?

Mr. Speaker: Not yet, but probably they will be similar to the functions of the marshal of the Central Assembly or the sergeant-at-arms of the House of Commons.

[At this Stage the Hon. Speaker directed the marshal to sit in the box to the left of his chair till further orders.]

Resettlement operations in Amritsar.

Mr. Speaker: Now I will give my opinion on the point of order raised by Sardar Hari Singh.

Motions for reduction of demands for grants can be made with the object of—

(a) effecting economic reductions or discussing financial questions and details of expenditure;

(b) for criticising and impeaching the administrative conduct and policy of Government, emphasising grievances and complaints of the public; attacking the suspected delinquencies in the department to which the demand relates, making remarks and comments upon the manner in which the minister and subordinates of the department, whose estimates are before the House, discharge their public functions, condemning the conduct and actions of ministers and their subordinates connected with or to be paid for from the demand under consideration.

In the mother of Parliaments the motions of class (a) are seldom made at the present day, because, though in theory the House of Commons is in favour of economy, in practice its members, both as a body and still more as individuals, try to use their influence with the Government to increase rather than to decrease expenditure. Therefore, as a rule they move motions

under (b) and not under (a), so far so that when any member wishes to increase a grant beyond the amount entered in the budget, he moves the motion to reduce the demand in order to draw government's attention to its insufficiency.

A member of Parliament who wishes to discuss any of the matters enumerated in (b) above with regard to any estimate or demand, moves a motion for the nominal cut of £100, or less; and on such a motion the house discusses the points raised by the motion; and as we have been following the parliamentary practice, the honourable members may generally move motions under (b), but they are not debarred from moving motions under (a). It must be understood, however, that when a motion for substantial financial reduction is moved under (a), its discussion should, strictly speaking, be confined to the financial aspect of the relevant demand and its details.

Sardar Hari Singh : I want your ruling on the point as to whether a cut motion to an item of the demand can be used to criticise the policy underlying the whole demand or whether the member who moves such a motion has to confine himself to the particular grievance.

Mr. Speaker : My ruling is clear on that point.

Mir Maqbool Mahmood : Let me offer my humble gratitude to you for such a clear enunciation of the position through your ruling.

The second point which I wish to submit is that we of Amritsar on the whole belong to a district of small land-holders and I am sure my honourable friends sitting on the opposite side and those who belong to Amritsar will bear me out that on the whole our district is one of poor peasants. In addition to poverty, the district of Amritsar happens to be the chosen land of the angels of agitation somehow or other. The activities of these agitators dislocate and affect the economic condition of the loyalists and the law-abiding citizens of Amritsar. (*"Hear, hear" from the Ministerial and Opposition benches*). In view of all these we have not had sufficient time yet to recover from the effects of the depression from which we are just coming out. More than that the principles of this system are such that it will take time for people to understand and therefore the people of Amritsar expect and demand that just as in the case of Lyallpur the Government would tell them that so far as the actual application of the rates and rules of the new system are concerned, until five years after the assessment no one shall be asked to pay more than what he is paying under the existing system. That will be showing the same concession as in the case of the Lyallpur district and I appeal to the Government—and I hope the Opposition would support me in this—that we may get some assurance from them in this respect.

The third point which I wish to bring out is this. Under the sliding scale policy up to 25 per cent. of the net assets has to be recovered from each assessment. But within the circle the discretion rests with the settlement officers to make certain changes, so that a little higher rate may fall on the higher class of people and a little concession may be given to the poorer people.

I admit that in the working out of this system we in Amritsar fear and feel that proper adjustments are not made to our satisfaction and I would, therefore, request that this matter may also be forthwith attended to.

Sardar Partap Singh: Will you make a difference between a peasant and a peasant? How do you propose to levy a higher or a lower rate of revenue on different people?

Mir Maqbool Mahmood: That is a question for the revenue officer, but I do want to tell the House that people who till a certain acreage should be exempted. (*hear, hear*). I am glad my honourable friends opposite say "hear, hear" and I hope that they will also vote with me, when the time comes.

Chaudhri Krishna Gopal Dutt: Yes, if you do not withdraw the motion (*laughter*).

Mir Maqbool Mahmood: If I do not get a satisfactory reply I will certainly go to the lobby, even if I am in a minority of one. I now come to the question of one of the main essentials of this system that gross assets have to be worked out. In working the gross assets there are four or five important things to be taken into consideration. There is the area under cultivation and there is the yield per crop, the area under a particular crop and the level of prices. My point in consideration is confined to one aspect of it, that is the area under each particular crop. We find, for instance, to-day that so many thousand acres in Amritsar district are under sugarcane, within the next forty years it may happen, as it happened, elsewhere that circumstances may arise compelling the zamindars to a very serious extent to go in for a crop which is far less valuable. I appeal that in these matters, this is the worry of the people of my district and of my constituency, the Government may consider the advisability of revising the position so that a large scale relief is given to the revenue payer. My next point is with regard to the fluctuation in prices. A flood in America or an earthquake in Japan or a subsidy to the Italian boats apart from the vagaries of nature in our own country may disturb the level of prices. Increase in population is also sometimes effective, and I speak with due deference to the great economic authorities, including our honourable friend the Minister for Finance, that so far fluctuation and changes in prices, like those of love, have refused to be regulated by any law and more than that all attempts to regulate them have failed and the position now as it has been elsewhere is that when we cannot make prices adjust themselves to our laws, we have to make our laws adjust themselves to the vagaries of prices. That is what the sliding scale attempts to do and to that extent it is a help to the people for it saves the hardship of a constant fall in prices though the prices under the Act have to be regulated under rule 4 of the Land Revenue Assessment Rules. Now in working out the prices there are two special factors which should be taken by the settlement officer which are not being taken into consideration by the settlement officer of Amritsar. They are that deduction has to be made for famines and years of scarcity and a sufficiently long period of prices has to be taken into consideration. I concede that fortunately for the province and fortunately for my district the Government have issued instructions that when working out prices they should deduct from the prices certain amount so that we may get village prices—this is four annas per maund, as the Honourable Revenue Minister tells me. We are also grateful that Government have issued instructions that the prices are taken at the time when the villagers have to sell their produce, that is when the prices

are the lowest, but in working out these facts the discretion rests with the settlement officer and higher authorities who exclude abnormal and bad years and bring in the periods for which prices have to be calculated. I appeal again to the Government on behalf of my district that in permitting a number of years in which these calculations are reckoned and in excluding bad years they should be so fair that the district of Amritsar does not unnecessarily and unfairly suffer. My next point, and that is a point on which people of my district again fear, is and I appeal to the Government to remove this difficulty, that under the old system commutation prices were worked out per acre. Whether we have any net assets or not, whether we were running the whole thing at a loss or not, the Government was entitled to take its whole amount and the remissions were a matter of grace, while under the new system we are entitled to claim remissions as a matter of right. There is another point. Government through its kindness and fairness in the past has, just as is the case in the districts which have been inflicted with hailstorm, given substantial remissions. But we fear that in future if anything happens in the districts of an abnormal nature, the Government may not limit remissions to the automatic limit to which the people of the district may be entitled. The people of Amritsar request that a statement may be made to the effect that in unfortunately and abnormally bad areas the Government will not limit their remissions only to what is due under the automatic sliding scale system. I come next to the question of working out net assets for the purpose of calculation of assessment.

Chaudhri Krishna Gopal Dutt : What has that to do with the motion before the House? Is he not going against your ruling?

Mr. Speaker : There can be no doubt that the honourable member is wandering far away from the motion before the House (*Hear, hear from the Opposition*).

Mir Maqbool Mahmood : Coming to the question of working cost of production in Amritsar district so as to reduce the same from the gross assets with a view to work out the amount on which interest may be charged, I have one suggestion to make. There has been a great deal of controversy in my district and outside as to what should be the cost of production. I am not concerned at this stage with that, I have some definite views and when the relevant discussion comes up I shall talk of them. There is, however, one important point to which I want to refer. In Amritsar district in working out the cost of production there is one item that is being worked out and that is the occupier's rate. I wish to emphasize that this is the only point which is regulated by the orders of the Government and not by the orders of any other authority or the circumstances of the crops and with regard to that, in fairness, I would suggest that in 1924, the Government raised the occupiers rate by 8 per cent. But the occupiers rate is an item which is entirely in the discretion of the Government and we fear that when we have good prices these occupiers rate may be raised because they are not to be raised after forty years, they can be raised at any time. In view of this I would submit to the Honourable Minister for Revenue to state that in fairness and equity it is desirable that the Government should associate the Land Revenue Committee of this House or any other representative body with this work informally or otherwise so that when they are revising or changing the occupiers rate and

[Mir Maqbool Mahmood.]

increasing the rate of assessment, the people of Amritsar may be able to take the revision with confidence. The next point which I wish to submit is that we have appointed a committee to go into the question of graduated income-tax and also to look into the question of alternative system of assessment which can be levied. The people of Amritsar claim that if any equitable and beneficial system is introduced, they may not be deprived of its benefits.

Mr. Speaker : The honourable member is again repeating himself.

Mir Maqbool Mahmood : I come now to another specific question of importance to the people of Amritsar.

My first suggestion in this connection is that we have in the various villages of Amritsar certain gurdwaras, certain grave-yards and certain temples, and the lands associated with them are being demarcated in certain cases, but not throughout. I submit that instructions may be issued that they may be done throughout so that we in Amritsar may be saved later from the unnecessary difficulties and troubles and communal misunderstandings on such matters. I would appeal strongly to Government that this policy may be adhered to so that we may be saved from communal bitterness and the unfortunate communal bickerings that are present in Amritsar.

12 noon.

The second question which I wish to emphasise in this connection is that in every village we have what are called "kamins" and proprietors. I submit that in various villages of my district, particularly where the proprietors are Muslims and the "kamins" non-Muslims or where the proprietors are non-Muslims and the "kamins" are Muslims, there are various questions connected with them which should be settled in the course of settlements so that those poor people may be saved the harassment of coming to court unnecessarily and the communal bitterness may be averted.

Sardar Partap Singh : Is there any bitterness there ?

Mir Maqbool Mahmood : If the honourable member wants to know, I would tell him that even in the last year there had been no less than 17 cases in my district which we had to go through with the help—and I am glad to publicly acknowledge it—of Lieutenant Boota Singh and have those questions settled.

Now, Sir, in conclusion I wish only to make one point. As we all know in the past the zamindars not only in Amritsar but throughout the province, have been frightened by settlements and re-settlements. Speaking of my own district, a very old farmer in my constituency told me that the zamindars had been in the past treating these assessments as plague and the exactions of the bad official and the bad patwari as part of the plague. But things have changed now. To-day they have faith in the Premier, they have faith in the Government, and they have faith in the *bona fides* of the party which is sitting behind him. But it is the right and the duty of the Government to show that by watchful supervision of the settlement in Amritsar and by replying to my statement they deserve this faith.

Mr. Speaker : Demand under consideration, motion moved is—

That the item of Rs. 2,58,900 on account of Survey and Settlement Parties be reduced by Rs. 100.

Lala Bhim Sen Sachar (North-West Towns, General, Urban) : Sir, at the very outset I would submit that we do not agree with the praises that my friend opposite has sung for the system ; but I think that the speech of the honourable member has a significance of its own. It is indeed pleasing to note that the suspicions against the Government and against the working of the officers of the Government are not merely confined to this side of the House, but that there are genuine apprehensions on that side of the House too that the officers of the Government in administering certain systems do not act in the manner in which they are expected to. I for one congratulate the honourable member opposite for the boldness which he has shown in trying to criticise certain actions of the Government. (*Premier* : Not of the Government.) I take it to be so because he has, to my mind, by raising the discussion on this demand tried to show, and has in fact shown, that he has apprehensions that certain things may not be done and that certain representatives of the people may not be associated with the working of a certain system. All this shows that he has real apprehensions. (*Premier* : He has made constructive suggestions.) He has used clear words to show that he has genuine apprehensions and misgivings. We on this side of the House give our fullest co-operation to him as also our fullest support and say that we are with him in carrying this cut and that the honourable the mover will not be inclined to withdraw the cut and would take it to the end, so that his apprehensions may be removed and he may be able to go and tell the people outside that he has secured for them greater co-operation with the administration and that those communal bickerings, which according to him in the past have been due to the oversight or the omission of the Government officials are done away with since he has himself said that now-a-days people come and say that they are in sight of a Messiah, they are now feeling safe, they have now no misgivings, they feel protected, thereby, by his own admission, he tells the people through this House that in the past things were very defective and in an alarming state. And if that was the state of affairs, may I just tell my friend that we on this side of the House are yet not convinced that there is a change in the mentality and in the outlook of the present Government. We have yet to see that the shy maiden is really a shy maiden. Mere use of puff and powder and lip stick will not change an old maid into a shy maiden. We have yet to see a change in the mentality of the Government. We still feel that there is a suspicion in the mind of the general people that the present representatives of the Government are nothing but the prototypes of their predecessors and have their tune taken from somewhere. I speak with the fullest responsibility that could be attached to my utterance. We have yet to see that their attitude is the popular attitude.

Mr. Speaker : Will the honourable member please speak to the motion ?

Lala Bhim Sen Sachar : I am speaking to the motion and with respect to the remarks of my friend opposite who has introduced these matters. Therefore, in fairness to myself and the House I think I am entitled to reply to the question that he has raised. If, however, you are pleased to rule that I should not go to that extent, I think I need not take any more time of the House.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : I happen to come from the same district and have as much interest in that district as perhaps the honourable member who has moved this cut has. I congratulate him for the beautiful speech he has made in favour of the zamindars of that district and also the way in which he has shown that the people have great confidence in the Premier and all those members of the Unionist Government who are sitting behind him. It is a pity he has left out those people who, without taking any price, have submitted to the Unionist creed and joined this Government as Ministers. He should have congratulated them as well. After all, these congratulations are only formal things and they would not have cost anything to the honourable member to say a few nice words about them as well. I congratulate him again on bringing out a very fine point for argument on this occasion and that is that the cost of production should also be considered and deducted from the gross income before any assessment is levied.

Minister for Revenue : It is always done.

Sardar Sampuran Singh : I may be excused if I say that the Honourable Minister or any Member of the Government has never so far recognised the fact that the zamindars are entitled to the reduction or deduction of the cost of production. I may be allowed to say, for the information of the Honourable Minister for Revenue, that a large amount of money was allotted by the Central Cotton Committee and by the Council of Agricultural Research to find out the cost of production of various agricultural products but so far it has not been done. How can it be said that he has been deducting it when the Government does not know what is the cost of production for each crop in this province ?

Minister for Revenue : We know it. We are practical zamindars. I challenge that statement.

Sardar Sampuran Singh : Perhaps the Financial Commissioner understands the position regarding the cost of production.

Minister for Revenue : Is the honourable member authorised to make that sort of suggestion that I do not know the rules ?

Chaudhri Krishna Gopal Dutt : Mr. Speaker, the Honourable Minister for Revenue said the other day that I did not know the Land Revenue Act.

Premier : Is the honourable member in order to refer to somebody in the gallery ?

Sardar Sampuran Singh : I submit that the cost of production includes the labour of the agriculturists themselves and their cost of living. That is never deducted from the gross income and unless the labour of the agriculturist and the peasant is also considered and deducted from the gross income, you are using a wrong phraseology.

Mr. Speaker : The honourable member should not address the Government members direct.

Sardar Sampuran Singh : Government is using wrong phraseology when they say that they deduct cost of production from the gross income. If my friend Mir Maqbool Mahmood succeeds in making the Government accede to that point, the *swaraj* for the zamindars of this province is already

gained. If the Government agrees to the point that the cost of production should be deducted before the revenue is assessed on the land, we have gained everything that we want and I congratulate the honourable member from Amritsar for raising this point in the House.

I agree with the honourable member from Amritsar that that district like the district of Lyallpur should also be given assurance by the Government that in the case of Amritsar at least for ten years to come the revenue will not be increased according to the sliding scale. I may even say it should not be increased till the next term of the settlement comes. With these few remarks, I support the motion so far as the spirit of it is concerned.

Chaudhri Jalal-ud-Din Amber (West Central Punjab, Indian Christian) (*Urdu*): I have risen to support the proposal of my honourable friend, Mir Maqbool Mahmood, in regard to the settlement operations. There is no doubt that many complaints were received during previous settlement operations.

Language of Debates.

Lala Bhim Sen Sachar: On a point of order. It is not at all pleasing to raise this point of order, but there is your ruling that the members of the House knowing English must speak in English. So long as the rule is there, may I just know if the honourable member is not able to speak in English?

Premier: No, he is not a B.A., LL.B., Sir.

Chaudhri Jalal-ud-Din Amber: By the words "sufficient knowledge of English" I understand that one should have the ability to speak in English.

Mr. Speaker: Is the honourable member a double graduate, i.e. B.A., LL.B.?

Chaudhri Jalal-ud-Din Amber: No Sir, I am not a B.A., LL.B.

Mr. Speaker: Is the honourable member a B.A.?

Chaudhri Jalal-ud-Din Amber: I passed it in the last century. I am a relic of the past. I have forgotten whatever little English I knew. You can verify through the officers under whom I have been working.

Mr. Speaker: I have to accept the honourable member's word that he is unable to speak in English.

Lala Bhim Sen Sachar: The honourable member is a graduate in English and has passed B.A. standard in English. May I then know if your ruling is that a person will not be considered to be sufficiently acquainted with English if he says that he cannot speak in English despite the fact that he is a graduate?

Mr. Speaker: A case occurred yesterday when Rai Hari Chand, who is a double graduate and who passed his LL.B. examination about fifteen years ago, pleaded on the floor of this House that, as he had been doing zamindari work since passing his final examination, his vocabulary was not as it should have been and that he did not know English sufficiently and adequately and that, therefore, he could speak only in Urdu. His explanation was accepted. Chaudhri Jalal-ud-Din is only a B. A. He has not passed the LL.B. examination. He says that he has forgotten the year

[Mr. Speaker.]

when he graduated. All he remembers is that he passed his B.A. in the last century and that he has been a tahsildar for a number of years. When a person, who has been a tahsildar practically for his whole life and has been speaking during that long period either Punjabi or Urdu, pleads that he is unable to speak English, I think we should accept his statement.

Chaudhri Krishna Gopal Dutt : Sir, certain anomalies have been created on this question in this House and I would seriously request you to consider this question properly and lay down a standard for the question of sufficiency or insufficiency of knowledge of English. I may state for your information that we on this side of the House who speak in English find it sometimes difficult to give expression to our feelings adequately.

Mr. Speaker : I refuse to agree with the honourable member, as he is one of the ablest members of this House and can speak in English most fluently and eloquently.

Chaudhri Krishna Gopal Dutt : I thank you for your compliments but that is not the question, Sir. I was saying that we sometimes find it difficult to express ourselves adequately in English. We cannot think in English, we cannot dream in English. I was not referring only to myself. I was referring to so many of the members on this side. Even honourable members like Dr. Gopi Chand, Lala Duni Chand, and others cannot give expression to their ideas fluently and fully and clearly. The question is that a standard should be laid down.

Mr. Speaker : What is the practical suggestion ?

Dr. Sir Gokul Chand Narang : What is the penalty prescribed in the Act for breaking the law ? I am prepared to break the law and I think we should all revolt against this section of the Act, particularly as there is no penalty. I believe there is no penalty. Even if there were, we should be prepared to break the law.

Chaudhri Krishna Gopal Dutt : This is a very serious question. There are a number of members on this side of the House who are not fully conversant with the English language and yet they are required to speak in English, while there are several members on the other side who know English and yet speak in vernacular. Their object is to influence those honourable members of this House who do not understand English. Members on this side, because they are not allowed to speak in Urdu, cannot counteract the effect which has been created by the other side. Therefore I would request the Speaker to look into this question.

Mr. Speaker : The point has been sufficiently discussed. It is not in my power to compel a person to speak in English, when he says that he does not know that language adequately.

Dr. Sir Gokul Chand Narang : Sir, what is the penalty if this rule is broken ? So far as I am aware there is no penalty. If there is no penalty the law should be broken.

Premier : I am disagreeably surprised to find that my honourable friend opposite should have suggested that we should break the law, and rebel against whom ?—against the chair ?

Dr. Sir Gokul Chand Narang : No, not at all. Against the Government of India Act.

Premier : The penalty if they try to rebel, if I may venture to suggest, is that the Speaker need not call on them to speak and the Speaker can use his further power—

Dr. Sir Gokul Chand Narang : The Premier has undoubtedly misunderstood me if he has not misrepresented me.

Premier : Oh, no.

Dr. Sir Gokul Chand Narang : Then he has misunderstood me. What I wanted to ask was that if you permit us to speak in the vernacular, is there any penalty for you? We are prepared to obey your ruling and we have never disobeyed it, but is there any penalty against you?

Mr. Speaker : Will the honourable member suggest the way in which I should decide this question? When an honourable member says on the floor of this House that his knowledge of English is insufficient, should I disbelieve him? (*Voices* : No, no). Then it is agreed that I must accept his word. And if a graduate were to say that his knowledge of English has deteriorated or become stale and that, therefore, he cannot speak in that language, what can I do? What I can do at the most is to say, 'I expect you to speak in English and if you do not, I shall have to ask you to resume your seat.' In that case, should I not be guilty of depriving the honourable members of their most important right of speaking in this House?

Premier : We have addressed the Government of India strongly to recommend to the Secretary of State that an amendment of the Act should be made as soon as possible.

Dr. Saif-ud-Din Kitchlew : Sir, with your permission I should like to make one suggestion. It is unfortunate indeed, and we all realise it, that this question of the vehicle or the medium of expression in this House is getting on the nerves of everybody. It is a serious matter no doubt. Your effort in this direction, Sir, is a very laudable one. You have already made a recommendation to the proper authorities to get the section amended. But meantime I beg of you to consider this suggestion of mine. If it is agreeable, that will smooth matters so far as the working of the House is concerned till we get a proper reply from the authorities and the section of the Government of India Act is amended. My suggestion is that you should leave it to the discretion of every individual member to speak in whatever language he likes. One should have sufficient knowledge of the English language in order to express one's thoughts clearly, emphatically and in a proper manner. That is the interpretation of the section in the Act. Supposing I know English, I have studied up to a certain standard, I can express myself in that language. But supposing there is a lurking fear in my mind that I will not be able to use a foreign language in a proper manner in talking on a particular subject or that I cannot properly express my ideas or views in that language, I should be permitted to speak in the language I want. My suggestion therefore is, that until some final settlement is arrived at in the matter of the language of the Assembly, every member should be given discretion to choose the language in which he wants to give expression to his ideas and views.

Premier : That is what we have recommended. We have suggested that members should be allowed to speak in any language they want, to speak in any other language even if they know English sufficiently well. Meanwhile, I am afraid that the provision of the Act is there and it is for you to interpret it and you have already interpreted it. We will have to put up with this inconvenience for a little longer.

Lala Duni Chand : I should like to propose a solution to meet the difficulty. You have already ruled that an honourable member, may be a B.A. or even a B.A., LL.B., but he may be unable to speak in English. If you give your ruling on another point the difficulty will be solved. Supposing an honourable member says " I do not feel like speaking in English " you may be pleased to excuse him. Or supposing an honourable member says he wishes to speak in English on certain matters, then he should be allowed to speak in English. Thus the discretion to speak in English or in any vernacular should be left to the honourable member concerned. I think this will be a practical solution of the difficulty.

Mr. Speaker : I will consider the honourable member's valuable suggestion, but I do not think it is practicable.

Chaudhri Krishna Gopal Dutt : I should like to place a very important point before you. It may be that some members are accustomed to speak in English on the floor of the House on certain subjects, but, Sir, they may not be able to speak in the same language on all subjects; for instance on medical and scientific subjects a member may find himself incompetent to express himself clearly in English. Would you not, then, allow him to speak in vernacular?

Mr. Speaker : I will decide that question when it arises.

Marshal of the Assembly.

Dr. Gopi Chand Bhargava : I want your ruling on a very important question. It was brought to your notice in this House a few minutes ago that there is a certain gentleman in this House who is a regular police official and whose pay we are going to vote. You were pleased to say that he is here as a marshal or as sergeant-at-arms of the House of Commons. You were also pleased to say that he was appointed by the Government, of course, without your consultation. You were also pleased to remark that it lay with the Honourable Leader of the House—

Mr. Speaker : I said Government, not the Leader of the House.

Dr. Gopi Chand Bhargava : You were pleased to say that it lay with the Leader of the House to consult the Leader of the Opposition about the appointment of a certain official as marshal. My submission is that the analogy does not apply here. The sergeant-at-arms of the House of Commons has got powers under the law and he acts under those powers. For example, the sergeant-at-arms is authorised to turn out any member of the House of Commons if he behaves in a grave disorderly manner and not only turn out but he has got authority to arrest members in the House. But here, under the Government of India Act or under the rules framed by His Excellency the Governor to regulate our procedure if there is grave disorder it is for you to adjourn the House. If you call upon a member to withdraw and he does not withdraw, then you have got power to adjourn the House

for such a time as you think proper. The Government of India Act does not authorise any official appointed by the Government to arrest any member or turn him out of this House.

Mr. Speaker : The matter raised by the honourable member is not before the House. If the honourable member wishes to raise the question of the legality, propriety or otherwise of marshal's appointment, he may do so in accordance with the rules of the House. No member can stand and begin to speak on a matter which is not before the House. The only question now before the House is item 15. Therefore, no honourable member can speak on any other matter, not before the House.

Dr. Gopi Chand Bhargava : I only raised a point of order and I want your ruling on the point.

Mr. Speaker : The matter is an important one and if the honourable gentleman wishes to discuss it, he is welcome to do so in proper manner.

Diwan Chaman Lall : On a point of order. I draw your attention to the fact that there is a stranger in this House. I also draw your attention to the fact that I am well within my right in requesting you to be kind enough to order the withdrawal of the Marshal.

Mr. Speaker : He has been ordered to sit in the box till further orders.

Resettlement operations in Amritsar.

Chaudhri Jalal-ud-Din Amber (Urdu): I feel much obliged to you for permitting me to deliver my speech in Urdu. My appeal to the Opposition benches would have been—

بات بنتی ہے مری تیرا بگڑنا کیا ہے۔

Anyhow you deserve my heartfelt gratitude.

Sir, I was submitting that I support the proposals which my honourable friend Mir Maqbool Mahmood while discussing his cut motion, has put forward in regard to settlement operations in the Amritsar District. The present policy governing resettlement operations in the Amritsar district is based on the experience gained by the introduction of the sliding scales system. This system was first introduced as an experimental measure for conducting settlement operations in Lyallpur and other districts because owing to the tremendous fall in the prices of agricultural produce, the zamindar is unable to pay the enhanced rates of land revenue fixed during the previous settlement when prices were very high. There is no doubt that settlement operations will be carried out in other districts including the Amritsar district. There is no other system more useful than the sliding scales system. This system will certainly prove more beneficial than all the previous ones. Other proposals which my honourable friend from Amritsar has propounded in regard to other matters also deserve careful consideration at the hands of the Government. For instance, the disputes that take place in villages among zamindars and kamins or non-agriculturists over nazul lands, graveyards or in connection with colonization of lands, should be settled during the settlement operations, as these disputes prove a source of perennial trouble to all the inhabitants, and there is little chance of their being settled

[Chaudhri Jalal-ud-Din Amber.]

afterwards. Similarly, the proposal that in matters connected with settlement operations the settlement officers should consult the members of district boards or committees of zamindars, is a laudable one. It is my firm belief that the sliding scales system will surpass all previous systems and will prove more beneficial to zamindars than any other system. Certain honourable members are of the opinion that land revenue should be assessed on the principles on which income-tax is levied. But the gentlemen who hold this opinion do not understand the import of their proposals.

Pir Akbar Ali : On a point of order, Sir. The procedure laid down for the settlement and the rules governing the assessment were passed in the Punjab Legislative Council in 1928. Can any suggestion now be brought forward against those rules and procedure ?

Mr. Speaker : The House decided yesterday that necessity for legislation or matters involving legislation will not be discussed.

Chaudhri Jalal-ud-Din Amber : Sir, I want to make it clear that although the sliding scales system is an extremely useful one, its utility entirely depends upon the collection of correct statistics regarding the market prices of food-stuffs. It is a very difficult task to obtain exact statistics regarding market prices, because correct statistics regarding the prices of agricultural produce are not kept in *mandis*. There are other difficulties also. Firstly the *arhties* in *mandis* maintain duplicate price lists. Secondly sometimes they refuse to quote correct prices. Thirdly and lastly no such law has been enacted under the provisions of which these *arhties* may be compelled to give true quotations. There is, however, one objection which can be levelled against the sliding scales system, *viz.*, that under this system the zamindars have to undergo a lot of trouble every year at the time of assessment of land revenue inasmuch as at every harvest the land revenue will have to be assessed on the prices of agricultural produce then prevalent. The following couplet by the celebrated poet Ghalib rightly describes the plight of zamindars—

کہوں کس سے میں کہ کیا ہے شبِ غمِ بڑی بلا ہے
مجھے کیا بُرا تھا مرنا اگر ایک بار ہوتا۔

In other words the zamindars will be inconvenienced again and again.

I, therefore, request the Honourable Revenue Minister that if he wants to make the sliding scales system a complete success from the practical point of view, he should make rules and issue instructions to the local officers to the effect that they should spare no pains in arriving at right conclusions while assessing land revenue so that the hardships of zamindars may also be lightened to some extent. With these words I again support the cut motion moved by my honourable friend Mir Maqbool Mahmood.

Mr. Speaker : I directed the marshal to go and sit in that box. But I understand that it is not my box. It is the Governor's box, when this Assembly is in session, and when the Central Assembly is sitting, it is the Governor-General's box. Further, the marshal is my assistant and, therefore, has a right to sit near me. However, I will consider this matter further

and give my considered and final ruling later on. In the meantime, I allow him to sit to my left.

[The marshal occupied the seat to the left of the Honourable Speaker's chair.]

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : I will deal with Sardar Sampuran Singh first.

Sardar Sampuran Singh : On a point of order, can he deal with me ?

Minister for Revenue : He must understand that I meant I will deal with his arguments and I will deal with him if necessary. (*Laughter*). The expenses of the cultivator are taken into account. The following are the points which are kept in mind when the expenses of the cultivator are taken into account—

- (1) Payments of water rates,
- (2) Supply of seed,
- (3) Concessions regarding fodder,
- (4) Cost of rent collections,
- (5) Abatement of rent in bad harvests,

and such other things. All these things are taken into consideration when the cost of cultivation is taken into account and also the menials' dues which are paid generally from the joint heap. (*An honourable member* : What about the cost of the cultivator, his labour ?) Whatever remains to him is his cost.

Coming to the points raised by Mir Maqbool Mahmood he has suggested certain things—I may be permitted to read the rules that have been passed by the Legislative Council.

I refer him to rule 19 in which it is provided :

- (a) the principal data on which the true net assets estimate has been based, viz., rates of rents of yield assumed, rent in cash or in kind, average total areas cultivated and matured, deductions allowed for expenses of cultivation, menials' dues, etc., and the value of land as disclosed by sales and mortgages;
 - (b) the general considerations on which the pitch and amount of the total actual assessment proposed to be taken are based, i.e., the increase in resources through irrigation, extension of cultivation, rise in prices, miscellaneous income, etc.; and
 - (c) the total assessment and the average revenue rates proposed for adoption in framing village assessments, with such brief explanations as may be necessary, including the clear proviso that there is no guarantee that any particular estate will be ultimately assessed at the exact rates proposed.
- (2) Copies of this abstract shall be supplied by post to all zaildars, sudeposhes, headmen, and organisations of land-owners of the area concerned and to non-official members of the district board and elected members of the Punjab Legislative Council representing the said area.

A period of thirty days from the date of posting shall be allowed within which any revenue-payer or group of revenue-payers or occupancy tenants may make a representation or objection to the proposed assessment to the Revenue Officer.

Any such representation or objections shall be considered by the Revenue Officer, who shall forward them, with his views thereon, together with the report, to the Commissioner.

[Minister for Revenue.]

This is one of the rules which is always observed when assessment starts and action is taken. There is also another rule, Rule 15, which says—

- (1) The Revenue Officer shall frame his proposals with respect to classes of soils, selected years, prices to be adopted and assessment circles in accordance with the provisions of rules 2, 3, 4 and 14, respectively, as soon as possible after the commencement of settlement operations.
- (2) The Revenue officer shall have an abstract of his proposals prepared and translated into the vernacular. Printed copies of this abstract shall be supplied by post to all zaildars, sutedposhes, headmen and organisations of landowners of the area concerned and to non-official members of the district board and elected members of the Punjab Legislative Council representing the said area. A period of thirty days from the date of posting shall be allowed within which they may file objections on all or any of the matters referred to in sub-rule (1) to the Revenue Officer.
- (3) The Revenue Officer shall take such objections into consideration and forward them with his views thereon, together with his proposals, through the Commissioner, for the orders of the Financial Commissioner.

This is the procedure adopted by the settlement officer and I think this is sufficient to meet the requirements of my friend who has made this cut motion.

Coming to his other points, he said that instructions should be given to the settlement officer that land covered by mosques, gurdwaras, temples, graveyards, etc., should be demarcated and entered in revenue records.

Marshal of the Assembly.

Diwan Chaman Lall : On a point of order. I understand that the gentleman you ordered to take a seat in the box has—

Mr. Speaker : I am not going to allow any discussion on that point now. I will consider the matter and give my final decision later on.

(At this stage Diwan Chaman Lall got up in his seat.)

The honourable member should not stand when I am standing. He ought to know Parliamentary procedure better than any other honourable member, as he has been a member of the Central Assembly. I have yet to decide the matter finally. The Marshal being my assistant has a right to sit near me.

Diwan Chaman Lall : I regret—

Mr. Speaker : I am not going to listen to anything further. No criticism can be made of what I have said. I have more than once told the House that I will consider the matter further and give my final decision later on. For the present I have allowed him to sit to my left.

Diwan Chaman Lall : I want to make a statement on behalf of the Opposition.

Mr. Speaker : Order, order. I do not allow it. The honourable member has no right to make a statement. (*Honourable members : Order, order.*)

Diwan Chaman Lall : Ordinary courtesy, Mr. Speaker. You must allow me to make a statement. (*Honourable members : Order, order.*)

Mr. Speaker : I have heard the honourable member on the question raised by him and have repeatedly told him that I will give my ruling on this subject later.

Diwan Chaman Lall : I want to make a statement that we withdraw from this House. On behalf of the Opposition I make this statement.

Mr. Speaker : Order, order. If the honourable member stands again I may have to ask him to withdraw.

[The Honourable member stood up again.]

Diwan Chaman Lall : I withdraw and I wish—

Mr. Speaker : As this is grossly disorderly conduct, I request or rather direct the honourable member to withdraw.

Diwan Chaman Lall : We all withdraw, Mr. Speaker.

Mr. Speaker : Very well, please yourself.

(At this stage the members of the Opposition withdrew from the Chamber.)

Resettlement Operations in Amritsar.

Minister for Revenue : I was dealing with the suggestion made by Mir Maqbool Mahmood, that is, those in arrears may be allowed time even beyond that necessary under the sliding scale. He said also that the new rates should not be brought into force in Amritsar and that the old rates should remain for some time as was done in Lyallpur, that is, for five years. The other points raised by my honourable friends will be duly considered and as regards the five years period during which the old rates should remain I can give him the undertaking that that will be done. I hope that after this assurance has been given the honourable member would like to withdraw his motion.

Mir Maqbool Mahmood : In view of this assurance, with gratitude I beg to ask for leave to withdraw my motion.

The motion was by leave withdrawn.

The Assembly then adjourned for lunch.

The Assembly re-assembled at 2 p.m. of the clock. Mr. Speaker in the Chair.

MARSHAL OF THE ASSEMBLY.

Premier : With your permission I should like to refer to the somewhat unfortunate incident which resulted in the walk out of my honourable friends occupying the opposite benches. Unfortunately I was not present in the House when originally the question of the appointment of Marshal was raised by one of the honourable members opposite, but during the subsequent developments which culminated in the walk out, I was present in the House. With your permission I should like to make the position clear to the House as to how this appointment was made. You will remember that some days ago you spoke to His Excellency the Governor asking him that he might be pleased to appoint a Marshal of the House on the analogy of the Central Legislative Assembly. You subsequently asked me as the head of the Government to make arrangements for such an appointment. I, on that occasion had to inform you that it was not possible to make arrangements for the appointment of a permanent Marshal immediately, but that I would endeavour to provide a temporary incumbent for the post pending the appointment of a permanent incumbent. You

[Premier.]

were pleased to ask me to make temporary arrangements. It was in pursuance of your wishes that the gentleman who is now sitting on your left as your Marshal and as Marshal of the House was appointed. I regret that the honourable members opposite should have thought it fit to stage a walk out. It may be that there was a genuine misunderstanding. I think that if the position had been clearly explained to them they would not have taken the action which they have taken. I, therefore, hope that this statement of mine will be conveyed to them and that they will now see their way to come back to the House in view of the explanation which I have given. I may also, for the information of the House, point out that the precedent in the central Assembly with regard to the appointment of Marshal is that he is appointed by the Governor-General on the recommendation of the President. Here also the appointment has been made by the Governor on your recommendation. I have nothing more to add.

DEMANDS FOR GRANTS.

LAND REVENUE.

Allotment of land to Christian Agriculturists.

Chaudhri Jalal-ud-Din Amber (West Central Punjab, Indian Christian) (*Urdu*): Sir, I beg to move—

That the item of Rs. 2,32,800 on account of Colonization operations be reduced by Re. 1.

I have moved this motion with the express intention of drawing attention of the House in general and the Honourable the Revenue Minister in particular to the fact that Christian agriculturists of the Punjab have been tilling and cultivating their lands for ages and their profession of agriculture has descended from father to son. In the central districts of the Punjab there is not a single village where Christian agriculturists are not residing in considerable numbers. They are either cultivating their own lands or they are helping other zamindars in cultivating their lands on Sepi or Shirakti conditions. In short you will find them in every village following agricultural pursuits. You may ascertain from the landlords whether these Christian agriculturists are hardworking, efficient and honest in their dealings or not. It is a fact that so far as the profession of agriculture is concerned these Christians are not in any way inferior to others.

It is an unexaggerated fact, that it is these Christians who are extending a helping hand to the zamindars of the central districts. They gladly suffer every kind of hardship in connection with their work and that is why they have been declared by Government as members of statutory agriculturist tribes in the districts of Gujranwala, Sheikhpura, Lyallpur, Multan, Montgomery and Sargodha and they have been recognised as agriculturists by all concerned. This bears a further testimony to the fact that their work is not inferior to the work of other agriculturists. My object in moving this motion is to draw the attention of the Government to the fact that their rights and privileges should not be lost sight of at the time of allotment and distribution of government lands. It is a regrettable fact that Christian agriculturists of the Punjab are generally left out in the cold at the time of distribution

of government lands. It is a genuine grievance and it must be redressed as early as possible.

I particularly draw the attention of the Honourable Revenue Minister to the Christian tenants who are living in various chaks of the Montgomery district, for instance, Chak Nos. 148, 174, 175 and 108. In these chaks government lands have been allotted to Christians, but they have not been granted occupancy rights which are being enjoyed by other tenants of the same chaks. They are merely non-occupancy tenants. They have not been granted lands on the understanding that they would be granted occupancy rights on any subsequent date. You may compare the agricultural skill of these *abadkars* with the skill shown by occupancy tenants. These *abadkars* pay double the rent as compared with others. These Christian *abadkars* have inherited the profession of agriculture from their forefathers. They were desirous of getting their due share of government lands. They applied to the Colonization Officer who distributed among them the lands which other zamindars had refused to accept on the ground that they were worthless. The Christian zamindars accepted these lands. They filled up the pits and generally made them fit for cultivation. They have been vainly making representations to the officers concerned for the past several years to the effect that they may be granted occupancy rights.

Minister for Revenue: Am I to understand that your complaint is that they have not been given those occupancy rights?

Chaudhri Jalal-ud-Din Amber: Sir, there are only a few of them who have been fortunate enough to obtain these rights, but no assurance has been given to others as to when they will be granted those rights. It would be fair on the part of the Government to offer them some encouragement. When there was a fall in agricultural prices in the Montgomery district and the Government was unable to realise land revenue they remitted the whole of suspended revenue, thereby incurring heavy losses. If the Government has been pleased to grant this concession to other zamindars, there is no reason why these Christians *abadkars* should be deprived of similar concessions and why they should not be recognised as occupancy tenants. It would prove useful both for the Government as well as these people. My humble submission is that in future the rights of Christian agriculturists should not be ignored at the time of distribution of Government lands. From the social and educational point of view these Christians are leading an exemplary life in the villages. Their sons are educated and their daughters are receiving higher education. Begum Shah Nawaz—the nightingale of the Punjab—has laid great stress on the necessity of female education, and in this respect the Christians have set a very good example. If you care to visit the villages or chaks where they are living in considerable numbers you will find that even in the matter of rural reconstruction they have done excellent work. Just ask Mr. Brayne how earnestly these Christian agriculturists have given effect to the reforms introduced by him. In other words, these Christians welcome all useful western reforms with an open mind. They serve as a medium for the western reforms which are being introduced in villages by missionaries. Thus the work of social uplift is being done in the villages. In short these are the things which are adding to their importance. At present the opposite benches are vacant and I am unable to address them. The previous Government either owing

[Ch. Jalal-ud-Din Amber.]

to its weakness could not introduce these reforms or it was afraid that if it were to give effect to these reforms which are foreign to the people of this country it would become a target of public ridicule.

If our officers in the past were unable to extend a helping hand to the weak and the oppressed, they should know that we are incharge of the administration now. The Government should now be strong. It should no longer be afraid of anything. It is no use separating the judicial and executive functions. It will not redound to the benefit of the country. If the previous Government was unable to take a bold stand in the matter, the time has come when the present Government should plainly tell its critics that it is not in the interest of the people to give effect to this suggestion.

Mr. Speaker : The honourable member is not speaking to the motion.

Chaudhri Jalal-ud-Din Amber : Very well, Sir. It is up to the Government to take note of this important minority. There should be no obstacle in the way of the Government to give favourable consideration to the claims of the Christians. I again submit, that Christian agriculturists may be granted occupancy rights and their claims should not be ignored by Government in the future when a distribution of Government lands takes place.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 2,32,800 on account of colonization operations be reduced by Re. 1.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (*Urdu*) : I want to refute two arguments that have been advanced by the honourable mover of the cut motion. In the first place he has urged that Christians have applied themselves to agriculture from time immemorial ; and that their forefathers were engaged in agriculture. I submit that they are not agriculturists, because they have not a marla of land in their possession and whatever has been urged in their favour is far from the truth. There is quite a large number of zamindars amongst us, whose holdings are very small, so much so that they can hardly keep body and soul together. If the lands, as has been urged by the honourable mover of the motion, were distributed among the Christians and not among the agriculturists, my fear is that the small holders would be reduced to abject poverty.

Christians living in rural areas are engaged in various pursuits other than agriculture. It appears from the speech of my honourable friend that they are pretty well-off. Moreover he has remarked that they are following Mr. Brayne's advice and have given effect to many of his reforms. I submit, Sir, that only those people can follow Mr. Brayne who are rich and prosperous but for a man who does not get enough to eat, it is impossible to carry into effect the reforms suggested by Mr. Brayne.

Again they have other sources of income at their disposal. They are daily receiving large sums of money from foreign countries, and they are also earning and can earn a lot in various other ways. What is more, these people daily take their tiffin, while the poor zamindars do never have such a thing (*Cheers*).

There are zamindars who have got five sons and they in their turn have five sons each. In this way the lands are parcelled out, so much so that the share of each member of the family hardly comes up to a kanal. On the other hand the Christians are receiving a lot of pecuniary aid from foreign countries as for example from America, but the poor zamindar has only one calling to fall back upon. The zamindars have no other means of earning their livelihood except by the profession of agriculture. It would be a great injustice, if at the time of any future distribution of lands the claims of agriculturists are ignored and the lands are distributed among the Christians. Again I am constrained to say, that Christians are rich enough to put on good shoes and clothes of English pattern, but the poor zamindars can afford nothing of the sort. They do not get even enough to eat (*laughter*).

Mr. Jalal-ud-Din Amber : I beg to draw the attention of the chair to the speech of the honourable member.

Mr. S. P. Singha (East Central Punjab, Indian Christian) : Sir, I do not wish to inflict a speech on the House, but I think it is incumbent upon me as representative of the Christian community to say a few words after what my honourable friend Chaudhri Ali Akbar has spoken. His speech would give us the idea that goats had been yoked with lions and tigers. I am sure the present Government will not tolerate any distinction of the kind that has been pointed out by the honourable member (*hear, hear*). It is to the glory of the Christian community that it recruits adherents from all classes. We may be people who belong to different professions, and more than that, a large number of us are recruited from the humblest professions ; but we are not ashamed of that. It is to the glory of our religious organization and our community that men from these classes have reached a stage when they are not a disgrace but an honour to the province. As to the men who have been given land in the Montgomery district, most of them are people who have been for generations cultivating land though they may not have been owners of land.

I am sure we can expect justice from this Government and I am also sure that whenever there is an opportunity of giving more lands to the people, Christians will also get their due share. I do not think there is a single person in this House who has any desire to oppose us on this subject. But I do wish to bring to the notice of the Government that there is a very real grievance in the minds of the Christian cultivators in Montgomery district and the community at large that these people have not been given occupancy rights and that therein invidious distinction has been made. I cannot say whether their grievances are justified or not without hearing the Government point of view, but I do wish to bring it to the notice of the Honourable Minister that the grievance has a very real existence in their minds and if we have an assurance that the Honourable Minister will personally look into the matter, we shall be perfectly satisfied.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : My friend the mover of the cut has all my sympathies (*hear, hear*) as regards the grievances that he has brought to the notice of the Government, but I may be allowed to say one or two things just to explain that his allegation that land has not been given to the Christians, does not appear to be quite correct. I think, if I may say so, that my Christian brethren

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have received land in the Multan and Montgomery districts. First of all land was given to a Padree in Multan district and he brought in tenants. There was some sort of *jhagra* going on between the Padree and the tenants. The result was that these tenants remained in possession of the land that the Padree left. The honourable member says that occupancy tenure has not been granted to these people. He has also complained that double rents are being charged. I may inform the House, through you Sir, that the land was sold to them and when they did not fulfil the conditions on which it was sold to them, the land was resumed and again, at their request, it was given back to them on certain conditions which were being fulfilled. I may inform my friend, through you, that the case would be looked into sympathetically and every endeavour will be made to see that there should not be any discrimination in their treatment. Under the circumstances I request my friend to withdraw the amendment.

Chaudhri Jalal-ud-Din Amber (Urdu) : In view of the reply of the Honourable Revenue Minister, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Crown lands

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : I beg to move—

That the item of Rs. 2,32,800 on account of colonization operations be reduced by Rs. 100.

Mr. Speaker, the cut motion which I have the honour to move does not call for an elaborate speech. The point that I wish to make is clear. When the colonization scheme of the Government was launched in the year 1892 it was made clear that the main purpose of starting the colonization is to encourage the proprietors and to discourage the growth of tenants. It had been calculated that the percentage of the tenants in the Punjab was 44 per cent. The policy that has since been pursued has resulted in the percentage of the tenants rising to over 51 per cent. to-day. I do not advocate that the commitments, which are necessary to make the scheme profitable, such as a certain percentage of the land to be auctioned so that thereby the scheme may be made paying, should not be adhered to. Nor do I admit that the general principle which governs such disposal of land should be departed from. But I do advocate one thing with great emphasis. It is that we have seen in the present political, economic and social upheaval, that is going on in the country, that the greatest bulwark and greatest security of Punjab lies in the fact that we have here the land of peasant proprietors and I am anxious that that integrity and security of the Punjab should be maintained. Let me make it clear that by the 'peasant proprietors' in this Act I do not mean 'peasant proprietors' in the loose sense of the word which includes even persons who have their land tilled through tenants. By 'peasant proprietors' I mean people who cultivate their own land and on a basis of economic holdings. I would plead, with all the emphasis that I can command, that as far as possible, in the future disposal of land, subject to the scheme being made paying on the financial ground, special regard will be had for the peasant proprietor. In this connection I wish,

with due deference, to invite the attention of the Honourable Minister of Revenue to the fact that in Amritsar and other districts there are people who have suffered because of their land being spoiled through *kharaba*, water-logging and other activities and who have been found to be good cultivators and are anxious to find lands. I plead with all the emphasis at my disposal that the claims of such people should receive special consideration.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 2,32,800 on account of colonization operations be reduced by Rs. 100.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : May I with your permission enunciate the general policy that we have in view when we distribute land in the colonies? The policy is that the grants are given to those people who generally cultivate the land with their own hands. Land is also given to people who come from congested areas. We also give land to those people who are suffering from water-logging or it is given in cases where the action of the river or of the hill streams has deprived the people of their lands. These people are considered as good grantees and land is given to them. We have recently started, as you know, a new class of grantees to meet the situation of educated unemployment. We give grants of land to unemployed graduates. We have also been giving land to people who have rendered or are rendering meritorious services in the military or police departments or who have rendered good services in the cause of administration. Besides we generally reserve a certain amount of area which we sell by auction. That is necessary for us to do because we have to make the colony a sort of paying concern in view of the fact that when a new canal or a new project has started we have to see that that project is a productive project. Projects which pay about six per cent. on the investment are considered to be productive projects and the others are called unproductive. Therefore a certain area of land is generally reserved for sale by public auction to make the project a paying concern. These are the general conditions on which land is given and I think it will satisfy my friend that the claims of those people whose cause he has advocated, have been specially kept in mind and they will be kept in mind in future as well.

Mir Maqbool Mahmood : In view of the assurance given by the Honourable Minister for Revenue, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Pension for Patwaris.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Bural) : I beg to move—

That the item of Rs. 24,28,250 on account of patwaris establishment be reduced by Rs. 10.

As already stated, the object of this cut motion is to draw the attention of the Government to the desirability of making the post of patwaris pensionable. I would not like to detain the House for any length of time on this motion because every honourable member here realises what important duties are being performed by a patwari. As a matter of fact all the revenue officers from the Collector to the Financial Commissioner depend, for their

[Raja Ghazanfar Ali Khan.]

judgments and opinions on the records prepared by the patwari in a village. There is no doubt that Government can do something to make the position of patwaris financially better by increasing their salaries and as far as I know the present scales of their pay is Rs. 20, 23 and 26. Considering the amount and importance of work which these patwaris have to do in the villages, I am sure the House will agree with me that something should be done to make the post of patwari more attractive. I personally think that it is most unfortunate that some posts, where the work is of a very important nature, are given to people who draw very low salaries. Besides there is very little scope for promotion for the patwaris from this job.

Chaudhri Jalal-ud-Din Amber (Urdu): On a point of order Sir, Under the existing law the patwari is a village servant. So long as the law is not altered and his name is not removed from the list of the village servants the question of the patwaris' pension cannot be discussed.

Raja Ghazanfar Ali Khan: May I submit in reply to this point of order that if the honourable member would carefully consider the wording of this motion he will realise—

Pir Akbar Ali: The ruling is to be given by Mr. Speaker and not by the gentleman who is speaking.

Mr. Speaker: I think the point of order raised by Chaudhri Jalal-ud-Din Amber is right. Therefore, I overrule the amendment.

Hereditary Inamkhors.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural): I beg to move—

That the items of Rs. 29,45,340 on account of Pay of Establishment be reduced by Rs. 10.

The object of this cut is to bring to the notice of Government the hardship and loss caused to the hereditary *inamkhors* of Jhelum district by the conversion of their *inams* to *ilaqadari inams*. I would submit, Sir, that, as explained in the remarks, the idea of moving this cut is not to challenge the existing rules but it is merely to bring a grievance to the notice of Government and I would respectfully submit that the members are entitled, when the demands are discussed, to bring to the notice of Government whatever flaw they find in practice or in administration of law. I am merely bringing to the notice of Government that there is a hardship which is being experienced by certain *inamkhors* and *ilaqadars* and it is up to the Government to find remedies which are necessary to redress this wrong. I would submit that before this *ilaqadari* system came into force certain old families were given an *inam* either as a result of their meritorious services rendered to Government or because of certain rights which they possessed before the British occupied this country, in lieu of certain grants they were allowed to enjoy certain *inams*. When this system of *ilaqadari* came into force, then those *inams* were converted into *ilaqadari inams*. In other words gentlemen who were getting those *inams* were called upon to perform duties of *ilaqadari* without getting any extra sum for those extra duties. In earlier days when these rules were enforced, the policy of Government was to treat the appointment of *ilaqadari* or *zaildari* as hereditary but now from

the rulings given by the Financial Commissioner for the last few years there seems to be a tendency that the post of *ilaqadari* will not be treated as hereditary. Keeping these rulings in view, I would request the honourable members to consider whether it is not unjust to these *inamkhors* who are called upon to perform additional duties, that when they are removed from the *ilaqadarship* the *inam* should also automatically go. I would therefore request the Government to separate the two things and if a person is not found fit to perform satisfactorily the duties of a *zaildar* or *ilaqadar* certainly I would have no objection to Government appointing some other person, but the *inam* which that family used to enjoy before should remain with the members of the family. I hope the Honourable Revenue Member who himself belongs to a very respectable old aristocratic family will consider this submission with sympathy and will try to redress this grievance.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 29,45,340 on account of Pay of Establishment be reduced by Rs. 10.

Syed Mohy-ud-Din Lal Badshah (Attock South, Muhammadan, Rural) (*Urdu*) : The same system prevailed in the Tala Gang tahsil of the Attock district, which formed at first a part of the Jhelum district. The *inamkhors* were *zaildars* as well. When however, that tahsil was transferred, to the Attock district, those *inams* and the *inams* accruing from *zaildarships* came to be regarded as identical. Just as these *inams* were conferred upon the nobility of the Jhelum district as a reward for their services, a similar practice was followed in that tahsil and the old *zaildars* were considered to be permanent *zaildars* as their *inams* were of a permanent nature.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, Talagang is not concerned with this cut.

Mr. Speaker : Then it is not relevant.

Minister for Revenue : Sir, in the mind of my friend, for whom I have very great regard, there seems to be some sort of misunderstanding on the subject. There are three kinds of these *inamkhors*. One is the hereditary *inamkhor*, second is the *ilaqadar inamkhor* and the third is the non-*ilaqadar inamkhor*. The emoluments given in the case of hereditary and *ilaqadar inamkhors* are the same and the same rule of succession applies as applies in the case of *lambardars*. The appointments are made by the Financial Commissioner. So there is no question of taking away any hereditary *inamkhors* from the lists on which they have up to this time been placed.

As regards the *ilaqadar inamkhors*, I may inform the honourable member, that whenever an *ilaqadar inamkhor* dies, his successor is to be chosen like the successors chosen in the case of *zaildars* and *sufedposhes*. Rules on this subject are such that the Financial Commissioner has to keep in view the selection of the successor according to the rules that are in force. In the case of the third, non-*ilaqadari* people, I think generally they are being merged into hereditary *iladaqars*. The emoluments that are being given to them range between Rs. 150 and Rs. 30 a year. In the case of hereditary holders probably it is Rs. 150 ; in the case of the other people it ranges between Rs. 150 and Rs. 30. There is no intention of taking away these

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inams from the families who have rendered services to Government in the past or for whom these *inams* have been given under instructions because they had certain rights when the British Government came into possession of the Punjab. So I think the honourable member will be satisfied with this explanation and will not press his motion.

Raja Ghazanfar Ali Khan : I confess to my great regret my dissatisfaction with the reply given by the Honourable Revenue Minister, because the main question which I raised was not at all touched by him. The Honourable Revenue Minister dealt with *inams* ranging between Rs. 30 and Rs. 50, while there are *inams* of even Rs. 500 and more. The simple question is that if there is a hereditary *inamdār* who is also appointed an *ilaqadār* and owing to his death or otherwise somebody else is selected to perform the duties of *ilaqadār* in his place, whether that *inamdār* will lose his *inam* also. If the Honourable Revenue Minister is prepared to say that in the case of hereditary *inams* this condition would not apply, I will be quite satisfied. It is just possible that this being a very technical point, I might have failed to convey properly the object of my motion in those brief remarks appended to the motion. I should now like the Honourable Revenue Minister to say that the matter will receive his consideration. If he gives that assurance, I shall be delighted to withdraw the motion.

Minister for Revenue : May I say one word by way of reply. So far as my information goes, it is as I have already given to the House. If the honourable member has got any other grievance on the subject he will please bring it to my notice and I will certainly look into it carefully and do the needful.

Raja Ghazanfar Ali Khan : I am very thankful to the Honourable Revenue Minister for this offer of his and I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Removal of stones from lands.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : I beg to move :—

That the item of Rs. 31,68,500 on account of Total District Charges be reduced by Rs. 10.

The object of this motion is to invite the attention of the Government to the hardship caused to zamindars by Government issuing instructions that they cannot remove even ordinary stones from their lands. These repressive orders were issued by Government, I believe, about four or five years ago. Before that, the zamindars and the owners of land were at full liberty to make any use they liked of the ordinary stones lying in their fields. But during the past four or five years, the Government have issued orders, I do not know whether it was in connection with the amendment of the Mines and Minerals Act or whether it was for some other reason, that in future the owners of land were not to be allowed to make use of the ordinary stones lying in their fields. These orders, I submit, have caused very great hardship not only to the inhabitants of the Jhelum district but of some-

other districts also. The interpretation of the instructions, however, differ in different places. In some places the interpretation is so strict that even for the building of a tomb or grave the inhabitants are not allowed to make use of the stones lying in the fields. Neither the tenants nor the peasant proprietors of the lands are allowed to make use of the stones for building houses or charitable buildings such as temples, mosques or gurdwaras. Of course, the Government have since made an exception that for certain purposes the stones could be used after taking the permit from the revenue authorities. But this procedure involves unnecessary trouble and inconvenience. I would request the Honourable Revenue Minister to give me an assurance that he will consider the matter very carefully and will issue orders, when there is a good case made out, to amend the instructions issued by him on the subject.

I may further submit that it is of course stated in the Mines and Minerals Act that any hidden treasure or any jewels or gold mines which are discovered under the earth belong to Government and not to the owner of the land. But certainly the authors of the Act did not have in their minds such valueless stones as we generally find lying in our lands. I do not think the Government derives any enormous income from this particular mineral. Considering the fact that the income from this source is almost negligible and the resentment it has caused throughout several districts where there are stones in the fields is so great, it is worthwhile for the Government to consider whether these instructions should be allowed to remain as they are or whether they should be amended.

Mr. Speaker : Demand under consideration, motion moved —

That the item of Rs. 31,63,500 on account of Total District Charges be reduced by Rs. 10.

Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural) (*Urdu*) : I rise to support the motion moved by my honourable friend Raja Ghazanfar Ali Khan.

Raja Ghazanfar Ali Khan : On a point of order. My honourable friend is an advocate and speaks first class English. I will request him to give us the pleasure of hearing his speech in English.

Khan Muhammad Yusuf Khan : I am not an advocate. I passed my LL.B. Examination only last year. I have not so far seriously started my practice. Moreover, I have had no chance of making speeches in English in the courts.

Mr. Speaker : I am afraid, I have some hesitation in accepting the honourable member's explanation. I will request him to speak very kindly in English whether it is good or bad.

Premier : Sir, is it your ruling that anybody who has the misfortune of being a B.A., LL.B. is forced to speak in English ?

Khan Muhammad Yusuf Khan : Let me at the outset confess that I had made no preparations to make a speech to-day, in support of the amendment moved by my honourable friend, Raja Ghazanfar Ali Khan. However, I shall do my best to support him. I was submitting that these laws, it may appear, have added the last straw to the camel's back as regards the peasantry. We all know that our peasantry

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is facing every year acute poverty and appalling conditions of indebtedness. The laws—the Mines and Minerals Act and similar other Acts—have told very heavily on the peasantry of our province. I quite agree with the remarks that have been made by my honourable friend, Raja Ghazanfar Ali Khan, that if those laws are not enforced by the instructions of the Government, there would be a very negligible loss to Government but there would be enormous benefit that would accrue to the peasantry of this province. Sir, specially I would submit that there should be some relaxation in respect of the instructions that have been issued from time to time regarding the building of temples, mosques, graves and other places of worship and in particular with regard to the fact that a peasant proprietor of a certain land, who desires to construct his own house, is not allowed to remove stones for that purpose. I have already submitted that these laws are repressive and their relaxation is most desirable and it would be welcomed by the peasantry of the province, and this act will be looked upon by the people of the province as a boon and the general resentment that is prevailing in the country would be mitigated. That would certainly go to the credit of the Government.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): Sir, I am thankful to the honourable member for bringing these grievances to the notice of the Government. I may say here that in the case of temples, mosques and other places of worship stones have been allowed to be used. In the old rules there was something of the nature which my honourable friend complains of. But if my friend had taken the trouble of reading the notification in the *Punjab Gazette*, dated the 25th June, 1937, he would have found that the rule is going to be amended and that it has been published for the information of the public and inviting opinions thereon. With your permission, Sir, I will read the rule. It says :—

“The following shall be inserted as rule 6-A., after rule 6 :—

- (i) The Collector may issue a general permit for 5 years, renewable for like periods, authorising all persons, being owners or occupancy tenants of agricultural land in any estate, to quarry under the limitations prescribed in rule 5, but without applying for or receiving the permit prescribed in rules 5 and 6.
- (ii) The general permit shall be issued, as far as may be, in form M-4 in the name of the lambarدارs of the estate, and one copy thereof shall be sent to the tahsil and another to the patwari of the estate, with a direction to record its purport in his diary and report immediately to the tahsil any infringement of these rules.
- (iii) The Collector may cancel any such permit if he is satisfied that any of these rules are being infringed by the persons concerned.”

“This is the new rule which is proposed to be placed in the rules on this subject. I may tell the honourable member that his motion will receive the sympathetic consideration of the Government. I have every regard for temples, mosques, grave-yards and other places of worship for which stones may be needed.

Raja Ghazanfar Ali Khan: In view of the assurance given by the Honourable Minister for Revenue that the rules, before they are enforced finally, will be considered sympathetically, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Fees for copies of revenue records.

Khan Haibat Khan Daha (Khanewal, Muhammadan, Rural) (Urdu):
I beg to move—

That the item of Rs. 32,42,300 on account of Total D. Land Records be reduced by Rs. 10.

Every honourable member who has spoken before me in this House has tried to describe the miserable plight of the zamindars. Every honourable member of this august Assembly claims for himself the title of sympathizer, supporter and defender of the zamindars. The government are also never tired of giving assurances that many a useful scheme is under consideration for improving the lot of the zamindars. But it is a pity that none of the schemes for the betterment of the zamindars has ever been put into practice. If you want to do anything for them, do it now. I am constrained to say that the attitude of the Government in this matter may be summed up in the following words:—

تا تریاق از عراق آورده شود۔ مارگتیدہ مردہ شود

By the time you take some practical steps for bettering the lot of the zamindars they would fall into the deepest depths of ruin and destruction from which it would be extremely difficult to extricate them. The poor zamindars have many burdens to bear and they are finding it extremely difficult to cope with them. It is becoming increasingly difficult for them to make both ends meet, so much so that the satisfaction of the barest necessities of life is a problem for them. One of the many heavy burdens which they have to bear is the fee charged for revenue records. The zamindars are often engaged in litigation and they have to appear in courts in connection with various civil and criminal cases. They have to produce these records in court in connection with these cases. Some years ago, only a nominal fee was charged by the Government for the supply of such records, and even that nominal fee was paid by the zamindars with much difficulty. But now this fee has been enhanced. The zamindars who are in need of revenue records are hard put to it to pay the required fee. It will not inconvenience the Government much if they were to reduce this fee. If such reduction is enforced the Government will not suffer heavily on that account. On the contrary the Government would be able to help the poor zamindars to some extent. Any how the fee charged for revenue records must be reduced. I would humbly request the Honourable the Revenue Minister that he may kindly give favourable consideration to my submission and thereby help the poor zamindars. I know that this reduction will not mean any substantial help to zamindars, yet there is no denying the fact that they will be encouraged by this gesture on the part of the government, for as the wise men say "Something is better than nothing." With these words I commend my motion to the House.

Mr. Speaker: Demand under consideration, motion moved—

That the item of Rs. 32,42,300 on account of Total D. Land Records be reduced by Rs. 10.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): Sir, a few days back, in reply to a short notice question put by Sardar Gurbachan Singh, who happens to be my sister's son, I gave a lengthy reply which I placed on the table of the House. I am afraid it

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has not yet been read by my friend. In schedules Nos. 11, 12, 14, 15, 17, etc., attached to that reply, certain rates have been given. I think on the whole they are very favourable. An endeavour is being made to see the effect these new rates before they are extended to other parts of the province. Therefore I feel that we should have the benefit of the experience which is being gained in certain districts and after that if Government find that the rules are suitable they would extend them further. But till this experience is gained, we have to wait. I hope in these circumstances my friend will not press his motion.

3 P.M.

Khan Haibat Khan Daba : In view of the assurance given by the Honourable Minister I beg to withdraw my motion.

The motion was by leave withdrawn.

Thumb-impressions of mortgagors.

Mr. Speaker : Chaudhri Ram Sarup will move amendment No. 25.¹

Shaikh Faiz Muhammad : Is this amendment in order, because I think it involves an amendment of the rules ?

Raja Ghazanfar Ali Khan : The point of order cannot be raised at this stage. The honourable member has not moved the amendment.

Mr. Speaker : A point of order can be raised at any stage.

Shaikh Faiz Muhammad : Under the law as it stands it is not necessary that the patwari should take the thumb-impression on each occasion. He can make an entry on the strength of information received by him which he believes to be true. That information might have come to him from any source and in that case the securing of thumb-impression is altogether out of question. I invite your attention to section 34 of the Land Revenue Act sub-section (3) which says :—

The patwari shall enter in his register of mutations every report made to him under sub-section (1) or sub-section (2), and shall also make an entry therein respecting the acquisition of any such right as aforesaid which he has reason to believe to have taken place, and of which a report should have been made to him under one or other of those sub-sections and has not been so made.

This section clearly indicates that a patwari can make an entry in the mutation register independently of any report by the mortgagor or seller and as long as this sub-section stands, I think the amendment is out of order.

Mr. Speaker : What the honourable member's amendment is aiming at is that in the case of mortgages and sales a patwari should not make an entry for mutation without the thumb-impression of the mortgagor or vendor. Is that so ?

Chaudhri Ram Sarup : Yes.

¹25. Chaudhri Ram Sarup : That the item of Rs. 32,42,300 on account of Total D. Land Records be reduced by Re. 1.

Remarks.—To draw the attention of Government to the undesirability of the practice of the patwari of not taking the thumb-impression of the mortgagor at the time of the mutation of a mortgage or sale of agricultural land.

Mr. Speaker : That means a change of law. Section 84 is so wide that it leaves it to the patwari to make an entry in his book regarding mutation of land in certain circumstances. Therefore, to lay a restriction on his powers goes far beyond section 84. Consequently the motion is out of order.

Pay of Patwaris and mutation fees.

Chaudhri Muhammad Hussain (Gujranwala East, Muhammadan, Rural) : Sir, I beg to move :—

That the item of Rs. 32,42,300 on account of D. Land Records be reduced by Rs. 100

[NOTE.—To discuss (i) the low pay of the patwari and (ii) the fee charged on account of mutations on the basis of the registered deeds.]

The object of my motion is this, that Government is at present charging mutation fees on the registered deeds also as well as on unregistered deeds and oral transfers. At present the rate in the case of oral transfers and transfers on unregistered deeds is 10 annas and the rate of mutation fee on the basis of registered deed is 2 annas per khata. The zamindar is already hard hit by the economic depression and his poverty is very well known to all sections in this House.

All sections in the House are now agreed that the financial condition of the zamindar is not very sound and still if he takes land on mortgage or takes it by purchase or by gift, in addition to the charges that he has to pay as land revenue, registration fee, etc., he has to pay this additional tax. As a matter of fact the condition of the zamindar has come to such a pitch that even the Opposition benches are expressing sympathy with him, although perhaps lip sympathy. So my suggestion is that the Government should modify those rules as far as mutation on the basis of registered deeds is concerned, because this charge is in addition to the other charges which the zamindar has to incur on these transactions. With these few words I beg to move the motion and appeal to the Government to revise the rule and give relief to the zamindar.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 32,42,300 on account of D. Land Records be reduced by Rs. 100.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : Sir, I rise to support the motion moved by my honourable friend, As I was stating before, the duties of the patwari are very extensive and his emoluments are very meagre. Now in the modern days when there seems to be great enthusiasm for rural reconstruction work the Government should seriously consider whether they can have a better agency than the patwari. I think roughly the number of patwaris in the province is about 10,000.

Khan Muhammad Yusuf Khan : On a point of order. My honourable friend is again speaking on the motion that has been already ruled out. The mover of this motion has not touched the pay of the patwaris. I think he has deliberately left aside that point and my honourable friend is now discussing the very matter which has already been ruled out.

Shaikh Faiz Muhammad : The point raised by the honourable mover is also out of order as it involves an amendment of certain statutory rules, rules made by the Financial Commissioner.

Mr. Speaker : That depends on the interpretation of the expression, 'low pay of the patwari.' If the object is to make a request or suggest that the pay of the patwari be raised, I think that, as this can be done by Government without the change of law, the motion will be in order. As to the other point, that is, the fees charged on account of mutation on the basis of registered deeds, I do not know whether the rules on this subject are made by the Financial Commissioners or by Government.

Premier : The honourable Financial Commissioner, so far as I am aware. I think the convention is that normally they are approved by the Government before they are issued.

Mr. Speaker : As the rules are made by Financial Commissioners and not by Government and as Government cannot direct the Financial Commissioners to make or not to make any rule, though it has the right to disapprove those rules, the second motion is out of order, while the first one is in order.

Raja Ghazanfar Ali Khan : I thank you.

Premier : On a point of order. May I point out that the patwaris are not Government servants, and therefore the honourable member's motion is not in order.

Raja Ghazanfar Ali Khan : May I submit that the explanation given by the Honourable Premier makes it much easier for the Chair to rule it in order.

Mr. Speaker : I have given my ruling and stick to it.

Raja Ghazanfar Ali Khan : I was submitting that there is a great movement for village reconstruction in the Punjab and I think everyone of us in this party has a kindly interest in that particular activity of the administration. We find that there are ten thousand patwaris who are posted to different villages in the province.

Minister for Revenue : Ten or 15 thousands ?

Raja Ghazanfar Ali Khan : I am speaking subject to correction. I was just giving a rough estimate. If there are 15,000 so much the better. We find 15,000 men living in the villages who are already experts in keeping and maintaining most difficult revenue records and I claim that this is the cheapest system in the world of maintaining revenue records and collecting agricultural statistics. Nowhere in the world have you to pay Rs. 20 a month to a man who is entrusted to do such an important work. I, therefore, submit that the Government should pay special attention to this question and see whether they cannot modernize the patwaris. While everything in the world is changing particularly in our country, the old patwari remains still at least 50 years behind times and I think the only way the Government can modernize him is to raise his salary and his status. In that case naturally this post will attract better men and we can devise some means by which these patwaris first go to a certain administrative agricultural farm or to some separate training school opened for them where they are given some special training in rural reconstruction work.

Mr. Speaker : The honourable member is not relevant now.

Premier : The honourable member has a free run of the House.

Raja Ghazanfar Ali Khan : I do not think so, because the Honourable Speaker is very particular to see that the debate is confined to the procedure of the House. There is a strong case that the condition of these patwaris ought to be made better and salaries increased. Look at these elections. The patwaris are asked to prepare electoral rolls throughout the province where the number of rural voters probably will run into lakhs in this province, and the work involved is of great responsibility. It is the patwari who does that work, and if I do not make a mistake, without any remuneration. It was perhaps in the last elections that they were paid Rs. 5, but considering the work involved this amount is so small. It means that in future we shall be asking these patwaris to do more work than they have been doing so far. I would therefore request the Government not to brush aside this question because the poor fellow happens to be just a patwari, although everyone of us is conscious of the powers he wields and possesses, even the biggest landlord belonging to any political group is interested in seeing that he is in the good books of the patwari.

Minister for Revenue : Hear, hear.

Raja Ghazanfar Ali Khan : Instead of encouraging this eagerness of the landlord to please the patwari, we should try to raise his emoluments. A word about the consolidation of holdings. Now that the Government has started that scheme, just imagine what an important factor the patwari would be in this scheme. If he is inclined in the wrong way he can raise so many difficulties in the way of consolidation. He wields a good deal of influence in the village. On the other hand if he happens to be a man of the right type, he will assist the Government very much. I would, therefore, request the Honourable Revenue Minister to consider the case of this poor deserving Government subordinate official.

Minister for Revenue : They are people's servants.

Raja Ghazanfar Ali Khan : We are all people's servants. I request you to consider this case very sympathetically, because there is no honourable member in this House who does not support this motion. Something should be done to make the condition of the patwaris better.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, after all, the honourable mover, Raja Ghazanfar Ali has had his way and has got permission to move this motion about patwaris. He has himself said that there are three grades of patwaris, one getting Rs. 26 a month, and the other Rs. 23, and the third Rs. 20 a month. We have got 20 per cent. in the first grade and 40 per cent. each in the second and third grades. Considering the pay that we have been giving them, the Government thought it advisable to give them certain other concessions and we gave them the benefits of the provident fund. That is one thing that has been given to patwaris in the year 1930. Besides we give them inams, bonuses of Rs. 200 when they retire from service in the case of patwaris who were drawing Rs. 26, Rs. 160 in the case of patwaris getting Rs. 23 and Rs. 120, in the case of patwaris getting Rs. 20 a month. Besides, my honourable friend knows that a greater portion of the fee for giving copies of revenue records goes to them and in the case of mutation fees they also get $\frac{1}{3}$ th share. The number of patwaris, as far as my knowledge goes, is something like 15,000 in the province. If you give Rs. 2 in

[Minister for Revenue.]

the case of each patwari that would mean to the finances of the province something like Rs. 90,000 a month. Has my friend considered what will be the effect of this on the budget of the province and how would my friend the Finance Minister feel? Will he feel happier or sadder to have to provide such a big sum of money in the budget of the province? If we give this concession in the case of patwaris, I think the next people to whom this concession shall have to be given will belong to the department, which is in the portfolio of my friend the Minister for Education. I refer to those teachers in the schools whose salaries are very small, and we shall have to consider whether their salaries too should not be enhanced. (*A voice: They shall come before the patwaris.*) My friend says they shall come before the patwaris. On the other hand I think the House should realise that it is our first duty in this province, if funds are available to give concessions in the case of poor zamindars (*hear, hear*). If we consider their case first, I think it must be our first duty to give concession to the poor zamindar whose case has been pleaded not only by this side of the House but by the other side of the House as well which unfortunately today is empty. Therefore, I urge that this proposition which seems to be a very innocent proposition, is bound up with great financial responsibility which Government shall have to accept and I strongly urge the House not to agree to this proposition. If my friend would kindly withdraw his motion after what he has heard from me I shall be very grateful.

Raja Ghazanfar Ali Khan: Sir, may I ask one question from the Honourable the Revenue Minister? Is he in a position to promise that if and when the financial condition of the province permits this question will be considered?

Minister for Revenue: How can I bind this House to any such undertaking? We are in office today; we may not be there tomorrow and the Opposition may occupy these benches. How can I bind my successors?

Nawab Khan Shah Nawaz Khan (Ferozepore Central, Muhammadan Rural) (*Urdu*): I regret that I have to oppose this motion, for according to an English saying the honourable mover of this motion is backing the wrong horse. He is pleading the cause of that class of servants which does not deserve any assistance. The sources of a patwari's income, which I do not wish to lay bare before the House, are so extensive that his financial condition is, I am sure, far better than that of the honourable mover of the motion. (*Laughter*).

My second reason for opposing it is this. My honourable friends have persistently been emphasising on the floor of this House the problem of the zamindar's misery and hardships. Now, it is a well known fact that the salaries of patwaris are paid out of the local rates, hence any increase in their pay will necessitate larger contributions by the zamindars to that fund. With these words I oppose this motion.

Chaudhri Ram Sarup (Rohtak Central, General, Rural) (*Urdu*): I, too, rise to oppose this motion. This is based on my cut motion which has already been disallowed. There is a saying to the effect—

آسمان پر ژالہ باری اور زمین پر پتواری

(*Laughter*). Both these are calamities from which there is no escape. A person who has the misfortune of incurring the patwari's displeasure can find no shelter on the face of the earth. And hailstorms as you know, Sir, completely annihilate crops.

I want to draw the attention of the House to the fact that far too many powers have been granted to the patwaris. It is open to him to transfer land from one person to another on the testimony of the lambardar alone, and the naib-tahsildars too invariably confirm such alienations, deeming the lambardar's evidence to be quite sufficient. I will give you an instance from my own district to show how things are manipulated. A person owned some land in the village Makroli Kalan in the Rohtak District. Similarly another person was a pattidar in the same village. The latter went to a neighbouring village where he accidentally fell ill. Now, the first pattidar thought the patient would not survive. So he took a third person to the village patwari and told him that such and such a pattidar (meaning the person who was ill) had sold 200 bighas of land to that person. The patwari lost no time in effecting the transfer on paper which was in due course confirmed by the naib-tahsildar. The man to whom land had thus been transferred, thinking that the real owner had died, tried to get his share from the relations of the owner supposed to be dead. In the meantime it was discovered that the owner was alive, and the upshot of the whole muddle was that the case went to the Deputy Commissioner. Now supposing the real owner had actually succumbed to his illness. Is there any honourable member who could say with certainty whether the transfer of land in question was real or spurious? What remedy would there have been to ascertain the truth? On these grounds, Sir, I submit that the salary of such an unscrupulous servant as the patwari should not be enhanced.

There is a standard for everything. To get a patwarship it is enough that one should possess a primary school certificate. Do you wish to pay Rs. 40 to a patwari while you are employing graduates on Rs. 25 or Rs. 30? The need of the hour is the raising of the educational standard so that better men may be attracted to services. (*Cheers*). First raise the standard and then enhance the pay. In that case better and more honest people would be prepared to enter the services. With these words I oppose this motion.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I have heard with great interest the speeches made with regard to the emoluments of patwaris and it is not my business to enter into a debate on this occasion because my honourable friend on my left has spoken about it. But the last member's speech has led me to say a few words in defence of this very useful village official (*hear, hear*). As you are aware, he has not only to keep the village records in proper and correct order, but he has got other multifarious duties to perform. For instance, during the census he has to supply us with statistics, whenever we want them, with regard to cattle and other things and there are numerous other duties which are detailed in the Financial Commissioners' Standing Orders. If the honourable members of this House were to peruse those Standing Orders, they will know that the patwari, who is not a Government official but a village official,

[Premier.]

is a very hard worked gentleman. There may be black sheep amongst patwaris as there are in other departments, but that is no reason why we should condemn the class as a whole. I personally have great sympathy with this village official. It is, as the honourable member said, our duty to see that we get a good type of patwari but that does not necessarily mean that we should condemn all patwaris who are serving at the present moment. My colleague, the Honourable Revenue Minister, has already informed the House that we raised their salaries sometime ago and that the benefit of Provident Fund has also been given to the new entrants since the year 1930 and they also get a bonus at the time of their retirement. I shall be only too glad to give the patwaris an extra salary if our finances had permitted us to do so, but unfortunately, as you are aware, we are not particularly prosperous and there are several other more important things to which we have to look before we can give relief even to this very deserving official. For instance, the honourable members are perhaps aware that there are several hundreds and thousands of school-masters who are getting only a small pittance but to whose hands is entrusted the education of our children. On them largely depends the training of the younger generation. We have to look to their interests as well. If we have got any spare money, perhaps it may be necessary for us to give them preference over the patwaris and other people. Similarly, as you are aware, practically the whole of this House including the Opposition, who are not present to-day, are anxious that we ought to be able to give some relief to the smaller zamindar and the smaller land-owner. Whenever we have a little surplus we have to provide for their needs before we can give relief to our friend the patwari. My honourable colleague has also informed the House that there are nearly fifteen thousand patwaris and if we were to give them an increase of say Rs. 2 each, it would mean Rs. 3,60,000 a year. I wish I had Rs. 3,60,000 a year because I could have very usefully spent it in the villages for providing amenities to the villagers, but we are helpless when we have no money to spare. After we have met the conditions of our brethren, the smaller peasants, we shall be only too glad to consider sympathetically the question of raising the emoluments of the patwaris.

Chaudhri Muhammad Hussain : In view of the assurance given by the Honourable Minister of Revenue and the Honourable Premier, I beg to withdraw the motion.

The motion was by leave withdrawn.

Fall in water level in the Doaba.

Sardar Sahib Sardar Gurbachan Singh (Jullundur West, Sikh, Rural) : I beg to move—

That the demand be reduced by Rs. 1.

I beg to draw the attention of the Government to the progressive fall in water level in the Jullundur and Hoshiarpur districts. In the old Council I often tabled a resolution to recommend to Government to take immediate steps to remedy the falling of water level in the Doaba, but have been rather unfortunate that it never came out in the ballot and the same has been its fate this year. I have no doubt been strongly emphasising this point

in the Agricultural Sub-Committee of the old Council and the Joint Development Board. The water level has been steadily falling, and in an address presented to Sir Malcolm Hailey—now Lord Hailey—we pointed out how the wells, on which the prosperity of the small landholdings depended, were drying up. We have been trying to conserve rainfall by a system of *watbandi*, but when there is no rainfall *watbandi* is absolutely useless. Whatever may be the advantages of *watbandi*, they are only temporary, and it provides no permanent remedy. The rapidity with which the wells are drying up is very alarming and even the sinking of “*Bochies*”—*i.e.*, a small well sunk inside the well—has not been of very great help, because at forty or fifty feet from the ground level, a strata of hard clay is met where there is no water. The data collected by me of the boring of my tubewell and a boring done in one of my other wells show that this strata of hard clay goes down to a depth of 120 feet or in other words to a depth of 160 or 170 feet from ground level. But the unfortunate part is that even after that no water bearing sand is available and one has to go down as deep as 260 to 300 feet before a good strata of water is available. It is beyond the power of any ordinary zamindar to take down his well to such a depth and even if it could be done, it is well-nigh impossible to draw up water for irrigation from such a depth by any ordinary means. The people of the Doaba are not an idle lot. They work their small holdings to its best advantage. Most of them are doing intensive agriculture, and I can safely say that Jullundur takes the first place in marketing vegetables out of season (*hear, hear*). No crop can be matured without water and when the wells fail, I leave it to the House to imagine the misery of the poor peasant. Again in consolidation work Jullundur is second to none—so much so that even the Viceroy was pleased to visit the place early last winter to see this great improvement. What is the good of that improvement when there is no water to work the consolidated holdings? I will say with all the emphasis at my command that immediate steps should be taken to remedy this evil and thus help the people, who have helped themselves so wonderfully. As a layman I wish to suggest the following methods. The first is that the water from the choes be stored up near the foot of the hills by making a big dam and then running it in a network of channels through this area. Secondly, to pump up water from the river Beas and allow it to flow in these channels. In my opinion the latter will be cheaper and efficient, because there is plenty of water in the Beas river and even to-day we have heard in answer to a question from the Honourable Revenue Minister that there is a proposal to throw the surplus water of the Ravi river into the Beas. Moreover, Hydro-Electric energy can be used for pumping up water with great advantage. Lastly, Sir, I would strongly request the Government that until something is done to keep up the water level in the wells it is but just that an adequate remission in the land revenue should be given permanently to this part of the Punjab.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Re. 1.

Sardar Dasaundha Singh (Jagraon, Sikh, Rural): Mr. Speaker, the Doaba tract is the most densely populated part of the province. It is full of petty land-holders. On account of the increase in population

[S. Dasaunda Singh.]

the holdings had to be divided and sub-divided and the poor peasants came to have very small holdings indeed. As a matter of necessity they had to have recourse to consolidation of holdings privately and after consolidating their holdings they had to sink wells and their main source of livelihood depended upon agriculture by means of well irrigation. Now on account of the water level having gone so low, those people have suffered very much. The only way in which they could make their livelihood by agriculture was by way of intensive agriculture, and there being no canals and the holdings being so very small those people had to depend upon well irrigation alone. In certain places the level of water has gone so low that it is difficult for them to have sufficient water even for drinking purposes. The condition of those people is very sad indeed and they stand in need of Government help in some form or other. My friend has suggested several ways in which some help can be rendered to those poor peasants, poor petty land-holders. Whatever way is adopted by Government, their case is so very sad and their plight so bad that something should indeed be done and that at the earliest opportunity.

With these words I support the motion moved by my friend.

Rai Hari Chand (Una, General, Rural) (*Urdu*): Sir, I have risen to support the cut motion moved by my honourable friend Sardar Gurbachan Singh. I beg leave to draw the attention of the House to the fact that the zamindars of Doaba (Jullundur and Hoshiarpur) are so very unfortunate, that their complaints about the scarcity of water have neither been attended to by nature, nor the Government have thought it advisable to pay any heed to it.

Now in order to remove this scarcity of water the zamindars of this part of the country did their best to combat the forces of nature, *i. e.*, they sunk good many wells in their lands and spent lakhs of rupees over them. I wonder as to why the Government constructed canals in areas where the people have other means of irrigation at their disposal. But nobody cares a fig for this waterless area. To add to the miseries of the inhabitants of the Doaba, nature has decided to bring about a fall in the water-level of this area. The result has been that the people who had spent hundreds of thousands of rupees on the sinking of wells, have now given them up as useless. There is not a drop of water left in them and they are as dry as dust. In spite of all this the zamindars are spending lakhs of rupees every year, but they are not getting a drop of water in return. The area which was once very fertile and was noted for its smiling fields has now become an arid waste. As far as the eye can see, nothing is visible except barren lands completely devoid of vegetation.

The zamindars are not the only losers. The Government have also to forego its share of the revenue. I humbly request the Government, that if nature has failed to come to the assistance of the poor people of this ilaqa, it behoves them to come to their rescue. If the Government do not take pity on them, they themselves would be the losers. It is not only a question of showing pity to really deserving people, but also it is the bounden duty of the Government to help these people. If the Government do not extend a helping hand to these people they will not only be

failing in their duty, but would also be losing a good deal of revenue. I once again beseech the Government to help the poor people of this ilaqa and thereby save itself from heavy financial loss.

Rana Nasrullah Khan (Hoshiarpur West, Muhammadan, Rural (Urdu) : Sir, I rise to support the honourable mover of the cut motion. The lands of zamindars in Jullundur and Hoshiarpur are daily becoming waste and uncultivable. The area which was once termed the garden of the Punjab, is dwindling down to unproductive and barren lands. The reason is not far to seek. Previously the roots of the trees remained immersed in water and that is why they grew at a tremendous rate. Now, as the level of water has fallen down and wells have become dry, sufficient water is not available to help the growth of fruit trees. The net result of this has been that the trees bear fruit no more. Again, as no water is available for the irrigation of lands and fruit trees are no longer bearing fruit, this part of the country is being vacated by the sons of the soil. I would, therefore, humbly submit that the Government should take cognisance of the sad plight of the residents of this ilaqa and devise ways and means for improving their lot. It is quite clear from the condition of the villages that at least one-third of the population has migrated to other parts of the country. If there is no change for the better, I am afraid that the rest of the zamindars would also leave Jullundur and Hoshiarpur for good. In view of the facts mentioned above, I humbly request the Government to take into consideration the miserable plight of the peasants and do something to alleviate their misery, *e. g.*, the Government should take steps for raising the water-level in these two districts.

(At this stage Mr. Speaker left the chair and it was occupied by Mr. Deputy Speaker).

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): I have very great sympathy with the zamindars of Hoshiarpur and Jullundur in their difficulties which have been so well expressed by Sardar Gurbachan Singh in this House. My friend would recollect that in reply to a question I gave him certain information as to the steps that are being taken by Government to meet the situation. He has put forward before me to-day certain other proposals which require full consideration at the hands of our engineers. In reply to a question I said that surplus water from the Ravi is being taken into the Beas so as to increase the supply of that river. It is not that we are going to increase the supply of that river. We are going to increase the supply of another canal by taking extra water from that river to be used further on and relieve the shortage of water in certain districts. On the other hand the position is this. The scheme of working of tube-wells by hydro-electric energy has to be considered from a very broad point of view. An officer of the Irrigation Branch was deputed to go and personally look into the working of the scheme in the United Provinces. My honourable friend will understand that the conditions in the United Provinces and the conditions in the Punjab are somewhat different. In the United Provinces we have got larger rainfall than in the Punjab. Therefore, the situation there is not so very acute and if they have to pump water from the wells by means of electricity that is available. My honourable friend, the Minister for Public Works has given me an assurance that the hydro-electric scheme

[Minister for Revenue.]

would be extended to this part of the province for the purpose of pumping water. But there are some other difficulties as regards the water to be pumped from the tube-wells, because it is possible that the water may be saline and if this water is used for irrigation, the lands may become deteriorated. Therefore, the question requires fuller consideration. I can assure my honourable friend that we will sympathetically consider the proposition that he has put before us and that we will do our best to meet the situation. I hope in view of these remarks of mine he will consider the desirability of withdrawing his motion.

Sardar Sahib Sardar Gurbachan Singh : Before I withdraw the motion I should like to say a few words in reply. I certainly have every hope that the Honourable Revenue Minister will do something for the poor peasants in my part of the province. But he has mentioned that the extra water of the Ravi river will be drained into the Beas for the purpose of taking advantage of the water supply to irrigate further areas under the canal where it is required. But what I mean is that we do not want water from the canals suggested by me, but I want the canals only to run through our parts. If that is done that will raise the level of the subsoil water. The Government is quite welcome to take the canal water to wherever it likes, only it should pass the canal through our areas. If that is done the sufferings of our people will be greatly relieved.

Secondly, the Honourable Revenue Minister pointed out that the experiment of tube-wells was in charge of some executive engineer. But as far as I know those experiments are being made in the Gurdaspur district where there are plenty of canals already. The Government should try the experiment in our parts. Next, it was pointed out that the underground water may be saline. My experience and the experience of many other people who have bored their wells show that there is no saline water at any strata in the Doaba. I again request the Government that instead of dealing with the matter in the way the Honourable Minister has replied he should at least appoint a committee of executive engineers or other experts to go thoroughly into the matter. That will at least be a step in the right direction. With these words I beg leave to withdraw the motion.

Minister for Revenue : May I say one word before the motion is allowed to be withdrawn. Surely the honourable member who has just resumed his seat (Sardar Sahib Sardar Gurbachan Singh) knows that the water that has to be taken from the Ravi to the Beas cannot be done by overhead canals as in the case of electricity which is carried by overhead wires. The canals have to pass on the ground. Therefore, the benefits that will accrue and which he has in view must be there. On the other hand, as I have said, a special officer has been appointed to look into the matter and if need be we have got three chief engineers and also the Chief Engineer, Hydro-Electric Scheme, who would be available for consultation on the subject. I do not think there is any necessity to appoint a special committee to look into the matter as suggested by the honourable member. I think, my friend should depend upon it that the matter will be looked into by experts who are available even in our own province and that we need not go out of the country for specialists to go into the matter. I may inform the honourable member that at first our idea was to start 181 wells. We

later found that to start an experiment of that nature may be very costly. Therefore, the idea came into the mind of Government that we had better make an experiment in Qadian in the Gurdaspur district. I think three wells were sunk, but they have not yet started working to give us the necessary experience. Gurdaspur, as my friend knows, has got greater rainfall than the Jullundur district. I can only assure him that the matter will be most sympathetically considered and we will do our best to meet the situation that has arisen in the districts of Hoshiarpur and Jullundur with whose people we have our fullest sympathy.

The motion was by leave withdrawn.

Damage to lands caused by the Jhelum and by hill torrents.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural)
I beg to move—

That the demand be reduced by Re. 1.

The object of this cut is to draw the attention of the Government to the hardship and loss caused to zamindars on account of their land and houses being washed away by the river Jhelum and other hill streams in the Jhelum district. I beg to submit that during the last few years considerable damage has been caused to the lands in the Jhelum district particularly in Pind Dadan Khan Tahsil so much so that in certain cases even small villages have been altogether washed away. To my great regret I submit that the Government has paid no attention towards redressing that grievance and making up the loss. Fortunately or unfortunately our district happens to be a district of peasant proprietors. We have not got any big landlords in that district. Most of the population entirely depends upon the little holdings which it possesses; and a permanent damage caused to these holdings means ruin of many happy homes.

Government have been allotting large portions of lands in colonies for different purposes. I would request the Honourable
4 P.M. Revenue Member to consider whether it would not be possible for him in deserving cases to give some land in some colony area? I may submit that this damage has increased since the last few years, because the bed of the river Jhelum has risen and now it is not capable of carrying so much quantity of water as it used to carry before. The result of the rising of the bed is that even a small rise in water results in heavy floods. Sir, if I may be permitted to say, the Government are to some extent responsible for this damage, because one of the reasons of the bed of the river Jhelum having risen is their digging canals from that river. I would, therefore, submit that even if these damages do not involve any legal responsibility on the Government, the moral responsibility is theirs. I am sure, the House will agree with me that in case a permanent damage is caused to the land of an ordinary poor zamindar, the Government are morally bound to consider his case. I will not detain the House any longer on this matter. I have no doubt that the Honourable Minister for Revenue will give a very sympathetic and generous consideration to this request which I have made. I know it is impossible for him to find out exactly how much land has been washed away or how much damage is caused by the floods. I cannot expect that, but I

[Raja Ghazanfar Ali Khan.]

will be satisfied if he will be prepared to issue instructions to deputy commissioners and other officers that in such cases a report should be made to the Government and if the Deputy Commissioner thinks that there are some deserving cases where Government ought to give some compensation, they must sympathetically consider that matter. I hope this is a modest request and the Honourable Revenue Minister will find his way to give a sympathetic reply.

Mr. Deputy Speaker : Demand under consideration, motion moved—

That the demand be reduced by Re. 1.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): Sir, I do not want to take up any more time of the House. I have said this morning that the matter is receiving the attention of the Government and that the people are being given lands in colonies. I assure the House that cases of those people who have suffered by floods will always be considered sympathetically and if they are considered to be good cases, these tenants will be provided for in those colonies. That policy would be pursued systematically as has been pursued in the past. I will further inform for my honourable friend's satisfaction that the deputy commissioners will be instructed that cases of hardship by river action or hill torrents should be specially reported to the Government for their consideration and when such cases come to us we will do our best to consider them.

Raja Ghazanfar Ali Khan : Sir, I am not using any conventional language when I say that I am very grateful to the Honourable Minister for Revenue for his reply. I am sure that he will consider those cases in the same spirit as he has been replying to the question to-day, and, therefore, I have great pleasure in requesting the House to allow me to withdraw my motion.

The motion was by leave withdrawn.

Inclusion of Kamins among the Agricultural Tribes.

Subedar Major Farman Ali Khan (Gujar Khan, Muhammadan, Rural) (*Urdu*): I beg to move—

That the demand be reduced by Rs. 100.

Sir, my object in moving this motion is to draw the attention of the Government to the fact that non-agriculturist kamins of the Rawalpindi district are getting their names registered as members of agricultural tribes.

Sir, much has been said about the poverty of the zamindars, but nothing has been done by the Government to protect them from the misfortunes that are descending upon them day by day. Before I come to the real point I would like to compare the financial condition of the agriculturists with that of the non-agriculturist tribes. The Rawalpindi district is a mountainous district full of khuds and there is very little area left for cultivation. Only a few kanals of land fall to the share of each cultivator. Some years ago, His Royal Highness the Prince of Wales while *en-route* to Rawalpindi got down at the railway station of Gujarkhan. His Royal Highness was wonder-struck to see the condition of that area and he could not refrain

from remarking? "Here are nothing but khuds. How do the inhabitants manage to live?" Only those people, who have seen this ilaqa can realise the position of its inhabitants. In short, if the economic condition of the zimin ars of other districts is bad, the economic condition of the zamindars of the Rawalpindi district is not worse but is the worst as compared with other districts of the province.

Now I will say a few words about the economic condition of the non-agriculturists. Every carpenter or iron-smith earns Rs. 2 per diem by manufacturing charpais, tables, chairs, etc. Moreover, every one of them gets at harvest time one maund of grain for every plough, and so these workmen are quite well-to-do. Now take the case of a shoe-maker who earns Rs. 2 to Rs. 10 per day by manufacturing shoes decorated with gold-thread, and so this class of workmen is also rich. A tailor does not lag behind. He also earns Re. 1 to Rs. 7 per diem by sewing coats and pants. If a weaver winnows four seers of cotton in an hour he is sure to get one rupee. Many centuries ago these people came from Kashmir. Most of them are engaged in trade and are quite well off.

In the whole of the district they have not got a single zamindari village of their own. They possess only a few houses in each village. In the settlements of 1864-65, 1882 and 1907, they were declared as non-agriculturists. Moreover, in the 'Wajb-ul-araz' their names were entered as kamins. Again in their birth registers their real caste has been entered as kamins. In the year 1900 when the Land Alienation Act was passed, they did nothing to oppose it. And to add to this they have never suffered the hardships attendant upon cultivation. On the other hand they make fun of zamindars saying that but for the fact that they are zamindars they would not be obliged to do the ploughing in hot weather. The zamindars of this area are so poor and backward that even these people do not consider them as worthy of being called human beings (*Laughter*).

Many of them have after receiving education entered Government service and there are a number of lawyers amongst them. When anybody steps into a village, he naturally concludes from the outward appearance of well-built houses, that either they belong to big zamindars or to some rich man. But on inquiry it is learnt that these palatial buildings belong to kamins, while the nearby huts belong to zamindars, the owners of the lands. These vile creatures have reduced the zamindars to abject poverty and now they want to make them completely destitute. These wild beasts who owe their very existence to zamindars are out to destroy them completely.

When Mr. Thorburn, Commissioner, Rawalpindi Division, a kind-hearted British officer, saw the miserable plight of the zamindars, he urged upon the Government the desirability of passing the Land Alienation Act, and his suggestion was accepted. When this Act came into force a little life was still left in the zamindars.

Now I would say a few words about the products of this ilaqa. Barley, jawar, maize and millet are the main products of this district. Barley is the staple food of the people of the ilaqa, but it is not palatable to every one. If one were to take it once, one will not be able to digest it for at least three days. Such is the food of the zamindars of this ilaqa.

[Subedar Major Farman Ali Khan.]

One of the lady members raised an objection in this connection. My reply to her is this—

زر کا سودا ہے زر کا خدا

پیر والے آڑ گئے زر کا خدا

She should take into consideration the conditions under which the women of my ilaqa are living, and not judge them by her own standard. Let me add this for her information that they pass their lives in one tattered garment. In the presence of these circumstances it will not be correct to say that my ilaqa is rich and well-off. If the women of my constituency come to know the fact that their sisters at Lahore pass a life of ease and luxury, they would gather together and invade Lahore (*Laughter*). The food they eat and the dress they wear are always of a very inferior quality. In fact they get nothing.

I would request the Government that people who are really kamins and have been entered as such in Government registers should not be allowed to change their caste. The people who brought rack and ruin in their wake and tried to destroy the zamindars have gone to render their last account but the zamindar is still alive.

In ancient times when invaders from the Kabul side came to India, my district bore the brunt of these invasions. We are used to hardships, and inspite of our poverty and backwardness, we have not given up our self-respect (*Applause*). We have been living the lives of soldiers. Many honourable members of this House have described the budget as a result of their hard labour, but in my opinion it is the outcome of our blood. The sons of zamindars of this area get only four kanals of land as their share, and naturally we are obliged to get them recruited in the Army on Rs. 13 per month. Most of them die on the battle-field. I myself have witnessed soldiers being shot and wounded by the bullets of the enemy. Now the money that we get for our service in the Army goes to pay our share of the land revenue.

Most of the outside public regards the Afghans as bold and daring. We have fought side by side with them. They are hungry and a hungry man is generally a desperado. It is common knowledge that a hungry wolf would even risk its life for the purpose of procuring its food. The same is true about the Afghans. Now it behoves you to help us, because our poverty is endangering ourself-respect. At the same time I want to bring this fact to the notice of the House that the number of murders committed in Tehsil Gujar Khan alone exceed the number of murders committed in the rest of the Punjab. The main reason for these murders is quarrels over landed property.

In order to contravene the provisions of the Land Alienation Act, these people have had recourse to two devices. The first is the transfer of land by means of 'benami' and the second is the changing of their caste. By adopting these two devices they have made the Act almost inoperative.

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

Again these people are rich. They can educate their children. But the zamindar is poor and is unable to send his children to school.

In spite of this difference between the two, the Education Department has provided no facilities for the sons of the zamindars. The non-agriculturists have now taken a further step viz., that they are changing their caste. It has caused widespread unrest among the inhabitants. I toured the countryside and placated the people, but I have recently received a letter to the effect that disturbances broke out on 20th June, 1937, between zamindars and kamins in which fire-arms were used. Two people have died. I may add here a word or two for the information of the honourable members that these people can easily procure fire-arms from beyond the frontier. I, therefore, request the Government that something should be done to pacify this area.

Mr. Speaker : I would request the honourable member to confine his speech to the motion.

Subedar Major Farman Ali Khan : I was explaining, Sir, that a new step has been taken. One man is the plaintiff and the defendant is the Secretary of State, who is in London. His estate cannot be attacked (*Laughter.*) The Public Prosecutor appears on behalf of the Crown, and he is reported to be a non-agriculturist. I am not casting aspersions on any department. The non-agriculturists who are engaged in some lucrative trade, Government service or the legal profession become rich in no time, and then each one of them wishes to become a landowner to the utter destruction of the poor zamindar who is deprived of his land. The Land Alienation Act has been set at naught—rather blown to pieces. About 200 non-agricultural families have become agriculturists by a slight alteration in their caste. The public prosecutors readily accept their claims without consulting those whom this conversion affects so vitally. I request the Government to take early action in the matter and give me an assurance to the effect that something will be done in the near future.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Prof. W. Roberts (European) : I should like to protest against too rigid a handling of this question. I do not think it is a good sign for the future that those who have the privileges should be eager to maintain them in the face of classes of people who in the future we have to reckon with as members of the legislature in the Punjab. I must speak on their behalf because I do not see any of them ready to speak for themselves. I do not wish to say anything particularly against the motion of the Raja Sahib, because I do not pretend to know anything about the trouble in that part of the Punjab. But I do appeal to the Government and to the House generally not to raise these issues if they can help it, because if this province is to progress we should all try and help the scheduled castes to take a more important part in the life of the Punjab (*Hear, hear.*)

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan; Rural) (*Urdu*) : It is undoubtedly true that the agriculturists and the non-agriculturists are all alike. The agriculturists cannot claim greater respect and more extensive privileges for themselves as compared with the non-agriculturists. But the question is that if this process is allowed to continue, the Land Alienation Act will soon become a dead letter. The non-agriculturists have been dispossessing the zamindars of their lands by means of the benami

[Chaudhri Ali Akbar.]

transactions. Their means of income are such that they can make a large fortune in no time. In these days when owing to the heavy fall in the prices of the agricultural commodities the zamindars are quite penniless, they can be easily duped into selling away their lands. As Raja Farman Ali Khan has just said about two hundred families have been ruined in the Attock district alone. The non-agriculturists can easily become agriculturists by issuing a notice to the Secretary of State. There is nobody to plead the cause of the zamindars. The claims of non-agriculturists are readily accepted without so much as demanding a proof of their validity.

I may add, Sir, that a good many Barwalas of the Gurdaspur district have become Rajputs. This influx of the low caste Barwalas into their ranks is a matter of disgrace for the genuine Rajputs, who have begun to feel their shame very acutely.

Begum Rashida Latif : On a point of order, Sir, I just want to ask the honourable member what he means by the high and the low castes. Does he intend to insinuate that the high caste people are human beings whereas the low castes are not ?

Subedar Major Farman Ali Khan : Here the question is that of the rich and the poor alone. What right have the well-to-do people to ruin the zamindar by snatching away his land ?

Begum Rashida Latif : The honourable member has been saying that land should not be alienated to the low caste people. What are low castes ? Does this term apply to his own tenants or to us, the urbanites ? I would submit, Sir, that the purchase of land by the urbanites will do much social good. This will lead to an exchange of ideas between the town and the village and the present estrangement between the two sections of the population will disappear.

Mr. Speaker : The Begum Sahiba is now making a speech. The point of order is finished.

Chaudhri Ali Akbar : Another harm that this process has done is that it has led to the corruption of the aristocratic stocks. The new fangled Barwala Rajputs do not hesitate to give their daughters in marriage even to non-Rajputs—a fact which has brought ruin and shame to so many noble families. I, therefore, strongly urge, Sir, that the process of alienating land to non-agriculturists should at once be stopped. With these words I support Raja Sahib's motion.

Khan Bahadur Nawab Chaudhri Fazal Ali (East Gujrat, Muhammadan, Rural) (Urdu) : Sir, my submission is that in my opinion the proposition expounded by Raja Sahib has not been clearly understood. As a matter of fact what Raja Sahib means to say is that the provisions of Land Alienation Act are being misused and consequently its real aim is being set at nought. We do not wish to call a community or class big or small or good or bad, nor do we want to raise the question of urban or rural interests. What we want is the enforcement of this Act in the true sense of the word without showing favour to any community or religion. Hindus, Sikhs, Muslims, Christians, Kamins, etc., whether belonging to urban or rural areas, are all included in the agricultural community. We consider

the members of all communities as our own kith and kin so much so that we regard even a sweeper as our brother. The celebrated poet Sheikh Saadi rightly expresses our sentiments in his couplet :—

بنی آدم اعضای یکدیگرند
که در آفرینش یک جوهر اند

i.e., the whole mankind has been borne of one mother and one father, and therefore all human beings are equal in our eyes. In fact we do not look down upon anybody. If we were to do so, we shall be committing a sin against our religious tenets, and more especially we shall be untrue to the party which does not recognise any difference between one member and another on the score of his religion or community. (*Hear, hear and cheers.*)

Sir, I was submitting that the Land Alienation Act was passed and enforced with the sole purpose of protecting the interests of zamindars, whose only means of livelihood is agriculture. On the contrary the professional class can earn their living in several other ways. They are masters of many industries. But this brave community is being gradually robbed of its lands. Thanks to the enforcement of the Land Alienation Act that you see here the faces of zamindars. But for this Act they would have perished long ago. Now the question does not arise as to why the Land Alienation Act was enacted and enforced. If I were to narrate the causes that led to its enactment, I shall be going wide off the mark. My submission is that for every community the doors of service are open. A certain proportion of services is fixed for every community. But where orders are issued that so many zamindars should be recruited in services, these orders are never acted upon and the zamindars do not get even 50 per cent. of the share fixed for them. The non-agriculturists usurp the rights of agriculturists. The zamindars have no other means of earning a livelihood except agriculture. It, therefore, stands to reason that if non-agriculturists fail to get hold of lands, they will not be worse off. In view of the fact that agriculture is our sole means of earning a livelihood, we regard it as an encroachment on our rights if non-agriculturists come to take possession of our lands. We cannot tolerate this. We simply want to be protected against this encroachment.

Mr. Speaker : Will the honourable member please wind up his speech ?

Begum Rashida Latif : Sir, I wish to speak.

Mr. Speaker : I can not allow any speech at this stage. I must put the demand to vote.

Premier : May I say a few words on behalf of the Government ?

Mr. S. P. Singha : May I know who are those people whom the honourable member calls 'kamins' ? Are they only those who cultivate land or those who also are zamindars ?

Khan Bahadur Nawab Chaudhri Fazal Ali : I mean only those who are not agriculturists.

Premier (Honourable Major Sir Sikander Hyat-Khan) : Sir, the point raised by my honourable friend opposite is a very simple one. I am afraid very few people have really understood it. As my honourable friend from Gujrat pointed out there is some confusion of thought about this.

[Premier.]

The real point which he has made is that certain people who are not agriculturists go to courts, and sue the Secretary of State for being declared as agriculturists. That is the main point. His main grievance is that such cases are not defended by Government. Now, if I have rightly understood the point, I think the answer is very simple. Other issues have also been raised, and I may very briefly, for the benefit of the House, state how we include people amongst statutory agriculturists in the schedule to the Land Alienation Act. As the honourable members must have seen, I had an occasion to make an authoritative statement in reply to an address presented to me by the Khatri deputation a few months ago. I then pointed out that the three main factors which induce Government to include a particular tribe in the category of statutory agriculturists are these :—

- (i) that their main livelihood is agriculture,
- (ii) that they own land and that they are losing land to an extent which would make it necessary for the Government to give them protection which the Land Alienation Act gives.

As you are aware the Land Alienation Act is a disabling Act. It imposes certain disabilities on the people who are brought within the scope of the Act, and

- (iii) that they should be in sufficiently large number to justify their being included in the schedule, i.e., in the category of statutory agriculturists.

These are the main criteria which are kept in view in deciding whether a particular tribe or group should be included amongst the statutory agriculturists or not. As I pointed out in my reply to the deputation it is irrespective of caste, creed or religion that we include people in that category. For instance, there are several Indian Christians in several districts who are now statutory agriculturists within the scope of the Land Alienation Act. Similarly, there are several tribes, for instance Mazhbi Sikhs who have been included amongst the category of statutory agriculturists. Similarly other tribes have also been included from time to time in that category. Since the Act was enacted this process has been going on continuously. If an application is made by a tribe, it is carefully considered by the local authorities and they make their recommendation to the Financial Commissioner who very carefully goes into the whole thing. I can assure him that the present Financial Commissioner in charge of this particular department is very sympathetic indeed towards them, (*hear, hear*) and very carefully scrutinises everything before he allows anybody to be included in that category.

With regard to the particular point raised by my friend from Rawalpindi I can assure him that so far as these cases are concerned, there are instructions that those cases should be opposed by Government. The difficulty is that sometime sufficient material is not available for successfully contesting those cases. If, for instance, the honourable member opposite has got any material which he can supply to the Government pleader in Rawalpindi, I am sure the Government pleader would be glad to avail himself of the material and contest the cases on the basis of this material. I have also been told not in this House but outside that in certain cases the

Government pleaders, who defended on behalf of the Government, did not take advantage of the material provided to them. That particular matter can be set right by issuing instructions and I can assure the honourable member that we will issue such instructions that in future if anybody brings *bona fide* material to the notice of the local authorities, the Government pleader will take advantage of it. I think that should sufficiently meet the point raised by my honourable friend.

Subedar Major Farman Ali Khan : Sir, in spite of the fact that I have not been able to understand the Honourable the Premier's speech which he has delivered in English, I am confident that whatever he will do, will be entirely in our interests. I beg to be excused for reciting here a couplet from Iqbal which runs as follows :—

خداوند! یہ تیرے سادہ دل بندے کدھر جائیں
کہ درویشی بھی عیاری ہے سلطانہی بھی عیاری

With these few words, Sir, I beg leave to withdraw my out motion.

The motion was by leave withdrawn.

Mr. Speaker : The question is—

That a sum not exceeding Rs. 40,00,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Land Revenue.

The motion was carried.

The Assembly then adjourned till 11 A. M. on Thursday, 1st July, 1937.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 1st July, 1987.

*The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

CONSOLIDATION OF HOLDINGS SCHEME.

*211. **Sardar Hari Singh** : Will the Honourable Minister for Development be pleased to state—

- (a) what steps the Government propose to take to speed up the scheme of consolidation of small holdings in the province ;
- (b) the total acreage that has already undergone consolidation and the area awaiting consolidation in the province ;
- (c) the Government programme of consolidation and the year by which the process of consolidation is expected to be complete in the province ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Until recently the work of consolidation of holdings was done entirely on co-operative lines through societies specially registered for the purpose. To speed up the process, Government introduced a Bill in 1986 which has since been passed into the Punjab Consolidation of Holdings Act, 1986.

(b) The total area consolidated since consolidation work was begun in the province is about 6½ lakhs of acres. No estimate of the area "awaiting consolidation" in the province is possible, since this depends on the consent of the right holders concerned, as well as on local conditions.

(c) Government is taking all necessary steps to push forward the process of consolidation of holdings and in order to supplement the efforts of the Co-operative Department under the Co-operative Societies Act, 1912, we have recently deputed three tahsildars, as an experimental measure, for work under the Punjab Consolidation of Holdings Act, 1986, in the Sialkot, Gujrat and Rohtak districts ; but it is not possible to say when it would be completed as its success depends on the degree of co-operation that the land-owners are willing to give.

Sardar Hari Singh : What is the average qualification of field workers engaged in the work of consolidation ?

Minister : I cannot answer that question without previous notice.

POLICE INTERFERENCE IN BELA SINGH MURDER CASE, HOSHIARPUR.

*212. **Sardar Hari Singh** : Will the Honourable the Premier please state—

(a) whether it is a fact that certain persons of village Sarhala Kalan, police station Mahilpur, district Hoshiarpur, applied to the Additional District Magistrate, Hoshiarpur, on the 20th April, 1937, alleging that the police were trying to coerce them to become prosecution witnesses in the Bela Singh murder case and if so, what action has been taken on that application ;

(b) what steps the Government propose to take to protect the people against this high-handedness on the part of police ?

The Honourable Major Sir Sikander Hyat-Khan : (a) One person of Sarhala Kalan, who was believed to have been in contact with the accused in the case mentioned shortly before the crime, was called up by the investigating police for examination and made an application of the kind described to the Additional District Magistrate on the 20th April. Inquiries showed that there was no truth whatever in the allegation that the police had put pressure on the applicant.

(b) Does not arise.

Chaudhri Krishna Gopal Dutt : What method was adopted to ascertain the truth or otherwise of the allegation ?

Premier : Through the District Magistrate.

Syed Amjad Ali Shah : Is the Government aware that in order to defend the accused a Defence Committee has been formed which includes several members of this House ?

Premier : Yes.

Syed Afzaal Ali Hasnie : Has the attention of Government been drawn to the fact that the said Defence Committee which includes members of this House has brought pressure to bear upon the approver in this case and other prosecution witnesses with a view to inducing them to retract the statements they have already made ?

Premier : Government has received information to that effect.

Nawab Khan Shah Nawaz Khan : Do the Government propose to take action with a view to putting a stop to such unlawful efforts to intimidate honest witnesses ?

Premier : Government has refrained from taking any action hitherto, because one or two honourable members of this House were concerned in this matter, but since the honourable member has suggested it, I would look into the matter again.

Sardar Hari Singh : On a point of order. Do the supplementary questions put by the honourable members on that side of the House and answers given to them arise at all as supplementary questions ? Therefore I hope that the Chair will order that those questions be deleted.

Chaudhri Kartar Singh (Urdu) : Will the Honourable the Premier be pleased to state whether it is illegal to present any defence in a case which is *sub-judice* ?

Premier : No.

Sardar Sohan Singh Josh (Urdu) : Will the Honourable the Premier be pleased to state whether that information is in their possession and what are the reasons under which that information is not being given?

Premier : I have already explained this.

Raja Ghazanfar Ali Khan : Will the Honourable the Premier please state the names of those members of this Assembly who have been associated with those activities?

Premier : No, Sir, it is not in the interest of this House to mention the names, nor is it in the public interest to do so.

Sardar Hari Singh : My point of order still stands. These supplementary questions do not arise.

Sardar Partap Singh : Has the approver in this case who has retracted stated that his statement was made under coercion of the police and he has withdrawn it because it was a lie?

Premier : My information is that he retracted that statement because pressure was brought to bear upon him by members of the Defence Committee.

Sardar Hari Singh : In whose custody has the approver been up to this time? Who intimidated him?

Premier : My information is that intimidation was resorted to even in the court.

Sardar Hari Singh : Is that not a reflection on the court?

Sardar Partap Singh : Was that resorted to in the presence of the Magistrate and in the presence of the police? How was it resorted to?

Premier : By show of force.

An Honourable Member : How could that show of force be made in the court?

Maulvi Mazhar Ali Azhar : Is it not a fact that the approver was in the custody of either the police or jail authorities?

Premier : He is in the judicial lock-up.

Lala Bhim Sen Sachar : The Honourable Premier has been pleased to state that he has refrained from taking action on the ground that some of the honourable members of this House are involved. May I ask if he can definitely state that some members of this honourable House were involved in putting pressure on the approver?

Premier : I have already said so and I am hoping that the honourable members who are concerned will use their influence to see that the other members of the Committee do not put such pressure.

Lala Bhim Sen Sachar : That is not my point. What I want to know is whether the Honourable Premier is in a position to state definitely that some members of this House actually put pressure on the approver.

Premier : I have nothing to add to my previous answer.

**CROPS DAMAGED BY HAILSTORM IN GARHSHANKAR AND UNA TAHSILS
OF THE HOSHIARPUR DISTRICT.**

***213. Sardar Harjab Singh :** Will the Honourable Minister for Revenue please state—

- (a) whether he is aware that the hailstorm of 18th April last caused damage to the crops in the villages Chahalpur, Basiala, Dhagam, Mohanwal, Denowal, Bhem, Bhadel, Gaopalian, Kukar, Rahalli, Thakarwal, Burki, Jangniwala and some other villages in tahsil Garhshankar, district Hoshiarpur ;
- (b) whether he is aware that the same hailstorm damaged crops in Thana Amb of tahsil Una ;
- (c) what steps have been taken to give relief and grant revenue remissions to the peasants of the affected areas ; if no steps have been taken reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) Yes.

(c) Remissions to the extent of Rs. 591 were granted in the affected area of the Amb police station of the Una tahsil. It was not found necessary to give relief in the Garhshankar tahsil because the produce was not below normal in any of the affected villages, even after making allowance for the damage caused. Moreover a substantial portion of the crop had been harvested before the hailstorm.

Lala Bhim Sen Sachar : Can the Honourable Minister please state the dates of the information received and the dates of relief given ?

Minister : I must have notice of that question.

PROFESSIONAL TAX IMPOSED BY THE DISTRICT BOARDS.

***214. Sardar Harjab Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that professional tax is imposed upon the villagers on the recommendation of the lambardars ;
- (b) whether it is a fact that the lambardars are allowed 5 per cent. commission on all realizations ;
- (c) whether it is a fact that the taxes are revised on appeal on the recommendation of the lambardars ;
- (d) whether the Government propose to take steps to make the assessments of the professional tax imposed by the District Boards uniform ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No ; but the lambardars and other representative persons in the village are generally consulted.

(b) No, five per cent. is the maximum allowed. District Boards, however, generally pay a remuneration at $3\frac{1}{2}$ per cent. of the collection.

(c) No. Appeals are generally inquired into by revenue officials but are finally decided by the Commissioners concerned on merits.

(d) No, as it is not practicable to adopt uniform rates throughout the province.

MUNICIPALITIES IN THE MIANWALI DISTRICT.

*215. **Dr. Gopi Chand Bhargava** : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there are four municipalities in the Mianwali district, two on one side of the Indus and two on the other ;
- (b) whether it is a fact that in the municipalities of Mianwali and Bhakhar members are returned by election while in the municipalities of Isakhel and Kalabagh members are nominated ;
- (c) if the answer to (b) above be in the affirmative, why the system of elections has not been introduced in the latter two municipalities so far ;
- (d) whether the Government propose to introduce the system of elections in Isakhel and Kalabagh ; if so, when ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) Yes.

(c) The elective system was considered unsuitable on account of local conditions and its introduction was, therefore, withheld.

(d) The present Government has not yet taken the matter into consideration.

Lala Bhim Sen Sachar : When was it last that the Government took this question into consideration ?

Minister : I should have notice of that question.

Lala Bhim Sen Sachar : May I know how long the municipalities of Kalabagh and Isakhel have been functioning ?

Minister : I cannot give this information without notice.

Lala Bhim Sen Sachar : Is it a fact that two members of the Malik family at Pindigheb are invariably nominated as members of this Committee ?

Minister : May be.

Lala Bhim Sen Sachar : Is it a fact that the honorary Secretary of the Pindigheb Committee who is also a member of the Committee has been there since 1905 ?

Minister : Possibly.

Lala Bhim Sen Sachar : May I know the reasons why the Government has not yet introduced elective system in the municipalities of Pindigheb, Isakhel and Kalabagh ?

PINDIGHEB MUNICIPALITY.

*216. **Dr. Gopi Chand Bhargava** : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether all the members of the Pindigheb Municipality in Campbellpur district are nominated ; if so, why ;
- (b) whether the Government propose to give the people of Pindigheb the right of electing their own representatives in the municipality ; if so, when ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, because the elective system was considered unsuitable on account of local conditions and its introduction was, therefore, withheld.

(b) The present Government has not yet taken the matter into consideration.

DEMOLITION OF PLATFORMS BY THE BHIWANI MUNICIPAL COMMITTEE
UNDER THE MUNICIPAL ACT.

***217. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Bhiwani Municipal Committee without issuing any notice under section 132 of the Municipal Act has got certain *chabutaras* demolished ;
- (b) whether the Deputy Superintendent of Police ordered the local police to help the Committee in this act ;
- (c) whether the police constables were present with handcuffs at the time of demolishing ;
- (d) if answer to (a), (b) and (c) be in the affirmative, what action the Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) No.

(c) No.

(d) Does not arise.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Minister please state whether any complaint was made by the public ?

Minister : I have nothing to add to my answer.

SALE OF AGRICULTURAL LAND.

***218. Chaudhri Ram Sarup :** Will the Honourable Minister for Revenue kindly state—

- (a) whether it is a fact that the Deputy Commissioner, Rohtak, allowed on 16th April, 1936, the sale of 28 *bighas*, 9 *biswas* of agricultural land belonging to Chandgi, son of Harji Jat, and situated in tahsil Rurki, district Rohtak, for Rs. 6,400 ;
- (b) whether it is a fact that this sale was allowed for the repayment of a debt only on the statements of the applicant and others interested in the applicant ;
- (c) whether it is a fact that an application was submitted to the Commissioner, Ambala division to request that the sale of the land in question may be disallowed ;
- (d) the action taken or proposed to be taken on the application mentioned in (c) above ?

The Honourable Dr. Sir Sundar Singh Majithia : It is understood that the case is at present *sub-judice* in the Court of the Financial Commissioner and copies of the documents which would give the required information are obtainable on payment of the usual fees. Government consider it against the public interest to supply such information in reply to questions in this House.

VISITING COMMITTEES.

***219. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the visiting committees, consisting of members of the Council and some other individuals, appointed under the Punjab Government notification, dated 5th June, 1931, to visit the provincialised hospitals and dispensaries in each district, to examine their internal condition and suggest ways and means to improve them have so far done any useful work ;
- (b) if the reply to the above be in the affirmative, what Government proposes to do in the matter ;
- (c) whether it is a fact that Civil Surgeons, who are required under the rules to convene the meetings of the visiting committees, rarely call meetings of these committees ; if so, what steps the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : (a) The visiting committees have not so far done much useful work and the members of the committees have taken very little interest in the work.

(b) and (c) The meetings held by the committees in the past have been few. Inspector-General of Civil Hospitals has been directed to issue instructions to Civil Surgeons to convene meetings of the committees quarterly.

Lala Bhim Sen Sachar : Are the members of the visiting committee allowed travelling allowance for attending the meetings ?

Minister : I cannot answer that question off-hand.

Dr. Gopi Chand Bhargava : Is it the experience of the past Government or is it the experience of the present Government on which the reply of the Honourable Minister is based ?

Minister : Of the past Government.

INTERNAL CONDITIONS OF HOSPITALS IN THE PROVINCE.

***220. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that representations and complaints have been very often made to the Government as to the internal condition of several hospitals in this province, such as neglect of in-door patients, indifference towards out-door patients, charging of fees from out-door and in-door patients ; if so, what effective steps have been taken to remove these complaints.

[Lala Duni Chand.]

- (b) whether it is also a fact that the civil surgeons of districts have invariably complained to Government that the hospitals are being starved and adequate funds are not placed at their disposal even to meet the elementary requirements of hospitals ;
- (c) what does the Government propose to do in this matter ?

The Honourable Mian Abdul Haye : (a) There have been no representations, but a few complaints from individuals, as to neglect, etc., have been received. All such complaints are carefully enquired into and suitable action is taken in each case. In-door patients admitted into private wards are charged rents and fees according to the scale laid down and sanctioned by Government.

(b) Adequate funds are placed at the disposal of civil surgeons to meet the requirements of Government hospitals. In the case of Local Fund hospitals and dispensaries, the local bodies responsible for their maintenance are required to provide necessary funds. Owing to bad financial conditions of local bodies some of them have not been able to maintain their hospitals up to the standard desired by civil surgeons.

(c) Defects are invariably brought to the notice of local bodies concerned and in most of the cases they are rectified by the local bodies as soon as their funds permit.

Dr. Gopi Chand Bhargava : Do the medical officers in charge of such hospitals have a share in the fees paid by the in-door patients ?

Minister : I should require notice of the question.

PROSCRIBED BOOKS AND BANNED PAPERS AND PERIODICALS.

*221. **Sardar Hari Singh :** Will the Honourable the Premier be pleased to state—

- (a) the names or the descriptions of the books or tracts printed and published in Great Britain or the Dominions which are proscribed in the Punjab ;
- (b) the books or tracts in question which have also been proscribed in the countries where they were printed and published originally ;
- (c) names of papers and periodicals, printed and published in Great Britain or the Dominions, whose entry into the Punjab is banned by the Government ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (c) It is not in the public interest to broadcast in a handy form these lists of noxious publications.

Sardar Hari Singh : Are there no such publications ?

Premier : If there are any, why should the honourable member put the question ?

Diwan Chaman Lall : The honourable member wants a list of books and tracts published in England or the Dominions which have been proscribed by the Punjab Government.

Premier : I thought my answer was quite clear. It is not in the public interest to broadcast in a handy form these lists of noxious publications.

Diwan Chaman Lall : Is it or is it not a fact that when these proscriptions are made, notifications issue in the Gazette ?

Premier : They certainly are.

Diwan Chaman Lall : What is necessary then for the Honourable Premier to do is to gather up all those notifications.

Premier : If the honourable member is prepared to do that, he can collect the information himself.

Diwan Chaman Lall : Why, then, is it not in the public interest to give the information to the honourable member in a handy form ?

Premier : Does the honourable member expect me to compile and catalogue a list of proscribed literature since the advent of the British Government into this country ? It would be a very big volume though it may be handy.

Sardar Sohan Singh Josh (Urdu) : Will the Honourable the Premier please state whether the book " Leninism " by Stalin is proscribed or not ?

Premier : I cannot give a reply to that question off-hand, but from the fact that he has mentioned it, it may be that it is proscribed.

Sardar Sohan Singh Josh : Will the Honourable the Premier please state whether the book is in the Lahore Assembly Library or not ?

Lala Deshbandhu Gupta : Will the Honourable the Premier consider the desirability of going through the list to see whether there are any undesirable proscriptions ?

Premier : If ever I get leisure to do so.

Lala Deshbandhu Gupta : If a list is prepared it will facilitate the task of the Honourable the Premier.

Premier : It will mean waste of money.

Sardar Hari Singh : Will the Honourable Premier at least prepare a list of the periodicals which have been proscribed ?

Premier : I am afraid I cannot accommodate the honourable member in that respect.

Sardar Sohan Singh Josh (Urdu) : Will the Honourable the Premier please state whether the " Labour Monthly " of England is proscribed or not ?

Premier : What is the honourable member's information about it ?

Sardar Sohan Singh Josh (Urdu) : I do not know and that is why I ask for information.

Premier : I have no information either.

HOLDING OF PUBLIC MEETINGS AT SIRSA.

*222. **Pandit Shri Ram Sharma :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that the Congress workers of Sirsa were ordered by the Deputy Superintendent of Police there not to hold

[Pandit Shri Ram Sharma.]

public meetings in the *bazar chawk* near the King Edward's statue, a public place where public meetings have been held before ;

(b) the reasons for that order with a copy of it ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) No orders were issued to the Congress workers of Sirsa by the Deputy Superintendent of Police. Several Congress meetings were held on the public road at Sirsa to the obstruction of traffic, and the Deputy Superintendent of Police, Sirsa, advised a local Congress leader to hold the meetings at some more suitable place. This advice, was, however, disregarded and meetings are still being held on the public roads without interference from the police and to the inconvenience of the general public. The local authorities are being instructed to prevent such obstructions and to take legal action against persons responsible for creating them.

Pandit Shri Ram Sharma (Urdu) : Is it not a fact that a notice was served through the police, on the Secretary of the Congress at Sirsa, placing a ban on the meetings being held ?

Premier : I have already answered that part of the question. I think the Deputy Superintendent of Police advised the local Congress leader to hold the meetings at some more suitable place.

Pandit Shri Ram Sharma (Urdu) : Is this the proper way of giving advice ?

Premier : Naturally, if any communication is made by police officers, it is made through the policeman and he is the messenger.

Pandit Shri Ram Sharma (Urdu) : Is the Government sure that obstruction is caused when and where such meetings are held ?

Premier : I am afraid this does not arise from this question.

Lala Deshbandhu Gupta : Does the Honourable the Premier mean that hereafter meetings will not be allowed to be held there ?

Premier : Yes, if they cause obstruction.

Pandit Shri Ram Sharma (Urdu) : What was the use of sending instructions, if no obstruction had been caused ?

Premier : As I have said, the local authorities are being instructed to prevent such obstructions and to take legal action against persons responsible for creating them. I have received representations from other people to the effect that these meetings do cause obstruction. It is only a question of fact. If they do not cause any obstruction, no action will be taken.

Lala Deshbandhu Gupta : Is the Honourable the Premier aware that meetings were held there for years and years together and no such complaint was ever made.

Premier : This does not necessarily legalise them.

Pandit Shri Ram Sharma (Urdu) : How did the Honourable Premier come to know about these obstructions ?

Premier : I have already said that I have received representations from other people from that place saying that they are put to great inconvenience on account of these meetings.

Pandit Shri Ram Sharma (Urdu) : Was not the complaint made at the instigation of the police ?

Premier : No, it was brought to my notice by an honourable member of this House.

Lala Bhim Sen Sachar : Has there been any occasion for launching any criminal proceedings against anybody for obstruction in connection with public meetings during all these years ?

Premier : I am afraid the honourable member expects too much of me. I cannot reply off-hand.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable the Premier kindly state the names of those who lodged this complaint that obstruction was caused ?

Premier : An honourable member from that part of the province. I do not think it is right on the part of the honourable member to ask me to give his name.

Pandit Shri Ram Sharma (Urdu) : My point is that it is the police which trumps up such complaints.

Premier : I am afraid that is a gross insinuation against the members of this House.

Lala Deshbandhu Gupta : Will the Honourable Premier be prepared to give more weight to the statement made by an honourable member belonging to that constituency than to a statement made by a member belonging to a different constituency.

Premier : There is no question of preference.

Lala Deshbandhu Gupta : There are two members of this House who have made two different statements. One of them says that the police should be instructed to take notice of such meetings and in future no such meetings should be held.

Pir Akbar Ali : On a point of order, Sir. Is it giving information, or receiving information or making suggestions ?

Premier : If these meetings do not cause obstruction, no action will be taken.

PRESIDENT OF THE MUNICIPAL COMMITTEE, BERI.

*223. **Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the present official President of the Municipal Committee, Beri, did not take the oath of allegiance before assuming charge of his office ;

(b) whether it is a fact that this omission on the part of the President was brought to the notice of the Commissioner and the Deputy Commissioner ;

(c) whether the matter received consideration by Government ; if so, the result thereof ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) The omission was brought to the notice of the Deputy Commissioner.

(c) The present official President (who is a tahsildar) did not take the oath on the presumption that his appointment as President being by virtue of office it was not necessary for him to take the oath which had already been taken by his predecessor. Enquiries show that this practice has existed since long though it is irregular. The present tahsildar has been directed to take the oath and instructions have been issued that the oath should be taken on change of incumbency.

Lala Bhim Sen Sachar : Till the oath has been taken why has not the tahsildar been removed? Why is he permitted to act as President? (No answer.)

Lala Bhim Sen Sachar : On a point of order. You were pleased to say that an Honourable Minister, when he cannot give a reply to any question, should rise in his seat and say—(*Voices from the Treasury benches :* No, no).

Pandit Shri Ram Sharma (Urdu) : Is not the business done by the tahsildar in his capacity as President illegal, in view of the fact that he had not taken the oath of allegiance?

Minister : It is irregular and not illegal.

Pandit Shri Ram Sharma (Urdu) : What is the difference between "illegal" and "irregular"?

Minister : A lot of difference, an irregular action may not be illegal.

COMPLAINTS OF CORRUPTION AGAINST PRESIDENT, MUNICIPAL
COMMITTEE, JHAJJAR.

*224. **Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that on private complaints of corruption a departmental inquiry was held against the non-official President of Jhajjar Municipal Committee; if so, the result of that inquiry;
- (b) whether it is also a fact that a further inquiry was held in the same affair by two magistrates, one of them being the same who held the first inquiry; if so, the reasons for appointing another magistrate;
- (c) the findings of that inquiry by the two magistrates and the steps Government proposes to take in the light of this finding?

The Honourable Nawabzada Major Malik Khizar Hayat Khan, Tiwana : (a) and (b) It is a fact that a departmental inquiry was held on private complaints of corruption against the non-official President of the Jhajjar Municipal Committee. Before the inquiry was complete the President made allegations against the officer making the inquiry, and it was considered expedient to have a joint inquiry by two magistrates, i.e., the previous one and another.

(c) The magistrates have not yet submitted their report.

Pandit Shri Ram Sharma (Urdu) : Is it not a fact that the President of the Jhajjar Municipality in making that complaint was swayed by communal considerations because the Additional District Magistrate happened to belong to the other community ?

Minister : I am not aware of the motives of the complainant.

Pandit Shri Ram Sharma (Urdu) : Why was the other magistrate appointed on the basis of a mere complaint ?

Minister : There must be reasons.

Pandit Shri Ram Sharma (Urdu) : What are the reasons for the appointment of the other magistrate ?

Minister : Public interest. (*Laughter*).

Pandit Shri Ram Sharma (Urdu) : Is there any remedy for this "public interest" ?

PROPORTION BETWEEN *ABIANA* AND *TAWAN*.

*225. **Pandit Shri Ram Sharma** : Will the Honourable Minister for Revenue be pleased to state—

- (a) the income under the head *abiana* from Delhi and Rohtak divisions of the Western Jumna Canal during the last three years ;
 (b) the amount of fine (*tawan*) realized from the zamindars for improper use and waste of canal water during this period, and the proportion that this fine bears to the income from *abiana* ?

The Honourable Dr. Sir Sundar Singh Majithia : (a)—

| Name of Division. | INCOME FROM <i>ABIANA</i> DURING THE YEARS | | |
|-------------------|--|-----------------|------------------|
| | 1934-35. | 1935-36. | 1936-37. |
| Delhi | Rs. 9,57,655 | Rs. 9,95,913 | Rs. 11,42,875 |
| Rohtak | 9,88,597 | 12,69,411 | 13,95,885 |

(b)—

| Name of Division. | AMOUNT OF FINE (<i>TAWAN</i>) REALIZED FROM THE ZAMINDARS FOR IMPROPER USE AND WASTE OF CANAL WATER DURING THE YEARS | | |
|-------------------|--|--------------|--------------|
| | 1934-35. | 1935-36. | 1936-37. |
| Delhi | Rs. 11,455 | Rs. 2,848 | Rs. 6,786 |
| Rohtak | 17,128 | 4,687 | 22,187 |

[Minister for Revenue.]

and the proportion that the above fine bears to the income from *abiana* is—

| Name of Division. | PROPORTION OF FINE TO <i>ABIANA</i> DURING | | |
|-------------------|--|-----------|-----------|
| | 1934-35. | 1935-36. | 1936-37. |
| | Per cent. | Per cent. | Per cent. |
| Delhi | 1.2 | 0.3 | 0.6 |
| Rohtak | 1.7 | 0.4 | 1.6 |

BUILDING OF A WALL NEAR CHOBACHCHA SAHIB.

***226. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- whether it is a fact that the Irrigation Department proposes to build a wall on the left side of the canal in Lahore near Chobachcha Sahib new *abadi* ;
- if so, whether he has received any representation in this connection ; if representation has been received, what action has been taken thereon ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) There has recently been litigation regarding rights of way over Government property in the vicinity of the new *abadi* near Chobachcha Sahib and the wall mentioned has figured in the proceedings. The matter is still under the consideration of Government.

(b) Such representations as have been received will be dealt with after Government has examined the whole matter.

Sardar Sahib Sardar Ujjal Singh : What is the result of the Honourable Minister's consideration ?

Minister for Public Works : Time has been allowed to the committee to set its affairs in proper order.

GRIEVANCES OF THE RESIDENTS OF CHOBACHCHA SAHIB.

***227. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state whether the Government has received any representation from the residents of Chobachcha Sahib new *abadi* Lahore requesting that a ghât and a bridge be built on the canal near their houses ; if so, what action has been taken or is proposed to be taken thereon ?

The Honourable Dr. Sir Sundar Singh Majithia : Attention is invited to reply given to question No. *147.¹

SUPERSESSION OF SARGODHA MUNICIPAL COMMITTEE.

***228. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that Mr. Read, Deputy Commissioner, Shahpur, recently recommended the supersession of Sargodha Municipal Committee ;

(b) whether the Honourable Minister has considered this proposal ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Yes.

AMENDMENT OF SECTION 85 OF GOVERNMENT OF INDIA ACT, 1935.

***229. Lala Bhim Sen Sachar :** Will the Honourable the Premier kindly state—

(a) whether he has moved the Government of India for the purpose of having Section 85 of the Government of India Act, 1935, so amended as to entitle a member of a Provincial Legislature to address the Legislature in any other language of his choice, even when he is well acquainted with the English language ;

(b) if the answer to the above be in the negative, whether he intends to move in the matter without any more avoidable loss of time ?

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

(b) Does not arise.

Lala Bhim Sen Sachar : The date when representations were made on the subject ?

Premier : Only a few days ago I promised this House that we will make a representation and an actual representation has gone now.

DEBT CONCILIATION BOARD, JHANG.

***230. Lala Bhim Sen Sachar :** Will the Honourable the Premier kindly state—

(a) whether the attention of the Government has been drawn to a report on the working of the Debt Conciliation Board at Jhang published by the District Hindu Sahaik Sabha, Jhang ; if so, what action has been taken or is intended to be taken on that report ;

(b) the amount of total debt conciliated by the Debt Conciliation Board, Jhang district, from September, 1935, to 30th April, 1937, (2) and the proportion it bears to the debt due to Muslim creditors ;

(c) the percentage of the Muslim debtors out of the total debtors who had applied to the Debt Conciliation Board, Jhang district, for the conciliation of their debts from September, 1935 to 30th April, 1937 ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member is asked to see the reply given to question *98¹.

(b) Figures are not readily available for the period mentioned, but from the date of its establishment up to the end of February last the total debt conciliated by the Board amounted to Rs. 4,62,000. The second clause in this part of the question is not understood.

(c) The records kept regarding the work of conciliation boards do not classify cases according to the religion of the parties. It would not be possible to collect this information without special enquiries entailing an expenditure of time and labour which would be out of proportion to the results to be secured.

— — —
KAVIRAJ THAKAR DASS OF KANDHALA SHEIKHAN, DISTRICT
HOSHIARPUR.

***231. Lala Duni Chand :** Will the Honourable Minister for Development kindly state—

(a) whether it is a fact that Kaviraj Thakar Dass of village Kandhala Sheikhan, tahsil Dasuha, district Hoshiarpur, stood surety for one Inayat Husain who had raised a loan on the basis of a bond from the village zamindara bank named Anjuman-i-Jadid ;

(b) if so, whether it is a fact that in spite of the said loan having been liquidated by the principal debtor the surety Thakar Dass was summarily proceeded against on the basis of other loans due from the said Inayat Husain for which he was not surety and eventually Rs. 705-5-0 were forcibly realized from him on 21st December, 1931;

(c) if the reply to the above be in the affirmative, whether it is a fact that the said Kaviraj has been making repeated representations to the authorities concerned for return of the money realized from him ;

(d) whether the Government is prepared to take any steps in the matter ; if so, what ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes.

(b) The loan was not liquidated by the principal debtor ; but was paid by the surety. The surety paid nothing on account of other loans due from Inayat Hussain.

(c) and (d) Do not arise.

— — —
POSTING OF POLICE AT THE HOUSE OF SARDAR HARCHARAN SINGH,
RAIS OF KHARAR.

***232. Lala Duni Chand :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that the Superintendent of Police, Ambala, ordered the posting of police constables on 13th April, 1937, in the *qila* (residential house) of Sardar Harcharan Singh, one of

the Cis-Sutlej chiefs and belonging to one of the 34 distinguished families of the Punjab in pursuance thereof the two constables sent by the Superintendent of Police from Ambala, accompanied by an assistant sub-inspector of police and a sub-inspector of Police of Kharar police station forcibly entered the private apartments of the said Sardar ;

- (b) whether it is a fact that on Sardar Harcharan Singh's objecting to the posting of the police inside his private apartments, the sub-inspector of police broke open the lock of a room outside the *deorhi* and posted the two police constables there who remained there up to 23rd April, 1937 ;
- (c) whether it is a fact that the Deputy Commissioner of Ambala on coming to know of posting of the police ordered their removal ;
- (d) if the replies to the above be in the affirmative, whether Government is prepared to take any action in the matter : if so, what ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The facts are that at the request of one of Sardar Harcharan Singh's wives, two constables were provided for her protection and that of her son, on payment. This was done with the approval of the Deputy Commissioner. The police did not enter the private apartments of Sardar Harcharan Singh but only that part of his residence which is occupied by the lady in question.

(b) Accommodation was provided by Sardar Harcharan Singh's wife, who had applied for police protection. Allegations were made that the police had broken open a locked door. This was made the subject of a magisterial inquiry and found to be false.

(c) After certain further inquiries the Deputy Commissioner ordered the withdrawal of the police.

(d) Does not arise.

Lala Deshbandhu Gupta : What was the nature of the enquiry which resulted in issuing the order of withdrawal by the police ?

Premier : If the honourable member who has sent notice of the question were here, he would have been able to give that information.

Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to issue general instructions to the police authorities in different districts not to exceed their limits ?

Premier : They have not exceeded their limits.

AMRIT LAL, SUB-INSPECTOR OF POLICE, INCHARGE POLICE STATION
HATHIN, DISTRICT GURGAON.

*233. **Lala Duni Chand :** Will the Honourable the Premier be pleased to state :—

- (a) whether it is a fact that it has been brought to the notice of the Superintendent of Police, Gurgaon, that the present Sub-Inspector of Police, Amrit Lal in charge of police station Hathin has been extorting bribes from different persons, and definite and specific instances of bribery have been quoted ;

[L. Duni Chand.]

(b) whether he is aware that among the inhabitants of police station Hathin there exists a feeling of helpless resentment against the continued existence of blackmailing and extortion by police officers for several years ;

(c) the steps he proposes to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) During the last half of the year 1936 the Superintendent of Police, Gurgaon, received complaints from eight persons that the sub-inspector in charge of the Hathin police station had extorted bribes on various occasions. All the complaints were enquired into by a gazetted officer and were found to be baseless. They were accordingly filed with the approval of the District Magistrate. A further complaint submitted in May 1937 is under enquiry. In one of the cases mentioned the complainant also filed a complaint in the criminal court, which was dismissed by the magistrate.

(b) The complaints against the present sub-inspector have thus been found to be without foundation. His predecessor was also regarded as an honest officer.

(c) None.

—————

DAMAGE TO CROPS BY HAILSTORM IN THE FEROEZPORE DISTRICT.

***234. Sardar Rur Singh :** Will the Honourable Minister for Revenue kindly state—

(a) whether it is a fact that during the month of April 1937, hailstorm caused a lot of damage to the crops in many parts of the Ferozepore district ;

(b) if the answer to (a) above be in the affirmative, whether the Government called for any report as to the extent of damage done and the area affected as mentioned in (a) ;

(c) if the answers to (a) and (b) above be in the affirmative, whether Government will lay on the table a copy of the report received and also state the action, if any, taken by them to afford relief to the agriculturists of the affected area ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government's information is that some damage was caused to crops in 62 villages.

(b) Yes.

(c) It is against constitutional practice to place copies of reports from subordinate officers on the table. Remissions of land revenue and *abiana* amounting to Rs. 3,502 were granted in this connection.

Sardar Rur Singh : Will the Honourable Minister for Revenue be pleased to state whether any remission has been made in those villages where the proprietary rights belonged to the zamindars, while the tilling was done by other people ?

Minister : I have not been able to follow this question. If the honourable member will put the question in writing and send it to me, I will try to reply.

ODES.

*235. **Sardar Rur Singh** : Will the Honourable the Premier be pleased to state—

- (a) whether it has been brought to the notice of the Government that a wandering tribe called 'Odes' is causing great hardship to cultivators of lands in the Ferozepore and Ludhiana districts by their persistent habit to let their goat and sheep herds graze on the cultivated lands resulting in frequent clashes, hand to hand fights and even murders ;
- (b) whether he is aware that the zamindars of the Ilaka mentioned in (a) have suffered and are still suffering heavily on account of the nomadic condition of the tribe in question ;
- (c) if the answer to (a) and (b) be in the affirmative, what steps Government propose to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The problem presented by the Odes has been before Government repeatedly during the last ten or fifteen years. The members of this nomadic tribe who keep large flocks of sheep and goats and live on the profits of the wool and meat, have for an indefinite period been in the habit of wandering freely throughout the south-eastern districts of the Punjab and the adjoining States, making Fazilka (in the Ferozepore district) as the headquarters of their extensive trade in wool. The tribe is not specially addicted to crime, but their habits inevitably bring them from time to time into conflict with the settled inhabitants of the districts concerned, whose crops are not infrequently damaged by the flocks of the Odes.

(c) Government are studying the problem presented by these nomads but have not yet come to a final conclusion about it. In the meantime when breaches of the law occur, the local officers will do their best to bring the offenders to justice.

Raja Ghazanfar Ali Khan : Do the Government realise that by placing restrictions on the movements of these Odes they will be damaging the wool trade of Fazilka tahsil ?

Minister for Revenue : We have to keep in mind the interests of other law-abiding citizens also.

Raja Ghazanfar Ali Khan : Is the mere fact that a certain tribe continues moving about with a large number of sheep enough for the Government to declare that they are a criminal tribe ?

Minister : Have I said that I am going to declare them as such ? We have to keep in mind the interests of the people whose crops are being spoiled. Only two days back I received a deputation who came to see me in this connection and grievances were such that I had to sympathise with them.

Raja Ghazanfar Ali Khan : Are the Government of the opinion that the only way to redress the grievances—

Mr. Speaker : Questions asking for opinion are not admissible.

Sardar Rur Singh : Is it a fact that recently much loss was caused by these Odes in the villages of Pindiwala, Meathawali, Odewala, and Sarehwala ?

Minister for Revenue : Complaints have been received which are being looked into.

Maulvi Mazhar Ali Azhar : Will the Government sympathetically consider the question of giving the Odes lands so as to enable them to settle on those lands ?

Minister : The suggestion will be considered.

Sardar Narotam Singh : Is the Government aware that there will be a serious loss in Ferozepore if immediate steps are not taken in regard to these Odes ?

Minister : As members are aware this has been going on for a long time. If the honourable member informs me the precise complaint I will ask my colleague, the Honourable Premier, to look into the matter.

Sardar Narotam Singh : Did the Honourable Minister receive a deputation yesterday ?

Minister : I have already said that I had received a deputation.

Pir Akbar Ali : Will the Honourable Minister state if that deputation was not merely for propaganda purposes ?

Minister : No. (*Cheers*).

Pandit Muni Lal Kalia : May I know whether the loss has not amounted to more than Rs. 20,000 ?

Minister : How can I assess it ?

Pandit Muni Lal Kalia : May I know whether representations to that effect have been made to the Government that losses amounting to more than Rs. 20,000 have been caused ?

Minister : A telegram has been received to this effect :

Pandit Muni Lal Kalia : In view of the reports that have been made, has the Government considered to take any action and to remit the revenue so far as those villages are concerned ?

Minister : It is too much for my friend to expect me to accept that without an enquiry.

Pandit Muni Lal Kalia : When is that enquiry going to be launched in this case ?

Pir Akbar Ali : Will the Honourable Minister be pleased to state if any of the members of the deputation, which waited upon him., was a member of this House ?

Minister : Yes.

Pir Akbar Ali : Did he belong to the Fazilka tahsil ?

Minister : He belonged to the Ferozepore district.

Pir Akbar Ali : Did he come from the Fazilka constituency ?

Syed Amjad Ali Shah : Will the Honourable Minister be pleased to state whether the ' Odes ' have laid their grievances before the Government on previous occasions ?

Minister : I have not received any complaint.

Pandit Muni Lal Kalia : May I know whether it was with regard to the land or with regard to grazing ?

Minister : I have not received any complaint.

Khawaja Ghulam Samad : Is the Honourable Minister prepared to allot any area for grazing purposes for these ' Odes ' ?

Raja Ghazanfar Ali Khan : Are Government aware that the overwhelming public opinion is strongly opposed to the ' Odes ' being declared as a criminal tribe ?

Sardar Narotam Singh : Is the Honourable Minister aware that the member of the Legislative Assembly is the legal adviser of the ' Odes ' ?

Minister : I am not going to reply to that question.

Malik Barkat Ali : Will the Honourable Minister be pleased to state if various communities were represented in the deputation ?

Minister : There were Muslims, Sikhs and Hindus.

Malik Barkat Ali : That is what I wanted.

REMISSION OF TAQAVI LOANS IN THE FEROEZPORE AND LUDHIANA DISTRICTS.

***236. Sardar Rur Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether his attention has been drawn to the fact that taqavi loans have been remitted to a great extent in several districts of the Punjab such as Hissar, Rohtak, Gurgaon, Karnal, Ambala, Sheikhpura, Jhelum, Rawalpindi, Attock, Mianwali, Multan, Muzaffargarh and Dera Ismail Khan ;

(b) whether it is also a fact that this measure of relief has not so far been extended to the agriculturists of Ferozepore and Ludhiana districts ;

(c) if so, whether Government proposes to sanction remission of taqavi loans in the Ferozepore and Ludhiana districts also ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) During the financial year, 1936-37 remissions which could be described as " large " were granted in the district of Hissar only. Remissions were also granted to some extent in the districts referred to by the honourable member except Gurgaon, Sheikhpura, Attock and Dera Ghazi Khan.

(b) Yes.

(c) The matter will be duly considered and relief will be granted under the rules, as was done in the case of the other districts as the occasion arises.

S. ATMA SINGH, PRESIDENT, MUNICIPAL COMMITTEE, SHEIKHPURA.

***237. Dr. Shaikh Muhammad Alam :** Will the Honourable the Premier please state—

(a) whether it is a fact that S. Atma Singh, President, Municipal Committee, Sheikhpura, on 20th January 1936, sent a telegram to the Deputy Inspector-General of Police, Central Range, and the Chief Secretary to the Government of Punjab and a

(Dr. Shaikh Muhammad Alam.)

demi-official letter to the Deputy Commissioner, Sheikhpura, and telephoned to the Station House Officer, Police Station, Sheikhpura, that Gian Chand, son of Harbhagwan, caste Brahman, resident of Sheikhpura, after arming himself with a hatchet had made a public demonstration of his intention of killing him and that he was in search of him and that he apprehended imminent breach of the peace from him and that the police was conniving at his action ;

- (b) If so, whether he will lay on the table of this House the correspondence, if any, that passed between the Deputy Inspector-General and the Superintendent of Police, Sheikhpura, concerning this matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) It is a fact that Sardar Atma Singh telegraphed to the Deputy Inspector-General of Police and also telephoned to the Sheikhpura Police Station to the effect that he anticipated personal danger from Gian Chand. Inquiries were made which showed that no action by the police was necessary.

(b) It is not in the public interest to disclose the contents of departmental correspondence.

Dr. Gopi Chand Bhargava : Will the Honourable the Premier be pleased to state whether it is a fact that the same Gian Chand brought a complaint against Sardar Atma Singh on which a case was launched against him and the trying Magistrate said that it was a false and fabricated case ?

Premier : I cannot reply off hand, but I believe there is a question on the subject and if the honourable member will wait, he will have an answer in due course.

UHL RIVER HYDRO ELECTRIC SCHEME.

*228. **Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total energy annually available from the Uhl River Hydro-Electric Scheme and the energy which has so far been supplied to (a) the agriculturists, (b) the industrialists ?
- (ii) will he also kindly lay on the table a statement giving the names of the districts and also of the villages in various districts to which energy for agricultural purposes has so far been supplied and also the names of persons who are making use of this arrangement ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (i) If the peak load capacity of the existing plant is taken as 86,000 kilowatts, allowing one set as spare, it is estimated that the plant will be capable of generating 154,000,000 units per annum of which 133,000,000 units are estimated to be available for sale at all sub-stations of the grid at 11,000 volts.

The Electricity Branch's industrial tariff provides for supply for industrial and agricultural purposes. No separate information regarding consumption for agricultural and industrial purposes is therefore kept.

(ii) A statement showing the names of the districts and the names of the towns nearest to the consumer's land upon which power is utilised for agricultural purposes is enclosed. It is considered neither desirable nor necessary to ascertain or to give the names of individual consumers.

Statement showing the names of the Districts and the names of the towns nearest to the consumer's land upon which power is utilized for agricultural purposes.

| Name of District. | Name of town or village. | Number of consumers. |
|-------------------|--|--|
| 1 | 2 | 3 |
| Ferozepore .. | Ferozepore | 10 |
| Do. .. | Ferozepore Cantonment .. | 5 |
| Gurdaspur .. | Batala | 6 |
| Do. .. | Pathankote | 2 |
| Do. .. | Mamoon village near Pathankote .. | 2 |
| Do. .. | Gurdaspur | 2 |
| Do. .. | Dinanagar | 2 |
| Do. .. | Qadian | 3 |
| Do. .. | Tatley | (Irrigation Branch two tubes wells for experimental purposes). |
| Amritsar .. | Tarn Taran | 4 |
| Do. .. | Amritsar Suburban | 2 |
| Jullundur .. | Phillaur | 1 |
| Do. .. | Goraya | 2 |
| Lahore .. | Mahmud Buti | 1 |
| Do. .. | Muslim Town | 2 |
| Do. .. | Canal View near Jail Road Bridge | 1 |
| Do. .. | Near Model Town | 1 |
| Do. .. | Forman Christian College Estate near Ferozepore Road Canal Bridge .. | 1 |
| Do. .. | Near Mile No. 5 on Ferozepore Road | 1 |
| Do. .. | Between the Canal View and the Forman Christian College Estate .. | 1 |
| Ludhiana .. | Ludhiana | 9 |
| Lylpur .. | Jaranwala | 1 |
| Do. .. | Nankana Sahib | 3 |

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that there is surplus energy if the turbines at the first stage of the Hydro-Electric Scheme are worked at full capacity ?

Minister : It is very difficult to multiply at once figures running into crores and reply off-hand.

Sardar Sahib Sardar Gurbachan Singh : Is Government prepared to consider the advisability of giving this surplus energy to the zamindars at concession rates ?

Minister : That matter is already under consideration.

Lala Bhagat Ram Choda : For the zamindars or for those who are engaged in cultivation ?

Minister : Whoever pays for the energy.

Seth Ram Narain Virmani : Is the Honourable Minister aware that statements are being made that the cotton factories are not availing of the energy ?

Minister : That does not arise out of the original question.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that the last Punjab Legislative Council passed a resolution recommending to Government to give hydro-electric energy at concession rates to the zamindars ?

Minister : Yes, the matter is under consideration, as I have already said.

Sardar Sahib Sardar Gurbachan Singh : What action has the Government taken to give effect to this recommendation so far ?

Minister : Action has still to be taken ; that is what is meant by under consideration.

UHL RIVER HYDRO-ELECTRIC SCHEME.

***239. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that it was the intention of Government and that they expressed it on the floor of this House that the Uhl River Electric energy would be made available at a cheap rate to the agriculturists ;

(b) how far this policy has been kept in view in fixing the rates at which electric power is sold to the agriculturists ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The attention of the honourable member is invited to the reply given to question No. *6039¹, at the 1936 autumn session of the Punjab Legislative Council.

The rates for the supply of energy for agricultural purposes are the same as those for industrial purposes.

CHARGES PER UNIT OF ELECTRICITY IN THE UNITED PROVINCES.

***240. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state whether he is aware that the charges per unit of electricity levied by the United Provinces Hydro-Electric

Department are much lower than those which are prevalent in the Punjab; if so, whether the Government propose to revise their rates in the light of the United Provinces rates?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: A comparison of the rates charged by the Punjab Public Works Department, Electricity Branch and the United Provinces Government (*vide* statement attached) shows that the Electricity Branch's rates are more favourable than the United Provinces rates.

Statement showing comparison of Punjab Public Works Department, Electricity Branch and United Provinces Rates.

I.—General (Domestic) Supply.

The U. P. Government charges the following rates (*vide* Rules regarding the retail supply of energy by the Irrigation Branch (Hydro-Electric) U. P. Government), corrected up to 1st October, 1936—

- (1) For lights and fans at Re. 0-6-0 per unit subject to a discount of 0-0-6 pies per unit for prompt payment.
- (2) A meter rental of Re. 0-8-0 per meter per mensem.
- (3) A minimum monthly charge for the different connected loads as shown below :—

| | Rs. | |
|--|-----|-------------|
| For 0-25 kw. or less | 1 | per mensem. |
| Ditto 0-25 kw. but not more than 0-5 kw. | 2 | Ditto. |
| Over 0-5 kw. but not more than 1 kw. | 3 | Ditto. |
| Over 1 kw. | 5 | Ditto. |

- (4) Battery charging by rotary or static rectifiers, small motors upto and including 1 B. H. P. electric refrigerators, etc., are charged at the rate of Re. 0-6-0 per unit.
- (1) Compared with the above the Punjab Public Works Department, Electricity Branch' rate for domestic supply ranges between 4-50 annas and 1-83 annas per unit depending upon the connected load and the monthly consumption.
- (2) The Punjab Public Works Department, Electricity Branch, does not levy any monthly minimum charge.
- (3) The monthly meter rental is Re. 0-4-0 per mensem per meter against Re. 0-8-0 charged by the United Provinces.
- (4) The battery charging sets and motors upto 1 B.H.P. are charged at industrial rates. Refrigerators, electric irons, etc., if used for industrial purposes (*i.e.*, for business) are charged at industrial rates.

The comparison above will show that the Punjab Public Works Department rates for general supply are more favourable than the United Provinces rates.

II.—Industrial Supply.

In accordance with appendix V of the Rules regarding the retail supply of energy by the Irrigation Branch (Hydro-Electric) United Provinces the following are the rates of charge :—

- (1) A demand charge of Rs. 6 per mensem per B. H. P. installed plus 0-0-9 pies per unit consumed subject to a discount of three pies per unit for prompt payment.
- (2) A minimum charge of Rs. 6 per mensem per B. H. P. installed irrespective of the fact whether any current is consumed or not.

Punjab Public Works Department E. R. Rates.—For a consumer having say 50 B. H. P. or 37-5 kw. load Demand charge Rs. 7 per mensem, per kw. (or Rs. 5-4-0 per B. H. P.) plus energy charge of 5½ pies per unit the whole subject to a maximum total charge of 15 pies per unit.

- (2) There is no minimum payment clause, which means that in United Provinces a consumer having a connected load of say 50 B. H. P. will have to pay Rs. 300 to Government even if no energy is consumed by him in any month, whereas he will have to pay nothing in the case of the Electricity Branch.

Leaving aside the other things the very absence of the minimum charge clause in the case of Electricity Branch rates makes the Electricity Branch rates more attractive than the United Provinces rates.

APPOINTMENT OF MARSHAL.

Mr. Speaker : This morning between 7 and 8 o'clock I received a long letter from the Honourable the Leader of the Opposition. To deal with it, if necessary, I shall have to consult certain volumes of proceedings and certain books on Constitution. Therefore, I require some time.

I understand that there is some resentment against the appointment of a police officer as marshal. I hasten to state that as soon as a suitable retired military officer is available the present officer will be replaced.

There is also some misunderstanding about the duties of the marshal. As I said the other day, I have not defined his duties yet, I suggest, however, that for the present the duties of the marshal of the Central Assembly will be the duties of the marshal of this House; but that with the approval of the House I will appoint a small committee to fix and define his duties and that the report of that committee will be placed before the House for consideration and approval of honourable members.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I am glad that my honourable friends opposite have come back to us (*hear, hear*) and I am sure the whole House will be glad that they have decided to come back. You were pleased to make a statement that there had been a misunderstanding and that so far as the appointment of the present marshal is concerned, it is only a temporary arrangement. It has also been declared that arrangements will be made to replace him as soon as possible by a retired Indian military officer. I venture, with your permission, to make a suggestion, with regard to the functions of the marshal. I submit that it will go a long way, to meet the wishes of this House, if you will constitute an informal committee of this House to advise you. The proposals which are eventually formulated on the basis of that advice can then be brought before the House for ratification. My second submission is that since honourable members on the Opposition benches seem to have taken some exception, may be as a matter of principle against the appointment of the present marshal, I venture to suggest that if it does not mean any very great inconvenience to you, pending the appointment of a permanent marshal you may be pleased to dispense with the services of the temporary marshal (*hear, hear*). I should also, with your permission and through you, like to make an appeal to my honourable friends opposite that in view of my statement of day before yesterday—I was unfortunately not present when the incident originally happened—that in matters in which there is a likelihood of misunderstanding the normal practice in Parliament may be adopted, that is that that misunderstanding is first sought to be removed outside the House with the Speaker in his Chamber. If that procedure had been adopted in this case, I am sure that all this misunderstanding would not have arisen. I hope he will respond to my request in the spirit in which it has been made—I suggest that in future if an important matter or question crops up and I agree with him that the appointment of a marshal is of importance to this House—he should privately give notice to the Speaker and also to me, if he considers that I am also concerned, so that we can meet and discuss it quietly and see whether we can find a solution without raising it formally in the House. A great deal of sensation has been created by the Press outside, and to my mind

unnecessarily. There was a genuine misunderstanding and I hope that when you are pleased to make a statement you will make the position clear so that the misunderstanding is removed and there is no bitterness left among the members in any part of the House. I trust that the honourable members opposite will take the remarks that I have made in the spirit in which they have been offered (*hear, hear*).

Dr. Gopi Chand Bhargava : With your permission—

Mr. Speaker : Sorry. No further discussion on the statement made by the Honourable Premier can be allowed unless the House wishes to hear him.

Premier : I think that an exception might be made in this case, pending your final ruling and I am sure the whole House will agree that the Honourable the Leader of the Opposition should be given an opportunity on this particular matter to make a statement so that he may give us the benefit of his views.

Mr. Speaker : I have already said that I have no objection if the whole House agrees. I am in the hands of the House.

(*The whole House agreed*).

Dr. Gopi Chand Bhargava : I must thank you for the permission given by you to make a few observations not by way of discussion but to give a reply to what the Honourable Premier has been pleased to remark just now. The step we took yesterday was only to show our resentment from the constitutional point of view. We thought the appointment of the marshal was an encroachment on the rights of the House and that is why we were forced to take that step. There is nothing personal in the matter (*hear, hear*). It was only to protect the rights of the House. Because you are the custodian of the rights of this House (*hear, hear*), we were forced to draw your attention to this grave encroachment on the rights of this House. It was only for this purpose that we were forced to ventilate our grievance and to walk out of this House. As for the other point, I may be permitted to say that I had sent a note to you inviting your attention to this fact. I am glad that the Leader of the House has made the appeal to you to permit me on behalf of the Opposition to meet you as well as the Leader of the House for any such thing if it re-happens (*hear, hear*).

Mr. Speaker : The honourable Premier has suggested that if it be not inconvenient to me, I may dispense with the services of the marshal. If the honourable members so wish, I have no hesitation to do as suggested ; but I may assure the House that I do require the services of a personal assistant. He may be a marshal or any one else. I have to send messages and send for papers and books. The officer acting as marshal at present will be relieved at the earliest possible opportunity.

Dr. Gopi Chand Bhargava : As far as the question of the appointment of the marshal is concerned, it would be much better if you will be prepared to re-consider the matter with us before you put it to the House.

Mr. Speaker : What is then the opinion of the House ?

Premier : My suggestion is that you might be pleased to appoint a small committee including the Leader of the Opposition and myself to go into the question of the duties and functions of the marshal.

Diwan Chaman Lall : I understand that the Leader of the House has suggested that this particular marshal should, as from to-morrow—or at the earliest opportunity, I do not know what the Leader of the House actually said on this point—be dispensed with. It is for you, Mr. Speaker, to decide whether, in view of the fact that you and the House have agreed to the suggestion of the Leader of the House to the setting up of a committee for discussing the matter with you, in the meanwhile the services of this particular gentleman may be dispensed with and an early attempt made to give you the assistance that is required.

Mr. Speaker : Is that the sense of the House ?

Premier : We leave it to you, Sir. "Earliest opportunity" does not mean immediately. It means that you might consider the suggestion and replace him when you like. In making the suggestion I made it clear that you should suit your convenience.

Mr. Speaker : As to the appointment of a committee, I will nominate one before long. As to the dispensing with the services of the gentleman now acting as marshal, I will do the needful as soon as possible, after I have made some other arrangement. (*Cheers*).

DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION.

Minister for Finance : (The Honourable Mr. Manohar Lal) I move—

That a sum not exceeding Rs. 91,31,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of General Administration.

Mr. Speaker : Motion moved—

That a sum not exceeding Rs. 91,31,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of General Administration.

Parliamentary Secretaries.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : I beg to move—

That the item of Rs. 50,000 on account of Parliamentary Secretaries be omitted.

I oppose the whole of this provision on many grounds. I oppose it on legal and constitutional grounds. I do so on political, financial and economic grounds. I would request the members sitting opposite, through you, to hear me patiently and meet argument with argument.

I take up the legal and constitutional aspect first. Under whatever garb the parliamentary secretaries are to be created, under whatever name the identity of these posts may be concealed, it shall have to be admitted that these posts are in fact ministerial posts. They are perhaps created on the analogy of junior ministers or parliamentary secretaries or under-secretaries in the mother of Parliaments in England. As regards the position of the junior ministers or parliamentary under-secretaries in England I would only refer you to May's Parliamentary Practice, page 40. The perusal

of only a single sentence will show that these posts of parliamentary under-secretaries or junior ministers in England are on a statutory basis. The fourth line on top of page 40 reads thus—

"The statutory provisions as to the number of secretaries of state and under-secretaries of state who may sit and vote in the House of Commons are not however affected."

It shows that there is a statutory provision for the appointment and for the number of parliamentary secretaries and under-secretaries in England.

Premier : Since when ?

Sardar Hari Singh : I do not know.

Premier : You ought to have made sure.

Sardar Hari Singh : It will have to be admitted that these are political posts and they cannot be based on ordinary administrative basis because, as we have been told in the new expenditure book, members of this House will have to be appointed to these posts. The fate of the incumbents of these posts will be invariably and indissolubly bound up with the political fortunes of the Cabinet members. If a no-confidence motion is passed against the ministry to-morrow, the result will be that the parliamentary secretaries too go out with them.

Premier : Yes, certainly.

Sardar Hari Singh : What I mean to emphasise is that these posts of parliamentary secretaries are really the posts of junior ministers or ministerial posts outside the Cabinet on the analogy of such posts in England.

Premier : Not necessarily.

Sardar Hari Singh : It is for you to argue.

Premier : It is not a question of argument. It is a question of fact.

Sardar Hari Singh : While on this issue, we look in vain to the Government of India Act. We do not find therein any provision for parliamentary secretaries. Section 50 reads—

50.—(1) There shall be a council of ministers to aid and advise the Governor in the exercise of his functions except in so far as he is by or under this Act required to exercise his functions or any of them in his discretion.

Section 51 reads as follows :—

51.—(1) The Governor's ministers shall be chosen and summoned by him, shall be sworn as members of the council, and shall hold office during his pleasure.

(2) A minister who for any period of six consecutive months is not a member of the Provincial Legislature shall at the expiration of that period cease to be a minister.

(3) The salaries of the ministers shall be such as the Provincial Legislature may from time to time by Act determine, and, until the Provincial Legislature so determine, shall be determined by the Governor.

We look in vain for the provision of ministerial posts in the Instrument of Instructions. In the Instrument of Instructions the relevant part is—

VII. In making appointments to his Council of Ministers Our Governor shall use his best endeavours to select his Ministers in the following manner, that is to say, to appoint in consultation with the person who in his judgment is most likely to command a stable majority in the Legislature those persons (including so far as practicable members of important minority communities) who will best be in a position collectively to command the confidence of the Legislature. In so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among the Ministers.

[S. Hari Singh.]

We search in vain for parliamentary secretaries in either the Government of India Act or in the Instrument of Instructions issued under the Act.

While commenting on this matter, K. T. Shah a student of Constitution and a writer on the same subject, says in his book "Provincial Autonomy" under the heading "Strength of the Cabinet" as follows:—

There is nothing stated in the Act about the number of Ministers a Province should have; nor is it clear whether all the Ministers will receive an equal salary. Sub-section (3) points to the possibility of some difference in individual salaries. The British model, if followed will support that idea. The number of Ministers will, in all probability follow the present tradition,—combining the Executive Councillors and the Ministers under the dyarchical régime into a consolidated ministry of the autonomous régime. There is not an insignificant risk of the number being increased,—especially as in the Act as it stands, there is no provision for the appointment of subordinate or assistant Ministers, corresponding to Parliamentary Secretaries or Under-Secretaries of State in Britain.

A profound writer on constitutional matters says that in the Government of India Act, as it stands, there is no provision for the appointment of parliamentary secretaries or under-secretaries as in England. All this evidence leads to the conclusion that there is no statutory provision for the appointment of parliamentary secretaries anywhere in the Act or Instrument of Instructions under which this provincial autonomy has been established and a 'National Government' has been set up in this province.

Then again, there is no local enactment which may warrant the Government to appoint parliamentary secretaries. Only last April we passed the Removal of Disqualifications Act but that Act does not empower the Cabinet to appoint parliamentary secretaries. That only removes the disqualification that might be entailed by parliamentary secretaries when appointed.

Now I come to the second point under the same heading "legal and constitutional argument." Even granting that the Cabinet is within its rights to appoint parliamentary secretaries, I would say that they should first make the provision analogous to the provision contained in the House of Commons Act known as 'The Re-election of Ministers Act, 1919.' Before that Act was passed in the House of Commons, the position there was as stated in May's Parliamentary Practice, page 39—

"By the 25th section of the Succession to the Crown Act, 1707, if any member shall accept any office of profit from the Crown, during such time as he shall continue a member his election shall be and is hereby declared to be void, and a new writ shall issue for a new election, as if such person, so accepting was naturally dead; provided, nevertheless, that such person shall be capable of being again elected."

Let me not conceal from the House that the parliamentary under-secretaries in England were not amenable to this provision because according to Professor Keith's "Government of British Empire," page 287—

"Under-secretaries formerly had the advantage that their offices were not regarded as held from the Crown and therefore it did not necessitate any re-election even before the year 1926."

While quoting this from Keith's book I want to emphasise the point that the under-secretaries were not required to seek re-election only because they were not supposed to hold offices of profit from the Crown but now our parliamentary secretaries according to the Removal of Disqualifications Act are supposed or will be supposed to hold an office of profit under the Crown.

Therefore, they come under the mischief of this rule. While it removes the bar in the way of a parliamentary secretary to seek election to this Legislature, it does not entitle a member of this House, when appointed a parliamentary secretary to continue as a member. There must be a provision allowing a member, when appointed as a parliamentary secretary, to continue as a member on the lines of the House of Commons Re-election of Ministers Act, 1919. Let me read the relevant portion of Public General Acts, page 4—

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(4) Notwithstanding anything in any Act, a member of the Commons House of Parliament shall not vacate his seat by reason only of his acceptance of an office of profit if that office is an office the holder of which is capable of being elected to, or sitting or voting in, that House, and if such acceptance has taken place within nine months after the issue of a proclamation summoning a new Parliament.

So even under this Act a parliamentary secretary or a minister will be allowed to continue as a member of the House of Commons on appointment as a minister or a junior minister if he takes office within nine months of the summoning of the Parliament. There are two things that emerge from this discussion. In the first place the parliamentary secretaries, for whom provision is being made in the budget, ought to be placed on a statutory basis on the analogy of parliamentary under-secretaries in the House of Commons. They are political posts because their fate is bound up with the political destiny of their chiefs in the Cabinet. These posts are ministerial posts outside the Cabinet. We cannot create them by means of administrative or executive fiat.

I oppose this provision on another ground. The House has been confronted with a demand for fifty thousand rupees for parliamentary secretaries without being taken into confidence as to the number of parliamentary secretaries, their functions, their salaries, etc. We are presented with an amorphous demand. We cannot consider this question, we cannot come to a right judgment, we cannot give the correct verdict on this position unless we are told what is the actual number of parliamentary secretaries, what is to be the salary per mensem and what are their functions. We cannot judge unless you bring this point before us. We have to see whether we can give so many secretaries and what are the functions that you are giving them and whether their functions are such as to entitle them to a pay. On page 30 of the New Expenditure we are told for the first time about these secretaries. It says—

“ It is the intention of Government to create a certain number of posts of Assembly Secretaries to Ministers. These posts will be filled from among the Members of the Legislative Assembly, and the appointment of Chief Government Whip will also in all probability be included among them.”

Government has not yet reached any decision as to the number of these appointments or the pay of these appointments. “ The posts will not be filled until the Legislative Assembly has voted the necessary provision.” In the meantime they have made a lump sum provision of Rs. 50,000 for eight months of the year 1937-38. We are not such simple-minded people as to give a verdict on the issue unless the Government place all the cards on the table of the House.

My next point is this. I do not think that at the present moment in this province we require parliamentary secretaries or under-secretaries.

[S. Hari Singh.]

Why was the English Cabinet compelled to appoint secretaries and under secretaries? I give reasons why parliamentary secretaries were appointed there. In the first place, there are two Chambers of the Parliament in England. If the chief of a department was for example Secretary of State for India or Labour Minister or the Minister for War, supposing he is a Member of the House of Commons, then he has to answer questions in regard to his department in the House of Lords. In order that he may be able to explain his policy in the House of Lords a Minister belonging to the House of Commons feels the need of having a lieutenant in the House of Lords. Here in the Punjab there is only one Chamber. The Premier has to answer questions, reply to criticism only in one House and for that reason he does not require a lieutenant. (*Hear, hear*).

In England they require parliamentary secretaries because the parliamentary secretaries there, on account of the elaborate and complex nature of affairs in England, have also to carry on certain part of the administrative work.

Premier : Not all.

Sardar Hari Singh : Some. So here, Sir, in the Punjab they want to institute parliamentary secretaries but, we are not told what their functions will be and for that reason we cannot criticise the proposal fully. At least, I say, you do not require parliamentary secretaries for administrative work, nor can you delegate, the administrative work to the parliamentary secretaries under the Government of India Act. There is no provision for it in the Act. So I take it that the parliamentary secretaries here will be for parliamentary work, for answering questions, for preparing answers to questions and for preparing replies to debates and so on. But our Ministers do not require parliamentary secretaries for this purpose, at least, not paid parliamentary secretaries. (*An honourable member :* Why not?) Because they have got personal assistants and stenographers, and more than that they have got permanent secretaries in the shape of heads of departments. These secretaries prepare the necessary material with which the Ministers prepare the replies. Sometimes these secretaries prepare speeches also for the Ministers (*Laughter*) in reply to the criticisms from this side of the House. If the Ministers want parliamentary secretaries for carrying on work in this House, we too want such secretaries on this side of the House. But our secretaries have got to do as much arduous work as the parliamentary secretaries, but work honorarily. Why should not the parliamentary secretaries of the Ministers also work honorarily "in the interest of our motherland"?

In this connection, permit me, Sir, to read an extract to show what the duties of parliamentary secretaries are in England—

"The ministry is composed, as has already been pointed out, of an inner part that formulates the policy of the government, and an outer part that follows the lines laid down; the inner part, or cabinet, containing the more prominent party leaders, who are also holders of the principal offices of state, while the outer part consists of heads of the less important departments, the parliamentary under-secretaries, the whips and the officers of the royal household. All of these persons are strictly in the ministry and resign with the cabinet, but the officers of the household have, as such, no political functions, and do not concern us here. The heads of departments without seats in the cabinet have become, with the increase in size of that

body, very few. By far the greater part of the ministers outside of the cabinet are the parliamentary under-secretaries, who have two distinct sets of duties, one administrative and the other parliamentary". (*Government of England by A. Lawrence Lowell, Vol. I, page 77*).

But administrative duties you cannot give to your parliamentary under-secretaries on account of there being no provision in the Government of India Act in this respect. Therefore, whatever other work they may be entrusted with, they may do it honorarily. That is my next argument.

I oppose this demand on financial and economic grounds also. A sum of Rs. 50,000 for eight months comes to Rs. 75,000 a year. I take it that there would be one parliamentary secretary for each of the ministers. Of course, I speak subject to correction. Six ministers will have six secretaries. It means, by a simple process of arithmetic, that each secretary will get Rs. 12,500 which is more than double the pay of Congress Prime Ministers going to be installed in the United Provinces. (*An honourable member*: Is that so?) Yes. (*Cheers*). I mean to say, 'in case they accept offices'. I am of the opinion that the right wing leaders of the Congress should accept offices, leaving the socialists and militant section to carry on the Congress programme. (*Laughter*).

Next, I oppose this demand on what may be called political ground. We are morally bound to oppose it, because we do not accept this slave constitution. (*Hear, hear*). We cannot therefore assist the Cabinet in carrying on the Government and making the constitution a success, a constitution which has been imposed on the nation against its will. (*An honourable member*: That is letting the cat out of the bag). This constitution has set one community against another and has created communal disturbances.

If you will allow me, I should like to enter a strong caveat, if I may borrow that term from the Honourable Premier, against the use of the word 'parliamentary'. The word 'parliamentary' is a very dignified term. That term can be applied to the secretaries proposed to be appointed by this Government only if this House is a real parliament. But it is not. It is only the registry office of the Unionist Party. The Government has been trying to stifle the voice of the Opposition and has been refusing to allow debates on matters of public importance. (*An honourable member*: Question). In the House of Commons if the Opposition Leader wants a debate on a certain matter of public importance, the Leader of the House always gives time for the purpose.

Premier: I should like to offer a word of explanation. I made it quite clear on the first day of this session that I would always endeavour to accommodate the Honourable Leader of the Opposition whenever he approaches me to give him time for discussion of any outstanding or important matter. I am sorry that the honourable member has made a wholly incorrect statement.

Mr. Speaker: If an honourable member, when speaking, mis-states a fact or mis-quotes figures, it is open to some other honourable member of the House to correct him then and there, provided the honourable member in possession of the House gives way. Otherwise he may be corrected at a later stage.

Sardar Hari Singh : May I now wind up my speech. (*An honourable member* : Do please). I shall close my speech with a humorous touch. (*Laughter*). Lastly I oppose this provision in the budget on sentimental grounds. In spite of our radical political differences with the Premier and his colleagues, in spite of my whole ideology being diametrically opposed to that of the Premier and his Cabinet, there are certain qualities of head and heart in the Premier and in some of his colleagues for which I have nothing but admiration. While I must make ruthless criticism of his policy and programme, I cannot but adore him for his qualities of head and heart, for his sweet smile that charms away bitterness of opposition. I oppose this provision in the budget because I do not want to see our worthy Premier in a predicament in which he may have to face defections in his party, consequent on the appointment of secretaries. (*Laughter*).

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 50,000 on account of Parliamentary Secretaries be omitted.

Cut motions 1 to 5 are alike and cover the same ground. Therefore, I propose that they may be discussed together, but that they will be voted upon separately, if the gentlemen, in whose names they stand, so desire.

Sardar Kartar Singh (Lyalpur, Sikh, Rural) (*Punjabi*) : Sir, I submit that the item of Rs. 50,000 on account of parliamentary secretaries be omitted.

Khan Sahib Chaudhri Riasat Ali : On a point of order. I think the honourable member is a graduate and he should speak in English. (*Voices from the Opposition Benches* : No, No.)

Chaudhri Kartar Singh : On a point of order, Sir. Before taking up this cut motion, I would request that the legal objection raised by my learned friend should be discussed and the Advocate-General may be requested to clear this point.

Minister for Finance (The Honourable Mr. Manohar Lal) : There is no legal objection.

Chaudhri Kartar Singh : This is a constitutional objection.

Mr. Speaker : It is not fair that an honourable member should rise and after saying : " Sir, on a point of order", start speaking and arguing or begin to make a statement or a request for action. The honourable member made a request that a certain procedure may be followed, but that is not a point of order. If an honourable member wishes to raise a point of order or make a personal explanation, he is welcome to do so. But to stand up to make a personal explanation or raise a point of order and to start a speech or make a statement or advance arguments, is, I think, unparliamentary and will not be allowed, so long as I am in this Chair.

Sardar Kartar Singh : I have stood up to support the cut motion moved by my honourable friend, Sardar Hari Singh, viz., that the item of Rs. 50,000 on account of parliamentary secretaries be omitted. I request the honourable members to reject the Government demand. I, therefore, support the cut motion.

The legality and illegality of the cut motion has been discussed threadbare on the floor of this House. It has also been remarked that even if the parliamentary secretaries are paid salaries, they would continue to be

members of this House. But I would submit that in this item the pay of the whip is not included, and in the previous Act too, the salary of the whip was not included. Under these circumstances the Government demand should be rejected. Again I oppose this demand on the ground that the number of parliamentary secretaries has not been definitely stated. The Government has not thought fit to tell us as to what would be the exact number of these secretaries.

Khan Bahadur Nawab Muzaffar Khan : He is repeating the same arguments that have already been advanced.

Mr. Speaker : Repetition is not allowed.

Sardar Kartar Singh : My next submission is, that the details of their salaries have not been given. The sum of Rs. 50,000 is merely the total of the salaries for seven months. It is not clear from the budget whether next year Rs. 50,000 or Rs. 70,000 would be required under this head. At present the financial condition of the province is so bad that it is unable to bear any new expenditures. I, therefore, submit that instead of increasing the expenditure it should be cut down. If the work of administration can be carried on without these parliamentary secretaries, I would urge that they should not be appointed. If for three months the work of administration has been carried on without their services, I think the same can be done for the rest of the year. The heavy burden of salaries and the creation of new posts is simply intolerable as far as the poor people of this country are concerned. The financial condition of the Punjab is not sound. The economic condition of the zamindars as well as of the people in general is worse than before. The poor zamindars are incapable of paying even the land revenue and 'hala'. How would they be able to bear this new burden? These people were under the impression that the inauguration of the new constitution would redound to their benefit, but the facts are just otherwise. They are likely to lose instead of gaining something. The appointment of parliamentary secretaries would harm rather than benefit them. I beg leave to bring this fact to the notice of the whole House that we have been completely kept in the dark. We have neither been informed about the number of secretaries, nor about their individual pay, nor about the nature of their work. For the above mentioned reasons, I would urge the House not to vote this demand. We would take this item into consideration only at the time when the fullest details regarding it are made available to us. Then and then only can we pass or reject this item of expenditure.

I submit that fat salaries have been sanctioned for the ministers, and sufficiently high salaries are being proposed for parliamentary secretaries. The people in Government services too are fairly well-paid. After paying all these people, what would remain for the people at large? In this connection I would like to relate a story. Once upon a time a certain rich man decided to buy one seer of milk daily. He employed a servant for this purpose. The servant daily brought milk for him. But he happened to be a clever fellow. One day it struck him that if he gave his master 3 *pau*s of milk and one *pau* of water, the latter will not be able to make out the difference between unadulterated and adulterated milk. In pursuance of this scheme he began to give his master 3 *pau*s of milk mixed

[S. Kartar Singh.]

with one *pau* of water. When the master came to know of this he employed another servant to keep watch over him.

Raja Ghazanfar Ali Khan : On a point of information, Sir. Was that man addicted to opium?

Mian Muhammad Iftikhar-ud-Din : No reflection on your ministers.

Sardar Kartar Singh : The second servant was addicted to opium. (*Laughter*). When servant No. 1 saw that another servant had been appointed to keep watch over him, he decided to make him his partner and began to give him four *chattanks* of milk. The result was that his master now received half a seer of milk mixed with an equal quantity of water. The master came to know of this too. He employed a third servant to keep watch over the other two. But the first two servants contrived to make him their partner, and began to give their master milk in still smaller quantities. The master found this out and employed a fourth servant to keep watch over them. Now it became very difficult for them to steal any more milk. But the fourth servant was an artful creature. He asked the other servants to give one-fourth of the milk to him and he promised to manage the master himself. The master after waiting a long time for his milk fell asleep. The servants drank the whole of the milk and pasted the master's moustaches with cream. (*Laughter*). Next morning the master began to show his displeasure and inquired why they had failed to supply him with milk. The four servants shouted with one voice, "Sir, you took the milk alright. Just see the cream is still sticking to your moustaches." (*Laughter*) I have related this story in order to bring home to everybody the truth that the ministers and parliamentary secretaries have divided the loaves and fishes of office amongst themselves and the real masters have only a bit of cream left on their moustaches. This can be construed in another way, *viz.*, that the ministers are getting high salaries, the parliamentary secretaries will also get sufficiently high salaries and the Unionist Party gets only the cream on its moustaches, *i.e.*, they get Rs. 20 each as daily allowance.

I submit that the Government should not play the part of those servants. I admit that there is a majority of jats in the present Government, but they should not play the part of the jat, who finding a plateful of pulse, vegetables and loaves of bread would not stop eating. "You are a set of well-read, able and talented people. It behoves you to run the Government ably."

With these words I support the motion that has been moved by my honourable friend Sardar Hari Singh.

Lala Duni Chand : I have no desire to make any speech on this motion. I waive my right in favour of those honourable members who may desire to speak on this motion.

Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural) : Sir, first of all I must admit that in spite of hearing so many arguments of a versatile nature relating to the economic, constitutional and other aspects advanced by the mover of the cut, I for one at least have not been able to see whether any case worth the name has been made out to delete

or wash out this item of expenditure from the budget. The first reason which I would submit is that the House as a matter of fact has already committed itself to the principle of appointment of parliamentary secretaries and though strictly speaking constitutionally it might not be possible, I would think it is not proper that at this stage we should take exception to this demand or to this provision of expenditure. This matter should have been urged more properly at the time when we took into consideration the Removal of Disqualification Bill during the last session. Again, I am very much wonder-struck to hear that my honourable friend has not been able to find any legal sanction behind the appointment of these officers. Now if a man says tomorrow, I have turned over the pages of the Land Revenue Act and I have not been able to find any provision as to how dacoits and murderers should be punished, we are not to blame. My honourable friend says that he does not find any provision for the appointment of parliamentary secretaries in the Government of India Act, nor in the Instrument of Instructions nor in anything else and he does not know the place where to find it. Now for his information I would refer him to the proceedings of the Joint Parliamentary Committee where this point has been discussed and answer has been given to the question raised by Sir Muhammad Zafrullah Khan. My honourable friend has not hunted for the information at the right place and if he has not been able to find it in the statutes or books he has referred to, it is not my fault or the fault of other members of the House. The report says:—

“ We have not prescribed either the number of Ministers or the number of officers or indeed whether there should be under-secretaries or whether there should not be under-secretaries. We feel that those are essential questions that have to be decided by the provinces themselves and in accordance with their own conditions.”

It is therefore very clear that so far as the appointment of the parliamentary secretaries or the under-secretaries, is concerned it is open to the province itself to make them. (*An honourable member* : Not by an administrative act). Discretion is given to the province itself and this is in harmony with the spirit of the provincial autonomy that has been given as a matter of right to the provinces. Then, the next thing which he said was that the Ministers have got Personal Assistants and their stenographers. I am glad he did not mention about their chaprasis and their jamadars. He said that these persons can prepare speeches for them or their case and help them otherwise in the discharge of their duties, so far as their work in the Chamber is concerned. Now my answer to this is a simple *misra*—

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If the minister has a personal assistant he has got special duties attached and he cannot go beyond the sphere of his duties; he cannot poke his nose into other things. If there are chaprasis they can perform certain duties only and if there are typists they have many things to do and they cannot be expected to be conversant with law and parliamentary practice so as to enable them to answer questions or perform duties which are to be performed by a secretary or an under-secretary. I need not refer to the other class of servants which the Ministers have, namely the chaprasis and jamadars who have no education and their help will not be of any avail to the Minister or his staff. There are many duties which in the past were being

[K. S. Ch. Riasat Ali.]

performed by an official block who studied the files and prepared answers to questions raised on the floor of this House. But now you have only the Ministers — and only six of them — with so many portfolios attached to them— who have to do all the work which their predecessors no less in number than 22 were doing. So it is in the interests of the administration itself — to secure efficiency of administration — that there should be other people, literate people, to do this work, to help the Ministers in the discharge of their duties in this chamber.

Another thing which the honourable member, Sardar Hari Singh mentioned as his last, but not the least important, among his arguments, was that this was to help the Premier to keep his party united. I need not say anything to assure him that this party is more united than any other party in any province of India (*hear, hear*). The securing of these jobs and the distribution of loaves and fishes between various members of this party will never create disruption in the ranks of the party, I may assure him of it. The propaganda in the Press day in and day out has not been able to create the least division in the rank and file of the party. We are united on a matter of principle and not on these loaves and fishes, and our programme as has been stated by the Honourable Premier at various times must have been sufficient to assure the honourable member that our foundations are not so *kuchha* as he thinks them to be. We are bound down by the ties of duty and affection and not by those of gold and riches. Then another thing which Sardar Kartar Singh said was that all of us on this side of the House want to have a share in the booty or loot as he calls it. So far as the pay of the Ministers is concerned, it was argued even at the time of the consideration of the Ministers Salaries Bill that taking into consideration the pay of their predecessors in office, they have made the greatest possible sacrifice. Their pay has been reduced by more than 33 per cent. I would like to impress on the House that to say, after seeing that reduction in their pay, that they are taking away the revenues of the province in the shape of pay which is very high, is not correct.

Mr. Speaker : That matter is not now before the House.

Khan Sahib Chaudhri Riasat Ali : I was only answering the arguments of the honourable member.

Mr. Speaker : If one of the honourable members makes per chance an irrelevant remark, it does not follow that other members, who speak after him, are entitled to answer that irrelevant remark by irrelevant arguments.

Khan Sahib Chaudhri Riasat Ali : I thought it was up to the Chair to check those irrelevant arguments.

Mr. Speaker : Had the honourable member drawn attention of the Chair when the irrelevant remark was made, I would have certainly interfered.

Khan Sahib Chaudhri Riasat Ali : With due respect I thought that the Chair will do it *suo motu*.

Mr. Speaker : I do it in almost every case ; but sometimes I may miss. So, why not draw my attention in time ?

Khan Sahib Chaudhri Riasat Ali: I think I have sufficiently replied to the arguments of my honourable friend.

Another objection has been raised that we have not been told on the floor of the House as to what will be the number of the secretaries and what will be their pay. In the same way the honourable member took objection to this grant on the ground that their pay also has not been given in the budget estimates. Now, so far as that objection is concerned, I think it was not right for him to criticise this motion in this way because total estimate under a particular head is given in the budget, and if minor details are left out it is not a matter of such great importance that the House should not record its vote in favour of the sanction or otherwise of that grant. With these words I oppose the motion.

Mr. C. Rai (Amritsar and Sialkot, General, Rural): Sir, I oppose this provision of fifty thousand rupees for parliamentary secretaries. My honourable friend, Chaudhri Riasat Ali, has argued that this opposition is belated. He thinks that the proper time for raising objection to the provision being made was at the time when during the last session in Lahore the Removal of Disqualifications Act was passed. I am sure honourable members will agree that this argument is, to put it very politely, fallacious. That Act merely made a provision for enabling a member of the House to be appointed as parliamentary secretary (*Sardar Hari Singh*: Enabling a paid parliamentary secretary). As I read the Act, I am sorry to differ from *Sardar Hari Singh* that the Act merely enables the Government to appoint a member of the House as paid parliamentary secretary; otherwise a member of the House, if he becomes a paid servant, cannot remain a member of this House. Therefore, this is the proper time to raise an objection to the provision that is sought to be passed. It would certainly have been of great advantage to us to know exactly from one of the Honourable Ministers as to why they feel the necessity of a secretary for each Minister. Do they find it difficult in the present circumstances to carry on their job without being assisted and supplemented by a paid parliamentary secretary? I hope that one of the Honourable Ministers will explain to the House; and it is a fair request I am making on behalf of my friends and myself. We are entitled to know the difficulties that the Ministers are feeling at present in the discharge, efficient discharge, of their duties that they find it incumbent on them to move at the earliest possible moment I should say, for provision for the appointment of parliamentary secretaries. There is a lot of force in the objection raised by the Opposition that we are not aware as to the number of parliamentary secretaries. My submission is that unless we know how many secretaries are going to be appointed and on what pay, it is not possible for us to exercise our judgment properly on the subject.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P.M. Mr. Speaker in the chair.

Mr. C. Rai: So far no case has been made out for the appointment of parliamentary secretaries, but apart from this I have a legal objection

[Mr. C. Rai.]

to make with regard to this provision. The Punjab Legislative Assembly Removal of Disqualifications Act, 1937, lays down in section 2—

“ A person shall not be disqualified for being chosen as or for being a member of the Punjab Legislative Assembly by reason only of the fact that he holds any of the following offices :

* * * * *

Office of the Parliamentary Secretary, if and when it is created.”

Now these words “ if and when created ” are very significant. So far no office of parliamentary secretaries has been created. This is really putting the cart before the horse (*hear, hear*) to sanction Rs. 50,000 for parliamentary secretaries before the appointment has been created. Now the legal objection is this. In my view, as I interpret the Act, it is by means of an Act alone that the Government can create the post of parliamentary secretaries. The Government has not been given a blank cheque by the Government of India Act to write anything they please on it and they cannot go on creating posts by a mere administrative order. Therefore before this grant is approved by the House, my submission is that in conformity with the law it is absolutely essential that the Government should bring a Bill creating these posts of parliamentary secretaries and get it passed into an Act by the House. Unless and until that is done, I submit that the creation of these jobs would be absolutely *ultra vires* and in order to make it *intra vires* it is absolutely essential, as I submitted that the provisions of this Act should be complied with. So far all that has been said in support of the creation of these posts is that the Ministers cannot possibly attend to answering the questions or various other matters that arise in the Assembly without the assistance of parliamentary secretaries. On that point I would only make one remark and that is that I have great faith in the political wisdom and sagacity of the Honourable Premier and I have no doubt that unless he were convinced and unless he made out a strong case for the creation of these posts he, I believe, will not play with public funds and therefore I would request the Honourable Premier to enlighten the House as to the necessity for the creation of these jobs. But of course my legal objection stands. If there is any force in it and I believe there is, then that objection stands that until the posts are created by means of an Act of the Legislature, we cannot possibly have this grant sanctioned by the House. With these words I resume my seat.

Mian Abdul Rab (Jullundur South, Muhammadan, Rural) : Sir, I rise to oppose this motion and without indulging in any introductory remarks I would go straight to the question. Honourable members of this Assembly ought to realize that in connection with the Assembly work the Ministers have to deal with so many cases and they have to prepare answers to so many questions. I would like to point out that it is very difficult to frame questions. How much more difficult would it be to answer those questions ? You have to collect all sorts of information with regard to these questions and particularly when my honourable friends on the opposite benches shoot volleys of supplementary questions (*hear, hear*). Another thing is that these answers have got to be prepared, and information collected and placed before the House by a particular date and this work requires careful handling and supervision. It is a difficult matter for one Minister to cope with, single-handed. The next point that I wish to bring to the

notice of the honourable members of this Assembly is this, that if the honourable members of this Assembly desire that the Government point of view should be placed before this House with reference to certain matters, I think honourable members should not grudge the appointment of parliamentary secretaries to the Ministers. It has been pointed out on behalf of the Opposition that the secretaries that are going to be appointed should work honorarily and should not get any pay. I ask, on what principles, on what grounds do my honourable friends on the Opposition benches oppose the salaries of the secretaries? I would like to point out one remark made by a great socialist, Mr. Jhabwalla. He stated in a conspiracy case, I believe it was Cawnpore Conspiracy Case, that a man who toils must return to bed with full morsel in his mouth, his wife having full clothing and his children not crying for milk. I must point out that a person who works should be supplied with the necessities and comforts of life and we should not grudge him his pay.

Seth Ram Narain Virmani : What about honorary magistrates ?

Mian Abdul Rab : It has been pointed out by the Opposition and by my honourable friend the mover, Sardar Hari Singh, that the duties of the secretaries have not been defined and they have not been placed before the House for the information of the members. I would like to point out that there is a general definition which has been given, of the duties of these secretaries, and that is, that they are to assist the ministers. This definition should suffice. They are generally to assist the Ministers in their work in the Assembly. With these words Sir, I oppose the motion. (*Hear, hear.*)

Mr. S. P. Singha (East Central Punjab, Indian Christian) : A very simple speech, Sir. I have not been able to understand whether when Sardar Hari Singh mentioned in the last part of his speech, that he was now coming to the humorous part of his speech, whether his speech about his adoring and worshipping the Ministers was also a part of the humour or not.

Rai Bahadur Mr. Mukand Lal Puri : He said he worshipped the Premier and not all the Ministers.

Mr. S. P. Singha : My point is made all the more strong. I may tell the Opposition, that the Honourable Premier has not even taken this side of the House into confidence as to what are going to be the duties of the secretaries, who are going to be the secretaries (*hear, hear*) and what they are going to be paid.

Chaudhri Krishna Gopal Dutt : What a Premier !

Mr. S. P. Singha : Yes, what a Premier ! We have perfect confidence in him. These Ministers are our Ministers and we have *pucca* confidence in them. One argument suffices for us, that is, that if they think they need secretaries, they should have them. I would ask Sardar Hari Singh also, if he was sincere in his tribute to the Premier to follow on the basis of this Persian couplet—

به عئے سجاده رنگین کن گرت پیر مغان گزید
که سالک بیگبر بنود ز راه و رسم منزلها

Mr. Speaker : Mr. C. Rai's objection is that the exact number of parliamentary secretaries is not given. Should it not have been given ?

Rai Bahadur Mr. Mukand Lal Puri : There is nothing unconstitutional about it, Sir.

Mr. Speaker : Then the demand should have been made "on account."

Premier : Yes. It may be "on account" because if we exceed the amount provided in the budget, we will have to come before this House for a supplementary demand. It is quite clear.

Mr. Speaker : Perhaps I have not made myself clear. What I mean is that when a demand is placed before the House for being granted, the Finance Department ought to state the number of servants on account of whose salary or pay that demand is put forward, and it should also state whether the vacancies have been created or not, so that the House may understand what they are really discussing. Just now the demand appears to have neither head nor tail. (*Cheers*).

Premier : I think I have not been able to make myself clear. The demand has been made, to put it in layman's language "on account." The demand has been made for fifty thousand rupees to provide for the salaries of parliamentary secretaries and private secretaries who may be appointed hereafter. We did not put in the number or their salaries because we did not know if this House would vote the amount. If the demand is accepted then the Government will be in a position to appoint the parliamentary secretaries and private secretaries. If we exceed the amount voted by the House we will come up again with a supplementary demand. By then, I may assure you, the secretaries will have been appointed. I did not wish to anticipate the decision of the House and it is for this reason that you do not find the figures of salaries or the number of parliamentary secretaries mentioned in the memorandum. It is because I wanted to have a definite decision of this House on the matter that the appointment of parliamentary private secretaries and parliamentary secretaries has not been made so far. It often happens that we have to provide for certain services without going into detail ; but full particulars would eventually be placed before the House. In case we exceed the amount which is granted by the House, and in any case the figures in the shape of revised budget must come before the House sooner or later.

Diwan Chaman Lall : I regret to say that the Honourable Premier has probably not made the position quite clear as he should have done in view of the remarks made by you, Mr. Speaker. The position is not as has been detailed by the Honourable Premier. The Premier says that he has put this demand of Rs. 50,000 forward in order that, if it is passed, the Government may take the necessary steps to appoint secretaries. He should realise that every demand that is before the House is subject to the condition that it may or it may not be passed. It is not a question of selecting this particular demand of Rs. 50,000 to be placed before the House in order to get the decision of the House. If the Honourable Member wanted the decision of the House, the only proper and correct method for him to adopt was to bring in a Bill before the House suggesting that secretaries should be appointed and, Mr. Speaker, I say that advisedly. Reference was made to the Bill passed during the last session regarding the removal of disqualifications. You will see, that that merely relates to the fact that if secretaries are appointed then they shall not be debarred from standing for election to the

Punjab Legislative Assembly. In the statement of Objects and Reasons of this Bill it is stated that the first object of this Bill is to secure that for the future also the electorate shall not be debarred from choosing as members of the legislature persons who though they hold certain offices which might be called offices of profit under the Crown are at the same time not whole-time Government servants. The object was to remove the disqualification attaching to a prospective member of this House if that particular gentleman is appointed a secretary and given an office of profit under the Crown. But the fact still remains that this constitutional departure of appointing secretaries is not warranted by the Government of India Act, nor is it warranted by anything that we have in our constitutional procedure. If the Honourable Member, therefore, desires to appoint secretaries and wants money for the purpose of paying their salaries, the first thing for him to do is to bring in a Bill seeking the sanction of this House to appoint those secretaries and then fix their salaries. After he has done that, he can come forward for a supplementary demand. There is no procedure, that I know of, whereby a prospective demand can be put forward in the budget when the provision for the expenditure of that demand is not provided by the law or by any Act of this legislature. I have never known such procedure to have been adopted. If in this particular manner it is to be allowed, then there is nothing to prevent my honourable friend from saying "I want an item of Rs. 10,83,00,000 in the budget for expenditure for purposes which I shall designate later on." What is there to prevent him from doing that? It is absolutely necessary in order to protect the revenues of this province and in order to protect the constitutional and political procedure of this House and it is absolutely essential in the interest of this province, constitutionally, politically and financially that the correct procedure should be adopted by my honourable friend.

Premier : May I make myself clear? You will find that there are several items in the budget for which lump sum provision has been made. Take the Election Commissioners. We have not said how many we are going to appoint or what their pay will be, or for how long they will be there. Take the Public Service Commission. We have put down a lump sum grant. But we have not said what their number will be or what their pay will be. Therefore on the analogy of that we have put down this amount in the budget.

Malik Barkat Ali (Eastern Towns Muhammadan, Urban): Sir, there can be no room for doubt that the appointment of parliamentary secretaries is definitely contemplated in the Joint Parliamentary Report. The Government of India Act, 1935, certainly, does not provide for these appointments but it does not forbid them either. The reason why the question was not tackled in the Government of India Act was this, that the requirements of the provinces would differ, for, while one province might require four, five or six secretaries, another may not require any at all or may require more. Therefore to the extent that the Ministerial Party want parliamentary secretaries, the proposal cannot be opposed. But they cannot ask this House at this stage to vote Rs. 50,000 for parliamentary secretaries and for this reason. In England there are no doubt parliamentary secretaries and under secretaries, but these parliamentary secretaries and under secretaries are appointed under the authority of a statute. I will

[Malik Barkat Ali.]

read out to you from " The Cabinet Government " by Jennings on page 58 where it is stated that " the Premier cannot, without legislation, add to the number of Secretaries and Under Secretaries of State in the House of Commons." My reason, therefore, is that if a Bill had been introduced in this House and had been passed in this House fixing the number of parliamentary secretaries, it would be certainly open to the Treasury benches to ask for the supplies. But as there is no Bill before the House there is nothing to prevent the Treasury benches from to-day appointing six secretaries and to-morrow at their sweet will dividing the same amount among twelve members of this House. This is a feature which we cannot contemplate with equanimity. Let the number be fixed by statute, so that if ever the Ministerial benches want to add to that number they will have to come to this House. Therefore my submission is that I am not opposing on principle the appointment of secretaries. They have got to be appointed. They exist in the House of Commons. There are the under secretaries for His Majesty's principal Secretaries of State. Their number is fixed. There are statutory restrictions on these parliamentary under secretaries, one of the restrictions being that not more than six can sit in the House of Commons.

Then as regards the parliamentary secretaries no doubt the origin of the practice so far as the principal Secretaries of State were concerned was this that if the head of department sat in the House of Lords his Secretary or Under Secretary sat in the House of Commons, but the reverse is not true. In England Ministers as well as parliamentary secretaries do sit in the House of Commons.

My objection to this demand is that in the absence of any legislation it is not open to this House to vote this demand and I would request the Ministerial benches to study the law. If this demand can be voted only after there has been a statute, then I would ask them to consider the legal aspect and not force this House to vote a demand which legally they cannot obtain.

Minister for Finance (The Honourable Mr. Manohar Lal) : I had not proposed to speak at this stage, but as references have been made to practice in the House of Commons and to the necessity of having a definite piece of legislation before the House, I beg for permission to interpose in the debate at this stage. I cannot understand the opposition that has been made by my friend Malik Barkat Ali to this demand on the part of Government. He says parliamentary secretaries are wanted ; he says there is nothing in the Government of India Act that stands in the way of our having parliamentary secretaries, he admits that in the deliberations of the Joint Select Committee the Secretary of State in the most emphatic words said that parliamentary secretaries would probably be needed, only that they should not rigidly lay down the conditions for any particular province because they did not know how many secretaries may be wanted there. That being the position, I should like to know what law compels the present Government, what law compels us that we shall not have parliamentary secretaries unless and until we have a Bill for the purpose and pass it into an Act ? I am not aware of any and surely none has been indicated here.

References have been made to the practice in the House of Commons or in England. I am not sure how any practice or statute there can bind us, but I am in a position to say, despite the quotation which was given

from Mr. Jennings's recent book "The Cabinet Government," that it is not a fact that every secretary there is the creature of any statute. The words quoted from Mr. Jennings book were these : ' That the Premier cannot add to the number of Secretaries.' The actual number existing there is the result of a long course of Parliamentary conventions or practice developed in the course of time.

If that be so in England, I am perfectly clear in my mind that simply because you cannot there *add* to the number of secretaries now, there is nothing in the way of the Punjab that bars us from having parliamentary secretaries. Sir, we are all practical men, we are not living in refrigerators. This House deliberately adopted and directly blessed the policy of parliamentary secretaries last session. We passed a Bill that if we have parliamentary secretaries, those gentlemen can remain members of the House. Were we merely recording idle thoughts and our words flew wide upon the winds? We know parliamentary secretaries are necessary. They are essential. Now if they are necessary, if the Government benches feel so, and if the House also feels that the Ministers should have the support and the assistance of these parliamentary secretaries, I am not aware of any valid impediment, I am not aware of any obstacle that stands in the way of your considering the provision which the Government is making in this present budget.

May I go one step further? Suppose an Act be necessary to create parliamentary secretaries. Would that stand in the way of Finance Minister or the Punjab Government making the present provision? If we cannot actually appoint, I am not saying that we cannot, I am of the opinion that we can—but suppose by the advice of those whom we are accustomed to consult on matters of law we are informed that we cannot appoint secretaries without an Act, still why can we not make a provision in case the Government is later on able to secure that legislation produced from this House?

Diwan Chaman Lall : Suppose the House does not give you the legislation?

Minister for Finance : I said we are practical men, we are not living in refrigerators.

Diwan Chaman Lall : But this is a question of law.

Minister for Finance : That might be a question of law, and if any legal bar should be found to exist the present provision is in no manner incompetent.

Let me, therefore, if I may, examine some of the arguments that have been actually advanced on the other side against this step which the Government propose to take. The learned mover of this cut ended his speech by two reflections. His final reflection was a sentimental one. I know he indulges in a great deal of ideology, visionary speculations, and I personally welcome it. I do not quite know what ideology means but if it means dreamy, visionary speculations I am glad personally to find a kindred spirit in my friend Sardar Hari Singh, and I look forward to sharing his company in browsing on these ideal phantasms of the mind when we both have some leisure. The present small demand is no occasion for these imaginative flights. But he was heavily concerned with two things. He was all praise

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tremendous praise, if I may use that expression, for our Premier. He said he loved and adored the Premier. Yet he is quite prepared to tear the poor Premier to pieces for putting forward this demand which we all support, which the larger part of the House supports. The honourable member was also concerned, and mightily concerned, that we might have defection in this part of the House. It is not for me to answer that. I think it has been abundantly answered by a gentleman on this side of the House. But a little while before this the honourable mover of this cut motion announced in unmistakable language his real reason, what he was pleased to call his political reason; and that was this, that if you have six secretaries you will not be able to break the framework of this present Government, your efforts at destroying the constitution will weaken. If that be a reason it may appeal to Sardar Hari Singh and his associates in that part of the House, but he cannot expect to carry the House as a whole in support of an idea of that character. May I say on behalf of this part of the House, if the effect of having these necessary secretaries would be to strengthen the constitution and allow the Ministers to function more effectively, then we ought to go forward and bless these appointments (*Hear, hear*), because we have no sympathy with those destructive ideas of breaking down the constitution, 'wrecking' the constitution as the phrase goes. That much for the honourable member's political reasons. We want to work the Government of India Act, and if for the efficient working of the constitution under this Act we want these secretaries, then the demand cannot be opposed except on grounds that make no appeal to us.

Three arguments, in fact a variety of arguments were set forth sometimes described legal, sometimes described constitutional and sometimes described economic. I completely failed to understand what the legal or constitutional arguments were. It was attempted to be formulated in some such shape as this. These secretaries would be persons outside the cabinet. Really they are 'names under which their real identity would be concealed but they would be outside the cabinet.' Quite right, that is so. They will be outside the cabinet, but no identity or character is being concealed. Why must they be a part of the cabinet, having seats there? The objection passes my understanding. The only real objection that can be raised is not because they are being called one thing or another, or they are going to function in a particular way and they shall not be in the cabinet, but that they would be, as my learned friend who moved this cut motion suggested, totally unnecessary. As a corollary to the argument that these gentlemen would not be in the cabinet, it was also said that they may possibly have to go in case the present cabinet went out. I dare say they might have to go. But how is that relevant to the issue whether the Punjab Assembly to-day is to provide Rs. 50,000 for persons who are going to be of essential importance and of real assistance to the ministers or not to provide the sum?

Then, it was said that the Act is silent and the Instrument says nothing and, therefore, there must be something illegal about these appointments. Such an argument is startling. It can have no validity. The Act does not forbid our making these appointments as was pointed out by my friend, Malik Barkat Ali. Therefore it is open to us to appoint them if we so desire. We think that the appointment of these secretaries does not involve any

legislation. Certain honourable members may think that it does ; but that is a different matter. Neither the Act nor the Instrument stands in the way of these appointments. We know of a very eminent person who had to do a great deal with the passing of the Government of India Act, Sir Samuel Hoare. He, in the course of an elaborate examination, in the passage that was read out by a member from this side of the House, distinctly said that it was contemplated to appoint these parliamentary secretaries. Not only that. (*An honourable member* : Is he a legal authority ?) May I say at this stage even at the risk of appearing to repeat, that we ourselves in passing that piece of legislation to which reference was made during the last session, with our eyes open adopted, if I may say so, a particular policy. It was then for honourable members opposite to say that no legislation seeking to remove the disqualification of secretaries was required because the whole idea of the secretaries was fallacious, no such persons were wanted. Solemnly then to pass a legislation, and now to say that the secretaries are not wanted is not fair to the House. Now the function of the House to-day sitting in supply is not so much as to say, let us reduce a few thousand rupees here or a few hundred rupees there, but to attack the Government on grounds of policy. Can it be said that the House is addressing itself properly to the question of policy ? I venture to think that that is not so. My honourable friend on the other side was quite clear about the policy. His policy is that the present Act stands in the way of India's progress, that it is a bar in the way of our achieving freedom. But that is entirely outside the scope of the present discussion. We are all aware in this country that opinions on this big issue differ, but we are not concerned with this large theme to-day. The policy we are concerned with to-day has been already solemnly in due form blessed by this House, and it is foreign to our purpose to-day to dwell and enlarge on the matter of our constitution, its merits and defects.

Again, it was also said that the salary and the functions of these secretaries are not properly determined. I do not wish to say anything about the salary. The House clearly knows the pitch of salary that is likely to be fixed. But the main thing we are concerned is not that after all. The main thing is the functions of these secretaries. The honourable member who opened the discussion on his cut motion said that he had all love and admiration for the Premier. But is he aware of the extreme hard work to which the Premier in the Punjab is put in order to discharge his duties at all ? We, who are near him, have felt so every day, and we cannot permit him to carry on under breaking pressure as he has been carrying on during the last three months. (*Hear, hear*). May I remind the House of the position of the Premier in England ? He is usually without a portfolio. It is thought that discharging the functions of the Leader of the House, keeping a general watch on the way in which matters are presented before the House, arranging the business for the disposal of the House, deciding the broad lines of policy of the country particularly with reference to foreign matters, these are regarded as sufficient work for the Premier. But here you have it the other way. Hardly ten minutes pass on the floor of the House when the Premier is not called upon to make a speech. Hardly a day passes without his having to issue a *communiqué*. There is not a week that passes when he is not engaged in his very laudable effort to bring conciliation between the various communities of this province, (*hear, hear and cheers*), a task, we are proud that

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our Premier is discharging with such effect and general approbation all over the province. If we remember along with that that he has to carry a party with him, I am not ashamed of making that statement, every one so stationed has to carry a party with him, a live party, a party that can think for itself and has not merely a dead formula to endorse. (*An honourable member* : Do you belong to that party ?) If the honourable member will have a little patience, he will hear about it. I do not belong to that party. Whoever said I did ? But that does not prevent me any more than it prevented Sardar Hari Singh from recognising the supreme merits of our Premier. It is not an easy thing when we are launching upon a new constitution as we are doing at present, when we have a very much bigger House than we used to have to look after before, it means a heavy burden. We are thankful to the Premier for undertaking all this mighty task, but I think the province will not be fair to him, I am not speaking of the other Ministers, certainly not fair to him if he did not have adequate support of these secretaries. My learned friend over there suggested that the Premier in England has three secretaries. I am not sure if he has not more. But, if that be so, why should we refuse secretaries to our Premier ? (*An honourable member* : He has already got secretaries). (*Another honourable member* : No secretaries whatsoever.)

Premier : The secretaries which the honourable member refers, create a great deal of work for me.

Minister for Finance : One gentleman referred that he was horrified at the idea of a Government whip. He said secretaries are possible whips. Why this tribulation ? We have never spoken of any whips. The whip is merely a term used with regard to one of the secretaries in England. I believe he is the secretary in the Treasury who acts as the Government's chief whip. One little consideration I will place before you and that is this. I think we are not doing justice to ourselves by constant references to English practice. If we are going to follow the example of England, I wish we could, I think we ought to set before us the spirit of her constitution rather than fight about mere words, as we are inclined to do here to-day. (*An honourable member* : That applies to both sides.) Let it be, both sides. I believe it is held by a vast majority of this House that these secretaries are necessary ; When we have to answer honourable members' questions, discuss their resolutions and meet their criticisms, if we do not have an adequate fund of information, we shall not be doing justice by honourable members of this House. . Criticisms must be faced with full information, and so as to help, otherwise the House will proceed infructuously in debate. I say these secretaries are absolutely essential. There can be no two opinions about it. If that be so, let us do our duty to-day, let us recognise that the Government, in adopting the policy of this system of secretaries, is doing nothing improper, but is doing what the spirit of our constitution requires. The House should adopt, without hesitation, demur or least difference, this demand that has been put forward on behalf of the Government. (*Loud cheers*).

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Sir, I had no intention to speak on the demand under consideration, but things have been said which I think it is my duty to reply to. I do not want to waste the time of the House in replying in detail to what the Honourable

Finance Minister has said, because I think what he has said to-day he ought to have said when we had a Bill for the appointment of parliamentary secretaries. He could have put these arguments then, when, I think, they might have appealed to us. The question to-day is about the appointment of secretaries. This method of appointment is an underhand method. This method of appointment — I do not attach motives to anybody — is not the right method. In this connection two things have been said. One is that the Honourable Premier was pleased to remark that there was no need of giving the number of secretaries and the definite pay allotted to each secretary.

Mr. Speaker : The Honourable Premier has quoted some instances from the budget.

Dr. Gopi Chand Bhargava : I am coming to that, Sir. The Honourable Premier has said that under the head 'Commissions for the trial of petitions against election to the Provincial and the Indian Legislature' no number of its personnel is given but a lump sum is given in the budget. I will draw his attention to page 195 of the budget where it is said :

“ 2 Presidents

4 members (2 at Rs. 2,000 per mensem each, 1 at Rs. 1,550 per mensem) (voted) a member at Rs. 1,550 p. m. (non-voted).”

Then Sir, he was pleased to say that under the 'Public Services Commission' no number of its personnel is given. It is said on page 201 of the budget :

“ 1 Chairman,

5 Members,

1 Secretary ”

and their pay has also been allotted there. I may also submit that this is a non-votable item, and you have got no right to question the allowance of even a peon under the Public Service Commission. That is provided under the law. Therefore, this argument that the number of members has not been given or the pay has not been allotted to a definite person is not correct.

Premier : May I point out the fallacy in that argument? You will remember that the pay of Public Service Commission was provided in the last budget when nothing about the personnel or the composition or their number had been known, and it was passed during the last budget session. It is only recently that in this memorandum we have been able to give further details and facts because we know now about its composition. Similarly in the last budget the provision was made for the Election Petitions Commission but we could not give any details then. Now since these courts have been established, we are in a position to give details and they have been put now in the explanatory memorandum.

Dr. Gopi Chand Bhargava : I am glad the Honourable Premier has removed this misunderstanding. But I say that under section 268 of the Government of India Act, it is provided that every item which is spent on the Public Services Commission shall be non-votable and the Public Services Commission shall have to be appointed by the Governor (*cheers from the Opposition*) and not by the Government.

[Dr. Gopi Chand Bhargava.]

Then, about the other thing also, it is given that when after election petitions are filed then they have to appoint the Election Petitions Commission. Nothing like this is provided in the Government of India Act as far as the question of parliamentary secretaries goes. The other argument advanced is that there is nothing against it in the Government of India Act. I am not a lawyer, but claim to possess the commonsense which every man should possess if he claims to be a lawyer. I think that if there is anything for which there is no provision in the Government of India Act, it does not imply that the Government can do it without proper measure. You cannot do anything against the Act. That is all what is provided for in the Act. It does not give us power to act in any way without bringing in or getting the opinion of the House on a regular Bill. My submission is that this argument, that there is no provision in the Act against the appointment of parliamentary secretaries, is fallacious. It does not give us power to appoint these secretaries. After we have passed the budget and provided for these persons, it will be said, where is the harm if we appoint them now, because there is a provision in the budget ? Thus they may be appointed by an executive order without bringing in a Bill before the House. We do not want to give these powers to Government. We cannot allow Government to appoint them by an executive order simply because the House has sanctioned a lump sum in a certain item of the budget. Therefore I think we are perfectly right in putting this to you and through you to the House that the proper thing would have been to bring a Bill first pointing out the number of secretaries and then to bring this item before us.

Mr. Speaker : May I know if there is any provision in the Government of India Act which requires that no new posts can be created by Government without passing an Act ? If there is any such provision then it can be certainly insisted upon that the posts of secretaries should be sanctioned by an Act of the Assembly. But if there is nothing to that effect in the Act and if Local Governments can, from time to time, according to their needs, create new appointments without any legislation, where is the objection ? Suppose the post of an Inspector of Schools is created to-morrow, will the Government first come with a Bill before the Assembly, and have the new post sanctioned or will a provision for his salary be made in the budget and the appointment made after it is sanctioned ?

Dr. Gopi Chand Bhargava : Mr. Speaker, I am not a lawyer and therefore I am afraid I shall not be able to reply to your question. But I believe that other lawyers who have spoken shall reply to it or the honourable mover of this cut after consultation with those lawyers will clear the point. But what I think about this is this, that the question of appointments which you have mentioned arise mainly for administrative purposes and whatever we have got here in the budget is only provision for those which are already there. If the Minister makes further appointments he should bring a supplementary budget for the purpose. I do not say that he should not come to the House for the appointment of those people ; certainly not. But if he wants to allot a certain amount of money to the inspectors, without fixing their pay, etc., saying he will spend it at his will when necessity arises, then I take objection.

Another point I beg to submit is this ; supposing it is legally correct that they can appoint parliamentary secretaries, we have got every right to know the number of secretaries they are going to appoint.

Mr. Speaker : The honourable member is repeating his arguments.

Malik Barkat Ali : With reference to the point which has been specifically raised by you, Sir, my answer is very simple. Under the Government of India Act the Governor of the province is the executive head of the Government of that province. For purposes of administration there are certain appointments, which the Governor alone can make. For purposes of other administrative appointments, for instance, the subordinate administrative appointments, the Governor delegates his authority to the heads of departments and the heads of departments similarly delegate their authority to the superintendents of offices. Therefore to the extent that administrative appointments are concerned, the Governor being the legal authority for making these appointments, no authority of this House is necessary. But parliamentary secretaries like ministers are not administrative servants of the Crown. These are political offices. The ministry goes out, and along with the ministry their parliamentary secretaries go out. The Opposition walk in and they appoint their parliamentary secretaries. Therefore, I submit that so far as administrative appointments under the Crown, *e. g.*, of permanent officials are concerned, the legal authority vests in the Governor of the province. It is for him to consider whether he requires 4 secretaries or 5 commissioners and so on. These matters can be dealt with by him on the executive side and this House certainly has no say in the matter. But the appointment of parliamentary secretaries rests with the Premier ; this is the gift of the Premier. The Governor has absolutely nothing to do with the appointment of these parliamentary secretaries. Where is the legal authority for the appointment of these secretaries unless and until there is a statute passed by this House ? I read out to you a certain extract and I would with your permission read out the full extract as that makes the position amply clear. " The Prime Ministers cannot without legislation add to the number of secretaries and under-secretaries in the House of Commons ; but provided that parliament will vote the money he can create other offices " — not the offices of secretary and under-secretary. He can create unpaid offices. These parliamentary secretaries are his creation. But no new office except that of Secretary of State carries legal duties without legislation. I therefore respectfully submit that the case of these Parliamentary secretaries stands on a different footing from the case of other administrative appointments for which in theory the Governor or the heads of the departments or the superintendents are the legal authorities.

The Advocate General (Diwan Ram Lall) : The position seems to me to be perfectly simple and perfectly clear. The position is that the Government of India Act does not in so many words say that there shall be appointed under-secretaries in any province. But the Government of India Act, as pointed out by my honourable friend, Malik Barkat Ali, does not forbid appointments of this character being made. It was further pointed out, and correctly too, that in the discussions at the time of the Joint Select Committee Report, this was deliberately left to the provinces cause one formula could not be adopted which would be applicable equally

[Advocate General.]

in every province. One province may require more secretaries and other provinces may require no secretaries at all. Therefore the individual requirements of each province could not be found before-hand and therefore the matter was not legislated for in the Government of India Act. In all this talk that has taken place on both sides of the House, it has been a little difficult to find out what really is the legal objection that is being taken to these appointments. So far as I have been able to understand the discussion on the point, two matters which might be said even faintly to touch the legal fringe of the matter can be debated ; one is, you cannot vote money unless you know for whom, for what purpose, that money is being voted for and it is said that you do not know the purpose because you do not know the particulars. This is an argument which is difficult to follow. Now the question of numbers was made the subject of a certain amount of legal controversy by my honourable friend, Mr. Barkat Ali, who in quoting a certain authority said in England you cannot add to the numbers except by means of legislation and therefore from that he argued that there was necessity here in this province also, if not under the Government of India Act, under some kind of parliamentary procedure and practice that obtained in England, that there should be a number fixed by legislation before this grant could be voted. Before I deal with that matter I

3 P.M. might draw attention to a matter which was very clearly put, I may say with all respect, by the Honourable Finance Minister, which really cuts at the root of the whole controversy ; and that is this. What is the House being asked to do at present ? It is being asked to vote a certain sum of money . When that money comes to be applied, and if it is found that it is being applied for a purpose not sanctioned by the House, it is then and then alone that any legal objection can be taken. At present we are at a stage where that point has not yet arisen. Assuming that the appointments have been made and assuming further that these appointments are being questioned, the question is whether there is any legal objection to the grant proposed. The only precedent to which reference has been made, and the only legal authority to which reference has been made is the authority quoted by my friend, Malik Barkat Ali. His first argument appears to be this that because in the English Parliament the numbers are fixed and those numbers can only be increased by legislation, therefore something analogous must be done here.

Diwan Chaman Lall : May I draw the honourable member's attention to the fact that under the original Statute 22 Geo. III, Chapter 83, two secretaries were fixed. The original appointment is by statute, and it can only be altered by statute.

Advocate-General : I anticipated the point raised by my learned friend (*laughter*). The whole basis of the argument is, what is the position in England ? The position in England is that up to a certain point, up to the enactment of the statute in 1741, that statute fixed the number, and up to that point no number was fixed. Therefore the position in which we are today is the position which existed in England before 1741. I might refer to page 40 of May's Parliamentary Practice, where this matter has

been referred to. You will see that the matter has been explained there beyond any reasonable doubt on the point. At page 40 it says :

By the 22 Geo. III.c.82,

(to which reference was made by my honourable friend)

Not more than two principal secretaries of state could sit in the House of Commons and not more than one under-secretary to each department—

mark the words " not more than one under-secretary to each department—

would appear to have been admissible to the House of Commons under the House of Commons Disqualification Act, 1741—

Up to the year 1741 the position was not challenged that not more than one Under-Secretary for each department could sit in the House of Commons. Up to that year the number was not fixed : one belonging to each department could sit in the House of Commons till the Disqualification Act of 1741 was enacted (*A voice* : Not till) That is as I read it.

' And as doubts were entertained whether more than two under-secretaries could sit there, in practice there were, until 1855, only two under-secretaries who held seats in that House at the same time '—

Note the limitation of numbers—

' But on the establishment of the Secretary of State for war in 1855 an Act was passed to enable a third principal secretary '

Therefore it was first in 1855 that the number was fixed. It is essential that if the number has to be added, it can be added by statute. Again

' By the Government of India Act, 1938, provision was made for another Secretary of State and another under-secretary. '

Recently in 1917, as you will see on page 42, when the Air Force Ministry was created a new under secretary was made, and the number was increased to five. So if once the number has been fixed, as has been the case in England after 1855 certainly not earlier than 1741, and if it is to be increased, it can only be increased in England by statute. We may find that in a year or two the numbers may be fixed by statute. Then you may have to bring in a Bill and get it enacted into a law before this number so fixed by statute could be increased. My submission therefore, is, that this argument of my honourable friend opposite has no force. (*A voice* : You may pass an Act and appoint as many secretaries as you please). At the stage at which we are now, it is premature to raise this point. When the money is voted and comes to be applied by Government and then some members of this House find that it is being misapplied, at that stage will that question arise.

Diwan Chaman Lall : What about Rule 48 ?

Advocate-General : Assuming that even it is not premature, there is no force in the argument that the number should be fixed by statute, because in some other countries under certain conditions, there the number is fixed. We might achieve that position next year, but till then, this argument is not valid.

Dr. Saif-ud-Din Kitchlew (Amritsar City, Muhammadan, Urban) : (*Honourable Finance Minister* : Jallianwala Bagh.) Sir, my honourable friend over there, Honourable the Finance Minister has probably got

[Dr. Saif-ud-Din Kitchlew.]

frightened by seeing me standing over here on this side of the House. He has said 'Jallianwala Bagh' probably on seeing me standing here on this side of the House he has got frightened. Everybody on the side opposite and probably some of my friends on this side said that the matter is so simple that there is nothing ambiguous about it and there is nothing difficult about it to understand and yet I find that things have really been made worse by my honourable friends over there, by one of the Ministers and by the Advocate-General. The explanations that have been given by the other side, particularly by my friend the Advocate-General have made things still worse. I am sorry to say that while quoting May's Parliamentary Practice, page 40, he has missed the important point which is before the House and on which if I remember aright you wanted to have some light. The point is not so simple as my friends on the opposite side seem to think, and yet it is so simple that they are not able to understand. It is quite true that the Government of India Act is absolutely silent on this point. I agree with him.

Rai Bahadur Mr. Mukand Lal Puri : Is it ?

Dr. Saif-ud-Din Kitchlew : So far as the appointment of secretaries is concerned, it is absolutely silent. If it is not, will my honourable friend get up and point out to me ? (*hear, hear*).

Rai Bahadur Mr. Mukand Lal Puri : It is silent on the number of secretaries.

Dr. Saif-ud-Din Kitchlew : The Act is not silent on that ground. Therefore that cannot be taken seriously into consideration, unless we want to waste the time of the House.

Premier : That of course we do not want.

Dr. Saif-ud-Din Kitchlew : Hitherto we have been told that the Act is silent and we shall have to follow the parliamentary practice. We have been told this so many times on various issues. Parliamentary practice is very simple and plain and it lays down emphatically that as no secretaries are provided in the Government of India Act, therefore no secretaries can be appointed by this House without the regular sanction of the House by means of a statute. That is a plain and simple matter which I have the honour to place before you on behalf of myself, as I represent no party whatever. Page 40 of May's Parliamentary Practice was read out by my friend, the Advocate-General. In this you will be pleased to note a very important point. Before this Act there were no secretaries in the House of Commons. No parliamentary secretaries were there and there is no warrant for saying that there were parliamentary secretaries then. If you will kindly read, you will find that by this Act no more than two principal secretaries of state could sit in the House of Commons and not more than one under-secretary to each department would appear to have been admissible under the House of Commons Disqualifications Act and as doubts were entertained whether more than two under-secretaries could sit I would say that in practice there were until 1855 only two under-secretaries who held seats in the House at the same time. But in 1855 an Act was passed to enable a third parliamentary secretary and a third under-secretary to sit there. An Act was passed and statutory sanction was obtained about that and then it

was possible for a third under-secretary to sit in the House. To start with, the matter is absolutely clear. There were two under-secretaries under the Act and a further addition was made to that under an Act and not without an Act. I fail absolutely to understand the position very strangely and very quaintly taken up by the learned Advocate-General with all the knowledge that is at his command and with all the statutes and parliamentary practice that are at his command. The law, as it stands, to my mind is absolutely in favour of the proposition advanced by the Opposition. I am not in the habit of flattering people. My honourable friend the Finance Minister is of course in a position to do that. He has got to flatter his chief. Loyalty is only too obvious (*hear, hear*), but I at least hope that the Honourable Premier who is not now in the House would be man enough to resent that kind of things. We were talking something very serious which touches the rights, the constitutional rights, of this province and there is no room on this issue to go and flatter one's chief (*hear, hear*). Again, I draw your attention and through you, the attention of the House to this fact. Supposing we made a mistake of the kind that my friend opposite wants us to make in this House. What would be the result? Attention has been drawn to the note to rule 48. It says:—

“ In scrutinising the appropriation accounts of the Province and the Report of the Auditor-General thereon it would be the duty of the Public Accounts Committee to satisfy itself.”

As to what?

“(a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the services and purposes to which they have been applied or charged.

If therefore you include any item which you were not legally empowered to spend you will have to account for it yourselves. Therefore my submission is that the decision taken by this side of the House on this purely legal and constitutional issue is perfectly valid and proper and if my honourable friends on the opposite side by the majority they have got at their back and the majority of votes they possess, pass the demand then it will be entirely and legally their responsibility and not of this side of the House (*hear, hear*).

Khan Bahadur Mian Mushtaq Ahmad Gurmani (North Muzaffargarh, Muhammadan, Rural) (*Urdu*): Mr. Speaker, the honourable members of the Opposition have been accusing our Government in season and out of season that it is over-ridden by bureaucracy and even with the change in the system of Government the real power rests with the permanent officials of the Government. One of the members went so far as to describe the present Government as a brown bureaucracy. But now that the Government comes forward with the demand that the ministers should be given non-official assistants from amongst the honourable members who are responsible to this House, the Opposition raises a volley of objections against their appointment. The appointment of parliamentary secretaries will surely lessen the dependence of the ministry on the bureaucracy. I am at a loss to understand the logic of my honourable friends of the Opposition in opposing a proposal, which aims at enhancing the control of this House over the bureaucracy. While I realise that the expert administrators, that is to say, the permanent officials, are an essential part of an efficient Government, I feel that an adequate control must be exercised on them to ensure fresh

[K. B. Mian Mushtaq Ahmad Gurmani.]

outlook and co-ordination, and to avoid the waste of effort and multiplication of 'red-tape'. In the words of Ramsay Muir "Bureaucracy is like fire, invaluable as a servant, ruinous when it becomes the master". Our permanent services have played a very important part in the progress and development of our country in the past, and I am sure their co-operation and loyalty will be of immense value in future. My honourable friend Sardar Kartar Singh told us a very interesting story. He was horrified at the idea of creating more jobs, and remarked that if we increase the number of servants, they will drink all the milk and leave nothing for the master. It reminds me of a well-known proverb :—

دودھ کا جلا چھاچھ بھی پھونک پھونک کر پیتا ہے

(Once bitten twice shy).

I presume my honourable friend has had a bitter experience of the management of gurdwaras. He probably apprehends that these new servants will consume the revenues of the province as his Akali friends swallowed the incomes of the gurdwaras. But let me assure him that our masters are too strong to allow this. They know how to keep their servants at their proper places. Let us see how much work our Ministers have to do. It is physically impossible for them to cope with this work for any length of time. A Minister has to dispose off a donkey-load of files every day, many of which are of a routine nature. It takes him quite a few hours even to put his signatures to these routine files. A considerable part of his time is necessarily taken up in discussions in the Cabinet and in party meetings. A great part of his time is swallowed by public engagements of great variety and in interviews and during the Assembly Session he spends the day in the Chamber and has to attend to his files at night.

Mr. Speaker : The honourable member is repeating his arguments.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I am trying to advance a new argument by mentioning these facts, if you will allow me to do so. It was remarked that the Government would have been better advised to utilise this money for giving relief to the poor than for appointing parliamentary secretaries. I was trying to show that if our Ministers are relieved of some work, they will utilize their time in thinking out new schemes for the benefit of the people and in tackling various important problems. Parliamentary secretaries will, I suppose, deal with these routine files and with other minor administrative matters and the Ministers will be left to control the general policy of the departments and solve the problems of education, industry, crop-planning, Marketing and so on. Our Government has a gigantic task of readjusting the economic and social structure of our province. It is, therefore necessary that the ministers should have sufficient time for serious thinking in order to solve these problems. The benefit, which will result by these reforms will many times exceed in value the salaries of the secretaries. I make bold to say that this expenditure is bound to result in economy in the long run. Only the other day a complaint was made by the Opposition that the Government gives incomplete answers to Assembly questions and that full information is not made available to the honourable members. At present the information

is collected by the heads of departments. The Minister is supplied by the office with neatly type-written replies. He has hardly any time to sift the information and to check its accuracy and when he is badgered with supplementary questions he has to ask for fresh notice. This naturally increases the work and often causes annoyance. If the ministers have parliamentary secretaries they can deal with the Assembly questions and come prepared with all the necessary information. In the interest of efficiency and economy, the ministers must be given these assistants. In my opinion the appointment of parliamentary secretaries is a step forward towards democracy as it will enhance popular control over the administration and will make our Ministers more independent of the bureaucracy. I would, therefore, appeal to the House to reject the cut motion under consideration and pass the Government demand for grant.

Chaudhri Muhammad Abdul Rahman Khan (North Jullundur, Muslim, Rural) (*Urdu*) :

نالہ بلبل شیدا تو سنا ہنس ہنس کر
اب جگر تھام کے بیٹھو میری باری آئی
حریفوں نے رپٹ جا جا کے لکھو آئی ہے تھانے میں
کہ اکبر نام لیٹا ہے خدا کا اس زمانے میں

(*Laughter*).

Sir, the unenviable plight in which we find ourselves may well be likened to the Punjabi adage :

رن پھرے نکتہ کزان نون—ے کہسم پھرے نگ ودان نون

(*Hear, hear and laughter.*)

A sum of Rs. 85,000 has already been given to Ministers and now the question of another sum of Rs. 50,000 has arisen. As some of my honourable friends have stated, there is no doubt about the fact that the amount of work the Ministers have now to do has increased, but the question is, whether any attention is being paid to those from whose pockets this money is to come from. There is absolutely no change in the budget. It is the same as it was ten or twenty years ago. The burden of land revenue upon zamindars is the same. It has not been lightened at all and yet the staff of Ministers is being increased every day. The Unionist Party tries to console us by saying "Let the administrative machinery come under our control and we will redress all your grievances". The question of redressing grievances will come later on, for the Unionist Party is engaged in demanding salaries for its proteges. The latest development in this connection is the appointment of parliamentary secretaries. An honourable friend made a suggestion to the effect that honorary secretaries may be employed, to which Mr. Abdul Rab objected on the ground that a man cannot work with an empty stomach. But you must bear in mind that the employees of a poor employer cannot be but poor. (*Laughter*). Naturally the rich servant of a poor master does not work satisfactorily. I do not think that there is any need for the appointment of secretaries, until the zamindar is in full possession of the administrative machinery. The Honourable Premier

[Ch. Md. Abdul Rahman Khan.]

has said that he is a zamindar himself and his colleagues too are zamindars and, therefore, they are in a position to realise the difficulties of the zamindars. I may be permitted to say that this statement is not correct. All the Ministers of Government with the exception of Chaudhri Chhotu Ram, were born in purple. They do not know what want is. I am, however, prepared to concede that Chaudhri Chhotu Ram was born in a zamindar family whose members tilled the soil with their own hands. He alone of all the present Ministers is familiar with the hardships of zamindars.

In the last session of the Assembly I told the Premier that if he really is a zamindar he should hold a darbar in which the zamindars should be given an opportunity of ventilating their grievances. He should himself tour the countryside and see for himself the miserable plight of the zamindars. A man born with a silver spoon in his mouth cannot imagine the condition under which the zamindars are living unless he visits them personally and sees things for himself.

All our Ministers such as Nawab Sahib, Rao Sahib and Sardar Sahib sitting on the opposite benches are our dear friends. The Honourable Rao Bahadur Chaudhri Sir Chhotu Ram was born in a zamindar family, whose members tilled the land with their own hands, but I am sorry to say that even he has fallen into such a deep pit that he cannot hear the lamentations of his poor and needy compatriots. It is most unfortunate for the country that the zamindars can no longer count upon Chaudhri Sahib as their well-wisher.

I have personal knowledge of the miserable plight of the poor. I venture to say that if you had the least idea of their miserable condition, you would not have shown so much callousness towards them. I swear most solemnly that I am not romancing. I am stating facts. Woe to the liar. (*Laughter*). At the time of the last *harhi* I went round to collect from my tenants, 250 maunds, of wheat, which they had borrowed from me. The tenants who gave me ten maunds of produce, had only five maunds left with him. Those who expressed their inability to give me anything, had really nothing to give. To crown this they had not enough grain to keep body and soul together. Just consider for a moment the plight of zamindars whose *harhi* produce has been spent in paying government dues. How will they manage to live during the remaining portion of the year. (*An honourable member* : Taccavi loans).

I know that there is an item in the budget relating to taccavi loans, but you need not bother about it as you are going to be appointed a parliamentary secretary.

Mr. Speaker : The honourable member is requested not to be personal. He should address the Chair.

Chaudhri Muhammad Abdul Rahman Khan : Honourable members opposite were also indulging in personalities. There is a *hadis*, which lays down that he who gives you a slap or a kick, must be paid in the same coin. I was submitting that the Government should give special attention to the condition of the zamindars. If this sum of Rs. 75,000 which is proposed to be paid to parliamentary secretaries, had been distributed among the poor zamindars, it would have been a happy augury for the new government.

The masses would have regarded the government of the province as an autonomous government in the truest sense of the word. During the election campaign you held out promises to the electorate that if you are elected to the Assembly, you would undertake measures for relieving the poverty of the masses. But now that you are holding the reins of government, you have thrown those promises overboard and the only thing you remember now is how best to fill the pockets of parliamentary secretaries with gold. In my opinion, as long as steps are not taken for relieving the poor down-trodden masses of their misery, all such expenditure is useless. You know full well that unemployment is universal in this country, because we are slaves and our country is the country of slaves. There are countless B.A.'s and M.A.'s in this country and it is a thousand pities that for want of employment they are driven to commit suicide by throwing themselves in front of railway engines. But what do we find in other independent countries? The unemployed graduates address their king in the following terms :—"Get up you sluggish fool and do something for us otherwise we will overthrow you." (*Hear, hear and laughter*). It is the duty of a king to see that no one in his kingdom goes to bed with an empty stomach. If he fails to do his duty by his subjects, the only course open to him is that he should abdicate.

The Honourable Nawabzada Major Khizar Hayat Khan Tiwana :

The honourable member is using unparliamentary language.

Mr. Speaker : He has used most objectionable language. He does not understand English, therefore, I cannot make him understand} me. Will someone be pleased to make him understand that if he wishes to speak he must speak in Parliamentary language?

Premier : On a point of order, Sir. May I through you tell the honourable member that he must remember that he is not speaking in a *daira* or in a meeting where they have what they call *khush-gup*. This is an august body of representatives of this province and we must insist that the language used is dignified. I strongly object to the language that he has used. The honourable member may consider he is being funny, but he must bear in mind that the honour of this province is involved. I strongly protest against the use of the language employed by him. If he persists, I hope you will take note of it and call him to order.

Diwan Chaman Lall : Mr. Speaker, there can be no doubt whatsoever that the level of debate of this House should be kept on a very high altitude and I reciprocate the feelings given expression to by my friend, the Premier. At the same time, Mr. Speaker, this is a democratic House and therefore I want my honourable friends to remember that there are people who are very highly educated and there are those who are not very highly educated in the sense in which Mr. Manohar Lal may be highly educated. They have a point of view to express and they can only express their point of view in their own particular language. Their language may not be quite proper, but if there is any expression that is unparliamentary, you have every right to take necessary action to prevent the member from using the unparliamentary language. If it is a question of making fun, I hope my friends opposite will not be so thin-skinned as to object to any expression used by my honourable friend which may elicit laughter in this very sedate and very formal and very morose House.

Chaudhri Muhammad Abdul Rahman Khan : I withdraw my words. Our honourable friends in order to keep up the solidarity of their party tell some of their friends that as they are themselves drawing three or four thousand rupees per mensem they will see to it that salaries amounting to Rs. 500 per mensem at least are paid to them. In other words the object of providing this sum of Rs. 75,000 is simply the consolidation of the Unionist Party.

The crux of the problem is that means should be devised to bring about contentment among the hunger-stricken zamindars and labourers. But what is the attitude of our government? They say they cannot do without the parliamentary secretaries. I have been a member of the old Punjab Legislative Council for the last fifteen years, but I never found that the work of the Ministers ever came to a stand still owing to the absence of parliamentary secretaries. My submission is that when our financial condition is bad, when we cannot afford to waste even a pie, I fail to understand the necessity for incurring this huge expenditure on parliamentary secretaries. With these words I support the cut motion before the House. (*Cheers*).

Minister for Education (The Honourable Mian Abdul Haye) : While intervening in this debate I do not propose to detain the House for more than few minutes. So far as the question of the necessity of the appointments is concerned, that was amply demonstrated the other day when the Financial Commissioner in this box wanted to convey some instruction and a point of order was raised. The honourable members opposite have conceded that so far as the Government of India Act is concerned, there is no legal bar to the appointment of parliamentary secretaries. The Government in this matter have got a free hand. The only objection that is being taken on behalf of honourable members opposite is with respect to the procedure, and it has been suggested on the floor of this House that the Government cannot appoint parliamentary secretaries except by bringing forward a Bill before this House. Even on that point the Government of India Act has not been relied upon. What the honourable members have done is that as there is nothing in the Government of India Act in regard to the appointment of parliamentary secretaries, we have to follow the procedure that is followed in Parliament in England. In support of their contention they have quoted the Statute of George. May I point out to the honourable members that the two questions are quite separate, namely the question of appointing under-secretaries in England and the question of those under-secretaries sitting in the House of Commons. These are two different questions, but unfortunately they have been mixed up in this House. As the honourable members are aware, in England there are two Houses of Parliament, the House of Commons and the House of Lords. All that the Statute of George says is that not more than two principal secretaries of state and not more than one under-secretary for each Department shall sit in the House of Commons. (*An honourable member* : That is mere repetition). My submission is that reference to the Statute of George is not relevant. Legislation is needed not for the appointment of under-secretaries but to enable them to sit in the House of Commons.

In view of the position explained by me a reference to the statute of George is totally irrelevant for the purposes of this debate. Here we

propose to appoint as parliamentary secretaries persons who are already members of this Assembly and hence no legislation is needed.

Chaudhri Kartar Singh (Hoshiarpur East, General, Rural) (*Urdu*) : Sir, many honourable members who preceded me have expressed their precious opinions about the appointment of parliamentary secretaries. Before I proceed with my speech, I would like to refer to an incident that has occurred recently and it is that Mustafa Kamal Pasha, the President of the Turkish Republic, has dedicated the whole of his property, cash, buildings and other belongings, to the state and the nation. How I wish that the first peasants' government in the Punjab or more correctly, the feudal and capitalistic government of the province had acted upon the noble example set by Kamal Atatürk or had at least, tried to follow his noble example. But it is a pity that they are trying to follow the example set by British imperialism in India. Judging from the work done by the present government during the last three months, I am constrained to remark that the Unionist's government is in reality a private company of looters.

Pir Akbar Ali : On a point of order. I think you did not hear what the honourable member was saying. He calls this company—referring to the Unionist Party—as a company of robbers and dacoits. He will find in a few days that the allegations against that party are all false. It will be found shortly that the Unionist Party has set an example for others to follow.

Mr. Speaker : In rising to a point of order the honourable member should have confined himself to that point. But he has started making a speech, which he has no right to do. I may also inform the honourable member, who is now in possession of the House, that he should not use improper, objectionable, offensive or unparliamentary language.

Chaudhri Krishna Gopal Dutt : Did the honourable member use unparliamentary language?

Mr. Speaker : I only requested the honourable member to be careful and not to use unparliamentary language.

Chaudhri Krishna Gopal Dutt : He did not use any unparliamentary word.

Mr. Speaker : I am glad to hear that.

Chaudhri Kartar Singh : The economic condition of our province is not a closed book to anyone of us. Every honourable member is well aware of the poverty prevailing in his constituency and every honourable member is mindful of the fact that the masses are in the steel-grips of economic depression. If you visit the villages you will find that many a family goes to bed at night without having eaten anything at all. It is time you realised the fact that as many as four crores of people in India go to sleep with empty stomachs. India is a poverty-stricken country. Its people are unable to bear the burden of heavy taxation. Its labourers and kisans are unable to pay government dues. May I enquire if under these circumstances it would be fair to throw an additional burden of these high salaries on them? Previously when the Governor-in-Council was in charge of the administration, it was not felt necessary to appoint such secretaries, but now that a national government is in charge of the whole show, it is pressing

[Ch. Kartar Singh.]

for these appointments. One of the reasons advanced in favour of the appointment of parliamentary secretaries is that they would facilitate formulation of replies to the questions asked by the honourable members of this House, but, my contention is that the Honourable Ministers have been giving replies to these questions in quite a satisfactory manner and, have also been discharging other duties efficiently. If, in spite of these facts, they still persist in having these secretaries it is evident that they are out to fill the pockets of their friends. As a matter of fact, they are keen to extract money from the pockets of the poor and put it in the pockets of capitalists. This government is using for their own selfish-ends the constitution which was won by the sacrifices of those who are still suffering in jail. It is an irony of fate that these people are reaping the fruits of the sacrifices made by patriots who suffered imprisonment and even laid down their lives in the cause of India's freedom. Moreover, the Unionists held out pledges to the electorate during the elections that if they were elected to the Assembly they would try to find out a solution for the poverty of the masses. It is a queer solution that they have discovered. They are robbing the poor to fill the pockets of capitalists. With these words, I beg to support the cut motion moved by Sardar Hari Singh.

Shrimati Raghbir Kaur (Amritsar, Sikh Women) (*Punjabi*): Sir, I feel inclined to tell you that whereas all the respectable institutions of the world were monopolised by the capitalists, one single institution fell to the lot of poor peasants, viz., they were allowed to keep cows and buffaloes and were thus able to drink plenty of milk, but now things have come to such a pass that the poor kisans cannot afford to take milk as they have to sell it in order to make both ends meet. The good old days are gone now and they have forgotten the luxury of taking milk.

I fail to understand as to where the money is to come from for paying these fat salaries. Have you even given a thought to the poor zamindar and the hard straits they are put to in paying the land revenue due from them? I have seen with my own eyes that they are not even permitted to use the milk of their cows and buffaloes. They dispose of the milk and with the proceeds of the same they pay off the land revenue. Not only that; in order to pay off Government dues they mortgage the ornaments of their womenfolk and even their house-hold utensils: and sometimes it so happens that they are obliged to sell their daughters in order to fill the government treasury. The Punjab is notorious for its poverty and this poverty has led to the loss of self-respect on the part of its inhabitants. Is it desirable or is it honourable to subject these people to further indignities? The pieces of money jingling in your pockets are in reality the bones of these poor people. (*Hear, hear.*)

I am familiar with the condition of the peasant women of this province and I am especially well-acquainted with the hard lot of the women-folk belonging to my own ilaqa. I have listened to the grievances of these poor women. They go about bare-footed and have not got sufficient clothes to cover their nakedness. When the economic condition of the zamindar has reached such a low ebb, and his hard-earned money is being wasted mercilessly, it is high time that some action was taken in the matter, and the first step which can easily be taken in this connection is that no salaries

should be sanctioned for the parliamentary secretaries. There is no further need for bleeding the poor people for the sake of filling the pockets of these capitalists, who already own vast estates. I will again request the House to take cognisance of the fact that the Punjabis are poverty stricken and they cannot afford to pay such fat salaries. I would request the would-be-secretaries that while charging their salaries they should keep in view those God-forsaken unemployed youngmen who are daily committing suicide by throwing themselves in front of running trains. It is time the Government adopted a new programme for eradicating poverty from this country.

Bibi Parbati Devi (Lahore City, General Women) (*Punjabi*): I wish to bring to your notice a new thing and it is a request on behalf of the Hindu, Muhammadan, and Sikh communities that a widow ashram may be opened in the Punjab on industrial lines.

Mr. Speaker : I request the honourable lady to speak to the motion.

Bibi Parbati Devi : Very well, Sir, I shall confine myself to saying this ; while fixing salaries for parliamentary secretaries have you ever tried to imagine the condition of poor innocent children crying for bread ? Under these present circumstances the fat salaries proposed by the Government will come out of our pockets. I am sure that this additional burden on the pockets of the poor will make the economic condition of our province worse.

Mr. Speaker : That is repetition.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*) : I will try to be as brief and precise as possible in my speech. An honourable member from the opposite benches recited a verse to the effect :

اب جگر تھام کے بیوہو مہری باری اگنی

By reciting this verse he probably meant that previously the House had been talking at random and that it was he who had put forward a serious problem for discussion. I was, however, surprised to find that he himself, as is the habit of such persons, did not say anything serious but only made the House laugh.

4 P.M.

Mr. Speaker : I would request the honourable member not to be personal.

Khan Bahadur Nawab Chaudhri Fazl Ali : Generally speaking, whenever the Assembly is discussing any matter, the zamindars are always mentioned in this connection and it is said that their money should be saved for them. I do not know whether they want to give stipends to the zamindars or they want simply to distribute money amongst them. It does not look proper to be always talking about the poverty and helplessness of the zamindars. We zamindars, are, all of us poor indeed and I admit this also that we are badly off. The following Urdu verse expresses our plight :

چکور اور شہباز سب اوج پیر ہیں—فقط ایک ہم ہیں کہ بے مال و پیر ہیں۔

An honourable friend sitting on the opposite benches said that the servants of a poor master should also be poor. My reply to him is this ; any one who

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

wants to start a factory or business or needs a manager for his estate must employ such persons who are likely to prove efficient and are not totally destitute. On the other hand the employers too should not say that they are too poor to pay the salaries of their employees. Such employers can never flourish. Employers who pay adequate salaries to their servants always stand to gain. If the Ministers are too busy with their daily routine to give undivided attention to other more useful work it cannot be said that they are giving the best of themselves to public service. It is said that the Honourable Ministers can hardly spare time for interviews. As a matter of fact, they are expected to visit different parts of the province and thus get first hand information about the condition of the people. These tours will give the people opportunities of explaining their needs and ventilating their grievances. The Ministers should not always be occupied with office work like a clerk. They should create opportunities for coming into direct touch with the people so that they may be able to fulfil the obligations placed upon them by the exigencies of their office. Let me quote an example from my own district. A friend of mine told me that teachers are not paying full attention to imparting education. I replied that if a man has to go to school in a hurry at 10 A.M. and come back dog-tired at 4 P.M. he should not be expected to give undivided attention to education. He should stay at school and think out measures for imparting education to children in a better manner. Similarly when Ministers are enabled to have plenty of time at their disposal and can think out matters in a leisurely manner, they will be able to devise schemes for our betterment.

Just now, a friend of mine said that the zeal with which the Honourable Premier has been working is most praiseworthy. If he works at this rate, I wonder, how long he will be able to pull on and perform the onerous duties of his office efficiently. Only a moment ago we were talking in the lobby that the amount of work which our Honourable Premier is doing is too much for him and he will not be able to carry on for any length of time. If the Ministers were provided with efficient secretaries they would be able to get opportunities for going on tours and in this way they would be able to put in practice the proposals which are still under consideration. I am sure that their tours would enable them to realise our condition and they would be able to do much more work for the good of the country.

I am afraid that the only object of delivering eloquent speeches in this Assembly is to win the approbation of the public outside, so that it may be said that so and so is doing good work in the Assembly.

Sir, may I ask the well wishers of the country as to what they have done for the zamindars and as a result of their efforts what benefit has accrued to the latter? I may point out, that there is not a single school established by them, which commands the co-operation of all and where the children of all communities may receive instruction without any distinction of caste or creed. Ours is the only party in power whose members treat each other like brethren and where no religious or communal question is allowed to be raised. During the short period that our party has held the reins of government, the opposition has persistently been making adverse remarks about us and reminding us "you came here holding out promises to the electorate

that you would relieve the zamindars of their burdens and hardships and extend a helping hand to them in alleviating their miseries, but what have you done so far ? ” Sir, they are perfectly right in saying so, but my submission is that the opposition does not allow us to attend to these matters, nor do they give us an opportunity to fulfil our promises. They put obstacles in our way ; perhaps they do so thinking that we intend only to help the zamindars and no one else. I am surprised at the spirit of solicitude that the opposition has developed for the zamindars during the last four or five months. Sir, we may be simple ; we may be uneducated, but we can distinguish between a friend and a foe. We are not going to be deceived by their platitudes. I would like to draw the attention of these so called well-wishers of the zamindars to the following couplet :—

برو این دام بر مرغ و گر نه
که عنقا را بلند است آشیانه

There is no denying the fact that we suffer from the pangs of hunger. We are aware that the number of our troubles is legion. But I may point out to the honourable members opposite that we are not dishonourable people. We are not devoid of self-respect. We do not want to knock at other people's doors, nor do we seek help at the hands of aliens. The following verse expresses our sentiments rightly—

حقا که با عقوبت دروغ برابر است
رفتن به پائے مردے همسایه در بهشت

The opposition has accused us of selfishness. They think that we want to help our own people by paying them fat salaries. I emphatically deny this charge. We are not at all actuated by selfish motives. There are others who are selfish. How pointedly does the following couplet express their inner state of mind—

جنہوں نے خود غرض شکلیں کبھی دیکھی نہیں شائد
وہ جب آئینہ دیکھیں گے تو ہم دکھلاویں گے انکو

In fact they are looking at their own reflection and take it for ours.

It is definitely not our aim to help a few members of our party. Our real object is that the work of administration should be carried on efficiently and smoothly. The appointment of secretaries would result in lightening the burden of Ministers' work. If secretaries are appointed at an early date, the Ministers would be free to devote more time to devising ways and means for the advancement of beneficent departments and in this way better results would be achieved.

Sir, I wish to submit as a layman that if it is intended to create some new posts, the number of which we do not know at present, I do not think that any harm would be done if some provision is made in the budget for these appointments.

Mr. Speaker : All this has been said already.

Khan Bahadur Nawab Chaudhri Fazl Ali : With these words I oppose the cut motion before the House.

Mr. Speaker : The question is—

That the question be now put;

The motion was carried.

Sardar Hari Singh : Mr. Speaker, in my speech on this cut motion I had raised certain constitutional and legal objections against the provision made in the budget for parliamentary secretaries. I had raised certain legal and constitutional issues and I had expected that our worthy colleagues on the other side of the House would give direct, categorical replies to these issues. They have not only not done so, but have made the matter worse. So with your permission, I wish to expose the fallacy of the replies and the ridiculous nature of the replies by placing those replies in juxtaposition to the issues I raised this morning. The issues that I raised were simple and clear-cut. My first issue was that the posts of parliamentary secretaries were political posts; they were not posts which could be founded on administrative grounds. If I may illustrate my point, or emphasise it, I may say that these posts are as different from administrative posts as the post of the Premier from that of the financial commissioner, or as the post of the Speaker is different from that of the Secretary, Sardar Abanasha Singh. I further reinforced my argument by saying that the fate of these posts was bound up with that of the ministry. Therefore these posts are to be created on the same basis as the posts of the members of the Cabinet. Then I further went on to say that these posts which had been created were not on the analogy of similar post in England, those of parliamentary secretaries, because the latter were on a statutory basis. That was one issue. Instead of giving an answer to these issues, instead of giving arguments to meet my arguments, some apologists on the other side went on to support the demand of the Government on very flimsy grounds. One of them said that this House has already approved the principle of the appointment of these parliamentary secretaries by passing the Removal of Disqualification Act. I need not dilate upon this point. I will ask the honourable member to read the Removal of Disqualification Act again. The tragedy of the thing was that the Premier nodded assent when a speaker on the other said that the House had already accepted the principle by passing that Act.

Another worthy speaker went on to say that the Government had got the authority to appoint these secretaries under the report of the Joint Parliamentary Committee. He had the temerity to ask this House to go over the head of the Government of India Act and the Instrument of Instructions, and he supported the appointment of secretaries on the authority of the Joint Parliamentary Committee. Let me concede this point that the report of the Joint Parliamentary Committee is the basis of the constitution. Let me also further admit that the Joint Parliamentary Committee contemplated the appointment of these secretaries; but they never contemplated that these posts should be created without consulting this House and without the permission of the House in the form of a Bill. I may tell the honourable speaker who wanted to go over the head of the Government of India Act, that we are prepared to go not only to the extent of going over the head of the Government of India Act but also to the extent of smashing it under our feet.

Some of the able speakers on that side of the House also referred to certain books on Constitution, but they could not rebut the argument that in England these posts are on statutory basis and that the number of these posts is also limited by statute. The honourable the Finance Minister — I regret he is not here now — was pleased to call me and my colleagues on this side as visionaries. May I reply, that we in India, have not reached the stage when we do not need visionaries. Visionaries are the creators of the future world. It was a visionary who created new Russia. Some gentlemen on the other side said that the Cabinet was within its rights to appoint parliamentary secretaries, because the Government of India Act did not forbid it. May I ask them if the Government is empowered to appoint another Speaker because the Government of India Act does not forbid it? Do they hold this opinion? We on this side of the House are perfectly sure in our mind that the parliamentary secretaries cannot be appointed except on a statutory basis: they cannot be appointed except by means of an enactment of this legislature. Therefore, I would appeal to the House to throw out this demand and not allow the government to do what we call illegal and unconstitutional.

Premier (The Honourable Major Sir Sikandar Hyat-Khan): Sir, it is hardly necessary for me to raise that legal hare again because it has been discussed threadbare by legal gentlemen in this House. There is one point which I might state, and that is this. You will have noticed in the Government of India Act that wherever an enactment is necessary, it has been specifically mentioned in the Act that such and such thing will be done by the Act of the Legislature. For instance, in the case of salaries of the Ministers, the salary and allowances of the honourable members of this House, the salary of the Speaker and the Deputy Speaker, the Act has specifically laid down that these matters can only be decided by an act of the legislature. In this particular case you will find that there is no such mention. I could have done another thing. There are three different methods for providing this amount: (i) by bringing in a Bill, or else, (ii), by putting it in the budget in the ordinary way so as to give the House an opportunity to discuss this particular demand when the budget comes before the House. There is a third method which I could have followed, that is, that I could have asked the House to make it a charge on the revenues of the province, which means that I would have taken it away from the purview of the House and made it a more or less permanent thing, and the House would have lost the opportunity to discuss this particular item in the budget. I am prepared to accept the advice of the House: If they want me to make it a charge on the revenues of the province—

Mr. Speaker: They could discuss it even then.

Premier: It would not be votable. (*Sardar Hari Singh*: It would be votable). The salary of the Speaker has not been charged to the revenues of the province. These are the three different methods for providing the money for the pay of parliamentary secretaries. Now, if the House wants me to make it a charge on the revenues of the province, if that is the view of the Opposition I shall be only too glad to meet their point of view (*Divan Chaman Lall*: Who said so?) These are the three different methods and I could have chosen any one of those three methods with regard to the salary of the parliamentary secretaries; and the one which I

[Premier.]

have chosen is the most democratic, because it will give the House an opportunity to discuss this matter whenever the demand comes before the House (*Interruptions*). I am afraid I have not been able to convince my honourable friend. Once a grant is charged to the revenues of the province, then the House has got no right to alter it because it becomes non-votable. The honourable member has not probably studied that section of the Act. I have tried to point out that these were the three methods and I selected the method which was, from my point of view, most democratic, and it is for the House to decide whether it will give me that money or not. If they decide not to give me fifty thousand, or if they want to reduce the amount I will see if within the amount granted to me I can appoint the number of secretaries I want. If they give me ten thousand I will have to reduce the number of secretaries. If they give fifty thousand I can appoint a few more secretaries. Later on if I find that this sum is not sufficient I will have to come before the House and ask for more money in the shape of a supplementary demand, or if need be, in the next financial year for an additional grant. I have not made up my mind at the moment as to how many parliamentary secretaries I am going to appoint. That question is still fluid. If honourable members opposite have any suggestions to make I shall be only too glad to consider them. So far not one constructive suggestion has been made. Most of the time has been lost in the controversy over that legal hare which was raised by my honourable friend opposite.

As regards the necessity for secretaries, my honourable and learned friend opposite said that I had three secretaries. If by that he meant permanent officials who are working in the Secretariat, he must remember that in the Parliament, the secretariat is much bigger. I have got different departments, I have got not only three secretaries. Unfortunately I have got several secretaries who send up their work to me. The more the number of secretaries the greater the work. There is the Chief Secretary who is the hardest worked in the Secretariat. Then there is the Home Secretary who deals with important matters. All his work comes up to me, and then there are other secretaries. In addition to that there is the work which comes up to me from my colleagues, or in which my colleagues would like to consult me with regard to various matters which could not be decided without my consultation. I can assure the House, whether they believe me or not, that there is not a single night when I have not to work till 2 o'clock in the night, simply because I have been tied up in this House the whole day, and cannot go out even for a few minutes because I may be called back at any moment to reply to a point of order. Therefore the whole day is spent and I have to work in the night. I am perfectly prepared to give my fullest to my country and to my province, so long as God gives me strength (*hear, hear, and applause*). That is not the point. I have to go through a sheaf of questions of which my honourable friends give notice. You will have noticed that most of these relate to my departments.

If I had a parliamentary secretary many of these questions will be handed over to him and if there were any important question with

regard to which he had any doubt, he might then come to me for consultation, otherwise he could deal with them himself and thus relieve me of a part of my work. The most important thing, as you know is that we have just started on this constitution and we have not yet got out of the old groove. What I am anxious about is that in answering questions there should be no evasion, and I am particular that so far as I can do so, all the information which I can possibly give to honourable members who put questions should be made available to them.

Diwan Chaman Lall : Do not the departments help you ?

Premier : They do, but under the old regime the system was "(a), and (b) no, (c) does not arise" and this is what I want to avoid. If the meaning of the honourable member is not clear in the question I strain to guess what it must be and then I answer the question as far as it is possible. I could also merely say as they sometimes do "(a) no and (b) does not arise." But I have to see that the honourable members are furnished the fullest information that we can give (*hear, hear*). If I had my parliamentary secretary he could very well help me in my work. As you know 'the General Administration' is a very big department and Police and Law and Order and Administration of Justice are very heavy and big portfolios too. If I had a parliamentary secretary or two they would be each dealing with different sets of questions and if there were any doubtful or important question that only would have been brought to me.

A question was raised with regard to the functions of these secretaries. There again I find that we have not come to any definite decision. I have got an open mind and I would have been quite pleased if some constructive suggestions had been made from the opposite side. As a matter of fact, I was hoping that I would receive some assistance from my friends opposite in regard to that particular matter. I have consulted though so far only casually, my colleagues as to the work these parliamentary secretaries should take up. I have not reached any decision, but I think they can very well take up this very urgent work with regard to questions, and also probably other parliamentary work in this House, as in England. They may be entrusted to do a certain portion of administrative work that is necessary to be passed on to them. That, however, will require very careful thought. It is quite possible that some of my friends may not wish to burden them with that work and in that case they will be merely concerned with the work connected with the Legislature. As you are aware, the position in England is this that certain parliamentary under-secretaries have been allotted definite items of administration and they have a right to deal with these particular items or subjects without even referring to the Ministers in charge, but these powers are delegated to them by the Ministers themselves and there is no hard and fast rule, but there are other under-secretaries who do nothing to help the Minister in charge except in the House. I suppose it was a mere slip on the part of the honourable mover when he stated that under-secretaries in the Parliament sat in different houses. That is not necessarily so. As you will notice, sometimes both of them, the Secretary as well as the under-secretary sit in the same House, as happened in the case of Sir Samuel Hoare and Mr. Butler. That I think was a fallacious argument probably advanced out of ignorance on the part of my honourable friend the mover. The analogy between this House and the Parliament is relevant to some extent, but not

[Premier.]

to the whole extent for the simple reason that though the size of England may be about the same as that of our province, still there the income is hundred times more than our total income. But at the same time honourable members opposite must be aware that there are no less than 24 ministers in England besides under-secretaries.

Sardar Hari Singh : Why go so far? In Bengal there are more than they are in our province.

Premier: I hope the honourable member does not want me to follow the example of Bengal. Punjab can always afford to lead, and not be led by other provinces (*hear, hear*). I am also very grateful to the honourable mover for the compliment that he has paid to me and I heartily reciprocate those feelings, but I think he need not entertain any fears that I am going to have any defections in my camp when I start to appoint my under-secretaries. He can go to bed without any worry about defections. I know that in several cases it is a question of wish being the father to the thought, but I can assure him that so far as my party is concerned, I am not talking of the Unionists alone, but also of the ministerial party as a whole there is not an iota of chance of there being any defections (*hear, hear*). We have seen the papers and we have heard it said every day that there will shortly be land-slides, big land-slides, from the party to make new opposition, but these are merely dreams and wild dreams which I am sure will never materialize. Before I conclude there is just one point. I have two very important things to state and these are that a lot of capital has been made out of the fact that we have given promises to the electorate in our programme and creed that we shall try to help the small man, the small zamindar, the small labourer and people who have not got enough to eat and yet we are piling expenditure upon expenditure. Let me point out to the House the position that existed before we came into office. You remember that in the old Council besides the Ministers and Members of Government we had no less than 12 Secretaries sitting on these benches, most of them drawing salaries near about two to three thousand rupees a month. It is therefore a question of simple arithmetic to see the enormous change now if you take an average of Rs. 2,500 and multiply it by 12, you will find what the total amount will be. (*Voices from Opposition benches: They are all still there*). No. What I mean to say is that the work that the Government was carrying on inside this House was done with the help of those people who are getting anything between Rs. 2,500 and Rs. 3,000 per mensem. We have asked for a total of Rs. 50,000 only. I do not know how many secretaries I will be able to appoint.

Mian Muhammad Iftikhar-ud-Din : Secretaries are still there to work.

Premier : Yes they are doing administrative work, which is necessary work, but they used to be here to help the Ministers during the old regime. Now, naturally, you cannot expect the Ministers to go on without any help. As I have just pointed out, there should be some understudy. If, unfortunately, one of us falls ill, there must be somebody else to take up the work at a moment's notice. The argumnt of my honourable member opposite has been repeated too often. I do not think that this House or anybody

outside will be deceived by it. I, therefore, hope that the House will unanimously accept this demand and it will not be necessary to have a division on this motion. (*Cheers*).

Sardar Hari Singh: Did the Honourable Premier suggest that if we fix the amount of salaries of the parliamentary secretaries and their number as well by means of an Act, the salary would become non-votable thereby?

Premier: No. I think the honourable member did not follow me. I said that there were three different methods. One was the straightforward method of putting in the budget and moving it before the House. The other method was of bringing a Bill before the House. You would not have been able to touch it later without amending the Act itself. It would be necessary to bring an Act before you could alter a salary. The third method is to charge the salary to the revenues of the province. If it is done, it becomes non-votable. You will be able to discuss but you will not be able to touch it.

Dr. Sir Gokul Chand Narang : Will it not be better for the Honourable Premier to decide how many secretaries he is going to have and what their functions are going to be before he asks this House to vote this provision? Then the House will be in a much better position to form its judgment. I sincerely feel that until this is decided the vote will not be an enlightened vote.

Premier : I am afraid the honourable member was not here when I discussed that particular point. I can give one assurance to this House. After I have made the first appointments, if we want to add to the number, I will not do so without coming to this House for confirmation.

Dr. Gopi Chand Bhargava : First make up your mind.

Lala Duni Chand: Before you put this motion to the vote, you should give your ruling on the very important legal point that you yourself raised very prominently.

Mr. Speaker : I am not the Advocate General. The question is—

That the item of Rs. 50,000 on account of Parliamentary Secretaries be omitted.

The Assembly divided : Ayes 82. Noes 98.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sacher, Lala.
Chaman Lal, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master,

Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Krishana Gopal Dutt, Chaudhri.
Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.

Narotam Singh Siddhu, Sardar.
 Parbati Devi, Bibi.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Raghbir Kaur, Shrimati.
 Rur Singh, Sardar.

Saif-ud-Din Kitchlew, Dr.
 Sant Ram Seth, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.
 Sudarshan, Lala.

NOES.

Abdul Haye, The Honourable Mian
 Abadul Rab, Mian.
 Abdul Rahim, Chaudhri (Gurdas-
 pur).
 Abdul Rahim Chaudhri, (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Ahmad Bakhsh Khan, Mr.
 Ahmad Yar Khan Daulatana, Khan
 Bahadur Mian.
 Ahmad Yar Khan, Chaudhri.
 Ali Akbar, Chaudhri.
 Amjad Ali Shah, Sayed.
 Anant Ram, Chaudhri.
 Ashiq Hussain, Captain.
 Balwant Singh, Sardar.
 Basakha Singh, Rai Bahadur Sardar.
 Bhagwant Singh, R. S.
 Chhotu Ram, The Honourable
 Chaudhri, Sir.
 Dasaundha Singh, Sardar.
 Dina Nath, Captain.
 Faiz Muhammad, Shaikh.
 Faqir Chand, Chaudhri.
 Farman Ali Khan, Subedar Major.
 Fateh Khan, Raja.
 Fateh Muhammad Mian.
 Fazl Ali, Khan Bahadur Nawab
 Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Rasul, Chaudhri.
 Ghulam Samad, Khawaja.
 Girdhari Das, Mahant.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Shaib
 Sardar.
 Habib Ullah Khan, Malik.
 Haibat Khan Daba, Khan.
 Hans Raj, Bhagat.

Hari Chand, Rai.
 Harnam Das, Lala.
 Harnam Singh, Lieutenant Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahan Ara Shah Nawaz, Mrs.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 Jugal Kisore, Chaudhri.
 Karamat Ali, Sheikh.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mohy-ud-Din Lal Badshah, Pir.
 Mabarik Ali Shah, Sayed.
 Muhammad Faiyaz Ali Khan, Na-
 wabzada.
 Muhammad Hassan Khan Gurehani,
 Khan Bahadur Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Raza Shah Jeelani,
 Makhdumzada Haji Sayed.
 Muhammad Saadat Ali Khan, Khan
 Sahib Nawab.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Shafi Ali Khan, Khan
 Sahib Chaudhri.
 Muhammad Wilayat Hussain, Jee-
 lani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Muzaffar Ali Khan, Sardar.

| | |
|---|--|
| Muzaffar Khan, Khan Bahadur Captain Malik. | Ranpat, Chaudhri. |
| Muzaffar Khan, Khan Bahadur, Nawab. | Riasat Ali, Khan Sahib Chaudhri. |
| Narendra Nath, Diwan Bahadur Raja. | Ripudaman Singh, Thakur. |
| Nasir-ud-Din, Chaudhri. | Roberts, Professor W. |
| Nawazish Ali Shah, Sayed. | Shah Nawaz Khan, Nawab Khan. |
| Nur Ahmad Khan, Khan Sahib Mian. | Sikandar Hyat-Khan, The Honour- able Major Sir. |
| Pir Muhammad Khan Sahib Chau- dhri. | Singha, Mr. S. P. |
| Prem Singh, Chaudhri. | Sumer Singh, Chaudhri. |
| Pritam Singh Siddhu, Sardar. | Suraj Mal, Chaudhri. |
| Ram Sarup, Chaudhri. | Talib Hussain Khan, Khan. |
| | Tara Singh, Sardar. |
| | Ujjal Singh, Sardar Sahib Sardar. |
| | Uttam Singh Dugal, Sardar. |

The Assembly then adjourned till 11 A.M. on Friday, 2nd July, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 2nd July, 1937.

The Assembly met at the Assembly Chamber at 11 A.M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

ELECTRICITY CHARGES IN THE PUNJAB AND UNITED PROVINCES.

***241. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to make enquiries and lay on the table a comparative statement showing the rates charged per unit of electricity by the Punjab Hydro-Electric Scheme and the United Provinces Hydro-Electric Schemes for electricity consumed for purposes of (i) agriculture, (ii) industry and (iii) house-hold consumption ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Comparative rates for industrial and household consumption are given in the reply to question *240. Comparative rates for agricultural supply are as follows :—

SUPPLY FOR AGRICULTURAL PURPOSES.

United Provinces rates—

- (1) For the first 1,200 units per H. P. per year at 12 pies per unit.
- (2) All units in excess of the first 1,200 units per H. P. per year at 5 pies per unit (net) provided the bill is paid within the period of grace.
- (3) The above charge is subject to a minimum charge of 600 units per B. H. P. per annum.

Electricity Branch rates—

- (1) For motors less than 4 kw. the maxima rate is 18 pies per unit.
- (2) For motors from 4 to 70 kw. the maxima rate is 15 pies per unit.
- (3) No minimum charges.

UHL RIVER HYDRO-ELECTRIC SCHEME.

***242. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Uhl River Hydro-Electric Scheme has resulted according to Government's forecast so far as it affects agriculture ;
- (b) if answer to (a) above is in the negative, what steps Government intends to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The attention of the honourable member is invited to the reply given to question No. 16089 at the 1936 autumn session of the Punjab Legislative Council.

ELECTRIC ENERGY FROM HYDRO-ELECTRIC SCHEME.

***243. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to lay on the table a statement showing the names of the industrial concerns with the places of their localities to which electric energy has so far been supplied from the Uhl River Hydro-Electric Scheme with the rates at which this energy has been supplied ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A statement showing the number of industrial consumers in each town served by the Uhl River Hydro-Electric Scheme, up to the 31st of March, 1937, is attached hereto, also a set of the Industrial Tariffs² of the Electricity Branch. It is considered neither desirable nor necessary to ascertain or to give the names of individual consumers.

Statement showing the number of industrial consumers as on 31st March, 1937, in the towns served by the Uhl River Hydro-Electric Scheme.

| Serial No. | Name of Town. | Number of Industrial Consumers. |
|------------|--|---------------------------------|
| 1 | Pathankot | 16 |
| 2 | Dinanagar | 5 |
| 3 | Gurdaspur | 14 |
| 4 | Batala | 74 |
| 5 | Tarn Taran | 17 |
| 6 | Kasur | 30 |
| 7 | Ferozepore | 68 |
| 8 | Baghbanpura, Sadar Bazar, and Lahore Cantonment | 26 |
| 9 | Johbra and Lahore Grid (Muslim Town) | 41 |
| 10 | Ludhiana | 133 |
| 11 | Amritsar Suburban | 33 |
| 12 | Goraya Phillaur | 15 |
| 13 | Qadian | 21 |
| 14 | Dhariwal | 5 |
| 15 | Sheikhupura | 20 |
| 16 | Chuharkana | 10 |
| 17 | Nankana Sahib | 18 |
| 18 | Jaranwala | 18 |
| 19 | Lyallpur | 53 |
| 20 | Kartarpur | 4 |
| 21 | Jullundur Suburban (including Chak Hussain and Maksud-pura). | 3 |
| 22 | Jullundur Suburban East | 1 |

¹Vol. XXIX, page 300.

²Kept in the Assembly Library.

LICENCES TO PRIVATE ELECTRIC COMPANIES.

***244. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state whether it is intended to revise the decision of not allowing further licences to private electric companies in the near future ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No such decision has been made. The question therefore does not arise.

SYSTEM OF REPRESENTATION BY ELECTION AND MUNICIPAL COMMITTEE, KALABAGH.

***245. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state the reasons why the system of representation by election has not been extended so far to Municipal Committee at Kalabagh in the Mianwali district ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The elective system was considered unsuitable on account of local conditions and its introduction was, therefore, withheld.

Lala Bhim Sen Sachar : May I know the reason why the elective system has been considered unsuitable for Kalabagh and Isakhel ?

Minister : Local factions.

Lala Bhim Sen Sachar : How long have these municipalities been in existence ?

Minister : They have been in existence for a very long time though I am not in a position to state the definite period. I may also inform the honourable member that Government might consider the introduction of elective system in Kalabagh.

Maulvi Mazhar Ali Azhar : Are there no local factions in municipalities where the elective system has been in force ?

Minister : There are, and in certain cases they are worse than in others.

Lala Bhim Sen Sachar : What are the special difficulties arising out of the local factions which stand in the way of elective system being introduced in Kalabagh ?

Minister : I have already said that Government will consider the introduction of elective system in this particular municipality.

Lala Bhim Sen Sachar : By what time is a decision likely to be arrived at ?

Minister : I am afraid I cannot specify a time limit.

Lala Bhim Sen Sachar : Will the Honourable Minister please move in the matter, say, within a month's time ?

Minister : I cannot specify any time limit.

INDUSTRIAL SCHOOLS IN THE PUNJAB.

***246. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Development please state the number of industrial schools so far started in each district and the money spent on each along with the outturn of students ?

The Honourable Chaudhri Sir Chhotu Ram : I shall be delighted to supply the requisite information to the honourable member if he specifies a definite period of reasonable length. But if he desires to be supplied with the information indicated in his question for all the industrial schools in the province since the year of their inception, my answer is that the time and labour involved in the collection of such information will be out of proportion to the results intended to be secured thereby.

RUPAR-SIRI ANANDPUR ROAD.

***247. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Rupar-Siri Anandpur road has been declared a hill road, and a monopoly for plying motor vehicles on hire has been given to a person on that road ;
- (b) whether it is a fact that the monopoly system has caused great inconvenience to the pilgrims of Siri Anandpur ;
- (c) whether it is a fact that Rupar-Siri Anandpur road was formerly a plain road ; if so, the reason for changing it into a hill road ;
- (d) whether the Government is prepared to reconsider its decision and declare the road to be a plain road ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The Ambala district section of this road was notified as a " hill road " in May, 1934. There is no monopoly, two different owners having been given endorsements allowing them to operate public vehicles on it. At the time of the Anandpur fair extra vehicles are allowed, according to requirements.

(b) Government is not aware of this.

(c) The action was taken at the request of the Ambala District Board.

(d) No.

Lala Duni Chand : May I inform the Honourable Minister that this road which is called a ' hill road ' passes through a level tract. I speak from personal knowledge. In view of this fact, will he consider the question of removing the monopoly ?

Minister : I am afraid I cannot do that.

TOLL TAX IMPOSED BY THE SMALL TOWN COMMITTEE, TARN TARAN.

***248. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Tarn Taran Small Town Committee has imposed a toll tax of 3 pies per passenger on the lorries entering its area from 1st April, 1937 ;
- (b) whether it is a fact that goods exported from or imported into Tarn Taran are free from any tax whatsoever ;

- (c) whether it is a fact that this action of Tarn Taran Committee has been criticised by the motor unions as well as by the Gurdawara Parbandhak Committee and other Sikh bodies as being inconvenient to pilgrims ;
- (d) whether the matter has been brought to the notice of the Government ; if so, the action Government proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a)—(c) Yes.

(d) It is primarily for the Committee to decide what form taxation should take. Government do not propose to take any action at present.

Sardar Partab Singh : Is the Honourable Minister aware that a few years ago similar action was taken by a municipality and on representation it was abolished ?

Minister : That means interference with local bodies. It should not be encouraged.

Lala Bhim Sen Sachar : Are we to understand that the Government have abandoned the policy of directing and controlling municipal affairs in general ?

Minister : Not at all, but unnecessary interference is to be avoided.

Lala Bhim Sen Sachar : If this sort of interference is considered to be unnecessary interference, will the Honourable Minister please enlighten us as to what exactly he means by ' unnecessary interference ' ?

Minister : Unless I am assured to the contrary I consider the interference referred to in the present case as unnecessary interference.

Sardar Partab Singh : This tax should not be levied on pilgrims.

Minister : That is a matter of opinion.

Lala Bhim Sen Sachar : Will the Government consider the fact that this tax is being levied on pilgrims and, therefore, it should not be encouraged ?

Minister : I have already stated that this is primarily a matter for the committee.

Sardar Partab Singh : Is it a fact that private taxis also are taxed according to the number of seats they provide ?

Minister : Will the honourable member please explain what he means by ' private taxis ' ?

Sardar Partab Singh : I mean taxis not plying for hire. (Laughter) I used that expression in American slang.

Minister : The honourable member should not presume that I am aware of all American slangs.

Sardar Partab Singh : Is the Honourable Minister aware that private cars also are taxed on the same basis as cars plying for hire ?

Minister : Not to my knowledge.

Sardar Sohan Singh Josh (Urdu) : Are Government aware that much indignation prevails among the people on account of this tax ?

Minister : Not to my knowledge.

LORRY STAND CONTRACTS.

***249. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that contracts of lorry *addas* (stands) are given by the district boards on the Grand Trunk Road and Public Works Department roads to collect fees from the motor lorries carrying passengers ;
- (b) whether it is a fact that these contractors stop the lorries and collect fees forcibly even from those lorries that do not take passengers from their stands and stop there ;
- (c) whether the Government has authorized the district boards to collect such taxes, or they are doing so of their own accord ;
- (d) if the answer to (b) above be in the affirmative, the action Government proposes to take or has taken, if any, in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, certain district boards maintain *addas* on such roads on Public Works Department land leased to them for the purpose.

(b) Inquiries made from districts concerned show that there has been no such practice except in Lahore district, where complaints have been made that certain contractors on the Lahore-Montgomery road have been forcibly collecting unauthorized fees. The Deputy Commissioner and Chairman, District Board, is taking steps to put a stop to this practice.

(c) Government has recognised the right of local bodies to charge rent from owners of motor vehicles making use of stands maintained by them.

(d) Does not arise.

Lala Duni Chand : Is there any legal sanction for giving such contracts ? If there is any, will the Honourable Minister please specify it ?

Minister : I should like to have notice of the question ; but I may inform the honourable member that if there is no sanction, the matter can be moved in a court of law.

COMMUNIQUE RE. TRAFFIC RULES.

***250. Maulvi Mazhar Ali Azhar :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that *communiqués* in connection with motor traffic rules and orders are issued from time to time by the Inspector-General of Police to Government officials ;
- (b) whether it is a fact that these *communiqués* are never published in the newspapers ;
- (c) whether it is a fact that the registered Punjab Motor Union representing motor traffic interests of the province requested in a letter on 30th September, 1936, to supply them with a copy of each such *communiqué*.
- (d) whether it is a fact that the Inspector-General of Police has given no reply to the letter ;

- (e) what steps the Government proposes to take in the matter of giving publicity to such *communiqués* ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The Inspector-General of Police from time to time issues instructions to the officials of his department in regard to their duties, including those in connection with traffic control. Such departmental instructions are not addressed to the public and no question of publication arises.

(c) and (d) No such letter appears to have been received.

(e) Reply to this part of the question is covered by reply to (a) and (b) above.

Maulvi Mazhar Ali Azhar : Will the Government consider the advisability of informing the people concerned so that they may also know what instructions have been issued ?

Premier : Instructions which concern the public are usually made public.

Maulvi Mazhar Ali Azhar : But it will be of no use if those instructions are made known to the public after bringing them into force and after subjecting the people to difficulties.

Premier : All instructions do not necessarily concern the public.

Maulvi Mazhar Ali Azhar : My point is that instructions concerning the lorry drivers are never communicated to them.

Premier : Can the honourable member specify an instance of the kind which he has in view ?

Maulvi Mazhar Ali Azhar : Suppose an instruction is issued that henceforward lorries with a carrying capacity of more than 25 passengers should not be licensed. The lorry owners are not informed of this instruction, so much so that they build a lorry with a capacity for 32 passengers and when they apply for a licence it is refused because the lorry does not comply with the conditions referred to in the instruction.

Premier : Instructions of the nature the honourable member has in view are always published before they are actually put into effect.

RECLAIMING OF WATERLOGGED AREA IN THE PROVINCE.

*251. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state—

- (a) when was the department entrusted with the work of reclaiming waterlogged areas, brought into existence ;
- (b) whether the department has so far collected complete information about all the areas of land in the province affected so far by waterlogging owing to canals ;
- (c) the total area of land so affected and how much of it has been reclaimed ;
- (d) the number of persons who submitted applications for exchange of land with the number of applications granted or refused ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Irrigation Branch has always been in charge of all measures in connection with the trouble of waterlogging.

(b) Yes.

(c) The area affected at present is—

| | Acres. |
|---|---------|
| Thur in Banjar never broken .. | 190,926 |
| Thur in cultivated area and Banjar Jadid .. | 167,389 |
| Sem | 28,579 |

This does not include area already reclaimed, figures of which are not readily available.

(d) Twenty-two applications were received during last year, which are still under investigation of the Waterlogging Board.

Professor W. Roberts : Is Government considering any tube-well scheme in view of the serious problem of waterlogging ?

Minister : Probably the matter is under consideration.

ODES.

***252. Seth Ram Narain Virmani :** Will the Honourable the Premier be pleased to state—

- (a) whether he is aware of the fact that about ten lakhs of the loyal and peaceful Odes in the province are leading a nomadic life ;
- (b) whether it is a fact that their nomadic life is responsible for their wholesale illiteracy and backwardness ;
- (c) whether Government intends to adopt any measures to put a stop to their nomadic life ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (c) The honourable member has doubtless heard the replies given to questions *194¹ and *235². His estimate of the number of Odes at ten lakhs is certainly an exaggeration.

(b) The Odes are not generally regarded as a backward tribe, but no statistics are available as to the standard of literacy among them.

Pandit Muni Lal Kalia : Are these Odes treated as criminal tribes in any district ?

Premier : No.

Pandit Muni Lal Kalia : Does the police watch their movement when they leave one place and go to another ?

Premier : Not to my knowledge.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that the crops of zamindars are damaged by flocks of cattle which these Odes possess ?

Premier : I have nothing to add to the answer given by my honourable colleague the other day.

¹Pages 754-55 ante.

²Pages 837-49 ante.

Pandit Muni Lal Kalia : Are any restrictions placed on their movements ?

Premier : No.

Chaudhri Kartar Singh (Urdu) : Is it a fact that in certain villages of Montgomery district criminal tribes people have been granted squares of land ?

Premier : I am afraid, I want notice of that question.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable the Premier please say whether the Government are aware that some feuds occurred between the zamindars and the Odes ?

Premier : Yes.

Pandit Shri Ram Sharma (Urdu) : Have the Government taken any steps to remedy matters ?

Premier : The Government is considering the matter.

BROTHELS IN THE FORM OF HOTELS AND RESTAURANTS NEAR
GARHI SHAHOO, LAHORE.

***253. Malik Barkat Ali :** Will the Honourable the Premier be pleased to state—

(a) whether the attention of Government has been drawn to the grossly immoral conditions prevailing in the vicinity of Garhi Shahoo on the Mayo and Shalamar roads, Lahore, as a result of several hotels and restaurants carrying on the nefarious and vicious trade of prostitution ;

(b) the steps so far taken by the Government to protect the residents of that locality from the constant menace to their morals and their peaceful lives on account of the existence of so many brothels in the guise of hotels and restaurants ?

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

(b) During the last few weeks action has been taken under the Punjab Suppression of Immoral Traffic Act, 1935, in several cases. It is believed that this has had a considerable effect.

Chaudhri Kartar Singh : Is it a fact that in Lahore owners of hotels in which immoral conditions exist have connections with the police ?

Premier : No.

FAMINES IN HISSAR AND THEIR EFFECT ON ITS POPULATION.

***254. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the Hissar district is very often visited by famines and that a large number of men, women and children belonging to this district are wandering in this and in other districts of the province like homeless and penniless wanderers ; if so, what action is proposed to be taken to have them settled down somewhere in the province ?

The Honourable Dr. Sir Sundar Singh Majithia : It is unfortunately true that parts of the Hissar district are subject to acute scarcity conditions ; but these conditions are alleviated to some extent by the fact that work is usually available in other parts of the province. Government do

[**Minister for Revenue.**]

not think that for the present any action, beyond such as is taken in ordinary colony operations, is possible to settle the migratory portions of the population of the Hissar district on Government lands.

Lala Duni Chand : Am I to understand that it is no part of the Government business to relieve the distressed people ?

Minister : Last part of the answer covers that point.

Pandit Shri Ram Sharma (Urdu) : What are those simple ways to which the Honourable Minister has alluded by which the hardships of zamindars regarding the scarcity of water will be removed ?

Minister : Is that covered by the main question ?

Pandit Shri Ram Sharma (Urdu) : Yes, Sir, it is covered.

Minister : I think not.

MIGRATION TO THE PUNJAB OF PERSONS FROM RAJPUTANA STATES.

*255. **Lala Duni Chand** : Will the Honourable Minister for Revenue be pleased to state whether it is a fact that a large number of persons belonging to Bikaner and other Rajputana States occasionally migrate to the Punjab to add to the difficulties of the administration ; if so, what action is intended to be taken to put a stop to this migration ?

The Honourable Dr. Sir Sundar Singh Majithia : The question is indefinite but probably refers to the Odes. I have already replied to a number of questions regarding these people.

Lala Duni Chand : If the Honourable Minister will kindly consider the question he will find that it does not refer at all to Odes, nor can it be made to refer to Odes. I request the Honourable Minister to read the question and then answer.

Minister : You should have made the question more clear.

Lala Duni Chand : Let me read out the question and then let the House see if the question is not clear :—

“ Whether it is a fact that a large number of persons belonging to Bikaner and other Rajputana States occasionally migrate to the Punjab to add to the difficulties of the administration ; if so, what action is intended to be taken to put a stop to this migration ? ”

Minister : It is quite clear that this is not a clear question.

Lala Duni Chand : I am simply sorry.

Lala Bhim Sen Sachar : On a point of order, Sir. May I respectfully enquire if it is for the Honourable Minister or for you to decide whether the question is clear or not ?

Mr. Speaker : Had I not considered the question as clearly worded, I would not have allowed it.

Lala Duni Chand : In view of the remarks made by the Honourable Speaker, I would request the Honourable Minister to answer the question.

Minister : I should like the honourable member to put the question more clearly.

Maulvi Mazhar Ali Azhar : Does the Honourable Minister mean to say that Honourable Speaker had admitted the question wrongly ?

ARYA SAMAJ, FARIDABAD.

***256. Lala Duni Chand:** Will the Honourable the Premier be pleased to state whether it is a fact that the Arya Samaj, Faridabad, Gurgaon district, has not been allowed to take out the *nagar kirtan* procession on the occasion of its anniversary this year; if so, why?

The Honourable Major Sir Sikander Hyat-Khan: The honourable member is referred to the answer given to Pandit Shri Ram Sharma's question No. *76.¹

BUILDING A WALL ON THE CANAL SIDE BEFORE THE
CHOBACHCHA SAHIB ABADI, LAHORE.

***257. Lala Bhim Sen Sachar:** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Sardar Dayal Singh 'Azad,' Secretary' Public Welfare Association, Chobachcha Sahib, Lahore' submitted an application to him on the 8th May, 1937, received by his office on the 8th May, 1937, requesting that a *ghat* and a bridge in front of the new *abadi* Chobachcha Sahib, Lahore, be constructed over the canal;
- (b) whether it is a fact that Sardar Dayal Singh 'Azad' also complained against the decision of the Canal authorities to build a wall in front of the new *abadi* by the canal side;
- (c) if the answer to (a) above be in the affirmative, whether he will lay on the table of the House the application referred to above and state what decision, if any, has been arrived at by the Government?

The Honourable Dr. Sir Sundar Singh Majithia: (a) No such representation has been received by me, by the Chief Engineer or by the Superintending Engineer, though a reminder dated June 3rd, and unsigned by anyone has been received.

- (b) Attention is invited to reply given to question No. *226.²
- (c) Does not arise.

VISIT OF PILGRIMS TO DEOT SIDH.

***258. Captain Dina Nath:** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Deot Sidh in Kangra district is a sacred place of the Hindus;
- (b) if the answer to part (a) is in the affirmative, the number of pilgrims who visit the place in a year;
- (c) whether it is a fact that there is no road to connect the place with the main road;

¹Pages 446-47 *ante*.

²Page 832 *ante*.

[Capt. Dina Nath.]

(d) whether he is aware that great trouble and inconvenience is felt by the public in the absence of a road ;

(e) if the answer to parts (c) and (d) be in the affirmative, what action the Government proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) The exact number of pilgrims is not known but is estimated to be from 20,000 to 50,000 in a year.

(c) There is no motorable road. There are foot-paths branching at Barsar and Bhota respectively from the Una-Mandi road. Parts of these paths are traversable by pack traffic.

(d) Yes.

(e) The construction of a motorable road is being considered by the District Board Kangra.

Captain Dina Nath : If the District Board, Kangra owing to lack of funds, makes a request to the Government for aid, will the Government be prepared to grant it ?

Minister : It will be sympathetically considered.

JHATKA MEAT IN GOVERNMENT INSTITUTIONS.

*259. **Sardar Kartar Singh :** Will the Honourable the Premier be pleased to state :—

(a) whether he is aware of the fact that the use of *jhatka* meat is prohibited in certain Government institutions such as jails, police lines, boarding houses of Government schools and colleges while *halal* meat is allowed therein ;

(b) whether he is aware that a Sikh is religiously prohibited to take any other meat but *jhatka* ;

(c) if the answers to (a) and (b) above be in the affirmative, what steps Government intends to take in the matter.

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (c). The facts are that in the jails of this province meat does not form part of the dietary of the ordinary prisoner. When a prisoner of the A or B class or a State prisoner has expressed a wish to be supplied with *jhatka* meat, Government have arranged for him to be supplied with this kind of meat, provided the application has seemed to be without ulterior motive. Government have also accepted the principle that where the Medical Officer of a jail prescribes a meat diet for a Sikh prisoner in the jail hospital, *jhatka* meat shall be supplied if the prisoner so desires, and if the superintendent of the jail is satisfied that it can be procured and supplied without difficulty or objection. The tradition in the police has always been not to allow either *jhatka* meat or beef in police lines. This arrangement has worked well, and it is not proposed to modify it. Educational institutions preserve the *status quo*. The policy of Government is not to change the *status quo* in any of its departments.

Sardar Lal Singh : Am I to understand that in the alternative of *jhatka*, on the other side is beef ?

Premier : Is that so ?

Sardar Lal Singh : I am asking the Honourable Premier. My question is this. Does the Honourable Premier think that the only opposite for *jhatka* for Sikhs is beef for non-Sikhs ?

Premier : I am not clear what the honourable member wishes to convey.

Sardar Lal Singh : Does the Honourable Premier think that the *jhatka* in the case of Sikhs can be comparable only with beef for others ?

Premier : The honourable member can answer that question himself. Why should he put that question to me ?

Sardar Lal Singh : What is the opposite of *jhatka* ?

Premier : What do you mean by 'opposite' ?

Sardar Lal Singh : That is, what is good for one community is not good for the other ?

Premier : What is good for the gander is not good for the goose in this case.

Sardar Partab Singh : In replying to the question the Honourable Premier referred to the ulterior motives which the superintendent of jails has to consider. Will he kindly state what he means by ulterior motives ?

Premier : I will give an instance. It means that if a person wishes to get away from a particular jail to another, that might constitute a motive.

Sardar Lal Singh : May I know whether the *jhatka* meat is prohibited for Sikhs and the meat of the same animal for non-Sikhs is permitted ?

Premier : I have already said that meat is not the normal diet in our jails. The honourable member probably did not hear my reply.

Sardar Lal Singh : Am I to understand that whereas *jhatka* meat is prohibited for the Sikhs, the same animals meat is permitted for non-Sikhs ?

Premier : It seems that the honourable member has not taken the trouble to listen to my reply to the question. I said that meat does not form part of the diet of the ordinary prisoner.

Sardar Lal Singh : Has any complaint been received about meat-eating from non-Sikhs in any jail in any part of the province ?

Premier : Not to my knowledge.

Sardar Partab Singh : Will the Premier please state, in order to do away with this difference, if he will put the *jhatka* meat and *halal* meat on par ?

Premier : What does the honourable member mean by 'par' ?

Sardar Partab Singh : To allow the use of *jhatka* meat where *halal* is also allowed.

Premier : The Government does not wish to depart from the *status quo* and it is not going to do so.

Sardar Partab Singh : Will he state the reasons for it ?

Premier : No. It is not necessary to do so.

Sardar Partab Singh : Is it due to public interest ?

Premier : It is certainly due to public interest ; because there are gentleman who want to raise communal questions to disturb the peace and tranquillity of the province and I am not going to allow it. (*Applause*).

Sardar Partab Singh : But will not the peace and tranquillity of the province be maintained in this way by allowing free use of *jhatka* in all places where *halal* is allowed ?

Premier : It will be giving handle to mischief mongers who wish to raise these questions merely to intensify communal bitterness. (*Cheers*).

Sardar Partab Singh : Will the mischief mongers....

Mr. Speaker : The Next question.

TRANSFER OF LAND GRANTS IN THE NILI BAR FROM THE AGRICULTURISTS TO NON-AGRICULTURIST COLONISTS.

***260. Syed Afzaal Ali Hasnie :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the lands granted to the agricultural colonists by means of various grants have been transferred by sale to non-agriculturists in the Nili Bar ; if so, the extent of area so transferred ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes, in a few cases permission has been granted to tenants, commonly known as compensatory grantees, who were granted land in lieu of land acquired from them for the Sutlej Valley Project. These tenants are not required to reside in the colony and permission has been granted only to tenants who were either unsatisfactory colonists or in arrears of Government dues. The area involved is not more than 500 acres.

BUILDING OF HOUSES ON CHHOTI ABADI SCALE IN SUBURBS OF LAHORE.

***261. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Administrator, Lahore Municipality, and the Improvement Trust, Lahore, do not allow the building of houses in *chhoti abadis* like Ram Nagar, Krishna Nagar; Dhampura, Singhpura and others on scales already approved of by the Lahore Municipal Committee, now defunct ;
- (b) the average monthly number of sanctions granted for building houses on *chhoti abadi* scale outside the old city before and after the establishment of the Improvement Trust ;
- (c) the reasons for the decrease in the number of sanctions for building such houses ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No such scales were approved by the late Municipal Committee for these areas.

(b) 58 per cent. before the establishment of the Improvement Trust and 40½ per cent. thereafter each month.

(c) The reasons for the decrease in the number of sanctions for building such houses are :—

- (i) that compliance with the Municipal by-laws is strictly enforced, and
- (ii) that in cases where the Commissioner has called for the building or the town planning schemes, sanction is not accorded to applications to build, which might conflict with the schemes called for by the Commissioner.

VETERINARY HOSPITALS IN THE HOSHIARPUR DISTRICT.

***262. Sardar Hari Singh :** Will the Honourable Minister for Public Works please state—

- (a) the total number of District Board veterinary hospitals in the Hoshiarpur district ;
- (b) whether it is a fact that there is only one veterinary hospital in Thana Tanda, situated at the village Miani, while there is no such hospital at the headquarters of this thana ;
- (c) if the answer to (b) above be in the affirmative, what steps Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) There are 12 veterinary dispensaries in the district.

(b) Yes.

(c) Miani is four miles from Tanda and it is uneconomical to open another dispensary at a distance of only four miles.

NULLAH GHURAL IN TAHSIL DASUYA.

***263. Sardar Hari Singh :** Will the Honourable Minister for Revenue please state—

- (a) whether the Government has under consideration any drainage scheme in connection with the Nullah Ghural in ilaqa Bachwai of tahsil Dasuya, district Hoshiarpur;
- (b) whether the inhabitants of a large number of villages irrigated by the waters of the said nullah have applied to the Superintending Engineer, Drainage Circle, Lahore, praying cancellation of the proposed scheme ;
- (c) whether the Government has considered the petitions of the said villages ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The Government has under consideration a proposal for the notification of this natural drainage called Ghural Nallah under Section 55 of the Canal and Drainage Act VIII of 1873 in order to relieve waterlogging near Mukerian.

(b) Yes. Some petitions have been received.

(c) Due weight will be given to objections before a decision is arrived at.

PATROL COMMITTEE MAHILPUR, DISTRICT HOSHIARPUR.

***264. Sardar Hari Singh :** Will the Honourable the Premier be pleased to state—

- (a) whether he is aware that Patrol Committee at Mahilpur in Hoshiarpur district has not been informing the people concerned of the turns of their duty according to the provisions of the Patrol Act ;
- (b) whether he is aware that the said Patrol Committee has imposed fines upon seventy persons including an M. L. A. for alleged failure to perform the patrol duty ;
- (c) the steps the Government propose to take to redress the grievances of Mahilpur people in connection with the irregular working of the Patrol Committee ;
- (d) the action the Government propose to take against the Patrol Committee concerned ?

The Honourable Major Sir Sikandar Hyat-Khan : (a) No.

(b) Yes.

(c) and (d) Government have no reason to believe that there have been any irregularities on the part of the panchayat, and do not propose to take any action.

PROVISION FOR THE GRANT OF LAND IN THE HAVELI PROJECT TO
THE RIVERAIN VILLAGES IN THE SHAHPUR DISTRICT.

***265. Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana :** Will the Honourable Minister for Revenue kindly state—

- (a) whether Government is aware of the hardship to which some of the riverain villages, like Dhudhi, in the Shahpur tahsil are subjected on account of erosion by the Jhelum river ;
- (b) if so, the steps they propose to take to ameliorate their condition ;
- (c) whether any provision has been made in the Haveli Project for the grant of land to such small proprietors of this tract whose entire holdings have been washed away by the river action ;
- (d) if the answer to (c) above be in the negative, whether the Government proposes to take any steps in this behalf ; if so, what, and when ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government are aware of damage caused to land by erosion in villages situated on the banks of the Punjab rivers, but have no information particularly with regard to village Dhudhi in the Shahpur district.

(b) In the Nili Bar Colony, 1,710 rectangles were allotted to persons who had suffered from river, *cho* or *nullah* action.

In the Pir Mahal and Khikha extensions out of 500 rectangles allotted to peasant grantees 160 were reserved for purposes just mentioned.

No further action is at present under the consideration of Government.

(c) Details of the allotment of Crown land to peasant grantees in the Haveli Project have not been worked out yet.

(d) Does not arise.

Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana : Will the Honourable Minister for Revenue kindly make enquiries about the Dhudhi village ?

Minister : Yes, I will do that.

BOARDING HOUSE FOR SIR GEOFFREY DEMONTMORENCY COLLEGE,
SHAHPUR.

***266. Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana :** Will the Honourable Minister for Education kindly state whether Government have received any report of the hardship experienced by students who read in Sir Geoffrey deMontmorency College, Shahpur, due to there being no boarding house attached to the college in question ; if so, the steps he proposes to take in the matter ?

The Honourable Mian Abdul Haye : There is at present a boarding house attached to the College but the building of the boarding house is not suitable. Steps have already been taken in the matter. Administrative approval to the construction of a suitable building has already been accorded. With the concurrence of the Finance Department it is proposed to include the work in the schedule of new expenditure for the year 1938-39.

METALLED ROADS IN THE SHAHPUR TAHSIL.

***267. Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana :** Will the Honourable Minister for Public Works kindly state—

- (a) the total mileage of roads in the Shahpur tahsil ;
- (b) the total mileage of metalled roads in the same tahsil ;
- (c) the reason for the inadequacy of metalled roads in Shahpur tahsil as compared with other parts of the Shahpur district ;
- (d) what steps Government intends to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 168 miles.

(b) 40 miles.

(c) There are four tahsils in the Shahpur district and the mileage given in answer to (b) above is not inadequate as compared with other tahsils of the district.

(d) Does not arise.

Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana : Will the Honourable Minister please state the mileage of metalled roads in Sargodha tahsil ?

Minister : I have not got the figures available just at present ; I can make enquiries.

Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana : Then may I know how the Honourable Minister states that Shahpur tahsil is not worse than the other tahsils if he has not made enquiries of the mileage of other tahsils ?

Minister : That has been worked out and this tahsil is found to compare favourably.

Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana : How, without figures ?

Minister : Figures, I do not carry with me.

IRRIGATION FACILITIES FOR VILLAGE SIAL SHARIF AND OTHER VILLAGES
IN SHAHPUR TAHSIL.

***268. Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana :** Will the Honourable Minister for Revenue kindly state—

- (a) whether he is aware that small proprietors of land in Ara tract of Shahpur tahsil particularly those of the riverain side, e.g., Sial Sharif village have no means of canal irrigation ;
- (b) whether Government propose to extend canal irrigation facilities to them ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) No, the area is low-lying and liable to river spills.

PROVINCIAL DEBT DUE TO GOVERNMENT OF INDIA.

***269. Diwan Chaman Lal :** Will the Honourable Minister for Finance be pleased to state—

- (a) the balances of the provincial debt to the Government of India on the 1st of April 1987 ;
- (b) the amount of the said debt that has been refunded ;
- (c) the fixed annuities that have been fixed for repayment ;
- (d) the interest chargeable on such debt ;
- (e) the amount of the debt that still remains to be refunded, and for what reasons ?

The Honourable Mr. Manohar Lal : (a) Rs. 26,95,69,941.

(b) Rs. 16,95,69,941.

(c) Half-yearly equated instalments of Rs. 40,77,484 payable for 45 years on the 1st August and the 1st February each year.

(d) 4 per cent. per annum.

Figures given in the answers to parts (a) to (d) are subject to revision when March Final figures of balances under the decentralised heads become available.

(e) Rs. 10 crores, to avoid increased burden on the province, as explained in paragraph 4 of Appendix III to the Niemeyer Report.

BORROWING PROGRAMME OF THE PUNJAB GOVERNMENT.

*270. **Diwan Chaman Lal :** Will the Honourable Minister for Finance be pleased to state whether the Government have come to any conclusion regarding their borrowing programme ; and if so, will he indicate the purposes for which loans are to be utilized and the method adopted for raising them ?

The Honourable Mr. Manohar Lal : The answer to the first part is in the negative. The second part does not arise.

SHORT NOTICE QUESTION AND ANSWER.

HIGH-HANDEDNESS OF POLICE CONSTABLES TOWARDS A MEMBER OF THE SECRETARIAT STAFF AT SIMLA.

Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to state—

- (a) whether his attention has been drawn to the report which appeared in the Press on 25th June 1937, alleging the high-handedness of some police constables towards a member of the Secretariat staff at Simla ;
- (b) if so, has the Premier made inquiries into the matter and taken any steps to give exemplary punishments to the constables with a view to stop recrudescence of such ugly incidents in future ?

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

(b) The Superintendent of Police, Simla, has commenced a departmental inquiry against the two constables. If this shows that they were at fault, they will be adequately punished.

Mr. E. Few : Will the Honourable Premier please state whether it is in the public interest and the maintenance of good discipline in the police force that every incident, no matter how trivial, in connection with that force, is ventilated on the floor of this House ?

Premier : It all depends on the importance of the matter.

DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION.

Travelling Allowances of Ministers.

Sardar Kartar Singh (Lyallpur East, Sikh, Rural) (Punjabi) : I beg to move—

That the item of Rs. 23,000 on account of travelling allowance be omitted.

Sir, I will not make a long speech on the motion I have moved. I will try to give expression to my feelings and ideas within the short period of 14 minutes.

The first thing that I have to say in connection with this motion is that the ministers are already heavily paid. They are drawing fat salaries and it would not be proper to give them any allowances. A retrenchment

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committee has already been appointed in the province, whose function will be to devise ways and means for cutting down expenditure. But if you are going to increase your expenditure, you might as well do away with the services of this committee. It would be proper if the ministers try to live within their means and serve the country on the salaries they are getting.

It does not seem desirable that allowances should be paid for each and everything. If the allowances of ministers are done away with, it would be possible to stop the allowances of other highly paid government servants.

Mir Maqbool Mahmood : On a point of order. The honourable member suggests that the salaries which this House has passed for the Ministers should be treated as inclusive of travelling allowances, while the Act which passed these salaries was not inclusive of these allowances. Therefore the carrying out of this amendment necessitates the amendment of that legislation if the proposal that he has put forward is carried.

Sardar Kartar Singh : I did not mean that. I have said that allowances should not be given in addition to the fat salaries.

Mr. Speaker : The question is—

That the item of Rs. 23,000 on account of travelling allowance be omitted.

The motion was lost.

(At this stage Lala Duni Chand was called upon to move his cut motion).

Lala Duni Chand : We propose to concentrate our efforts on another motion which also covers the object of my motion.¹ Therefore, I do not propose to move my motion.

Premier : I suggest that this motion is out of order. The honourable member is not moving it because he believes that it is out of order and would be ruled out.

Mr. Speaker : When a member does not wish to move a motion, the question of its admissibility need not be discussed.

General Policy of Government.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : Sir, I beg to move—

“That the item of Rs. 74,200 on account of total Ministers (Voted) be reduced by Rs. 74,199.”

The reasons I have given for this reduction are to discuss the policy of the Government, financial, economic, political and educational. I regret that the ordinary procedural opportunity which is available to members of a legislature on the presentation of a Finance Bill—

Raja Ghazanfar Ali Khan : On a point of order, Sir. If you will kindly see, this sum of Rs. 74,200 consists of three items. One is Rs. 50,000 for the salary of the parliamentary secretaries, second Rs. 23,000 for the travelling allowances of Ministers and third Rs. 1,100 for contingencies, that is, for the chaprasis, etc. The House has already given a decision on

¹That the item of Rs. 74,200 on account of Total Ministers (voted) be omitted.
NOTE.—To raise the question of the new constitution being unacceptable.

the first two items. They have passed Rs. 50,000. They have also passed the second item of Rs. 28,000. Therefore the item which remains is only that of Rs. 1,100. I would like to have your ruling whether a motion which says that the item of Rs. 74,200 on account of total of Ministers voted be reduced by Rs. 74,199 is in order, when the House has already passed the item.

Diwan Chaman Lall : I have no objection to your ruling that this particular item should be reduced by an item of which note has already been taken, and to that extent I move this cut if that will satisfy my honourable friend.

Raja Ghazanfar Ali Khan : I would like the motion to be changed accordingly and then I reserve the right of raising another point of order at a later stage.

Mr. Speaker : He may move omission of the item of Rs. 1,150. But there is one more point.

Premier : Perhaps you were going to say, why cannot the honourable member move the omission of the whole grant and then fire away ?

Diwan Chaman Lall : If my honourable friend desires to bring another point of order, I think, you will permit him to do so before I proceed with my speech.

Mir Maqbool Mahmood : The point of order which I would like to raise and on which the honourable member would reply to your satisfaction is whether it is the policy of the present Government, which he is criticising, or of the previous Government which ceased to exist from the 1st of April, 1937.

Diwan Chaman Lall : There is a very good Latin saying : "*De Mortuis nil nisi bonum.*" I do not wish to say anything about those who are dead.

Raja Ghazanfar Ali Khan : As it is the desire of my honourable friend that I should raise my second point of order at this stage, I will accede to his request.

Now, Sir, the amended motion would be this that the sum of Rs. 1,150 be omitted or it should be reduced to one rupee. You will be pleased to observe that this sum merely relates to the contingencies such as travelling allowance of the chaprasis, stationery, etc. I would draw your attention to a ruling given by the President of the Central Legislative Assembly, where it is definitely stated that it will be entirely wrong to raise bigger questions of policy on an ordinary demand of travelling allowance or contingencies. I would draw your attention to the relevant portion of that ruling at page 153 which reads as follows :—

Travelling allowances and miscellaneous contingencies were not a peg on which to hang the attack on the Governor-General in Council but that such matters should be brought up by a direct motion in the form of a resolution.

I think this practice of total rejection of grant or reducing it to Re. 1 is really taken from the procedure adopted in the central legislature. But I would point out that there is a big difference between the Act of 1919 and the provincial autonomy. While under the Act of 1919 it was not open to any member to bring a motion of no confidence in the executive Government, now the Act provided that if the Opposition wants to pass a vote of

[Raja Ghazanfar Ali Khan.]

no confidence against the ministry, they can do so by direct method. It is admitted that the total rejection of a grant or reducing the grant to Re. 1 on the issue of general policy is tantamount to passing a vote of no confidence in the Government. Therefore if a precedent is established that the Opposition can pass a vote of no confidence in the Government by indirect method, I would submit that we may be laying a very bad precedent in the provincial autonomy. Therefore, I request that this particular motion of total rejection of a grant or reducing the grant to Re. 1 may be declared out of order, as it relates to that wide policy of the Government, political, constitutional, financial and economical.

Mr. Speaker : The motion, as altered in the light of the facts stated by the honourable member, would be that the grant of Rs. 1,150 for contingencies be omitted.

If the honourable member wishes to move omission of the item of Rs. 1,150 he may do so, but as items 10, 14 and 15 will give him ample opportunity for discussing the general policy of Government, he may wait till those items are taken up.

Diwan Chaman Lall : Do I take it, Mr. Speaker, that you allow me to discuss what I intended to discuss on the next motion? Or may I continue my motion? I am entirely in your hands.

Mr. Speaker : It is open to the honourable member either to move his motion or wait till the next motion is reached. But it might be again said that when the policy of Government is to be discussed, a motion for a nominal cut should be moved.

Diwan Chaman Lall : Mr. Speaker, as I stated, I am quite willing to abide by any directions that you might give in regard to this particular matter and I hope when you have very clearly explained the position, my honourable friend, Raja Ghazanfar Ali Khan, will withdraw the objection that he has raised and permit me to proceed with the remarks that I intend to make. It is certainly very desirable that points of order of this description should be raised. This being a young Assembly, it is necessary that the conventions relating to procedure should be definitely fixed and, therefore, I welcome the objection that Raja Ghazanfar Ali has raised. But after your very lucid description of the objection that has been raised, may I ask my honourable friend if he has no objection to my proceeding with the discussion on this particular demand and if he will permit me to proceed with my speech?

Raja Ghazanfar Ali Khan : I am very grateful to my friend, Diwan Chaman Lall, for having adopted this very conciliatory attitude, to-day, but I would just place one suggestion before him that instead of our laying down precedents of reducing a grant to Re. 1 not on the question of economy, but for discussing the policy of the Government, it will be much better if we followed the convention of moving a token cut and then discussing the policy. As Lala Duni Chand's motion is an attempt to reduce the demand by Re. 1 only, I personally think it would be most suitable to discuss the matter on that motion.

Motion moved by Diwan Chaman Lall was withdrawn.

Political and other activities of Ministers outside the Legislative Assembly.

Lala Duni Chand (Ambala and Simla, General, Rural): I beg to move—

That the item of Rs. 74,200 on account of Total Ministers (voted) be reduced by Rs. 1.

At the very outset I want to make it clear what will be the theme of my speech. I beg to say that in spirit, tone, temperament and character, there is no difference, at any rate I have not perceived any difference so far, between the indigenous Government of the Honourable Sardar Sir Sikander Hyat-Khan and the previous governments of Sir Herbert Emerson, Sir Geoffrey deMontmorency or Sir Malcolm (now Lord) Hailey. Whenever I find that there is a difference between this Government and the previous Government, I shall be the first person to make an honest confession on the floor of this House. Some of the honourable ministers of the present Cabinet have been allies—I should say vertiable allies—of the foreign domination. I know some fresh blood is imported into the present Cabinet. I look forward to the time when I shall find a change of policy in their outlook and in their actions (*Voices : Wait*).

Dr. Gopi Chand Bhargava : Hoping against hope.

Lala Duni Chand : First of all I shall deal with the question of the attitude of the ministers towards the present constitution that has come into force from 1st April, 1937. It is undeniable that in the country all the political parties have declared unanimously that the new constitution that has been imposed upon India is not worth acceptance. There is a difference between the attitude of the Congress and the attitude of other political parties towards the constitution. The Congress is determined at all costs to have this constitution rejected. The Congress is prepared to take every possible concerted action to see the end of this constitution. The other parties have not laid down any programme with regard to the rejection of the constitution or the replacement of this constitution by another constitution, but all those parties have unanimously condemned this constitution. They have gone further. They have warned the British Government against persisting in this constitution. They have also warned the Government that if it insists upon continuing this constitution there will be very bad times for it. I know the Honourable Premier has got different views on this question, but if he can make a declaration to the effect that he denounces the new constitution as strongly as other political parties do, I will be completely satisfied with that declaration although he may not take any concerted action to have this constitution replaced by another constitution. I know the familiar phrase behind which he always takes shelter. He usually says, "We are here to work this constitution for what it is worth." It is a phrase which is conveniently invented and which covers a multitude of sins of omission and commission. I daresay that there is a lack of courage and patriotism behind this phrase.

Let us see what this phrase really means. That is decided by the public attitude that the Honourable Premier has adopted on certain occasions with regard to this question. While he was making a reply to the deputation of the All-India Khatri Conference, instead of confining himself to the points that the deputation had raised he went out of his way in discrediting and belittling

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the great national movement which alone has installed him on the *gadi* on which we find him now. That appears to be the attitude of the present ministry towards the new constitution. So far as I think, judging from their utterances and from the way in which they behave in this House they think that the millennium has come for India. Whether the millennium has come or not, I shall be honestly happy to see if there is any great change in their angle of vision or in their outlook. If they take cognizance of the conditions in the country differently from the previous Government, I shall be satisfied with that. I submit that so far as the question of the new constitution is concerned, I say it has not brought about, and it is not likely to bring about the least improvement in the political condition of the country or the economic condition of this country. A great agitation worthy of any country has been going on for the last twenty years or so on the question of the political rights of India. I say this constitution has ruthlessly ignored the real meaning of that agitation that has been going on in this country.

Let alone the political question. Let us consider the economic condition of India. Nobody can deny nor can the Honourable Minister deny that the economic conditions of India are worse than the conditions of any other country of the world. Let us see whether the present ministry is going to take any bold action in this matter. There are the advocates of peasants in this House. There are the advocates of agriculturists. I shall be only too glad if the condition of the agriculturists is improved in any way. Up to this time I have not seen anything that has been done for the improvement of the economic condition of the agriculturists. They say they were generous enough to make a gift of 25 lakhs towards the relief of the distress caused by the hailstorm. Things of that sort have been taking place always. Every Government has been giving relief on such occasions. The Ministers wanted to put us on test the other day in connection with the extension of conciliation boards to other parts of the Punjab. They wanted to test us. They thought that we shall be found wanting. We have not been found wanting, and we shall help them in that direction provided the Act is justly and impartially administered. Let them grant relief in the form of remission of land revenue, not remission for a year or so but for all times to come to the holders of small holdings. (*Hear, hear*). If they remit land revenue on small holdings, say, even to the extent of 15, 20 or 25 *bighas* I shall change my opinion with regard to them.

Premier : I hope the honourable member will also provide money for it.

Lala Duni Chand : The Honourable Premier has very properly remarked that I should supply the money. I shall suggest the ways and means. I say that a top heavy administration, costly administration, and the economic improvement of the masses or the improvement of the agriculturists are two contradictory terms. So long as you, the Ministers—I hope the Honourable Speaker will excuse me for addressing them directly—so long as the Ministers want to have Rs. 5,000 a month including the allowances.—(*Voices : No, no, Rs. 3,500*). I have studied the question and I shall show you how the amount comes to Rs. 5,000. The Honourable Ministers are entitled to Rs. 15 as daily allowance for hal tage. They are

entitled to the requisition of an eight-wheeled carriage and in some cases a four-wheeled carriage. They are entitled to carry with them as many as 15 servants. (*A voice*: They do not get Rs. 50 when they are travelling). I have read the rules and I have studied them. (*A voice*: You have mis-read them). Anyhow there is not much difference between my figure and the figure of the Honourable Ministers. If it is not Rs. 5,000, it is Rs. 4,500 (*A voice*: Less than Rs. 4,000). The point that I was making is this that so long as there is such a heavily paid ministry, there is such a heavily paid service, it is impossible to bring about any change in the economic condition of the country. I say this as regards the finding of money. There is yet room for bold retrenchment in all the departments. I venture to say that the public services could be easily cut down if not by one-third, certainly by one-fourth. I have been all my life coming in fairly close touch with the different departments of the administration. I know it for a fact that in every department there are extra hands. Let me tell the Honourable the Premier. Take the case of the subordinate judges. Go to any district in these days and you will find that the subordinate judges have not work enough for two hours a day. You recruit 10 or 15 sub-judges every year and 15 or 20 extra assistant commissioners every year. There is no need for even one-third of them. I have seen magistrates basking in the sun in the winter and sleeping in the summer, because they have no work to do.

I say if you want to have money you can have sufficient money, The Government can have a certain amount of money by deciding upon a bold programme of retrenchment and economy. The other day the Honourable Sardar Sundar Singh Majithia said to us when the question was raised in this House to increase the pay of peons, that there are graduates, there are B.A.'s and M.A.'s who are prepared to accept the post of a peon, that it is a question of supply and demand and if graduates can be had for Rs. 14 why should we pay even a pice more to the peons? If really it is a fact that graduates are prepared to accept jobs of peons on Rs. 14 or less a month, then I say that conditions have arisen in this country which I regard as the fore-runner of revolution which is fast coming. (*Hear, hear*). I know that there are graduates in this country who on account of the policy pursued by the Government do not know where to turn their head for a morsel of bread. Government is responsible for those conditions.

This brings me to the question of the attitude of the Government towards public services. What is the reality about these public services? Favouritism and nepotism are reigning supreme. In the matter of recruitment to services square men are being put into round holes.

Premier: The honourable member is now referring to the old Government because we do not make any new appointments now. We have got a Public Service Commission which deals with new appointments.

Lala Duni Chand: I can make a definite reply to the objection that has been raised by the Honourable Premier. There is hardly any competitive examination worth the name in this province. Can the Honourable Premier tell me what kind of competitive examinations are being held in the province? It is a fact that this year about twenty persons were recruited for the executive side of the provincial civil service, of whom only

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four were recruited as a result of competitive examination. The remaining fifteen or sixteen were taken on the basis of nomination. (*An honourable member*: No.). I know on what basis nominations are made.

Premier: We have not appointed any extra assistant commissioners. The extra assistant commissioners referred to by the honourable member must have been appointed by the late Government.

Lala Duni Chand: I say that the present Government has inherited the legacy of the late Government. The present Government is continuing the policy of the old Government. That is exactly my complaint.

Premier: We have not yet had any opportunity of doing so.

Lala Duni Chand: Barring the few competitive examinations for the recruitment of a few judicial appointments and a few executive appointments, all other appointments are made on the basis of nomination. I say without fear of contradiction, that if a census is taken of all the appointments that have been made on account of the employees having been the relatives or kinsmen of men holding bigger offices in this province, it will be found that the figure is very considerable.

Premier: Who made those appointments?

Mr. Speaker: The point raised by the Honourable Premier is that the appointments, to which the honourable member is referring, were not made by the present Government, but by its predecessor. Is it the intention of the honourable member to criticise the Government which has ceased to exist or the Government which is now in power? If he wishes to criticise the old Government he will be out of order; but if he wishes to criticise the present Government then he must confine himself to the action of the present Government, that is, the Government which came into existence on the 1st of April last.

Lala Duni Chand: I do not hold the present ministers responsible for the sins of the previous Government. (*Hear, hear*). But I do know that the present Government is pursuing the same policy with regard to recruitment to services as its predecessor did. There is no difference in policy between the present Government and its predecessor so far as the question of recruitment is concerned.

Premier: Can the honourable member give a single instance in support of his contention?

Lala Duni Chand: I do not propose to trouble the House any further on this question. I have said enough and therefore it is not necessary for me to pursue the matter any longer. The other day the Honourable Revenue Minister referred to the question of a little increase in the pay of patwaris. He said, "look here, there are, 15,000 patwaris in the province and if we increase their pay even by two rupees, the total cost will come to something like Rs. 30,000 a month and therefore Government is not prepared to make any increase in their pay." This is the generous attitude of the Government towards those servants of the public who are doing a very important work for this Government.

Mir Maghool Mahmood : May I know whether the honourable member is referring to the activities of the ministers outside the Legislative Assembly? That is the wording of the remarks appended to his motion.

Lala Duni Chand : Excepting the activities of the Ministers inside this chamber all other activities are outside the chamber. Therefore, I can refer to them. (*Interruptions*). I was dealing with the question of the poor patwari.

Mr. Speaker : The honourable member is not in order to bring in matters discussed already.

Lala Duni Chand : Let me say a word with regard to the question with which I was dealing. I say it will be much more beneficial to give Rs. 30,000 to these 15,000 patwaris than to give thirty, forty or fifty thousand rupees—

Mr. Speaker : That matter has already been discussed and disposed of by the House. According to the practice of this House and of Parliament it should not be re-opened now.

Lala Duni Chand : My attention has been drawn to the fact that I raised the question of the political activities of the Ministers. Let me now deal with this question. The Ministers, when they go out, do not say to the people that they are the Ministers of all the communities in the Punjab. I have instances in my possession of the Ministers saying to the people 'Now there is the Government of the agriculturists, now there is the Government of the zamindars.' I want to say that the Honourable Ministers, when they go out in the province, should satisfy people that they are as much Ministers of the non-agriculturists as of the agriculturists. I have got a statement in writing by a certain gentleman to the effect that some of the Ministers outside this House have been saying extraordinary things. Let me now quote what they have been saying outside. This is the substance of a speech of one of the Ministers. He said "Do you not feel ashamed that you have been supporting non-agriculturists, that you have been giving votes to the non-agriculturists." He also said, "Now the Raj of zamindars has come and this Raj is going to last for the next 25 years or so. We are cut to tax the fat people."

Raja Ghzanfar Ali Khan : Through you, Sir, may I request the honourable member to give the name of the Minister, place and date where and when this speech was made so that we may be able to contradict it?

Lala Duni Chand : Out of consideration for the Minister concerned I do not propose to give his name, but if I am forced to give his name I am prepared to disclose it.

Mr. Speaker : The honourable member may exercise his discretion.

Lala Duni Chand : I decide to exercise my discretion in favour of the Minister. (*Laughter*). He said in his speech, "Now we are going to tax all those people who cannot take their food, unless they take some sort of medicine every day, unless they go to doctors—"

Sayed Afzaal Ali Hasnie : Do tell us his name.

Lala Duni Chand : Sir, he also said, 'It is a matter of great shame that you should vote for the man who belongs to a town.' He also said, that the present Government was the Government of the zamindars and if anybody did anything against that Government, the Government would go against that man.

Mr. Speaker : Is there an authentic speech available ?

Lala Duni Chand : I have got a statement in writing of a gentleman who belongs to the place where the speech was delivered.

Raja Ghzanfar Ali Khan : Is he an educated gentleman ?

Sardar Partab Singh : Is there anything against you ?

Lala Duni Chand : Sir, another thing in his speech is when he says, "Do not care for newspapers, do not read them, the press is to mislead you." (*Hear, hear and Laughter from the Treasury Benches*). My point is that it is absolutely necessary, to pacify the communal situation and create a cordial atmosphere in this province, that every Minister should convince people that they are the Ministers of the whole of the Punjab and not the Ministers of any particular community.

Mr. Speaker : Did he make that speech before or after his appointment as Minister ?

Lala Duni Chand : One speech was made at a time when he was hoping to become a Minister and the other speech was made when he became a Minister.

Raja Ghzanfar Ali Khan : On a point of order, Sir. The motion before the House has raised the question of political and other activities of the Honourable Ministers outside this Assembly. Is it relevant to say that the Honourable Minister made the speech before he was appointed a Minister or when he was hoping to become a Minister ? I think the honourable member himself was hoping to become a Minister.

Mr. Speaker : The practice of this House is that conversations, which take place between members outside the House, are not allowed to be discussed or re-opened in the House for the simple reason that they contradict each other and that often leads to unpleasantness. I had to rule more than once from this Chair that private and personal conversations outside the House or even inside the House, should not be brought in speeches. As regards the speeches made before their makers were appointed Ministers, they should not be alluded to at all. As regards those speeches which were made after their appointment as Ministers, if an authenticated report is available, there is no objection to its reference.

Diwan Chaman Lall : May I, with your permission, ask that when an electioneering speech has been made by a gentleman who forms the Government of the province later on and promises have been made in that electioneering speech, whether it is possible for us to allude to that statement made by him before his election and compare that statement of policy laid down by him as an altered policy with the policy actually propounded on the floor of the House ?

Mr. Speaker : It will not be irrelevant, but undesirable.

Lala Duni Chand : I do not want to make any sweeping charge against all the Ministers. I do know that there are Ministers actuated by the best desire of creating the best atmosphere in this province. My object in bringing these facts to the notice of the Government is that they should be wiser in future.

I have got two more points to place before the House.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2-30 p. m. Mr. Speaker in the Chair.

Lala Duni Chand : Sir, with all the earnestness and sincerity that I am capable of I beg the present Government to abstain from doing one thing. Ever since the British raj has been established in this country a process of demoralising the country has been going on. Forces and interests and groups and individuals have been brought into existence, which have been working and are still working against the best interests of the country. Forces loyal to England and disloyal to India have been brought into existence. Honesty is at a discount, patriotism is a crime and sacrifice for the country is a treason in this country. All that I pray to the present Government is that they should not discourage the honest elements in this country and this is not too much to ask.

The next point which I beg to place before this honourable House is one relating to the backward tracts and to the case of the scheduled classes. This is one thing to which the Ministry should devote its attention and achieve something for these people. As regards the backward tracts, I would say there are several districts, the major portions of which are inhabited by backward people. Take the case of Simla district, the Kangra district and the Dera Ghazi Khan district. I may tell you one thing about the Dera Ghazi Khan district. I had personal experience of that place. I was in Dera Ghazi Khan jail in 1922. About 1,500 prisoners from that district alone were coming into that jail. When I discovered that the same prisoners were entering the jail repeatedly I questioned why it was so and the invariable answer was that they were forced to commit some petty theft or other offence in order that they may enter the jail because they could not get bread elsewhere outside the jail. I also happened to go through the Kulu and Kangra valleys and I had seen people in certain parts of those valleys. They were leading the life of cattle. There are no means for them to earn their bread. If you go to the Kulu Valley you find people coming to you asking for something. I had personal experience myself. I suggest as to what should be done. Supplementary industries should be started. We have a very able man in charge of the industries and I shall be glad if he does something in this direction. Agriculture and industry should be subsidised by grants. Medical aid should be provided; means of communication should be facilitated. Roads should be opened up. If you act up to these suggestions you can do a good deal for these people. There is another class that deserves help from the Government and that is the scheduled castes. (*Hear, hear*). Upon this question I always look with a feeling of great pain. There is not a single country in the world in which you have got as many as 7 or 8 crores of people practically without any shelter, without any clothing and without decent food. This has been the greatest crime of that community to

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which I myself belong. That community has been partly responsible for the condition of these people. (*Hear, hear*). I suggest that Government should do something for these unfortunate people. For instance, for the next ten years every boy belonging to the scheduled castes should be educated and maintained at the cost of the Government. (*Hear, hear*). Free schools should be opened for them. Not only this. A majority of these untouchables are living without any houses. A census should be taken as to how many of them are really houseless. The Government should undertake the duty of building houses, say, on certain conditions. (*Pir Akbar Ali*: By imposition of new taxes to get money?) Ways and means should be found to improve the economic condition of these people. They should be encouraged to take to agriculture. I know the Honourable Premier will say that some of these untouchables are pursuing agriculture. I know some of them are pursuing agriculture, but how? They are only living the life of agricultural serfs and slaves. (*An honourable member*: Who made them so?) I have already taken the due share of responsibility upon my community. I may also tell you that I believe in the State as the only potential and powerful agency to improve their condition. I do not believe that religion or anything else can improve the condition of the people. I have been a veritable believer all my life (*hear, hear*) that the State is the only agency that can shape the destinies of the people and the fate of the country. It is in your hands. You have started writing upon a new slate. It is for you really to do for these people what the Governments of other countries have been doing for their people. I was submitting that something very necessary should be done for these untouchables. A definite programme of economic betterment of these people should be drawn up and acted upon. After this I proceed to place before the House another equally important thing. Sir, I know it for a fact that my people living in the rural areas and in the towns—particularly in the rural areas—have got any number of grievances and suffer from many handicaps and many wrongs done to them. This House can have some idea of those grievances and sufferings and the wrongs from the lists of questions that are being asked daily in this House. It is therefore unnecessary for me to detail all those grievances. They are there. What is the exact position with regard to these grievances and sufferings of these people? They suffer in so many ways and in so many directions at the hands of the officials and at the hands of most of the departments of Government. I know that in the higher ranks of the Government there are good and honest people who want to do something for these people. But they are helpless and powerless. How do things take place? In the first place it is only 5 per cent. of their grievances that are brought to the notice of the higher authorities. The remaining 95 per cent. never see the light of the day because the people are so helpless that they prefer to suffer in silence. The five per cent. of the cases that are brought to the notice of the authorities are mostly complaints against certain officials or against certain departments. The subordinates at whose hands these people suffer make reports to the higher authorities who accept their version, the version given by the erring official is regarded as gospel truth. Sometimes it is brought to the notice of the Minister and what do the Ministers do? They act in the same stereotyped and red-tapist fashion in which

the previous government was acting. The ministers dare not disagree with the important superior officers. When these officers want to force their point of view on the ministers, the ministers are invariably helpless. (*An honourable member* : Question). I ask the Honourable Ministers to find at least clear cases and whenever they have got clear cases, they should deal with the erring official or with the erring officer strictly. This is the aspect of administration that requires the best attention of the Government. If things go on in the same merry fashion as they have been going on for many years, I think the Government will not be able to make any improvement. I know, Sir, that this is the most important motion on which many other and abler speakers are going to speak and I would have continued to speak further on the subject but for this fact that other people are going to speak who will throw greater light on this question. Therefore I do not want to pursue the matter any further (*cheers*). There is only one observation that I want to make. The present ministry should take cognizance of the hard conditions and the hard facts as they exist in the country and when they are assured that such are the real conditions, they should not only take cognizance of these things but act and remove the conditions (*Cheers*).

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 74,200 on account of total Ministers (voted) be reduced by Rs. 1.

Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural): My honourable friend has covered good many points both inside and outside his motion and I intend taking up all these, with your permission, one by one. First of all I will tackle his point about the Honourable Premier's reply to the Khatri Conference deputation. My honourable friend wanted to make capital out of it, but with due deference to him, I wish that he had read once again the address and the reply before he had decided to talk about it today. Before I come to it, we must bear in mind what were the circumstances in which the Honourable Premier gave that reply and to whom he gave that reply. From the address we know that the members of the deputation claimed to be an important minority in the Punjab and an important section of a very important class of people living in this province who could very well be said to be not only the head but also the *arms*, of this province, being Kshatrias. Now, let us see what they said. They said "We are an important minority and we approach you with the following facts, that the coming of the constitution has given the power of the province in the hands of representatives of the people and therefore we expect that the majority in whose hands the Government of the province has been given by the constitution"—

Lala Duni Chand : By providence.

Chaudhri Krishna Gopal Dutt : Futile majority.

Maulvi Ghulam Mohy-ud-Din : "They should now assure us of a change of angle of vision, as regards their treatment towards the minorities." They also said that in the future development of the province they wanted to be assured that there shall be a balanced development amongst all the residents of this province. Now, Sir, when I read this address I was of the opinion that the members of the deputation had very cleverly put these points in their address and I was wondering what would the reply

[M. Ghulam Mohy-ud-Din]

of the Honourable Premier be, but when I came to the reply I must say it on the floor of the House that my estimation about the Honourable Premier was very much raised when I found the bold, straight and honest answer to these questions. He is a bold statesman. He said, "I need not assure you that a Government which does not care to protect the legitimate rights of the minorities, of the services, or for the matter of that of any class or community is not worth the name of a good Government" (*hear, hear*). There was another point also involved in it and that was, what position is he going to take in the solution of the matters concerning this province? And, I find, that as a bold and honest statesman he said that he and his party would do their best to avoid deadlocks, but if deadlocks came in spite of their best efforts, he would not shirk them. If the Honourable Premier had not given this reply I am not afraid to say that he would not have been the man to whom we listen and whom we look upto, and round whom we have grouped together. Does my honourable friend mean to say that the question of minorities in this province should not have been so ably dealt with? Does my honourable friend mean to say that the minorities in this province should not have been satisfied and can my honourable friends quote any instance?

Sardar Partab Singh : Generally satisfied.

Lala Duni Chand : Who are the minorities in this province?

Maulvi Ghulam Mohy-ud-Din : My honourable friend opposite and all other non-Muslims. When I say my honourable friends, I mean the class of people to which my honourable friend belongs religiously and socially.

Lala Duni Chand : I believe that religion has been a curse in the country.

Maulvi Ghulam Mohy-ud-Din : I would be glad to see that this phrase is brought into practice.

Lala Bhim Sen Sachar : You do not want to be irreligious.

Maulvi Ghulam Mohy-ud-Din : Then, Sir, my honourable friend took up another point about the remission of 25 lakhs of rupees. I am sorry to notice that my honourable friend mentioned it in a very indifferent way. I was expecting from him an appreciation of the unprecedented promptitude with which the present Government had met this calamity not only in one district, but in more than one district. I challenge my honourable friend to quote a single instance from any previous government where within half an hour of their taking the oath of office, enquiries are made and within a fortnight from that, relief is distributed and remissions are made. It is only natural that we on this side of the House should expect honourable members to do justice to the present government and to give the credit which is due to them. I can very well understand their not doing so in the previous council and they should not give us the impression that they still inherit that habit. If in the previous council they did not wish to give the credit due to the government, it was because it was not a popular government : that can be understood. But to the present government from an Opposition, and from a

responsible Opposition, we must expect that they must give credit where it is due to Government (*Chaudhri Krishna Gopal Dutt*: It should be mutual and not one-sided.). My honourable friend wanted to make a point out of it that by remitting these 25 lakhs the Ministry was not doing any service to the people. I must submit, Sir, with due deference to my honourable friend, that it is this Ministry and it is this ministerial party really which is anxious to serve the poor people (*hear, hear*) and that is apparent from their past conduct too. For the last 14 years it is this party which has been doing its best for the people. We hear good many professions from the other side of the House, but a tree is to be judged by its fruit and a man is to be judged by his deeds. From the motion which my honourable friend on the other side of the House has brought, I am afraid we cannot judge them according to their professions. Keeping in mind the motion which my honourable friend Sardar Kartar Singh had brought for reduction of 25 per cent. in the revenues, had that motion been passed, would it have been for the benefit of the poor or the advantage of the rich?

Lala Duni Chand: Anything that has been already discussed cannot be referred to according to your ruling.

Mr. Speaker: I would request the honourable member not to refer to what has been discussed already.

Maulvi Ghulam Mohy-ud-Din: Sir, may I bring to your notice that the motion was not discussed at all? It was not even moved.

Now, Sir, coming to another point, my learned friend has said that the present constitution is not acceptable. Sir, the Government of India Act was passed, the constitution was proclaimed far and wide in the province. My honourable friends launched their election campaign, they toured throughout the whole province, and they made great promises to the people and proclaimed those promises from the housetops, and they were successful in being elected and they came to this Assembly; and today we find them saying that this constitution is not acceptable. That reminds me of that Urdu verse:

ہائے اس زور پشیمان کا پشیمان نہ

Sir, my honourable friend was tempted more than once to criticise the Ministry. We are now accustomed to listen to this destructive criticism. But one thing I may submit that so far I was looking upon the Opposition benches as one compact body with one mind and one point of view. But hearing from my honourable friend Sardar Hari Singh his professions of adoring and worshipping honourable the Premier, and hearing to-day from my honourable friend this hard criticism, makes me begin to doubt whether the Opposition is of one mind or of any mind at all. As to this unholy alliance I have nothing but to quote—

ہم معتقد دعوتے باطل نہیں ہوتے

سینے میں کسی شخص کے دو دل نہیں ہوتے

Sir, we have always welcomed criticism from the other side of the House but it must be constructive criticism. They are here to serve the electorate and to stand and correct us if there be a mistake but not to carry on a campaign of criticism, of condemnation in season and out of season.

[M. Ghulam Moby-ud-Din.]»

My honourable friend has drawn attention of the House to the deplorable condition of the people in the province, to the condition of the depressed classes, to the condition of the poor. None of us would join issue with them on this point. We are at one but the question is how to remove these grievances. We must do it with one mind. We all must be of one mind. We must not forget that we owe a duty not only to this House but to the electorate outside, not only to the electorate but to the coming generation also; and we owe a duty to the whole province of making it a real paradise which is put in the words of the poet as follows:—

بہشت آنجا کہ آزارے نباشد

کسے را با کسے کارے نباشد

Now I ask my honourable friends on the other side, “How can you do so if we are still acting as we did in the past, *i. e.*, living in a magazine of gunpowder and carrying lighted matches in our hands. You shall have to look to the interests of the province rising above the communal feeling, rising above the class feeling (*Hear, hear*). Be one-minded and do your best to alleviate the poor. (*Loud applause*).

Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammadan, Rural): Sir, I am on common ground with the previous speaker that the test of a national and popular government lies in the steps that it decides to take to mitigate the misery of the masses of this province. The second duty of a popular national government in the case of a subject race is to work for the liberation of their country from the foreign yoke. (*Hear, hear*.) I beg to submit that in both these things the present Government has behaved hopelessly and failed totally. (*Hear, hear*.) With regard to the economic policy of the Government it can safely be said that it has not done anything to improve the condition of the poor masses though they call themselves champions of the poor and the agriculturist classes. I was just having a talk with one of my Unionist friends during the lunch intervals and I was arguing (*Voices*: No reference to table talks) that in this province a lot has been made by the Honourable Minister of Agriculture and the Premier of the fact that ours is a province of peasant proprietors (*Hear, hear*). They say, it is very difficult to effect any drastic changes in the present distribution of revenues or in the present distribution of land.

Premier: I never said that that is my position.

Mian Muhammad Iftikhar-ud-Din: You said it is a province of peasant proprietors.

Premier: It certainly is. That is a fact.

Mian Muhammad Iftikhar-ud-Din: I beg to submit that although it is a province of peasant proprietors, out of 29 million acres of cultivated land of this province, 19 million acres of land is owned by a minority of 15 per cent. of proprietors whereas about 40 per cent. of land, *i. e.*, about 10 million acres of cultivated land is owned by 85 per cent. of proprietors.

Premier : I am afraid the honourable member has got his figures all wrong. If he will quote me the authority, I might be able to correct him.

Mian Muhammad Iftikhar-ud-Din : I have read it often but at present I cannot recollect the authorities. I would like to be corrected.

Premier : If you give me the authority, I will correct you. My own impression is that you are wrong.

Mian Muhammad Iftikhar-ud-Din : Unless you are sure, I would not like to be corrected. I think here probably the Honourable Premier will bear me out. About 60 per cent. of land is owned by people in this province who own more than 15 acres of land each.

Premier : How much ?

Mian Muhammad Iftikhar-ud-Din : More than 15 acres of land each, whereas 40 per cent. of land under cultivation of this province is owned by people who own less than 15 acres of land each.

Premier : That is probably nearer the truth.

Mian Muhammad Iftikhar-ud-Din : It is sufficient for my argument to say that 15 per cent. of land is owned in this province by people who own more than 15 acres of land each and 40 per cent. of land is owned by people who have less than 15 acres each.

Premier : May I ask the honourable friend opposite whether he would draw a line between the peasant proprietor and the land owner ?

Mian Muhammad Iftikhar-ud-Din : I am trying to draw your attention to the fact that if an average income of 15 acres of land in this province were taken to be the limit below which no land revenue should be imposed, that would help us to a great extent to ameliorate the condition of the peasants. I agree with the argument put forward on the other side that 15 acres do not yield the same income everywhere. I will not suggest any definite method because we cannot suggest this in a short speech. It is more or less a question of research. I am making a suggestion only which will be to the good of the poor peasantry. The average income of 15 acres could be taken as a limit below which no land revenue should be imposed. Surely if 85 per cent. of people can afford to subsist on 40 per cent. of land, 15 per cent. of people with heavier taxation can afford to subsist on 60 per cent. of land. It may not frighten my friends on the other side. It is not a socialistic measure. Even in England where revenue is imposed on income-tax basis as we would like in this country, even there, no land tax is charged on an income of less than, if I remember aright, £187 per annum.

In Australia which is more of an agricultural country than England the holdings up to the value of £500 are exempt from income tax altogether. I have quoted this to show that this policy could not be called a socialistic measure. On the contrary the Mother country of which they are such loyal subjects and their brethren in the other dominions are working on the same lines.

Secondly, another method which one could have suggested for effecting economy is in the Irrigation Department. We know that Irrigation Department yields over 12 per cent. interest every year out of which about 6 per cent. interest goes in the payment of interest on the standing irrigation

[M. Md. Iftikhar-ud-Din.]

debt. As this is supposed to be a government department and a beneficent department, it can well be argued that it should not be made to yield more than 6 per cent. of interest and the loss that will be caused to the revenue by the reduction of 6 per cent. income in this item can be made good by imposing further land revenue on bigger landlords which I must point out to the side opposite can easily be done on account of the fact that 25 per cent. of land in this province is owned by 3 to 4 per cent. owners. (*A voice* : Including the government) Yes, including the State. But that does not in any way weaken my argument. (*A voice* : What proportion?) I cannot quote the proportion which the State holds against the private owner. It is cultivated land and not useless land and I think the proportion cannot be very great. Government does not own a very great amount of cultivated land but I cannot give the figures of the exact proportion between the two, because this line of argument I did not want to take until I had a talk with my friend on the other side.

The third method of effecting economy has been proposed by the Ministerial benches, but I know it will fall short of our expectations, and a really appreciable decrease in the salaries of services which are under the control of the provincial Government will not take place. The first two suggestions of mine if worked on scientific lines by experts could certainly shift the burden of taxation on the stronger shoulders of landlords and will relieve the burden of the poorer peasantry while this last measure of economy will yield money for setting up educational institutions and in the years to come people will not be ignorant enough to vote for the Unionist Party. So far for the economic policy of Government, wherein they have not exploited the possibilities which the present constitution, undesirable as it is, affords them. They could have done some good to the poor and please remember to the poor of the villages whose champions they profess themselves to be.

Now coming to the second point, which we may call their national policy, that is their political programme, I beg to submit that here again I am at one with the Unionist Party. If I remember aright, the Finance Minister in an informal remark on the floor of this House said that his inability to do anything great in his budget is partly due to the fact that the limitations of the present constitution are such that he could not do much. I ask of the Unionist Party, what do they propose to do to improve these conditions or to remove the impediments that lie in the way of the Unionist Party to do more good than the present constitution affords? I would ask this House to tell without prejudice that if the Unionist Party with the programme that it has followed for the last fifteen years and the programme that it is following to-day and will go on following for 50 years to come, can they bring us an inch nearer to freedom than we were when they took the government in their hands? Have they any anti-imperialistic programme, have they any political programme which will take us nearer to our goal of freedom than we are to-day? Here comes the difference between the Congress and the Unionist Party. It has often been remarked by the members of the opposite side that they would see what happens when the Congress takes office. The position of the Congress will not change. The position of the Congress will be to exploit the present possibilities that are offered by the

slave constitution and at the same time to gather strength in order effectively to reject and wreck the present constitution and finally fight for further concessions or rather for complete freedom of this country. (*A voice*: Wait, let us see what your elders say.) Our elders may accept office. They may run it for five years. At the same time they will have a programme which will lead to the wrecking of the constitution and will go on with their present agitation to get something more. But what are the Unionists doing?

I come to their method of achieving freedom also, and here is the difference. Here it is that we feel it as our duty to criticise them because they do not offer us, either in theory or in practice, any method whereby further concessions could be got which would enable us to do more good than the Finance Member has been able to do.

The excuse usually offered by the people on the other side is that they do not come into clash with the British Government because under the present constitution and provincial autonomy there is nothing that will bring us into a clash with the British Government. This argument alone from the other side is sufficient to show the undesirability and the weakness and the total uselessness of the present constitution because no reasonable man would doubt that the foreign power which has taken so much trouble to come over and which has taken greater trouble to get their hold on us and is taking even greater trouble to keep on that hold on us has some personal motive in mind also. I want to point out that that argument, the argument that we under the present constitution do not come into clash with the British Government, is wrong. It does not entitle the Unionist Party in not taking any active steps against our rulers for the freedom and good of India. I know that they would say that even under the present constitution, although they do not come into clash with the British Government, they would do everything possible if there were an impediment thrown in their way to do the duties that they are trying to perform. It has been said by the Honourable the Premier that if the Governor were to go against them and were not to comply with the reasonable demands of his Party, they would do what is necessary for them to do. And here we have only to see to the past. This reminds me of a story of an Englishman who whilst travelling came to an inn where his horse was stolen. The next day he spread the news all over the country around that if the horse were not returned within 24 hours he would have to do against the culprit what his father did before him. The poor thief brought the horse back and after he had returned it to the owner he asked: "Sir, may I ask you one question? What would you have done if I had not returned the horse? What did your father do?" The reply he got was, that he went home! We know that if the Unionist Party are brought up against the Governor what they are likely to do. They will do what they had done in the past. The difference between their political policy and the policy of our Party lies in the fact that the Unionist Party believes, as has been so clearly and frankly put by the previous speaker, that the British Government is here not for their own good but for the good of the minorities and that if we were armed with the goodwill of the minorities, there is no fear of any interference from the British Government.

Premier: The honourable member is misquoting me.

Mian Muhammad Iftikhar-ud-Din : If I am wrong I should like to be corrected. Has it not been the view of the Honourable Premier that if we arm ourselves with the goodwill of the minorities we have no fear of being interfered by the Governor ?

Premier : That is my position.

Mian Muhammad Iftikhar-ud-Din : On the other hand I hold that we are liable to be interfered not on account of the fact that we may go against the interests of minorities, but on account of the fact that we may go against British Imperialism.

Premier : No, no. There would then be deadlock at once.

Mian Muhammad Iftikhar-ud-Din : When a deadlock arises what is the party opposite prepared to do ? They will do what they have been doing in the past. They will conform to the conditions imposed by their rulers.

Premier : Why does the honourable member anticipate what will happen ? When that contingency arises you will see what we will do.

Mian Muhammad Iftikhar-ud-Din : We cannot anticipate otherwise, judging from the experience of the past.

Mr. Speaker : May I request the Honourable Premier not to interrupt unless his object is correction.

Premier : I am only correcting the honourable member.

Mian Muhammad Iftikhar-ud-Din : The previous speaker also referred to the policy of the Unionist Party since 1921. I ask that gentleman what that party has done since then ?

Premier : The honourable member is confusing between the Unionist Party and the Government.

Mian Muhammad Iftikhar-ud-Din : I was taking the utterings of the Premier as the utterings and the attitude of his party on this question. If that is not so, I withdraw my words.

Now, coming to the question that of the vital difference which makes it incumbent upon us to take exception to the attitude of the Unionist Party towards the Government. Their method as we understand from their utterings is to get concessions from the imperialist power by acting as mercenaries. They seem to be acting in the same mercenary way as they did in the past in order to get further concessions. There I think they are not only going against the interests of this province, not only against the interests of this country but also against the interests of all the democratic countries in the world, against whom they are prepared to fight.

Premier : Which are those other democracies ? Only two are left.

An Honourable Member : There are many.

Mian Muhammad Iftikhar-ud-Din : The truth is that we speak different languages. There are two different currents running. We cannot understand each other. We the Congress are only wasting our time here. Let me point out that whereas it is their privilege to prepare budgets on the model of some great Englishmen and to be chained to those chairs and to serve not only foreign interests but also those of a limited minority of landlords and capitalists exploiters of this country, it has fallen to our lot, the national-

minded people, of this generation, to work for the freedom of the country and for the good of the future instead of being clogged to the present. (*Cheers.*)

Professor W. Roberts (European) : The honourable member who spoke last is not very sure of his figures and so it is well that I do not deal in detail about the percentages and figures given by him of the present position. I am speaking from memory only. The area of cultivated land in the Punjab is 2·9 crores acres and not 11 crores as mentioned by the honourable member. Now, I shall not touch upon the more intense political aspect of my honourable friend's speech, but try to deal, if I may, with economic aspects of it. He suggested different courses to be adopted for reducing land revenue on persons holding 15 acres or less. But what would the effect of that be upon the progress of this province? There are two things that militate against this proposal. One is this. Supposing you did this; to-morrow you reduce land revenue on all areas of holdings under 15 acres. But you cannot be sure of one thing, that you will transfer the benefit to the people whom you want to reach. There are hundreds of ways in which this concession might be taken by the bigger men and richer landlords without the advantage passing to the poorer people. I am in full sympathy with members on the other side who feel that there should be a more equable system of taxation in this province. Everybody who has any feeling at all for the country or who seeks to improve the condition of the people must sympathise with the mass of the population. There is no difference between us on this side and the honourable members opposite on this matter. But the point we have to decide is, what form of action it is best to make for the good of the province? Now, if you reduce land revenue on smaller areas you will only encourage sub-division of land to what they call uneconomic units. You should aim at this province producing the greatest possible quantity of food, cotton and other things which it exports.

That is what we should all aim at. If you encourage intense sub-division by making small areas free of land revenue, you will be destroying the agricultural capacity of the province. Therefore this is not the proper way to tackle this question. My own opinion is that if we can keep this income-tax question from being an All-India question and definitely for the Government of India share, then this is the line on which to tackle it. Make richer people in the province to contribute from income-tax and not from land revenue. (*Hear, hear.*) I beg you, for the sake of future development and further progress of this province, not to add another factor to this intense trouble of sub-division of holdings, because already there is plenty of trouble on account of the laws of inheritance. Further, by this kind of taxation proposal you are also going to create one more big problem for the Government of the future, whether the Congress or the Unionist Party rules this province in ten years' time. I myself believe the Unionist Party will be ruling then and not only then but in a hundred years from now. (*"Hear, hear" from the Treasury benches.*)

Another matter on which a previous speaker touched was that he quoted from a speech of one of our Honourable Ministers. As far as I understand, that speech was made during the election, when we all try to

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impress our constituents. He quoted that this is the Government of zamindars. Well, Sir, in this connection I may say that a province with 85 per cent. agricultural population should necessarily have a zamindar Government. Eighty per cent. of the population in this province earns their livelihood on agriculture. Surely it must have a majority of agriculturists in the Government at all times, unless the agriculturists are so depressed or over-run by capitalists or other kinds of exploiters that they have no voice at all in the Government of the country.

At the same time the first speaker drew attention to the need of the poor agriculturists and the need for reducing taxation. Surely, to be honest about it, the first thing to admit in an agricultural province, is that the Government, of whomsoever it may consist, must have a very strong agricultural bias. Agriculturists of this province are not so stupid as to think that anybody other than the agriculturists can govern. We all have our functions here. There is plenty of room for everybody. In my opinion the Government of this country, the Punjab, which is mainly agricultural must be mainly an agricultural government. There is no use, therefore, finding fault with any Minister or Member of Government honestly stating that opinion.

Now, Sir, it has been asked, what have the Unionist Party and the Government done for the good of the country? What have the Government of the past, influenced by the existence of the Unionist Party, done? In this connection I will mention one or two points. One thing is the consolidation of holdings. That subject has been brought into prominence and there has been some definite solid work done on it, by the Government, and much more is being done now than has been done in the past. I myself had the honour of attending one committee which went into the question of expanding this work in great detail, not very long ago. Again debt legislation has been carried through during the last 2 or 3 years.

Dr. Sir Gokul Chand Narang : May I just ask whether all this talk is relevant ?

Mr. Speaker : In to-day's speeches irrelevancy has been the general rule and relevancy an exception.

Dr. Sir Gokul Chand Narang : If irrelevancy has been the general rule I withdraw my remarks.

Khan Bahadur Nawab Muzaffar Khan : May I point out one thing. It was from those benches that this question that the Unionist Party has done nothing, arose. My honourable friend was not present at that time.

Dr. Sir Gokul Chand Narang : If I had been present I would have certainly raised the point of order, because the time of the House should not be wasted in irrelevant talks.

Professor W. Roberts : I am asked, Sir, what has been done by the Government or is being done in recent years? What about communications? Is there any province in India where road communication is in such a good state as it is in the Punjab? Take the question of seed distribution. Can you point out any province in India where the seed distribution arrangements

is as good as it is in the Punjab ? Cattle breeding is another line in which this province definitely leads other provinces in India. I need not go on cataloguing all these points, because my honourable friend Dr. Narang is getting impatient. What I have said is enough to prove the good work which the Government have done, are doing and will do. (*Cheers.*)

Diwan Chaman Lall (East Punjab, Non-Union Labour) : Mr. Speaker, my learned friend, the *ex*-Minister, was not present here this morning and, therefore, probably was not aware of the procedure that has been adopted with your permission. The procedure that has been adopted Mr. Speaker—

Mr. Speaker : Why is the honourable member defending him ?

Diwan Chaman Lall : I am not defending him, Mr. Speaker.

Mr. Speaker : Please proceed with your speech.

Diwan Chaman Lall : If you permit me to complete my sentence, probably you will realise that I am not criticising the procedure.

Mr. Speaker : I request the honourable member to proceed with his speech.

Diwan Chaman Lall : Mr. Speaker, the policy of the Government is under consideration at the present moment and the procedure—

Mr. Speaker : The honourable member is again criticising the procedure.

Diwan Chaman Lall : Mr. Speaker, the motion is to discuss the policy of the Government. The subject has been widely traversed by many speakers. Let me begin with—

Pir Akbar Ali : On a point of order, Sir. The motion before the House is not to discuss the policy of the Government, but whether the constitution is acceptable or not ? (*Laughter.*)

Diwan Chaman Lall : It is obvious that my honourable friend's point of order is not acceptable. Let me on behalf of the Opposition benches, first of all, perform the very necessary duty of congratulating this House and this province on the fact that the last vestige of bureaucracy has disappeared from those benches. Let me also, on behalf of the Opposition benches, congratulate honourable members opposite—no matter what our differences may be with them in regard to the policy or the method of conducting the Government. None of us on this side of the House is free from the pleasure of seeing our own kith and kin occupying those benches which have never been occupied by them before in this sense.

Honourable members opposite under the new constitution have been charged with a great trust and I am here to-day, Mr. Speaker, to refer to that trust and to say a bit sadly, a bit regretfully, that upto now, although undoubtedly they have had a short period in office, they have not discharged that trust as well as they should have discharged it in the interests of this province. (*Hear, hear.*) The questions affecting our province and the trust that is entrusted to them can only be viewed properly if the whole, entire picture of what is happening in the world is placed before them and if they only would take a lesson from the great matters that are agitating the great minds of other nations. We see before us a world that is changing, a world

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in which stalk hunger and starvation, a world in which kingdoms arise and kingdoms are destroyed, a world in which fortunes are made and fortunes are lost, in which new dictatorships are formed and old foundations shake. This is the picture of the world and its changing character is equally applicable in its incidence to what has been happening in our own country and in our own province. It is with that particular picture in their mind that honourable members opposite should tackle the problems of this province. Now how have they discharged their trust and how are they tackling these great problems, the problem of security for the average Punjabi, the problem of prosperity for the average Punjabi, the problem of giving him a decent civilised existence? I have seen the budget prepared by my honourable friend and I congratulate him on the clarity of his thought and of his speech. But I have seen the budget that he has prepared and I see not one word in that budget, not one word, Mr. Speaker, which can bring comfort to the average agriculturist of whom my honourable friends over there seem to be the self-appointed trustees. (*Cheers*). What, in the budget, may I ask, is there of greatness, greatness of plan? What is there of comfort for the average Punjabi? I fail to find a single word in the budget which can make me believe that honourable members have sat together and in a connected manner thought out the problems that are facing the Punjabi to-day and made an effort to tackle those problems in the most economic and scientific manner in which they should tackle them, if they want to bring peace and comfort to the Punjabi. I fail to find any plan in their proposals which have been placed before us. Mr. Speaker, it is said that once upon a time the great Chinese philosopher Confucius was asked as to the best method of government a good ruler should adopt and his reply was, probably some predecessor of yours, Mr. Speaker, must have been the example before him, that the ruler must sit on his throne in a dignified manner and do nothing else (*laughter*). It is quite possible that my honourable friends are followers of Confucius in that particular respect, and although they attempt to be very dignified yet apart from dignity I do not find that they have given the people of this province, as we see it from the budget that they have presented to us, anything more which can bring any comfort to the Punjabi. Mr. Speaker, let me come a little closer to the subject in hand. If our honourable friends opposite do not know, it is about time that they learnt what actually is happening in the Punjab. My honourable friend over here talked about Imperialism and the Deputy Leader of the Congress Party in his speech referred to the advent possibly of a revolutionary movement in this country if things were not put right. May I say, Mr. Speaker, this, that the situation is tragic, the situation is serious and let not honourable members opposite take my word for it, let them take the word of their own Finance Minister, who last year, when speaking in this House, asserted that the situation was near catastrophe, and what did he say then? He said then, it is up to you, to the Government of the day, to take the necessary steps in order to avoid that catastrophe and he suggested when he was in the Opposition—to-day he is on the Government benches himself, he suggested then, plan your economy in order to bring comfort and peace to the peasantry of this province. This is what my honourable friend thought then. He went beyond that. He suggested the raising of a colossal development loan for the purpose of bringing peace and comfort to the people of the

Punjab. Where, may I ask, in these three volumes which the honourable Minister has presented to this House with his budget, where has he given the slightest inkling as to the purpose that he has in hand or the great ideas that he gave expression to in his speech on the budget last year? He has not given effect to his ideas. He has not thought of a planned economy. He has not thought of this problem in any big way as it should have been done and I cannot, therefore, congratulate him on the performance of merely presenting us with a budget which does not deal with the real problems in hand. What are those real problems? Is it known to my honourable friends that in the Punjab we have probably the highest death rate in the world? Is it known to my honourable friends that the death rate for this province is 26 per thousand and that there is only one other country in the whole world, Roumania, where the death rate is a little more, 21 per thousand, which is the highest in Europe? If this is a fact, a murderous fact, I ask, what has my honourable friend over there done in order to bring about a better state of affairs, to bring down this colossal death rate? Is my learned friend aware that in the Punjab to-day the infantile death rate is, barring one country in the world, Chile, the highest in the world? What has my learned friend done to save the lives of these hundreds of thousands of innocent children who are murdered because of the lack of ordinary necessities of life and of the lack of ordinary decent housing and ordinary decent conditions? Is there a single word in his budget, in his speech or in anything, or any effort on his part to place before us a planned state of affairs, economical or financial, to show that he has looked at this problem not merely from the point of view of the Accountant-General or from the point of view of an under-secretary but from the point of view of a human being looking at problems in a human way? (*Hear, hear.*) Mr. Speaker, it is a fact that 90 per cent. of our population in the Punjab, the Punjab which is presumed to be the most prosperous province in the whole of India from the agricultural point of view, that 90 per cent. of the people of this province are living upon the starvation line. (*Hear, hear.*) I challenge any honourable member of this House to contradict me in regard to this particular statement.

Premier : You are contradicting my friend there opposite.

Diwan Chaman Lall : My friend can look out for himself.

Mian Muhammad Iftikhar-ud-Din : I said 85 per cent.

Diwan Chaman Lall : It is a fact that 72 per cent. of the holdings of which my friend Professor Roberts spoke a little while ago, are uneconomic, that the people of this province who are in charge of these holdings cannot obtain the necessary sustenance from those holdings in spite of the fact that they work day in and day out. They labour with the sweat of their brow, but they do not get sufficient to eat. If this is a fact, I ask my honourable friends opposite, apart from the fact that they have been agitated over the salaries of ministers, agitated over the salaries of secretaries, agitated over the problems of procedure, I want to know, what is the exact plan that they have propounded before the people of this province for the purpose of tackling these problems of grave import to the people of this province? (*An honourable member :* Not yet). Then when? They have not touched even the fringe of these problems. There is, Mr. Speaker, no peace for the peasant.

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of the Punjab. Those friends of mine who have been to Florence must have seen the statue called Peace by the great artist Michel Angelo. That statue has no face. It is unrecognisable. Peace has no face. It would be too tragic to give peace a face. That is the sort of peace that the people of the province have got. It is a tragic peace that they are enduring from day to day in the year 1937. It is up to my honourable friends to take the necessary steps if they want to justify their existence as a civilised Government, to take the necessary steps to put their own house in order. Mr. Speaker, so much for the peasant of the Punjab. May I draw your attention and through you the attention of the Treasury benches, to the position as it exists of the industrial workers of the Punjab?

We are here to take a survey of the conditions and Mr. Speaker, I will make an attempt to draw the attention of my honourable friend the Premier to the state of affairs that exists in this province in order that steps should be taken and we shall give you, let me make this offer, every co-operation (*hear, hear*) to put our House in order if we can do so on proper lines. Not long ago, Mr. Speaker, there was a little famine in the Kangra valley and reports came through regarding this particular famine and it was said that the people used to take a seer or two of wheat or maize and mix it with a similar quantity of mango-stone and husk of rice and eat it and cholera which is the natural concomitant of famine, reappeared, the power of resistance was gone and people were obliged even to eat leaves mixed with some sort of grain. (*Interruption.*) My honourable friend wants references. I will give him the references if he needs. This happened a few years ago. He need not be afraid that I will quote on the floor of this House anything without giving him chapter and verse for it. My honourable friend instead of being horrified at this disgraceful fact that any compatriot of ours in this province of ours should suffer such distress through famine, wants me to give him chapter and verse for what I am stating. Instead of standing in his seat and shouting shame and disgrace at the recitation of a fact like this, I am surprised that he should ask me merely to give chapter and verse—

Khan Bahadur Nawab Muzaffar Khan : Where is the harm?

Diwan Chaman Lall : It only shows the mentality of my honourable friend and if it does not then I am afraid that no words of mine can put wisdom into my learned friend's head. (*Hear, hear and laughter.*) Mr. Speaker, let me give my learned friend further facts and figures.

Premier : I am sorry to interrupt my honourable friend opposite, but did he say that these facts related to the year 1937?

Diwan Chaman Lall : As I said they are a few years old. There has been no spectacular famine in 1937. I will come to nearer years of famine. My learned friend need not be agitated. Is my learned friend prepared to stand up on the floor of this House and deny the fact that there have been local famines in the last few years in this province of ours and people have died of starvation? Is he prepared to do so? If so, I will give way.

Premier : I thought the honourable member was discussing the policy of the present Government and not what happened fifty or even ten years back.

Diwan Chaman Lall : I am drawing my honourable friend's attention to these facts as there is no guarantee that at any moment we may not be faced with famine conditions of a spectacular nature and when my honourable friends make no provision for such tragic contingencies they will realise the reason why I am drawing their attention to these facts. Famine has become in our country an endemic factor, it is no longer merely epidemic and I am asking my learned friend to remember this fact in particular when he next desires to raid the Famine Fund—a fund which should be utilised to relieve both chronic starvation and actual famine conditions. I will draw my learned friend's attention to the facts that have been apparent during the recent years. These facts are discoverable all over the province and I am drawing my learned friend's attention to these facts. Now let me glance at the state of affairs that exists in the industrial centres of this province. There is a report by the Chief Inspector of Factories—my learned friend over there wants chapter and verse—let him take a note of it—the Chief Inspector of Factories' report in regard to the weaving industry of Ludhiana in a statement prepared by the Director of Industries, Punjab, if my friend wants a reference I will give him a reference. It is letter No. 10783-Industries, dated the 6th December, 1930.

Raja Ghazanfar Ali Khan : I wanted Kangra reference.

Diwan Chaman Lall : I would ask the honourable member to look at the weaving industry of Ludhiana. In a statement prepared by the Director of Industries, it was discovered that the average monthly income of 13 families of weavers in Ludhiana was Rs. 21-5-0 and their minimum monthly expenditure per family was Rs. 21-10-6. Nine of the 13 workers were in debt. Loss of business, unemployment and sickness were important factors accounting for 43·5 per cent. of the total indebtedness. This is the state of affairs which we find in a large community like the weavers at Ludhiana who number nearly 25,000. And this is not an isolated fact, it is a fact which is discoverable in practically every industrial centre of the Punjab. I note the Premier nodding his assent, it appears he agrees with me. I, therefore, ask him what is his Government doing, what has his Government done to provide a remedy for this state of affairs ?

Premier : Give it time.

Diwan Chaman Lall : What indication is there in the speeches made by honourable members in regard to the remedy to be applied in this province for this state of affairs ? I submit that honourable member's opposite may do something in the future, but I am only concerned with what they have done so far. If they do anything in the future they shall have my support. At the present moment I can only look at them with regret and sorrow for their not having done the right thing by the people of this province. Only a little while ago—if my learned friend wants the date, I will give it to him, it is 1930—it was discovered by chance by no less a person than the Right Honourable Mr. Srinivasa Shastri that 35 miles away from the capital of the Punjab in the great city of Amritsar, there prevailed a system known as the system of child labour, not child labour, Mr. Speaker, but child slavery. Little children were taken from their homes and sold for the handsome sum of Rs. 70 to 75 each into the factories owned by certain gentlemen who called themselves the capitalists of Amritsar and these children

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either died at their work, they had no wages, they either died or when they grew up, if they had the courage, ran away from the factories.

Dr. Sir Gokul Chand Narang : Carpet factories.

Diwan Chaman Lall : My learned friend reminds me that these are carpet factories. That state of affairs was exposed by the Royal Commission on Labour on which I had the honour to serve as a member with the result that an Act was passed in the Central Legislature penalizing the pledging of children in factories.

But child slavery still exists in the province of the Punjab : it still exists in spite of this Act that has been passed. Little
 4 P. M. Muslim boys, little handsome children taken away from their families and handed over to unscrupulous employers, who work them all hours of the day and night until either they die or have the courage to run away. I would ask my honourable friends—they have all the material before them, they have all the evidence before them, as a progressive ministry, as a civilised ministry, and as a ministry desiring to civilise my province—what steps have they taken so far to put right a state of affairs like this and to put an end to such tyranny, to such misery and such exploitation of little innocent children ? (*Cheers*). I submit, Mr. Speaker, woefully they have failed. (*A voice : We have been in office only four months.*) I hear an interruption from my honourable friend. I must give way to my learned friend and particularly to one who is the Chief Inspector of Factories of the Unionist Party—I mean, the Chief Secretary of the Unionist Party (*laughter*). He says we have had only four months. Very sorrowfully, Mr. Speaker, I must point out to him that during these four or even three months I have seldom opened a newspaper without an article by the Chief Secretary of the Unionist Party laying down the policy of the party, but not one word could I discover of the nature I am suggesting in the exuberant journalistic efforts of my honourable friend on my left (*laughter*). My charge against my honourable friends over there is this that they have not attempted even in the short space of time at their disposal to discharge the duties that had been entrusted to them. They have not done their duty by the people of the Punjab.

Mr. Speaker, let me consider once again a small matter that was raised by my honourable friend, the Finance Minister, when he stated in a passage of great rhetorical value, much appreciated by me, that land revenue, the main source of income of this Government, is an ancient custom, and an ancient usage. It is a tax which has the sanction and the sanctity attaching to it of age. I thought he said timeless age. (*A voice : Thaggi also.*) My learned friend says *thaggi* also is an ancient custom and an ancient usage. He has taken the word out of my mouth. I was going to use an English word robbery which in the same sense is an ancient usage and custom (*cheers*), because it is ancient it derives its sanctity thereby, and because it is ancient, therefore it is necessary that you should in this civilised age continue a tax of this nature which bears its burden on the poverty-stricken peasantry of the Punjab (*hear, hear*). What an argument ! Is it or is it not a fact that seven crores of revenue out of 10 crores and odd, with which my honourable friend over there intends to civilise this province, after having cut a huge

slice for ministers' salaries, etc., is it not a fact that 7 crores out of 10 crores, comes directly out of the pockets of the peasantry of this province? Is that a fact? (*Voices: Yes*). My learned friend says "It is a fact, but look what I have done. I have given 20 lakhs for the beneficent departments! Surely you must give me credit for that". My learned friend keeps up-to-date with modern literature. May I remind him of a cartoon that has recently appeared I believe last week in a French paper called *L'homme Enchaîné*?—a magnificent cartoon. It depicts two doors of an office side by side, apparently the office of the Secretariate of my honourable friend. One door was marked 'Income-tax,' and for the purposes of my argument let us call it 'land revenue.' A gentleman in top hat is coming out of this door and he is minus his trousers, hiding himself with his tail coat and he is taken through the next door which is marked 'beneficent department'. Having robbed him of the last vestige of clothing, my learned friend sends him to the beneficent department to be sustained and supported and made happy with a gift of 20 lakhs (*loud laughter*).

My honourable friend turned round and said our budget is not a capitalistic budget. "Who says we are capitalists? Who says we are imperialists?" May I remind my honourable friend that this is not the time to play with words? This is the time to face stark-naked realities and not to toy with phrases when fate itself is toying with human souls (*cheers*). The time has come when we should realise where the taxation comes from. Does it come generally out of the pocket of the capitalists, or does it come generally out of the pocket of the poverty-stricken peasantry of the province? (*Hear, hear.*) I want an answer to that. If my learned friend can convince me that the source of income to-day is not the poverty-stricken masses of this province, I would be prepared to concede to him what pleasure he can get from a statement like this that it is not a capitalist budget. I ask him, is this budget not a capitalistic budget? Does it not need drastic reorientation in order to bring it into line with modern ideas and modern thought? It is up to my learned friend, when he faces us next time, to come forward and give us his plan and his policy and line it up with the policies of the modern progressive countries of the world. Let me draw his attention to some other countries. Let me ask him whether he is aware of the fact that in France to-day by means of legislation the hours of work have been reduced to 40 hours a week and wages have been increased by 85 per cent. while every worker gets a paid holiday. Let me ask my honourable friend whether it is not a fact. (*Finance Minister: With what result?*) With the result that unemployment, regarding which my honourable friend was saying something the other day, came down from a million and-a-half to two hundred thousand (*cheers*). That is the result. If my learned friend wishes to find facts he can get at them. My learned friend knows that it is not true that because some countries are far away nobody knows anything about them. I want to ask my honourable friend—he will probably raise an unintelligent laugh on that side of the House when I mention another country—I ask him to consider the condition of that country most seriously, I mean Russia. Has my honourable friend read the very intelligent book, I dare say he has, by Lord and Lady Passfield (Mr. and Mrs. Sidney Webb) on Soviet Communism? If my learned friend has not, it is a pleasure in store for him and an instructive pleasure in store for him. If he will read that book he will find that production has gone up by 35 per cent., prices have come down by half, wages have

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been doubled and there is no unemployment. It is almost a paradise created for the working classes. If my honourable friend will read that book he will find that whereas in Russia just after the revolution in 1917, literacy was only 20 to 25 per cent., to-day there is hardly any man, woman or child of school-going age who is not literate and cannot read or write. I was told by the authors Mr. and Mrs. Sidney Webb that when they went into Siberia, the wilds of Siberia, every village had a school, and it was compulsory in those schools for every child to learn at least one European language apart from his own, and all this has been done by the State free of charge. What has my learned friend done for education for our province? What has he done? (*A voice*: Opened five schools.) Five schools! No, four schools with a total annual expenditure of Rs. 10,000 (*hear, hear*). That is my learned friend's contribution to the beneficent department. That is my learned friend's contribution to the solution of that great problem of illiteracy in this province. Seven per cent. of the population of the Punjab is literate and this is the contribution of my learned friend. Sir, it may be said that it is all very well for us to criticise the honourable members sitting opposite but what will be our contribution and our policy when we go over to the benches opposite? (*Hear, hear*). I think that is a challenge which is worthy of being taken up. It is easy enough for me to reply quite cheaply, which I do not intend to do, "Wait until we occupy those benches".

If my honourable friend wants a few suggestions, they are easy to come by. But they require a will to put them into effect and my charge against honourable members opposite is that they have not got the will to put them into effect. The will to achieve alone can save this province. Let me refer to one thing. My learned friend stated towards the end of his very brilliant speech in reply to the budget debate that the question of unemployment was a question not to be dealt with by governments. It was essentially a question to be dealt with by social reformers. Mr. Speaker, I am afraid for the safety, the peace and the prosperity of the people of this province when the government is in the hands of my learned friends opposite (*Voices*: God save us all!). If this is the attitude of a cultured gentleman, of a well-read gentleman, of an economist of note, if this is his attitude of mind, what should be the attitude of mind of others who know nothing at all about this subject? (*Voices*: It is obvious.) (*Loud applause*.) I hope this attitude of mind does not betray a permanency. My honourable friend, when he considers this problem from the scientific point of view will come to an understanding of this problem as it should be understood and dealt with in modern times in a civilised way. Is it or is it not a fact that serious unemployment in this province is rampant both amongst the middle classes and amongst the working classes? If my honourable friend wants an example, he has got it on record. My learned friend Raja Ghazanfar Ali Khan wants the date. I will give it to him. It was only last year, when the North-Western Railway Workshops asked for four hands, three thousand people applied for those four vacancies. It shows that unemployment is a very serious factor but my learned friend, however, desires us to leave this matter to be settled, not by legislation but by social reformers of a certain type of whom he probably knows more than I do. I do not know how he intends to leave this matter to social reformers to be

dealt with and what results he expects. (*Finance Minister* : How by legislation, pray ?) My learned friend's vision apparently has not extended beyond Lahore and Simla in regard to this problem. My learned friend has probably forgotten the facts and if this is the case there is one of his supporters Begum Shah Nawaz sitting behind him, who will remind him of the existence of an organisation known as the International Labour Organisation of Geneva which was set up under the Peace Treaty. If my learned friend's knowledge of the publications issued by that particular organisation is defective, I am prepared to help him to remove that defect (*laughter*). The particular volume dealing with unemployment issued under the aegis of the League of Nations and under the statutory mandate of the Peace Treaty by the International Labour Office will give my learned friend full details of every type of legislation put forward in every civilised country of the world to deal with the question of unemployment (*cheers*). There is not a civilised country of the world which has not an act known as the Unemployment Insurance Act. If my honourable friend wants further information, I will give it to him. The United States of America has recently brought legislation of that nature. The French Government have an act which has been in existence for a considerable time. The British Government have a wonderfully well done Act and a fund which is to-day solvent. It has a surplus I believe of 17 million pounds to-day. Italy, the dictatorial country which does not wait for legislative sanction and takes action as my learned friend can if he chooses here — we are also living in a semi sort of fascist dictatorship — has taken that action and brought in protective legislation. One of the models of such legislation is to be found in the German statute books. Yet my learned friend asks, how can it be dealt with by legislation ? I am surprised at the colossal, what shall I say (*Voices* : Ignorance) — no, indifference on the part of honourable members opposite (*cheers*) to the needs, wants, peace, happiness and prosperity of the people of this province. (*Cheers*).

Mr. Speaker, let me, before I sit down, call my learned friend's attention to the fact that I believe that to-day in the Punjab we are paying a charge on a sum of 11½ crores to the Central Government in the form of income-tax. My learned friend, however, will correct me if I am wrong.

Mr. C. Rai : This is the income on which income-tax is assessed.

Diwan Chaman Lall : I beg your pardon. My friend is correct. The tax that we pay to the Central Government is a matter of grave concern to us. I want my learned friend, from the financial point of view, to propound his proposals for the purpose of raising money from the classes that can pay the money. ("Hear, hear" from Government benches). The class that cannot afford to pay the tax should not be burdened with it. My learned friend wanted a constructive proposal. This is one of the proposals. May I make another suggestion to my honourable friend ? You can to-day drop your land revenue, stop taking a single anna from the classes who cannot afford to pay land revenue and draw all your money by means of a Bill, by an Act for the taxation of land values, if you have the will to pass it. (*Hear, hear*). If this is done, I guarantee that there will not be a single anna needed from the pockets of the poverty-stricken peasants

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of this province and the burden will fall upon those who are best in a position to bear it. ("Hear, hear" from Government benches). My learned friends say "Hear, hear."

Premier : But I appreciate your proposal.

Diwan Chaman Lall : I am very grateful to my Honourable friend the Premier for appreciating the proposal. Let us not rest at appreciation of the proposal. Let us go beyond mere appreciation. I should have liked to see in the budget proposals of my honourable friend some inkling of the steps to be taken by the Unionist Party. I do hope my learned friends will consider these matters and find the necessary money. Remember also that to-day we are subsidising the Central Government or in the words of my honourable friend, Mian Muhammad Iftikhar-ud-Din, we are subsidising British Imperialism in India by this tax that we have to pay — the income tax — a burden which falls upon the people of this province and which is collected not for our benefit but for the benefit of the Central Government. It is time that my honourable friends from this point of view took necessary steps to turn themselves into a body of shock troops in order to raid those avenues which can yield to them the best results financially for the benefit of the people of this province. May I make a further suggestion to my honourable friend? He has got a series of debts which he has to discharge. The interest on those debts that he is paying to-day is 5½ per cent. in one case. It is 4 per cent. in another case and I believe it is 4 per cent. in the third case. It is time, Mr. Speaker, when money is cheap that my honourable friends over there should have given us some inkling in the budget speech of the necessity to convert these loans on lower rates of interest in order to save heavy interest charges. (*A voice :* He has done it). I asked a question only this morning and what is the reply I get. "No" was the reply and my honourable friend over here the ex-minister who shakes his head was not here to hear the reply. I have not the slightest doubt that my honourable friend will be able to find the necessary sources of revenue.

May I, Mr. Speaker, with your permission also refer to another small matter in connection with the distress that is prevalent in this province and the distress that has caused havoc.

Premier : I hope my honourable friend will forgive me. Are we going to sit up to five o'clock? (*A voice :* Up to 5-30; last Friday we sat up to 5-30).

Mr. Speaker : I have no objection, if the House wishes to sit up to 5-30 P. M. (*The House agreed*).

Premier : I request the honourable member to keep the time in view.

Diwan Chaman Lall : Mr. Speaker, I do not desire to take up the time which is necessary for my honourable friend the Premier to reply to this debate, and I shall wind up my speech in time for him to give his views to this House at length because the matters dealt with are of a serious nature. I asked my honourable friend the Finance Member the other day about the Famine Fund, and my honourable friend said that there was no raid

on the Famine Fund. This budget that has been prepared by the Unionist Party Finance Minister is a deficit budget. One little item, or rather two little items mentioned by him in his budget speech, if looked into properly, would convert it straightaway into a deficit budget. It was a deficit budget even without these two committees that my honourable friends have set up. At the last moment providence came to the rescue of my honourable friend the Finance Minister — providence whose name in the Punjab is the Accountant-General, and providence said — this is what my honourable friend says in his Explanatory Memorandum, page 3. The Accountant-General advised that the remaining 10,89 lakhs should be transferred to the revenue account. This fortuitous accretion to revenue receipts at the last minute when the budget had been framed, made it possible to increase the provision for rural sanitary schemes by one lakh, to provide 1½ lakhs as a special grant to district boards and so on. At the last moment when the budget had been prepared and it was apparent to my honourable friend opposite that the first budget of the Unionist Party was going to be a deficit budget with a deficit of 8 lakhs, it was then that the Devolution Rules were relaxed, and my honourable friends who were under statutory necessity previously to keep the Famine Fund at 20 lakhs, the moment my honourable friends found their opportunity after they had prepared their figures, after they had come to the conclusion that they would have to show their first budget as a deficit budget, raided this fund to the tune of 10 lakhs. Why did they do it? Is it correct that my honourable friend the Finance Minister has made no provision for hailstorms of the type that have occurred only this year, or has he come to terms with Fate or Providence that there shall be no hailstorms or distress or famine in the future as long as he is Finance Minister? And if there are going to be hailstorms and if necessity arises, I hope he will give relief to the hailstorm areas not in the niggardly fashion in which he did last time, but that he will give relief generously to people who have been robbed of their subsistence by the hand of Fate. And for this purpose was it not necessary that that Fund should have remained inviolate? And my friend but for a legal trick would not have been able to touch it. Why did he touch it? I say it with full responsibility that this is nothing else but financial trickery to rob a fund which was meant for the poor and the poverty-stricken and the distressed. My friend has done it with the sole object that the world should not know that the first budget of the Unionist Party is a deficit budget. If there is any other reason I would like to hear that reason. (*An honourable member*: We will tell you). Mr. Speaker, my learned friends have had ample opportunities to give us their reasons. They have made many speeches but I have not heard one single reason so far.

I have discussed the economic policy and the financial policy of the Government. May I draw your attention to the political policy of the Government. Let me say this, that my friends over there will have all the support that the Opposition can give them in putting forward a progressive radical political policy for this province, but they may take it from us that every inch of the body of every member of the Opposition will be available for sacrifice if the liberties of the people of this province are touched. (*Hear, hear*). If the same type of Government, the same type

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of repressive policy, the same type of arbitrary laws remain on the Statute Book, my honourable friends may take it from me that every type of opposition that we can offer we shall offer to his Government, but if on the other hand his policy is going to be a progressive policy, the honourable members may take it from me that we shall do all we can to support the Government.

In this connection let me congratulate my honourable friend, the Premier for the conference which he has called, I mean the conference for the purpose of bringing about unity between the communities in the province. The resolution that I moved in that conference has been accepted unanimously, but in spite of it there are wrong rumours in the press that there are certain limitations which have been imposed upon the Committee, in coming to a conclusion regarding communal peace. I take it that there are no restrictions of any kind, that every matter which is relevant to the discussion of communal peace will be considered by this committee, and the kudos and glory will go to my honourable friend over there for putting that plan into operation. I congratulate the honourable members of the Opposition for having been quick in seizing this opportunity, and the Honourable the Leader of the Opposition has already said that he will do his level best to promote communal harmony in this province and give it the support of the Opposition.

But my learned friend will forgive me if I draw his attention to a very recent affair which shows that the heart of the Government is not touched by this change. It may be that provincial autonomy in our country is still-born. I hope it is not still-born. But I refer to the case of one Mr. S. V. Ghate, a gentleman who under section 2 of the Criminal Law Amendment Act was searched, arrested and externed. The externment order is dated 17th April. The search took place on the 18th April (*An honourable member*: Another man has also since been externed). I know Sardar Bhagwan Singh also has been externed. This policy of externment and internment is the old policy of Louis XIV of issuing *lettres de cachet*, arresting people under Regulation III of 1818 or externing them under the Criminal Law Amendment Act, making use of extraordinary legislation for the purpose of attacking the liberties of the people of this province. I ask my honourable friend over there, does he not feel strong enough in his position as Premier to do without those obnoxious pieces of legislation and those obnoxious methods which were employed by arbitrary rulers in order to rob people of their liberty? If a man commits an offence, resort to the ordinary processes of law. Do not make use of extraordinary legislation to penalise a single individual, no matter who it may be. If my learned friend has evidence of a serious nature, the law courts are open to him. You can and do take action against an individual for sedition, take action against him under section 121-A of the Indian Penal Code, waging war against the King. You have all the powers that the ordinary law gives you. Why then do you utilise the extraordinary law? If that is going to be the policy of the Government, may I ask, in what particular is this policy different from the policy of its predecessor? In what way is it different from the policy of those who sat on those benches before you? I am not going to refer to any more cases, but if my learned friend

wishes to have the fullest evidence in regard to these matters it is available for him and if he desires a discussion in regard to this matter I have not the slightest doubt that the Opposition would be only too glad to discuss these points with him. But I do ask if the Government wishes to be called democratic, if the Honourable Premier claims that his Government is the Government of the people for the people, is it not necessary and proper that he should rule the people with the aid of the ordinary law and not by extraordinary arbitrary methods? Let me draw his attention again to a most serious matter, namely the constitutional issue. My learned friend the other day gave us a certain reply to the questions put by me. It is a fact that the Government of India Act says that the Governor may preside at meetings of the cabinet. My information is that rules of business have been framed which provide that the Governor "will" preside at cabinet meetings and my information is that the Governor actually does preside at all cabinet meetings. I want to know why my honourable friend, in a constitutional matter of this grave importance allows this state of affairs to continue. I have nothing to say against the Governor, he is perhaps one of our ablest Governors and it is quite probable that he is of great assistance to my honourable friends in the Government. But the constitutional position is different. It is this. It was only after tremendous constitutional struggles in the dominions that this position has been won, namely that the Governor has been made a figure head in the dominions. Why has not my honourable friend raised this constitutional issue? I hold in my hand, thanks to the courtesy of the Chief Secretary of the Unionist Party, His Excellency the Viceroy's speech. One statement in that speech is of great import and I therefore wish to draw my honourable friend's attention to it. On page 3 of his speech he says—

I have already stated that ministers have a duty of advising the Governor over the whole range of the executive government within the ministerial field

and this, Mr. Speaker, is the most important portion of it—

including the area of special responsibility. For advice given whether on matters within or without the scope of the special responsibilities, ministers are answerable to the legislature.

I want to know whether it is a fact that to-day the rule exists, whether written or otherwise, that certain heads of departments can go over the heads of ministers to the Governor.

Premier: No, that is not the case.

Diwan Chaman Lall: I have unchallengeable proof in my possession to show that the heads of departments can go to the Governor over the heads of ministers, whereas my honourable friend says 'no'. Probably he does not know that there is a legal provision and that that legal provision is being utilised under which secretaries can go direct to the Governor.

Premier: I say emphatically no.

Diwan Chaman Lall: If that is the position, may I ask my honourable friends over there, what do they intend to do to vindicate the honour of the ministry in the Panjab?

Premier : It is not necessary to do so, there is no occasion for it.

Diwan Chaman Lall : My learned friend says, it is not necessary to do so. May I draw his attention to the fact that when on the floor of this House it was desired to discuss the question of the personnel of the Public Services Commission, it was the order of the Governor which prevented the discussion. My learned friend says that it is not necessary to do so. Is he taking the orders of the representatives of the people or is he taking the orders of the Governor ?

Premier : There is a cut motion with regard to the Public Services Commission. I shall be only too glad to answer the question of my honourable friend when that motion comes up for discussion.

Diwan Chaman Lall : I am not putting to him a question to answer, but I am referring to an actual fact that is on record that the representatives of the people of this province assembled in the Legislative Assembly were prevented from discussing the personnel of the Public Services Commission when every man in the street could discuss it, when every newspaper in the land could write fullsome articles about it. We, the representatives of the people, have not the power nor the authority to discuss a matter of this description. (*Interruption*). What is my honourable friend over there doing sitting in his seat and not resigning his office when that power is challenged by the Governor? I call upon him to vindicate the dignity of the House by resigning from the Government on this one issue. It is only by such constitutional steps that the liberty of the people of Great Britain has been won out of the hands of the executive authority. It is only by standing up for our own dignity, as Mahatma Gandhi and Pandit Jawahar Lal Nehru are doing, that our honour can be preserved and our rights and privileges guaranteed to us. (*Cheers*).

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Several points have been raised by various speakers on the opposition benches. I am not going to reply to all of those points, but I will select just two or three which specially concern me or which specifically concern the Unionist Party. It has been suggested that the Unionist Party has done nothing, and as it has done nothing so far, therefore the Opposition feels that it is perfectly at liberty to conclude that the Unionist Party is not going to do anything in the future. So far as the future doings of the Government are concerned, they will not be the achievements of the Unionist Party alone but of the ministerial party as a whole. But as the Unionist Party forms a very substantial proportion of the ministerial party I will not grudge the Opposition the right of levelling the whole of their criticism against the Unionist Party. However, for an effective reply I need only draw their attention to the programme which was drawn up by the Unionist Party before it went to the polls and which has now been adopted by the Government as a whole for execution.

With your permission I should like to read just a few of the items of that programme. The first item is "to promote the interest of masses without undue encroachment on the interest of capitalists, big land-holders and moneyed people" (*Interruption*) — without undue encroachment — which means that if any due encroachment is necessary it will be undertaken.

The second item is "to take up economic reconstruction and re-organisation of agricultural and industrial life of the province so as to cope with the problem of unemployment."

The third item is "to study and promote the commercial interests of the Province."

The fourth item is "to overhaul the educational system in all its branches."

The fifth item is "to promote industries with special emphasis upon cottage industries in rural areas so as to provide supplementary means of income to rural population."

The sixth item is "to improve methods of marketing including reform of objectionable market usages and practices."

The seventh and the last item to which I need draw the attention of the House is "to distribute fairly and equitably the burden of taxation."

I think these items will sufficiently indicate the future intentions of the Ministerial Party. They are manifestly beneficent in their character. But it has been said over and over again with a great deal of emphasis, even vehemently, that the Government has done nothing so far. Well, I do not admit that the Government has done nothing so far. But I am free to admit that we have not been able to do much. The reason for this is obvious. After all the present Government has not been in office for much more than three months. We do not claim that we possess either a magic wand or magic carpet or an Alladin's lamp. Miracles, whether moral or physical or economic, overnight are impossible. What Government—whether it be a Congress Government or a Liberal Government or a Unionist Government or any other Government—could have done more within three months to execute the programme to which I have drawn the attention of the House just now than we have done.

(At this stage Mr. Speaker left the chair, and it was occupied by Mr. Deputy Speaker.)

Here is a programme to which no reasonable exception can be taken and which provides for distinct amelioration of the conditions of the people in general and the poorer section of the community in particular. If we have not been able so far to execute any appreciable portion of it, we are not to blame. The time at our disposal has been so short that no Government, whatever its composition, could have done anything more than we have done.

Now, Sir, a special reference was made by the honourable mover of the out to the need of paying attention to the condition of backward classes, and, in particular, of the scheduled classes. In this connection I may be allowed to refer to the creed of our party. The fifth item in the creed of our party is a provision of equal facilities and opportunities for all, with special solicitude for the backward classes and areas whether rural or urban. This item of the creed of our party fully covers the case of all backward classes and all backward areas. It necessarily covers the case of scheduled classes, who are nothing more nor less than an accentuated edition of backward classes. I may also draw the attention of the House to what the

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Founder of the Unionist Party said in a foreword to a pamphlet written by me. He says—

میرا عقیدہ تو یہ ہے کہ میں اور میری پارٹی دونوں ان سیاسی طاقتوں کے مخلوق ہیں جو اُس وقت بر سرکار تھیں اور یہ محض اللہ کا فضل ہے جس نے اس پانچ دریاؤں کی سر زمین کی خدمت کے لئے اور پس ماندہ لوگوں کو آگے بڑھانے کی حماقت کرنے اور مساوات قائم کرنے کی غرض سے مختلف قوموں مختلف مذہبوں اور مختلف نسلوں کے لوگوں کو اکٹھا کر دیا۔

(“ Hear, hear ” from the Treasury Benches.)

There could not be a more lucid exposition of the creed of our party nor a better guarantee of the fact that the present Government is going to protect and safeguard the interests of backward classes and help the poorer section of the community.

Mian Muhammad Iftikhar-ud-Din : Without touching the interests of the rich.

Minister for Development : Yes, without unduly touching the interests of the rich. If, however, moneyed people and big land-holders like the interruptors themselves desire that their rights and privileges should be encroached upon unduly, nothing could be better. Let the proposal come from the more enthusiastic members of the Opposition. Then we will see how the Opposition as a whole behaves as compared with Unionists.

Lala Duni Chand : Kindly specifically state what the Government is going to do for the backward classes ?

Minister for Development : Now, Sir, I may be allowed to draw the attention of the House to another item included in the objects of the Unionist Party. Even here we distinctly say :

پسماندہ جماعتوں اور واماندہ طبقوں کو حتی الامکان باقی طبقوں کے برابر
لئے آنا قومی مصالح کے اعتبار سے بے حد اہم ہے۔

(“ Hear, hear ” from the Treasury Benches.)

An Honourable member : Will money come from heaven ?

Minister for Development : The last point to which I may be allowed to draw the attention of the House with regard to backward classes, is contained in the same pamphlet and runs as follows :—

سب کے لئے ترقی کے مساوی مواقع مہیا کرنا اور پس ماندہ جماعتوں اور علاقوں میں حکومت کی مفید سرگرمیوں کو روز افزوں ترقی دینا تاکہ گزشتہ زمانے میں بے نیاز اور تغافل کی پالیسی لے انہیں جو نقصان پہنچایا ہے اُسکی تلافی ہو سکے۔

Mian Muhammad Iftikhar-ud-Din : Is the Honourable Minister allowed to waste time of the House in propagating the constitution of the Unionist Party ?

Minister for Development : It was definitely suggested by one of the members of the Opposition that the Unionist Party and the Government in power should take particular care to see that the interests of the backward classes are duly promoted, and I think I have a right to draw the attention of the House to the creed of my party, to the objects of my party and to the programme of my party to show how keen we are to promote the interests of backward classes.

Lala Duni Chand : Are you going to concede to them the right of purchase of land ?

Minister for Development : That point was never raised, and if my friend desired to raise it at any place in Ambala I will be there to address the audience with him. It will be interesting to see the result.

Now, Sir, I may be allowed to come to that portion of the speech of the honourable mover of this out which related to me. He did not disclose my name ; he was kind enough to keep my name concealed. But I have absolutely no hesitation in admitting and disclosing the fact that I made a speech at Pai in the district of Karnal and another speech in my honourable friend's constituency, the purport of which seems to have exercised so deeply the mind of my honourable friend representing the rural Ambala constituency. I will just refer to the various points of his complaint. He says that at one of the meetings I urged that it would be a shame for an agriculturist to vote for a non-agriculturist. I cannot possibly remember the exact words which I might have used or the precise language in which I expressed my feelings. But it is one of my settled convictions that normally an agriculturist should not under present conditions, vote for a non-agriculturist (cheers) and the reason is patent. (*An honourable member :* And vice versa). Quite so. It is only an agriculturist who can really and fully understand and appreciate the difficulties and requirements of the agricultural population.

Lala Duni Chand : Then you should not vote for Mahatma Gandhi or Pandit Jawahar Lal Nehru ?

Minister for Development : In this matter I do not care for you or Mahatma Gandhi or Pandit Jawahar Lal Nehru. So long as I am in power I shall do what I consider best for agriculturists. It is one of my settled convictions that normally it is only an agriculturist who can really protect and safeguard the interests of agricultural classes ; it is only an agriculturist who really understands the difficulties and prejudices of agricultural classes and it is only an agriculturist who can normally—(*An honourable member :* But not a landlord.) My friend says that a landlord cannot normally protect the interest of the small land owner. (*An honourable member :* Because they form a different class.) They are not a different class in the Punjab. This distinction between the big land-holder and the small land-owner may be true in the United Provinces ; it may be true in Bengal ; it may be true in the Central Provinces. But I maintain and strongly maintain that the distinction between a big land-holder and a small land-owner in the Punjab does not exist. Many people would, of course, like to produce such a gulf. (*Honourable members :* Question.) It makes no difference whether you all cry at the same time or cry one by one. I will go on all the same.

Lala Deshbandhu Gupta : May I ask the Honourable Minister whether he means by an agriculturist, an agriculturist by birth or by profession ?

Minister for Development : Both. A man born in an agriculturist family, even though he may have left his ancestral profession, continues to be an agriculturist in his mentality, in his outlook and in his sympathy. (*Hear, hear*). Therefore I claim that an agriculturist even after he has actually given up the profession of agriculture continues to be an agriculturist. (*Interruption*). I am afraid I cannot make a speech which will appeal to Lala Duni Chand. I am absolutely sure that my speech will appeal to those who take a dispassionate view of the question. My speech has not so far appealed even to my friend Mian Iftikhar-ud-Din who is a big land-holder. He is there (pointing to the opposition benches) and I am glad he is there, because he is there in pursuance of his sincere convictions. If a man sincerely holds that he should go against big land-holders even in the Punjab where they are so few, I will not grudge him that liberty. But I claim an equal liberty for myself for suggesting that even a big land-holder in the Punjab is more or less substantially of the same attitude, the same mentality, as a small landowner. Fortunately, there is no distinction between a big land-holder and a small landowner in the Punjab so far as the question of sympathy, outlook and mentality is concerned, and it is these considerations which matter and not the actual profession of an individual who happens to make a speech or who happens to be sitting and laughing in his seat.

Now, Sir, the honourable mover of this cut also complained that I had made a reference to the starving millions of the Punjab among whom zamindars figure so prominently and that I had suggested that most of the taxation came out of the pockets of these starving agriculturists of the Punjab. Is the suggestion incorrect, Sir ? (*An honourable member :* Were you that gentleman ?) I was the gentleman who was giving expression to these views. It is also true that I suggested that there were two types of population in the Punjab, one type consisting of persons who could get an appetite, who could not digest what they ate, without the help of medicines and another type, consisting of persons who could not get enough food to satisfy their hunger. In speaking of these two types I further suggested that we ought to do, and that our Government would try to do something to bring about as large an approximation as possible between the conditions under which the starving millions and these rich people were living. (*Interruption*). I see a large group sitting in front of me. In spite of the labels

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some of them have chosen to wear, I know a very large proportion of them are capitalists. They claim to be socialists, but they are really capitalists in the garb of socialists. How can people, such as Seth Sudarshan, be real socialists ? (*A voice :* Are you a real socialist ?) I have the mentality of a poor man. I have the mentality of an agriculturist. And I prefer to have that mentality, the mentality of a worker and a peasant rather than the mentality of a capitalist (*hear, hear*). But why should a Congressman startle when I say that an approximation should be brought about between the conditions in which the starving millions of the Punjab live and the conditions in which the idle rich live ? Another point in my speech of which grievance was made by my honourable

friend Mr. Duni Chand was that for fresh funds, which are so badly needed, we should look to people who are groaning under the burden, not of taxation but, of wealth. Now, practically nine tenths of the provincials tax comes out of the pockets of the poor people. Was I wrong, Sir, when I suggested that all necessary further taxation should be imposed upon those sections of the population who are rich, who are wealthy, and, who can easily bear the burden of fresh taxation.

Chaudhri Krishna Gopal Dutt : Whether rural or urban ?

Minister for Development : Yes, a rich man wherever he exists whether he lives in a rural area or an urban area ought to be made to contribute a much larger share to the provincial exchequer than he has done so far. (*Hear, hear*). (*A voice :* Whether an agriculturist or non-agriculturist) Yes, whether an agriculturist or a non-agriculturist (*hear, hear*).

Lala Duni Chand : The result of such speeches has been setting of agriculturists against non-agriculturists.

Minister for Development : I do not know the effect of my speeches in the direction of setting up agriculturists against non-agriculturists, but, I know that one of the effects of my speeches has been to wake up the people whom capitalists had been exploiting for ages. (*Hear, hear*). I have brought about political consciousness where none existed before.

Lala Duni Chand : There is so much corruption in your district.

Minister for Development : I am not speaking of corruption at all. When the time for speaking of corruption comes, my friends will have another opportunity of having a fling at the Government, and there is no lack of men on Ministerial benches who can very effectively reply to that criticism. Another point in my speech to which Mr. Duni Chand made a reference was about my advice to zamindars that they should not heed what appears in the Press. It is true that I said so in that speech, and I say it again and I will repeat it every time I have an opportunity of addressing the rural people. And the reason is plain. The whole of the Press is monopolized by urban people, non-agriculturists and capitalists with absolutely no sympathy with rural classes and agriculturists (*hear, hear*), whose sole business is to throw as much mud as they can on the Unionist Party, on the Ministerial Party and on the Government of the day. I advise my agriculturists friends not to heed the contents of such papers.

Lala Duni Chand : Do you not want any Press in the Punjab ?

Minister for Development : I want a Press which will give expression to true and salutary ideas about all classes of the population, and will be, at least tolerably, fair as between Government and the Opposition.

Lala Deshbandhu Gupta : What about the *Jat Gazette* ?

Minister for Development : I think it is twenty times better than any other paper published either from Delhi or Lahore (*hear, hear*). Any way I offered that advice to my unsophisticated rural audience and I assure my honourable friends that I will offer that advice over and over again until every man in rural areas has realised that the propaganda carried on by a very large proportion of the Punjab Press is a lying propaganda.

Lala Duni Chand : That is an obsession on your part.

Mr. Deputy Speaker : Order, order. I would request the honourable member not to interrupt while another honourable member is speaking.

Minister for Development : I desire to touch upon just one more point of my honourable friend's speech. That point related to the topheaviness of the administration. I have myself complained of topheaviness of the administration before, and I am free to admit now that the charge of topheaviness in respect of the administration is well-founded (*hear, hear*). But I assure the Opposition that everything in the power of Government will be done to remove such of this topheaviness as is practicable to remove.

Sardar Lal Singh : The way to hell is paved with good intentions.

Minister for Development : I think good intentions are twenty times better than no intentions and a million times better than dubious intentions. We have good intentions and we have every hope and desire to give effect to these intentions and if the honourable members would kindly wait for a (*A voice : A few years*) a few years (*laughter*), not a few days or a few weeks, but if my honourable friends would have the patience to wait for a few years they would see a very large proportion of these intentions translated into facts. If we continue in office as we hope, for the full term of 5 years, we shall at the end of that period, be able to claim truthfully and honestly that we have given effect to a very large portion of our programme, if not to the whole of it. (*hear, hear*).

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, we have listened to much eloquence, forensic and parliamentary, specially from my honourable friend who has just come back to the House (Diwan Chaman Lall). As a speaker with fluency and command over language, not many in this House surpass him, but, Sir, when you analyse his speech, when it is divested of all mere verbiage and effort at eloquence, what do you find ? You find that there is a confusion of a few figures picked up haphazard from various reports, reports not relating to the present year, or the near past, but reports which relate to 1930 or perhaps to 1926 or 1927. He made capital of his knowledge of the International Bureau of Labour at Geneva. I may concede again, that perhaps he knows a great deal about that Bureau and its doings, because he represents a labour constituency and it is up to him to make a case for the people whom he represents. But that does not necessarily mean that what the International Bureau in Geneva is doing is necessarily applicable to the Punjab at the present day. He quoted figures about death rate, figures which he had not taken the trouble to compare with other provinces in this country. May I for his information and for the information of honourable members of the House state that the death rate in the Punjab is lowest as compared with any other province in this country (*hear, hear*). The figure of infantile mortality in this province is 158·4 as against 176 which is the figure for the whole of India. Again with regard to the famine conditions, we who have the misfortune of being zamindars know that famine to the zamindars is a calamity which not only cripples them at the time but leaves destruction behind for them their whole families and for generations afterwards.

I hope that in view of the advance that we have made with regard to irrigation, with regard to communications and with regard to other facilities

during the past few years, these calamities are now remote and are few and far between. I hope when we have completed our new programme of new projects these calamities would become even remoter. Now, Sir, the time at my disposal is so short that I may only very briefly answer one or two other criticisms which he made with regard to the budget. His first criticism was that there is a large amount of loan which this province owes, why not convert it now because we are paying interest at 4, 4½ and 5 per cent. The honourable member ought to know that you cannot convert a loan at will. The people who have contributed to that loan contributed on the condition that the loan will not be redeemable up to a certain period (*Sardar Sampuran Singh* : No effort has been made). The honourable member interrupting does not know what he is talking about.

Diwan Chaman Lall : May I interrupt the Honourable Premier? How did they do it in England?

Premier : I will come to that point. The only way in which you can redeem the loan, taking advantage of the present cheap rate of interest, is that you should go to the market and float a fresh loan, so that you should repay to those people from whom you have borrowed that money, but you will not be able to pay at once or necessarily at par. Those people will say our contract is that you will not redeem the loan before the year 1940 or 1942. We are prepared to take that money provided you make an allowance for the loss which we suffer.

Diwan Chaman Lall : That only relates to four crores.

Mr. Deputy Speaker : The honourable member should not address the Premier : he should address the Chair.

Diwan Chaman Lall : Mr. Deputy Speaker, that only relates to four crores, but the rest of the debt is funded debt with the Government of India.

Premier : There again, I am afraid, the honourable member is confusing our consolidated debt with the Government of India with the debt which is at lower rate of interest than 4 per cent. Much of the debt is pre-war debt which we borrowed for building canals and was borrowed at 8 or 8½ per cent. Now on the consolidated debt which we owe to the Government of India the average rate is much less: of course we have come to an arrangement with the Government of India by which we will pay it in a period of 45 years. I speak subject to correction, but I believe it is 45 years. With regard to the debt which we have borrowed in the open market, as I pointed to the honourable member, it is not in our power to redeem it unless the people who have paid the money are prepared to take back their money. He may be sure that the Honourable the Finance Minister is looking into the question of that loan and that when within the next few months we are going to repay that loan, it is quite possible that the repayment of that loan may be by means of a conversion. We want money for the Haveli Project also. But these matters must naturally remain confidential. We cannot announce the details until we come to a definite decision on the matter. In any case the honourable member may be sure that so far as the conversion of the loan is concerned, the Government is vigilant and the present Honourable Finance Minister is anxious to see that we save as much money as possible in the shape of interest (*hear, hear*).

[Premier.]

Then, Sir, my honourable friend sitting opposite who represents the Kasur constituency in Lahore has put forward certain socialistic theories. I know he is keen on these views. I hope he will forgive me if I say that these half baked theories of his, if you analysed them, are not applicable to this province of ours—a province which is the province of peasant proprietors. As my honourable friend there said 90 per cent. of the holdings in this province are, from his point of view and very likely from the point of view of the experts, uneconomical holdings and that the remaining 10 per cent. are in the hands of bigger zamindars. May I again invite the honourable member, as I have often done outside in my conversation that there are only 3,400 persons who pay Rs. 500 or more than Rs. 500 as land revenue.

Mian Muhammad Iftikhar-ud-Din : Mr. Deputy Speaker, there is one thing which I would like to point out. If 85 per cent. of the land lords can subsist on 40 per cent. of cultivated land, why cannot 15 per cent. subsist on the 60 per cent. of such land which they own.

Premier : The honourable member entangles himself in figures, Sir. That is quite a different matter. The honourable member is not clear, and is interrupting me. I was going to point out that there are only 3,400 persons who pay more than Rs. 500 as land revenue. It is quite possible that government may eventually find that extra burden may be placed on these people. Supposing we impose a further 25 per cent. on these people and give corresponding relief to others, it will only bring 5½ lakhs. What is that 5½ lakhs to help in ameliorating the condition of the teeming millions who, as my honourable friend remarked, are starving and who, I know, are in difficulty because I fully realise and I quite appreciate that their burden is heavy. It is our effort as it is the desire of the honourable members opposite that we should reduce the burden on those people whose holdings are uneconomical (*Mian Muhammad Iftikhar-ud-Din :* Or small) Yes, or small because we want to bring them to a level of adequate economic life. That is the point which I wanted to make. The difference between the honourable member's socialism and mine is this that he wants to pull down the bigger people whereas I want to raise the poor people. (*Mian Muhammad Iftikhar-ud-Din :* Inconsistent). It is not. I will try to make it clear to the honourable member opposite again. As a theorist he says, "Why don't you give remissions to the poor people who will benefit from that remission?" There are a large number of people who pay small amounts in land revenue?" What do they pay? For instance in some places they pay only Re. 1 per acre. Now if we remit the whole of land revenue how much relief *per capita* would they get. They will hardly get on an average Rs. 2 per head.

Mian Muhammad Iftikhar-ud-Din : That should be given now and not when your scheme comes up.

Premier : The honourable member wants to make the province bankrupt.

Mian Muhammad Iftikhar-ud-Din : Get it from the rich.

Premier : My honourable friend is much too impetuous. If he will hear me I will answer all his questions. If I were to give away the whole of the land revenue, which we realise now, in the shape of remission, it would

mean the province would be bankrupt, and there will be no money left for beneficent activities. There will be no money left to help the poorer people or for the matter of that any people in this province. (*A voice*: We do not want). You would not tell me of any other source. If I put 25 per cent. surcharge on the rich people I will only get 5½ lakhs and that will not go very far to make up the deficiency which will be created by remitting 7 crores of land revenue and abiana. How am I going to make it up? Let me tell you that there is another way and a better way from my point of view, and that is to raise the purchasing power of the people. My idea is to raise their income and raise their purchasing power by Rs. 5 so that they can easily pay Rs. 2.

Diwan Chaman Lall : How would you do it ?

Premier : My honourable friend asks, how ? There is just one little instance which I will give you . Four years ago I calculated that the leakage which I might term as pilferage, in the market amounted to nearly 2 or 3 crores of rupees in regard to wheat crop alone. I will tell you how it happens. I am not talking of irregularities in the mandi. I am not talking of the dishonest mandi man. I am talking of the real leakage which could be stopped without in any way affecting the middle man or the people who trade in the mandis. A man goes to one of the mandis of Lyallpur and says I have got ten maunds of wheat to sell and asks 'Shahji what is the price' Shahji turns round to the munim and tells him to quote Karachi price and says as he is our old client and friend please quote him the genuine price as we must not let him down.

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

The munim takes out a telegram and says "The rate in Karachi to day is Rs. 2-8-9 per maund while the rate here is so much and, therefore, we are going to buy your wheat at that rate." The bargain is struck. The wheat is taken and then it is weighed. I am not talking about other Mandi charges. I keep them absolutely separate. But he does one thing before weighing. He says that he would make a deduction for what is called "Bador Kachra". He then deducts a seer or two or more according to the custom in the market. He does not inform the buyer that that allowance has already been taken account of in the Karachi price. Now if you will add up the loss on this account, you will find that the province is losing three crores of rupees annually on the wheat crop alone. That is where you can save three crores. (*Loud applause*). It would be much better to divert your attention to that aspect of the matter than taking away 5½ lakhs from two or three hundred persons. That is what we propose to do.

Maulvi Mazhar Ali Azhar : Will the Government be able to have it ?

Premier : Why not, if you help us ? If you really help us, we will be able to make them pay. But these things do not look very impressive from the point of view of publicity, which my honourable friends seem to desire. Standardisation alone will, I think, so far as the better quality of wheat is concerned, raise the price of wheat by four annas. You have the best varieties of wheat grown in the Punjab. My honourable colleague on the left will tell you that there has been considerable improvement in the quality of wheat and if it is standardised, it is bound to fetch about four annas extra per maund. Even now in Delhi and other markets No. 591 wheat is at a

[Premier.]

premium of three or four annas. These are some of the methods of increasing the purchasing power of the peasant. You can increase their purchasing power by several crores and that would be of much greater value to the province than giving away in remissions a few annas. (*hear, hear*). This is one way of making money.

Sardar Sampuran Singh : If you will not allow them, they will bring down the rate.

Premier : The honourable member obviously knows nothing about agriculture, nor I am sorry to say anything about business economics.

Sardar Sampuran Singh : That remark is unparliamentary.

Mr. Speaker : Order, order.

Premier : A great deal of capital was made by my honourable friends opposite in regard to the policy of the present Government. As you are aware we have been in office only for three months. Let me detail to the honourable members the amount of leisure that my colleagues and I have had during these three months. The very day we came into office there was a calamity in the form of a riot at Kot Fateh Khan. Next was the Gujrat trouble. Then there was the Amritsar trouble. There were further minor troubles in Rewari and Gurgaon. I say with all the responsibility and authority that I command that I am almost certain that these troubles are not spontaneous, as I said before, but they are engineered by certain sections of our own people to embarrass the present Government. I have said in this House before and I repeat it again, that I have reason to believe that most of these troubles are engineered by people for the sake of creating political trouble in the country. You wanted us to do a certain amount of retrenchment. The first thing that we decided to do was to retrench the additional police whose strength is about 575. We did not originally include the item of additional police force in the budget, because I decided that it should be excluded, but when the budget came actually to be framed, there were these two troubles. After that I issued orders that we should reduce the additional police but unfortunately the Alla trouble arose due purely to local circumstances but fanned later by people on both sides with the result that we had a big riot and we had to open fire. That is why we want additional police there. But I ask, "Who is going to pay for it"? The people who have lighted the gun powder there are not to be found there. They have left the spot for their places of safety after creating trouble. It is those people that I want to catch. You may rest assured that if I have your support, I will not give them any quarter if I catch them. (*hear, hear*).

Dr. Gopi Chand Bhargava : Is there any justification for the repressive policy of the Government?

Premier : I am glad that my honourable friend has mentioned this subject of repressive policy. My honourable friend said that we had externed Mr. Ghate who came all the way from Bombay on the 18th of April. (*Voices :* Orders for his externment were issued on the 17th). We knew on the 17th that he was coming here. We were fully aware of his past record and we also knew the purpose for which he was coming to the Punjab. Instead of taking any drastic measure, the gentleman was requested to go

back from the Punjab and work elsewhere because he being an All India worker had a vast field for him in ten other provinces. As we knew the purpose for which he was coming to the Punjab—but which I am not at liberty to divulge—we thought it better to pack him instead of allowing him to enter the province and create trouble—perhaps a trouble which might have necessitated taking action against some other people here. We politely requested him to go back. We provided him with a ticket, and left him at Delhi with the request that he must go back.

With regard to political prisoners, we are discussing a resolution on that subject and I think I will have ample opportunity of saying something about the policy of the Government with regard to political prisoners when we have a debate on the subject on the 23rd of this month. You want me to remove the laws relating to repressive measures from the statute book. I am at one with you and the sooner we remove these laws the better for everybody concerned and for the honour of our province. I agree with you here but I would also appeal to you that you should help me in creating an atmosphere which should make it easy for me to achieve that end.

Sardar Sampuran Singh : Give them a trial.

Premier : Whom ?

Sardar Sampuran Singh : If you will give me an opportunity of doing so, I will give them a trial.

Mr. Speaker : Has the Honourable Premier finished ?

Premier : I seek your indulgence.

Mr. Speaker : How much more time will he take to finish his speech ?

Premier : Ten minutes. We have been challenged with regard to the programme of the present Government.

Dr. Sir Gokul Chand Narang : Can you give the time legally under the rules, because two days are over ?

Premier : I leave it to the House. If they do not want to hear me, I shall stop.

Dr. Sir Gokul Chand Narang : The question is one of rules.

Mr. Speaker : Does the House wish that the Honourable Premier may finish ?

(The House expressed the desire that the Premier should finish his speech).

Premier : We were challenged with regard to our programme and policy. My honourable friends opposite said that in this budget we find nothing for the poor, nothing for the lower classes for whom we all profess sympathy—there is nothing there to better or ameliorate the position of that class. If he had looked at the budget carefully he would have found that the Haveli Project alone would cost 5½ crores of rupees. Government is providing 5½ crores for that project, so that a large number of people could be colonised, so that they may be able to earn an honest living. For the next four years a large number of educated and uneducated people will be employed, and I hope that by the time we have finished this project we will be ready to proceed with another one and that is the Thal Project. It means that there will be employment for several years not only for the educated people, but also for unskilled labour—in their hundreds and thousands.

[Premier.]

With regard to our programme may I, with your permission, read out a few extracts from the statement which I issued on behalf of the Cabinet when I took office. I may also read the portion which relates to the constitution. This is what I said :

"Muslims, Hindus, Sikhs and Christians have, all alike, pronounced a clear verdict in favour of trying out the new constitution. It is our duty to obey their mandate and we will make every endeavour to plan and raise an edifice which will be worthy of the Punjab and do credit to our Motherland.

The Punjab Cabinet is under no delusion as to the nature and extent of the limitations and restrictions which the new Government of India Act imposes on autonomy even in the provincial sphere. Nevertheless, in pursuance of the clearly expressed wish of the electorate, it has undertaken the task of running the administration and securing the utmost good out of the new constitution."

Again we said—

"We will take the earliest opportunity of announcing our considered plans when we have had time to mature them. Meanwhile, there are certain matters of outstanding importance upon which some light may, with advantage, be thrown at the very outset.

Lightening the burden of the peasantry, tackling the problem of unemployment, development and expansion of nation-building activities, uplifting backward classes, including our brethren of the scheduled castes, and creating a more favourable atmosphere for the promotion of communal amity and goodwill are questions which have been the subject of universal comment not only in the Punjab, but throughout India.

"The Cabinet is resolved to deal with a firm hand with all those who, on one pretext or another, indulge in pouring vials of communal poison through the Press or from platform into the minds of an unsuspecting and unsophisticated public. Side by side with this, steps will also be taken to promote feelings of mutual goodwill, trust and toleration in other ways."

I trust that the committee which we have appointed will go a great way in this if gentlemen will allow us to make a headway with that committee. Then again—

"We take this opportunity of giving a solemn assurance to our fellow citizens that each one of us is pledged—and will do his utmost—to watch vigilantly and to protect scrupulously the legitimate interests of all communities equally with those of his own."

This is what we said with regard to minorities. With regard to taxation also, I said something very briefly. I might, with your permission, just read this much—

"The clear import of this dual process is that in order to afford the requisite relief to the peasantry and to provide for the removal or even mitigation of unemployment and the intensification of nation-building activities it would be necessary to explore fresh avenues and examine the existing sources of revenue with a view to augmenting our income to the extent which would enable us to take appreciable action in these very desirable directions without adding to the burden of the poorer classes.

While the Cabinet desires to assure the public that every reasonable attempt will be made to effect all reasonable economy in order to cheapen the administration consistently with efficiency, it should be borne in mind that extensive retrenchment was effected in almost all departments when the depression set in and that the votable portion of the budget is not very large."

But in spite of that we will do our best.

This House is aware that in pursuance of that policy we have already appointed two committees, one to examine the fresh sources of revenue and also to effect economies, and the other to look into the questions of unemployment.

Before I sit down, let me tell this to my honourable friends opposite. We are not foreigners here, we are not an alien government, we are your kith and kin, we feel equally for the development of the Punjabis, of Indians of the poor classes, of the depressed classes, nay of all that are needy, and require consideration.

Dr. Sir Gokul Chand Narang : Does the Honourable Premier also endorse the view expressed by Honourable Chaudhri Chhotu Ram that an agriculturist should not have voted for a non-agriculturist? Does he consider it conducive to peace and harmony in the province?

Premier : Sir, my views are well known.

Dr. Sir Gokul Chand Narang : But does the Honourable Premier endorse the view I have just mentioned?

Premier : My view is that we should try to create an atmosphere where there will be no question of Hindu and Muslim, Christian or Sikh, where there will be no question of agriculturist and non-agriculturist. (*Loud and prolonged cheers*).

Dr. Sir Gokul Chand Narang : Then you condemn the view. I am glad.

Premier : May I add, Sir, that that atmosphere can be created only if my honourable friends opposite will also support me genuinely and wholeheartedly.

Dr. Sir Gokul Chand Narang : I will support him in everything good, everything that is conducive to peace and harmony in the province. (*Cheers*.)

Premier : An appeal has been made to us to work in the cause of freedom of our Motherland. I may say that no one on this side is a whit behind the honourable members opposite in wishing to achieve that ideal. But let me ask my honourable friends what kind of freedom do they want? Do they want the freedom on the pattern of Spain? Or do they want the freedom which Germany has got at the moment? Or again do they want the freedom that prevails in Russia? (*An honourable member :* Yes). The honourable member over there glibly says "yes." But if he were in Russia he would not be sitting there shouting "yes." The practice in Russia is that those who try to oppose the party in power are not only not allowed to remain inside the legislature, by whatever name it is there called; but they are not even allowed to live in this world. (*An honourable member :* What is your attitude towards the new constitution?) My attitude towards the new constitution is well known. It has got its shortcomings, it has got its limitations, but in spite of the limitations we hope to get the best out of it for our people and our province. My honourable friends opposite asked us to look at what was happening in other countries. We know what is happening in other countries. We know what is happening in France to-day, the most democratic country in the world. It is on the verge of bankruptcy and they have been trying to save the franc for the last so many

[Premier.]

years. It will also be observed that the longest period that any Government can survive there is six months. (*An honourable member*: That is the defect in the constitution). There are only two really democratic countries at the moment, that is, America and England. My honourable friend asks, should we follow the example of England? I say, yes, an emphatic "yes." Do you want the freedom which the people have got in Germany or the people in Italy enjoy? That is not the freedom which I want. I want the freedom which England has got. (*An honourable member*: Get us that freedom then.) But this is not the way to get it. (*Mian Iftikhar-ud-Din*: Is it to be got by co-operating with England?) If the honourable members will help us we will be able to achieve that goal in the near future, not in the far distance.

Before I sit down I should like to say one word about the allegation or rather the charge—it was repeated by the honourable member opposite and again by my friend Diwan Chaman Lall—that they have on two or three previous occasions tried to impress the House speaking of rumours that provincial autonomy here was being thwarted by the Governor. I say that that charge is absolutely baseless. I assure honourable members again in this House that there is not an iota of truth in those rumours that secretaries go behind our back, behind the back of ministers to the Governor and take their orders from him. Again, let me repeat what I said in this House that there has not been a single occasion hitherto when the Governor has not accepted the advice of ministers. Let me say again that there has not been a single occasion when the Governor has even tried to interfere with us whether in the field of his special responsibility or outside. Let me make it clear once for all that we also are self-respecting people, we also are patriotic. Patriotism is not merely the monopoly of the people opposite. It is equally our birthright, and I can assure the House that we will safeguard the interests of this province, our motherland, in such a way that India may win the highest freedom and rank as one of the greatest and truest democracies. (*Cheers.*)

Lala Duni Chand: May I offer one remark?

Mr. Speaker: I would advise the honourable member not to exercise his right of reply on account of shortness of time at our disposal.

Lala Duni Chand: I shall take only one minute. I do not propose to exercise my right of reply for this reason that I want to act like the counsel in a law court who does not want to argue because he thinks his case is unanswerable and the judgment should be in his favour.

Mr. Speaker: Demand under consideration, motion moved—

That the item of Rs. 74,200 on account of total Ministers (votes) be reduced by Re. 1.

The motion was lost.

Mr. Speaker: The question is—

That a sum not exceeding Rs. 91,31,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1938 in respect of general administration.

The motion was carried.

The Assembly then adjourned till 11 A.M. on Monday, 5th July, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 5th July, 1987.

The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

EXAMINATION OF GIRLS HELD ON BAISAKHI DAY.

*62. **Sardar Hari Singh** : (i) Will the Honourable Minister for Education please state—

(a) whether he is aware that Baisakhi is one of the most important Hindu and Sikh festivals and is therefore a gazetted public holiday in the whole of India ;

(b) whether it is a fact that the Assistant Inspectress of Girls' Schools, Hoshiarpur district, held the primary school examination of girls of the 5th class of about a dozen girls' primary schools at Haryana on Baisakhi Day, the 13th April, 1987, resulting in a great deal of inconvenience to both Hindu and Sikh girls ?

(ii) If the answer to part (b) above be in the affirmative, what action the Government proposes to take in the matter to prevent the recurrence of such incidents ?

The Honourable Mian Abdul Haye : (i) (a) Yes.

(b) Yes, but none of the girls complained.

(ii) The Assistant Inspectresses have been asked not to work on holidays in future.

Sardar Hari Singh : May I take it that because none of the girls complained, therefore the Honourable Minister approved of the conduct of the Assistant Inspectress ?

Minister : Not at all. I have said that no action was taken at the time because no complaint was made.

STANDARD OF ARTICLES OF FOOD UNDER THE PUNJAB PURE FOOD ACT.

*67. **Dr. Gopi Chand Bhargava** : Will the Honourable Minister for Education be pleased to lay on the table the standard of articles of food, fixed by the Government according to rules made under The Punjab Pure Food Act, 1929 ?

The Honourable Mian Abdul Haye : A statement showing the required information is laid on the table.

[Minister for Education.]

Schedule.

| Serial No. | Article of food. | Description | Excess in the constituents. | Deficiency in the constituents. | REMARKS. |
|------------|------------------------------------|--|--|---|----------|
| | 2 | 3 | 4 | 5 | 6 |
| 1 | Cows' milk .. | The secretion obtained by milking the udder of the cow. | .. | Milk-fat less than 3.5 per cent. and milk solids, not fat, less than eight per cent. | |
| 2 | Buffaloes' milk .. | The secretion obtained by milking the udder of the buffalo. | .. | Milk fat less than five per cent. and milk solid, not fat, less than nine per cent. | |
| 3 | Mixed milk (cows' and buffaloes'). | A mixture in any proportion of cows' and buffaloes' milk. | .. | Milk-fat less than 3.5 per cent. and lactose less than four per cent. | |
| 4 | Ghee .. | The clarified fat derived from the milk of cows or buffaloes. | More than 2.8 per cent. of free fatty acid (Oleic acid). | Butyra-Refractive value of not less than 40 and not more than 42.5 at 40°C, and a Reichert Wolzny value of between 24 and 32. | |
| 5 | Butter .. | The substance known as 'butter' and made exclusively from the milk of cows or buffaloes. | More than 16 per cent. of water. | Less than 80 per cent. of fat derived exclusively from the milk of cows or buffaloes. | |
| 6 | Khoa .. | Milk derived from cows or buffaloes, the moisture from which has been partially removed by heat. | More than 10 per cent. of moisture. | Less than 20 per cent. of milk fat. | |
| 7 | Atta .. | The coarse product obtained by milling and sieving wheat. | More than 13 per cent. of moisture and more than two per cent. of ash. | Less than eight per cent. of dry gluten and less than eight per cent. of protein (nitrogen $\times 5.7$). | |

| | | | | | |
|----|--------------|----|--|---|--|
| 8 | Gur | .. | The inspissated juice expressed from the sugarcane. | 12 per cent. or more of moisture and more than three per cent. of solids insoluble in water. | Less than 80 per cent. of cane-sugar. |
| 9 | Cane-sugar | .. | The refined product obtained from gur. | More than 0.7 per cent. of ash and more than 1.6 per cent. of water. | Less than 98.5 per cent. of cane-sugar. |
| 10 | Tea | .. | The dried leaves and buds of various species of <i>thea</i> belonging to the genus <i>camellia</i> . | More than eight per cent. of total ash determined on tea dried to a constant weight at 100°C. | Less than four per cent. of total ash, and when the proportion of total ash soluble in boiling distilled water is less than 40 per cent. and when the extract obtained by boiling dry tea (that is, tea, dried to constant weight at 100°C), with 100 parts by weight of distilled water for one hour, is less than 30 per cent. |
| 11 | Sarson Oil | .. | The dark brown viscous oil obtained exclusively from the seeds of <i>Brassica Rapa</i> . | Saponification value more than 180 and Iodine value more than 105. | Saponification value less than 170 and Iodine value less than 93. |
| 12 | Toria Oil | .. | The dark brown viscous oil obtained exclusively from the seeds of <i>Brassica Napus</i> . | Saponification value more than 183 and Iodine value more than 112. | Saponification value less than 170 and Iodine value less than 103. |
| 13 | Taramira Oil | .. | The dark brown viscous oil obtained exclusively from the seeds of <i>Eruca Sativa</i> . | More than 0.1 per cent. of ash and more than 12 per cent. of moisture. | The starch granules must have the characteristic appearance under the microscope. |
| 14 | Till Oil | .. | The pale yellow liquid obtained exclusively from the seeds of <i>Sesamum Indicum</i> . | | |
| 15 | Sago | .. | A starch obtained from the pith of certain species of palms. | | |

[Minister for Education.]

Schedule—continued.

| Serial No. | Article of food. | Description. | Excess in the constituents. | Deficiency in the constituents. | REMARKS. |
|------------|--|--|---|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 16 | Malt Vinegar .. | The product derived wholly from malted barley or other cereals which have been saccharified with malt diastase only. | Contains no mineral acids and no metallic impurities. | Solids less than 2 gms. in 100cc. Ash less than 0.2 gms. in 100cc. Acetic acid less than 4 gms. in 100cc. Phosphoric acid (P. O.) less than 5 gms. in 100cc. | |
| 17 | Mustard oil .. | The oil extracted exclusively from the seeds of Brassica Juncea ("Rai"). | Saponification value more than 175. Iodine value more than 104. | Saponification value less than 169. Iodine value less than 96. | |
| 18 | Condensed milk, full cream, sweetened. | Milk which has been concentrated by the removal of parts of its water, with the addition of sugar. | .. | Milk fat less than 9 per cent. and all milk solids including fat less than 31 per cent. | |
| 19 | Condensed milk, full cream, unsweetened. | Milk which has been concentrated by the removal of parts of its water, without the addition of sugar. | .. | Ditto ditto. | |
| 20 | Condensed milk, skimmed, sweetened. | Skimmed milk which has been concentrated by the removal of parts of its water, with the addition of sugar. | .. | Less than 26 per cent. of all milk solids including fat. | |
| 21 | Condensed milk, skimmed, unsweetened. | Skimmed milk which has been concentrated by the removal of parts of its water, without addition of sugar. | .. | Less than 20 per cent. of all milk solids including fat. | |

Dr. Gopi Chand Bhargava : Is the Honourable Minister aware of the fact that vegetable oil is being sold in place of pure ghee?

Minister : Possibly.

Dr. Gopi Chand Bhargava : Is the Honourable Minister also aware of the fact that no distinction can be made between the two?

Minister : By a layman?

Dr. Gopi Chand Bhargava : Yes, by a layman.

Minister : Possibly.

Dr. Gopi Chand Bhargava : Does the Honourable Minister propose to enforce the Act which was passed by the Council of State so far as the colouring of vegetable ghee is concerned?

Minister : Certainly.

CANVASSING FOR VOTES FOR THE ELECTION OF UNIVERSITY FELLOWSHIP BY GOVERNMENT SERVANTS.

*69. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Government servants are not allowed to canvass or influence voters during the election of University fellowship;
- (b) whether it is within the knowledge of the Government that certain officials did infringe this rule during last elections; if so, whether the Government proposes to take any steps to stop such an infringement in future;
- (c) whether it is a fact that Mr. S. H. Vatayayana, being a graduate of seven years' standing and possessing the necessary qualifications wrote to the Registrar of the Punjab University in the beginning of 1937 for his name being registered as a voter in the Punjab University Constituency under clause (b), Rule No. 18, Schedule VI of the Provincial Legislative Assemblies Order, 1936;
- (d) whether it is a fact that the Assistant Registrar, Punjab University, by his letter No. 12/48, dated the 5th February, 1937, refused to do so against the policy of the Government as enunciated in reply to Punjab Legislative Council Question No. 75965¹ (b) of 29th October, 1936; if so, what action is intended to be taken in the matter?

The Honourable Mian Abdul Haye : I regret that the answer to the question is not ready.

GRANT-IN-AID TO NEW SCHOOLS.

*72. **Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the Director of Public Instruction has issued a circular letter No. 10426-G., dated the 24th June, 1932, instructing the Inspectors of Schools not to bring any new school on the grant-in-aid list "in view of financial stringency";

[S. S. S. Gurbachan Singh.]

- (b) whether it is a fact that the Inspector of Schools, Jullundur division, refused to recommend the case of Khalsa Primary Branch School, Mohalla Gobindgarh, Jullundur City, to the Municipal Board for grant-in-aid on the authority of the said circular ;
- (c) whether it is also a fact that some new primary or elementary schools in some parts of the province have been brought on to the list of grant-in-aid schools after the issue of the said circular ; if so, the number of such schools division-wise and the reasons for which these schools have been treated differently ;
- (d) whether he is prepared to consider the desirability of relaxing the terms of the said letter and its application to the primary schools (boys and girls) ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes.

(c) Information as regards the number of schools division-wise is being collected.

It appears from the reports of the Inspectors that some new primary and elementary schools were brought on the grant-in-aid list after the issue of the circular of 1982. This was so because some of the Inspectors were under the impression that the orders of 1982 were not applicable to primary schools or departments. On a reference from the Inspector of Schools, Jullundur division, the position has recently been clarified and it has been ruled that the orders apply equally to new primary schools and primary departments of secondary schools.

(d) No. The local bodies which are responsible for the payment of grant-in-aid to primary schools are still faced with financial difficulties, and it is not intended to commit them to further liabilities by bringing more schools on the grant-in-aid list.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that the policy of the Government is to promote primary education in the province ?

Minister : Yes.

Sardar Sahib Sardar Gurbachan Singh : In view of that, will the Honourable Minister relax the terms of the letter mentioned in this question ?

Minister : In view of the fact that the whole question is under consideration, I would not pass any orders at present.

SEDUCTION OF BOYS BY TEACHERS.

***73. Sardar Sahib Sardar Gurbachan Singh :** With reference to my resolution, dated 1st November, 1985, will the Honourable Minister for Education please state the number of cases of seduction of boys by teachers brought to his notice and the action taken by him in each case.

The Honourable Mian Abdul Haye : A statement is laid on the table.

List showing the number of cases of seduction of boys by teachers, brought to the notice of the Department during the past five years.

| Serial No. | Name and designation. | Action taken. | REMARKS. |
|------------|--|--|----------|
| 1 | 2 | 3 | 4 |
| 1 | Malik Muhammad Abdollah, 2nd Master, Government High School, Sangla. | Removed from service of Government. | |
| 2 | M. Allah Bakhsh, Drawing Master, Government High School, Naushehra. | Dismissed from Government service and departmental certificates cancelled. | |
| 3 | M. Farid Ahmad Khan, Vernacular teacher, Government High School, Sira. | Ditto ditto. | |
| 4 | Syed Talib Hussain Shah, Vernacular teacher, Government High School, Jaranwala. | Ditto ditto. | |
| 5 | M. Abdul Hamid, Vernacular teacher, Government High School, Gujranwala. | Removed from service of Government and departmental certificate cancelled. | |
| 6 | M. Nazir Ahmad, Vernacular teacher, Government High School, Sheikhpura, since transferred to the Central Model School, Lahore. | Was absolved of the accusations brought against him. | |
| 7 | M. Muhammad Ismail, Oriental teacher, Government High School, Kaithal. | Not proved guilty but warned and transferred elsewhere in the division. | |
| 8 | M. Muhammad Ishaq, Manual Training Instructor, Government High School, Rewari. | Charge of immorality brought against him could not be proved, but he was warned. | |
| 9 | Pandit Badri Nath, M.A., Sanskrit teacher, Government High School, Bhakkar. | Was absolved of the accusation brought against him. Transferred out of division and warned not to permit boys to visit him at his house. | |
| 10 | Chaudhri Nasir-ud-Din Ahmad, Officiating Physical Training Instructor, Government High School, Sangla. | He was acquitted, but as he was only officiating he was discharged. | |
| 11 | M. Abdur Rahim Khan, Assistant District Inspector of Schools, Gujrat. | Was transferred to the Jullundur Division and his new Inspector asked to keep an eye on him. | |
| 12 | Lala Tirath Ram, teacher, District Board High School, Zira (Ferozepore District). | Charge not proved. | |
| 13 | Pandit Ved Brat, Sanskrit teacher, M. B. D. High School, Chiniot. | Removed from the school staff. | |

[Minister for Education.]

| Serial No. | Name and designation. | Action taken. | REMARKS. |
|------------|---|--|----------|
| 1 | 2 | 3 | 4 |
| 14 | M. Muhammad Din, Vernacular teacher, District Board High School, Banga (Jullundur District). | Dismissed from the District Board service. | |
| 15 | Lala Saraswati Das, teacher, Sanatani Dharam High School, Rawalpindi. | Removed from the school staff. Cancellation of his teaching certificate is under consideration of the Department. | |
| 16 | M. Ghulam Muhammad, teacher, District Board School, Shah Sadiq Nihang (Jhang District). | Convicted in a court of law and sentenced to one year's imprisonment. Dismissed from the District Board service. Teaching certificate cancelled. | |
| 17 | Pandit Sagar Chand, Assistant teacher, District Board Middle School, Nasrali (Ludhiana District). | Pay reduced from Rs. 24 to Rs. 20 on suspicion, though case against him was not established. | |
| 18 | Bhai Natha Singh, teacher, Primary School, Attari (District Amritsar). | Dismissed from the District Board service. Teaching certificate cancelled. | |
| 19 | Bhai Jaswant Singh, teacher, Malwa Khalsa High School, Ludhiana. | Case not proved. Teacher warned. The Head Master was asked to keep an eye on him. | |
| 20 | M. Irshad Ali, Scout and Drill Master, Municipal Board High School, Ambala Cantonment. | Dismissed from the Municipal Board service and debarred from further employment in any recognised school in the Punjab. | |
| 21 | Mr. N. B. Nisar, Head Master, Denny's High School, Rawalpindi. | Charge not substantiated. He was removed from the service of the school. | |
| 22 | M. Jamal-ud-Din, teacher, District Board Middle School, Manihala (Lahore District). | The court gave benefit of the doubt to the accused and acquitted him. The District Board, Lahore, dismissed him from service. | |
| 23 | Bhai Mela Singh, teacher, Khalsa High School, Rawalpindi. | Dismissed from service. Teaching certificate cancelled. | |

IRRIGATION BY TUBE WELLS.

*271. **Lieutenant Sodhi Harnam Singh** : Will the Honourable Minister for Revenue kindly state—

(a) whether the Punjab Government is aware that the Government of the United Provinces have made arrangements to supply water for irrigation purposes by tube wells worked by electric motors, all the initial costs regarding these arrangements have been borne by the Government, and that the zamindars only pay for the energy utilized at the rate of annas 2 and 3 pies per unit in winter, and anna one and 6 pies per unit in summer ;

(b) if the answer to (a) above be in the negative whether the Government is prepared to make inquiries regarding this matter ;

(c) if the reply to (a) above be in the affirmative, whether the Government proposes to start a similar scheme in the Punjab ; if so, when ; if not, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The Government is aware that the Government in the United Provinces have recently sanctioned an extensive scheme of tube-well development in that province, and that this scheme has now been partially constructed. The honourable member is, however, wrong about the details of the payments made for the use of tube-well water.

(b) Government has already appointed an officer to investigate the possibilities of tube-well development in the Punjab.

(c) Government must await the report of this officer before coming to any conclusions, as the matter is complex and difficult both for technical and financial reasons.

ROYALTY RECEIVED FROM THE GREY CANAL DEPARTMENT.

*272. **Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue kindly state—

(a) the area in acres irrigated by Kingwah, Aghawah, Alaheewah, Daulatwah, Bachherewah, Barneswah, Miawah, Butewah, in district Ferozepore in the years 1934-35, and 1935-36, and out of this, in acres areas matured and unmatured separately with the percentage of the unmatured area in 1934-35 and 1935-36 ;

(b) if the percentage of the unmatured area is high, the reasons why it is comparatively higher in respect of Bachherewah, Barneswah, Miawah, Butewah and Daulatwah areas ;

(c) the amount of the capital invested by the Government on these eight canals, i.e., Kingwah, Aghawah, Alaheewah, Daulatwah, Bachherewah, Barneswah, Miawah and Butewah ;

(d) the amount of Royalty the Government have received from the Grey Canal Department from its inception up till now ;

(e) what steps Government intend to take to enable the Grey Canal Department to make the necessary improvements in respect of irrigation by means of the canals mentioned above ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) A statement is laid on the table.

(b) The high percentage of *kharaba* on the five canals is due to their irrigating the Bet (riverain tract) which is very much subject to the vagaries of rain and floods.

(c) The contributions made by Government from 1890 in respect of all the canals on the Grey Canal System amount to Rs. 1,61,378. It cannot be stated how much of this related to the existing 8 canals as no separate account is kept.

(d) Rupees 28,18,611 excluding the year 1913-14 for which figures are not available.

(e) No specific scheme is under consideration at present.

Statement showing the irrigated, sown, matured and unmatured acreage of the Grey Canals, Ferozepore District.

[Minister for Revenue.]

| Serial number. | Name of canal. | ACREAGE IN 1984-85. | | | | | | ACREAGE IN 1985-86. | | | | | |
|----------------|----------------|---------------------|--------|----------|------------|--------------------------|------------|---------------------|----------|------------|--------------------------|-----------|--|
| | | Irrigated. | Sown. | Matured. | Unmatured. | Percentage of unmatured. | Irrigated. | Sown. | Matured. | Unmatured. | Percentage of unmatured. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | Per cent. | |
| 1 | Kingwah .. | 19,417 | 18,224 | 16,435 | 1,789 | 9.8 | 26,780 | 25,936 | 23,518 | 2,118 | 8.2 | | |
| 2 | Aghawah .. | 7,457 | 6,255 | 4,527 | 1,729 | 27.6 | 8,575 | 7,531 | 4,733 | 2,798 | 37.1 | | |
| 3 | Ishcewah .. | 16,978 | 15,490 | 13,061 | 2,429 | 15.6 | 19,070 | 17,727 | 13,735 | 4,002 | 22.5 | | |
| 4 | Deulatwah .. | 6,550 | 4,911 | 3,314 | 1,697 | 32.5 | 4,902 | 4,164 | 2,132 | 2,032 | 48.7 | | |
| 5 | Bachherewah .. | 9,902 | 7,902 | 5,158 | 2,744 | 34.7 | 16,080 | 13,635 | 8,025 | 5,610 | 41.0 | | |
| 6 | Barneswah .. | 7,922 | 6,597 | 3,572 | 3,025 | 45.8 | 11,219 | 8,237 | 4,377 | 4,960 | 52.6 | | |
| 7 | Miswah .. | 7,426 | 6,086 | 2,551 | 3,485 | 57.7 | 7,200 | 5,382 | 2,310 | 3,572 | 60.7 | | |
| 8 | Batewah .. | 3,455 | 2,888 | 1,489 | 1,309 | 47.9 | 4,736 | 3,675 | 1,670 | 2,005 | 54.5 | | |

SHIROMANI GURDWARA PARBANDHAK COMMITTEE'S RESOLUTION RECOMMENDING ALL SIKHS TO BE DECLARED AGRICULTURISTS.

***273. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) whether the Government is aware of the fact that the Shiromani Gurdwara Parbandhak Committee passed a resolution recommending to the Government that every Sikh residing in the Punjab might be declared as an agriculturist within the meaning of the Punjab Land Alienation Act and that they sent a copy of the same to the Punjab Government ;
- (b) whether the Government is aware of the fact that more than 90 per cent. of the Sikhs residing in the province are living upon agriculture, and that they have no other profession to earn their livelihood but agriculture ;
- (c) what action the Government proposes to take on the resolution referred to in part (a) ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) I should be glad if the honourable member would quote the authority of this statement which does not seem to be quite correct.

(c) Does not arise.

CASES UNDER SECTION 498, INDIAN PENAL CODE.

***274. Chaudhri Muhammad Husain :** Will the Honourable Premier be pleased to state—

- (a) the total number of cases under section 498, Indian Penal Code, filed in Criminal Courts of the Punjab during each of the years from 1931 to 1936 ;
- (b) the number of such cases the trial of which resulted in conviction of the accused ;
- (c) the number of such cases in which the presence of the abducted women could not be secured in court ?

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

CIVIL SUITS TO OBTAIN DISSOLUTION OF MARRIAGE.

***275. Chaudhri Muhammad Husain :** Will the Honourable Premier be pleased to state—

- (a) the total number of civil suits instituted in all the civil courts of the Punjab during each of the years from 1925 to 1936 by

[Ch. Muhammad Husain.]

Muhammadan wives against their husbands praying for a declaration to the effect that their marriages stood dissolved on the ground of their renunciation of Islam and conversion to (i) Christianity, (ii) Sikhism and (iii) Hinduism ;

- (b) the total number of such suits as, in spite of being contested, ended in dismissal ?

The Honourable Major Sir Sikander Hyat-Khan : It has been ascertained from the High Court that this information could not be collected without an expenditure of time and labour out of all proportion to the results.

NEW EGERTON WOOLLEN MILLS, DHARIWAL.

***276. Diwan Chaman Lall :** Will the Honourable Minister for Development be pleased to state whether he is aware of the low wages paid to the majority of the workers in the New Egerton Woollen Mills, Dhariwal, the system of illegal fines, the lay-off system of employment, the infliction of corporal punishment as a regular measure on the workers by the subordinate or supervising staff ; if so, what action, if any does Government propose to take ?

The Honourable Chaudhri Sir Chhotu Ram : Government are not aware of the complaints suggested in the question, but if the honourable member supplies a few specific instances with necessary details of illegal fines, corporal punishment and scale of wages as compared with the scale obtaining in similar other concerns, Government will institute an enquiry, and, if necessary, will take such steps as are permissible under the law to put a stop to the evils found to exist.

CONSTITUTIONAL ASPECT OF PROVINCIAL AUTONOMY.

***277. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) whether his attention has been drawn to the second statement made by the Marquess of Zetland in the House of Lords regarding the constitutional aspect of Provincial Autonomy in which he states that the initiative and responsibility for the Government of the province passes to the Ministry as soon as it takes office and that even when his special responsibilities are involved the Governor would not think of immediately setting himself up in open opposition to the Ministry ;
- (b) whether the constitutional situation which has existed and does exist in the Punjab since the present Ministry took office is in accordance with the statement made by the Secretary of State for India ;

- (c) whether His Excellency the Governor of the Punjab has up to now exercised any powers vested in him in respect of his special responsibilities ;
- (d) whether such exercise has been in consultation and agreement with the Ministry or in defiance of the Ministry ;
- (e) whether in making appointments or in acting otherwise in his discretion or in his individual judgment the Governor has been consulting the Ministry ?

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

(b) Yes.

(c) No.

(d) Does not arise.

(e) Yes. I would remind the honourable member of what I said in reply to his question No. *181.¹

Diwan Chaman Lall : In view of a negative reply to part (c) of this question, may I ask the Honourable the Premier whether it is a fact that this House was prevented from discussing the personnel of the Public Service Commission under exercise of special powers by His Excellency the Governor ?

Premier : These powers are quite distinct from his administrative or executive powers. Those powers were exercised in accordance with the rule framed by His Excellency the Governor for proceedings in the Assembly.

Diwan Chaman Lall : May I ask the Honourable Premier whether it is a fact that the rules that were framed were framed according to the provision of the Government of India Act and whether it is not a fact that that exercise by His Excellency the Governor of special responsibility resulted in this House being prevented from discussing the personnel of the Public Service Commission ?

Premier : As a matter of fact, I can satisfy the honourable member on that point. If he wants to discuss that point now in the Assembly he is at liberty to do so.

Diwan Chaman Lall : May I ask the Honourable the Premier whether it is not a fact that what I have said is correct, but the question is not that you are going to be allowed to discuss the question now, but whether we were not actually prevented from discussing this question previously ?

Premier : I am afraid it is not for me to answer that question, because as I have said before, he exercised his own discretion and in the exercise of his powers these rules were framed by him in consultation with the Speaker and not with the Government.

Mr. Speaker : I may inform the honourable members that the *interim* rules were made by the Governor, acting in his discretion, under sub-section (3)

[Mr. Speaker.]

of section 84 ; while the rules, which he has to make under the proviso to section 84 (1), in consultation with the Speaker, are still under consideration.

Diwan Chaman Lall : May we take it that under sub-section (3) of section 84, the *interim* rules that were made by the Governor for the business of this House were not made in consultation with the Speaker because there was no Speaker at that time ?

Premier : It was not necessary for the Governor to consult the Speaker, because there was no Speaker at that time.

Lala Bhim Sen Sachar : May I know if the appointment of the members of the Public Service Commission was made in consultation with the Honourable the Premier or with the Cabinet ?

Premier : I am afraid I must decline to answer that question.

Lala Bhim Sen Sachar : May I draw the attention of the Honourable the Premier to part (e) of the question ?

It says—

“(e) Will he also state whether in making appointments or in acting otherwise in his discretion or in his individual judgment the Governor has been consulting the Ministry?”

It is with respect to this particular part that we want an answer.

Premier : My answer is quite clear. I do not think any supplementary answer is necessary to that part of the question.

Lala Duni Chand : May I know if due consideration was given to the fact that a police officer, howsoever able he may be, by reason of his long training in the Police Department, will not be a suitable person to preside over the Public Service Commission ?

PUBLIC SERVICE COMMISSION, PUNJAB.

*278. **Diwan Chaman Lall :** Will the Honourable the Premier be pleased to state the exact educational qualifications of the members of the Public Service Commission, Punjab ?

The Honourable Major Sir Sikander Hyat-Khan : The educational qualifications of the Punjab members of the Joint Public Service Commission are—

(1) *Mr. J. Slattery, O.B.E.*—

Possesses no University degree. He was appointed to the Indian Police by His Majesty's Secretary of State for India in 1906 at the age of 20 years, after taking an exhibition in F. A. (Honours) in the Royal University of Ireland (2nd in the Indian Police Competitive Examination). Has been an examiner in a competitive examination held by the Federal Public Service Commission.

2. *Sardar Bahadur Sardar Prabh Singh, M.I.E. (Ind.)*—
- B. A. I Division of the Punjab University. Diploma holder of the Thomason Engineering College, Roorkee. Has frequently been an examiner in competitive examinations held by the Federal Public Service Commission.
3. *Rao Bahadur Captain Chaudhri Lal Chand, O.B.E.*—
- B. A., LL.B., of the Punjab University (both II Division). An Advocate of the High Court of Judicature at Lahore. Served on many selection committees (to make selections for the Indian Military Academy and the Prince of Wales College, Dehra Dun) of the Federal Public Service Commission and the Local Government.
4. *Khan Bahadur Nawab Muhammad Hayat Qureshi, C.I.E.*—
- Possesses no University qualification. Has served on many select committees for the selection of candidates for the post of Deputy Superintendent of Police, Jail Officers and Military Officers and was a permanent Member of the Provincial Medical Selection Board.

Mir Maqbool Mahmood : Will the Honourable the Premier be pleased to state what are the other qualifications of the members of the Public Service Commission ?

Premier : The non-official members of the Commission have done a great deal of public work as members of district boards and municipalities.

Raja Ghazanfar Ali Khan : Is the Government aware that the late Sir Pochkhanawala was only a matriculate and he failed in the very first University examination in which he appeared ?

Diwan Chaman Lall : May I ask whether the Central Bank is now in question or the Public Service Commission ?

Lala Bhim Sen Sachar : Did the Cabinet of the Honourable Premier feel the necessity, or the desirability of representing to His Excellency that a gentleman who has been in the Police all along should not be appointed as the Chairman of the Public Service Commission ?

Mr. Speaker : As the question is a direct request for action, it may not be answered.

IRRIGATION FACILITIES FOR RAYA DIVISION.

***279. Chaudhri Muhammad Hussain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that sometime ago a scheme for extending Bhikhi Minor to the Raya division of the Upper Chenab Canal was prepared by the Irrigation department to extend irrigation facilities to that area ; if so, the stage at which the scheme has reached so far ;
- (b) in case the scheme may have been postponed the reasons for so doing ;
- (c) whether it is intended to re-open the question and to carry out the scheme, if so when ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The reply to the first part is in the affirmative. As regards the second part, the scheme has been finally abandoned.

(b) It was found technically unsound.

(c) No.

ENTRIES IN THE POLICE REGISTER OF CERTAIN PERSONS.

***280. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable the Premier be pleased to state whether it is a fact that amongst those whose names have been recently entered in the police register, under section 9 of the Police Act, one is a respectable pleader of Bhakkar, another Secretary of the Hindu Sabha at Bhakkar, and yet another Manager of the Ram Mandir Mandal, Bhakkar; if so, the reasons why the names of such respectable persons have been so registered?

The Honourable Major Sir Sikander Hyat-Khan : The reference to section 9 of the Act appears to be an error. If the question relates to the police surveillance register, it is not correct that entries have been made of the kind described.

PANIPAT FIRING INCIDENT.

***281. Mian Abdul Aziz :** Will the Honourable the Premier be pleased to state—

(a) whether any official report has been submitted to him by the officer appointed by Government to inquire into the Panipat firing incident;

(b) if the answer to (a) above be in the affirmative, whether he will lay the said report on the table of the House?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The honourable member is referred to the reply given to Mr. Deshbandhu Gupta's short notice question¹ on the 22nd June, 1937.

DAMAGE DONE BY HAILSTORM.

***282. Mian Abdul Aziz :** Will the Honourable Minister for Revenue kindly state—

(a) the amount of land revenue remitted so far in the villages affected by the recent hailstorm;

(b) the number of villages to which the said remissions were allowed;

(c) whether the Government intend to institute inquiries to find out how far the assessments and entries made regarding the damage done are correct?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Rs. 8,81,140 (excluding Sialkot and Gujranwala figures, which are not yet available). *Abiana* remission figures are separate and not included in these.

(b) 8,218.

(c) No. Government has no reason to doubt the correctness of the assessment and entries made by the local officers.

EXECUTIVE OFFICERS' APPOINTMENTS.

***283. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

(a) the number and names of municipalities of the 1st and 2nd class in the province in which executive officers have been appointed since the enforcement of the Punjab Municipal (Executive Officer) Act ;

(b) the names of the executive officers appointed under the Act with their pay and allowances ;

(c) the names of those executive officers whose services were lent by the Government to the municipalities respectively together with the dates of their appointments ;

(d) the names of municipalities among those mentioned in (a) above which succeeded in appointing their own nominees as executive officers ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A statement giving the required information is laid on the table.

[Minister for Public Works.]

State

| Serial No. | Name of Municipal Committee in which Executive Officer has been appointed. | Name of Executive Officer. | Date of the appointment of officers lent by Government. |
|------------|--|--|--|
| 1 | 2 | 3 | 4 |
| 1 | Ambala | Bakhshi Raghbir Das, B.A., LL. B. | .. |
| 2 | Jhang | Sardar Hakim Singh, B.A., LL.B. | .. |
| 3 | Khem Karan | M. Obaid Ullah Khan, M.A., LL. B. | .. |
| 4 | Lahore | Rai Bahadur Lala Shankar Das, Luthra, P. C. S. | 20th June 1932 Renewed. 6th June 1935. |
| 5 | Multan | Chandhri Roshan Lal, M.A., P. C. S. | 29th June 1932. Renewed. 6th June 1935. |
| 6 | Amritsar | 1. *Khawaja Muhammad Ghulam Sadiq, Barrister-at-Law. 2. Khawaja Ahmad Ghulam Sadiq. | .. .. |
| 7 | Ludhiana | 1. †M. Farzand Ali Tahsildar .. 2. Sardar Sant Singh, P. C. S. .. | 5th November, 1932. 21st March, 1936 |
| 8 | Bhiwani | Chaudhri Prabhu Lal .. | .. |
| 9 | Kasur | Lieutenant Chaudhri Abdullah Khan. | .. |
| 10 | Rupar | Subedar Sher Singh | .. |
| 11 | Sialkot | 1. †Rai Sahib Lala Nathu Ram P. C. S. 2. Mr. M. W. Hanrahan, P. C. S. 3. Shaikh Ghulam Muhammad B.A., P.C.S. | 10th June, 1932 19th April 1934 26th November, 1935 |
| 12 | Khushab | Lala Narain Dass, Vig, B.A., LL. B. | .. |
| 13 | Jalapur Jattan | Mr. R. D. Mehta .. | .. |
| 14 | Gujrat | Khan Sahib Chaudhri Ghulam Mochy-ud-Din. | .. |
| 15 | Jandiala | Lala Mulk Raj | .. |
| 16 | Chakwal | Qazi Ghulam Ahmad, B.A., LL.B. | .. |

ment.

| Pay. | Allowance. | Whether the Executive Officer was elected by the Committee or appointed by Government. | REMARKS. |
|--|--|--|--|
| 5 | 6 | 7 | 8 |
| Ra. 250 (annual increment Ra. 25). | .. | Government. | |
| Ra. 180 (annual increment Ra. 20) | .. | Ditto .. | .. |
| Ra. 120 (annual increment Ra. 10). | .. | Ditto .. | .. |
| Ra. 1,200 .. | Ra. 100 conveyance .. | Ditto .. | The Lahore Municipal Committee has since been superseded. |
| Grade pay .. | Ra. 165 Deputation. Ra. 40 conveyance. | Ditto. | .. |
| Ra. 1,000 .. | .. | Ditto .. | *From 11th June, 1932—14th June, 1936. |
| Ra. 925 .. | Ra. 75 conveyance .. | Committee .. | -- |
| Grade pay .. | Ra. 70 Deputation .. | Government .. | †From 5th November, 1932—15th August, 1935. |
| Grade pay .. | Ra. 150 Deputation .. Ra. 40 Conveyance .. | Ditto. | .. |
| Ra. 120—10—160 | .. | Committee. | .. |
| Ra. 350 .. | Ra. 30 Conveyance .. | Government. | |
| Ra. 80—5—95 .. | .. | Committee .. | |
| Grade pay .. | 1. 150 Deputation allowance. | } Government .. | ‡From 10th June, 1932 to 13th November, 1937. |
| Grade pay .. | 2. 150 Deputation allowance. | | |
| Grade pay .. | 3. 40 Conveyance .. 150 Deputation allowance. | | |
| Ra. 100—5—125 .. | 40 Conveyance .. | Committee .. | The Sialkot Municipal Committee has since been superseded. |
| Ra. 150—25/2—200 | .. | Government. | .. |
| Ra. 200—20—300 (in addition to pension). | .. | Committee .. | The salary and the pension are not to exceed the pay the Khan Sahib was drawing at the time of retirement. |
| Ra. 125—5—150 .. | .. | Committee. | .. |
| Ra. 200 .. | .. | Ditto. | .. |

ADMINISTRATOR AND ASSISTANT ADMINISTRATOR, LAHORE MUNICIPAL COMMITTEE.

***284. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly state—

- (a) what additional expense has been incurred on account of the appointment of an Administrator and Assistant Administrator, by the Lahore Municipality and the total amount paid to them from municipal funds up-to-date including all allowances, and contributions ;
- (b) whether the pay and allowances allowed to both of these gentlemen, exceed the amount of their original pay in Government service ; if so, by how much ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The additional expenditure on account of the appointment of the Administrator paid into the Lahore Treasury from the municipal funds during the period from the 28th October, 1986, to 31st May, 1987, is Rs. 12,099. It may be added for the information of the honourable member that half of the grade pay of the Administrator and half of the leave, pension and passage contributions are being paid by the Improvement Trust. No additional expense has been incurred on account of the appointment of the Assistant Administrator. The total amount paid on behalf of the Assistant Administrator from the municipal funds during the period from the 28th October, 1986, to 31st May, 1987, is Rs. 8,966.

(b) Yes—

- (i) In the case of Mr. Jones by Rs. 250 per mensem special pay, and Rs. 100 per mensem conveyance allowance.
- (ii) In the case of Mr. Macnabb by Rs. 100 per mensem conveyance allowance.
- (iii) In the case of Assistant Administrator by Rs. 850 per mensem special pay and Rs. 100 per mensem conveyance allowance.

SALARY OF THE SECRETARY, LAHORE MUNICIPALITY.

***285. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware that the (defunct) Lahore Municipal Committee had decided to fix Rs. 500 per mensem as the salary of the Secretary, Lahore Municipality, in future ;
- (b) the pay and allowances that have been allowed to the present incumbent of the post ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) The pay and allowances allowed to the present incumbent are—

As on 1st April, 1987.

| | Rs. |
|------------------------------|-----|
| Pay | 760 |
| Deputation allowance | 190 |
| Conveyance allowance | 50 |

Diwan Chaman Lall : What is deputation allowance ?

Minister : The officer is an Extra Assistant Commissioner and is serving a local body.

Diwan Chaman Lall : Why should this allowance be paid merely because he is serving a local body ?

Minister : That is under the rules.

POWERS DELEGATED TO THE ASSISTANT ADMINISTRATOR, LAHORE MUNICIPALITY.

***286. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state the powers delegated to the Assistant Administrator, Lahore Municipality, by the Administrator of the Lahore Municipality, with the relevant provisions of the Municipal Act under which these have been delegated ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No powers have been delegated by the Administrator to the Assistant Administrator.

LOCAL SELF-GOVERNMENT INSPECTORATES.

***287. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly state—

- (a) the total amount the Government has charged from all the local bodies of the province for the institution of the system of Inspectorates and how much has actually been spent over it up-to-date ;
- (b) the total amount which has been realized up to the end of May, 1937, from the Lahore Municipality as a contribution towards its maintenance ;
- (c) the number of local bodies inspected since its creation by the Inspectorate ;
- (d) whether the Inspector has submitted any report on the working of Lahore Municipality to the Government ;
- (e) if so, whether Government have taken any action on the said report ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Inspectors of local bodies were appointed in the Lahore and Multan divisions just over two years ago. The total amount recovered from the local bodies of these two divisions up to the end of 1936-37 is Rs. 71,852-8-5. The total amount actually spent up to 31st May, 1937, is Rs. 54,454-2-9. The reason for surplus is under examination with a view to making adjustments, if necessary.

(b) The total amount recovered from the Lahore Municipal Committee for the year 1935-36 is Rs. 7,792-6-0 while an equal sum for the year 1936-37 is under realization.

(c) The Inspector of Local Bodies, Multan division, has carried out detailed inspections of 37 local bodies since his appointment in May, 1935.

[Minister for Public Works.]

Apart from this he has visited several local bodies in the division and advised them in the solution of their difficulties. The Inspector of Local Bodies, Lahore division, has inspected 37 local bodies, besides conducting three special enquiries in certain departments of the Municipal Committees of Amritsar and Sialkot. Out of the local bodies inspected by him ten have been inspected twice and two three times. The Inspector has in addition assisted the Municipal Committee of Amritsar twice in disposing of audit notes and in recovering its heavy arrears.

(d) Yes.

(e) The action taken by Government was that the Lahore Municipal Committee was superseded.

INSPECTORATE OF LAHORE MUNICIPALITY.

***288. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state whether any memorial was submitted to the Inspectorate of Lahore Municipality by a member of the last Municipal Committee detailing specific instances of the abuse of powers by the Executive Officer of the Lahore Municipality ; if so, with what result ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes. The allegations were enquired into by the Inspector of Local Bodies whose report was to the effect that there had been no abuse of powers, and that in those cases where the Executive Officer found that he had committed any irregularity he took steps to put it right.

LAHORE IMPROVEMENT TRUST.

***289. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly state—

- (a) the date of the creation of the Lahore Improvement Trust, together with the names of its trustees and that of its chairman ;
- (b) the pay allowed to the Chairman of the said Improvement Trust ;
- (c) the strength of the staff employed by the said trust and the emoluments allowed to each of its members ;
- (d) whether any extra pay or emoluments have been allowed to any Government servant for rendering services to the said Improvement Trust ;
- (e) whether any amount in addition to his salary as Administrator of the Lahore Municipality, has been allowed to the Chairman of the Lahore Improvement Trust ;
- (f) whether the office of the Lahore Improvement Trust is located in the Town Hall Buildings ; if so, the amount realized by the Lahore Municipality from the said Trust as rent ;

- (g) the total amount so far paid by the Lahore Municipality to the Lahore Improvement Trust ;
- (h) the improvement so far effected by the said Trust in respect of sanitation and improvement of suburban areas in particular, and in the whole of the city of Lahore in general ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The Lahore Improvement Trust was created with effect from the 2nd January, 1936, with the following Board of Trustees :—

- | | |
|--|-------------|
| 1. I. E. JONES, Esquire, I.C.S. | } Chairman. |
| 2. Malik MUHAMMAD DIN, M. L. C. President, Municipal Committee, Lahore. | |
| 3. Chaudhri SARDAR ALI, Municipal Commissioner, Lahore .. | |
| 4. Lala GURAN DITTA MAL Kapur, Municipal Commissioner, Lahore. | |
| 5. Diwan Bahadur DIWAN AMAR NATH Nanda, Retired Superintending Engineer, Public Health Circle, Lahore. | |
| 6. C. T. ALLEN, Esquire, C.I.E., Lahore .. | |
| 7. Sardar Sahib Sardar SAPURAN SINGH, Chawla, Merchant and House Proprietor, Lahore. | |

Malik Muhammad Din, Chaudhri Sardar Ali and Lala Guran Ditta Mal who represented the Municipal Committee of Lahore, ceased to be trustees with effect from the 27th October, 1936, in consequence of the supersession of the Municipal Committee from that date.

Mr. I. E. Jones, I.C.S., was the Chairman from the 2nd January, 1936, to the 17th April, 1937, when he proceeded on leave. He has been succeeded by Mr. A. C. Macnabb, I.C.S.

(b) The Lahore Improvement Trust contributes Rs. 1,307-8-0 per mensem on account of half the grade pay, leave, pension, and passage contributions of the officer, who is the Chairman. The other half is paid from the Lahore Municipal Fund, as the same officer is the Administrator thereof.

(c) A statement is placed on the table.

(d) Yes—

(1) Mr. B. M. Sullivan, Superintending Architect to Punjab Government, receives a monthly allowance of Rs. 500 with a conveyance allowance of Rs. 100 for working as Town Planner to the Trust in addition to his other duties.

(2) Mr. P. L. Varma, Sub-Divisional Officer, Architectural Division, received a monthly allowance of Rs. 100 from 1st June, 1936, to 15th December, 1936.

(e) No. Half the pay and allowances of the officer are debited to the Trust and half to the Municipality.

(f) Yes. A part of the Trust office occupies two rooms in the Town Hall Buildings. The question of charging rent is under consideration.

(g) Rupees 57,172 under section 68 (1) of the Punjab Town Improvement Act.

(h) None, as the provision of the necessary funds has not yet been sanctioned. Meanwhile the Trust is assisting the Commissioner of the Lahore division and the Municipality of Lahore under section 192 of the Punjab Municipal Act of 1911.

[Minister for Public Works.]

Statement showing the staff employed by the Lahore Improvement Trust.

| Number. | Posts. | Monthly emoluments. | REMARKS |
|----------|---------------------------------------|--|--|
| 1 | 2 | 3 | 4 |
| One .. | Town Planner .. | Rs. 500 with a conveyance allowance of Rs. 100. | Part-time. Does the work in addition to his duties as Superintending Architect to Punjab Government. |
| One .. | Sub-Divisional Officer, Town Planning | Rs. 168 with a conveyance allowance of Rs. 22-8-0. | Government servant on deputation. |
| One .. | Secretary .. | Rs. 950 with a conveyance allowance of Rs. 50. | Government servant on deputation. |
| Three .. | Draftsmen .. | Rs. 170 each. | |
| One .. | Draftsman .. | Rs. 93. | |
| Three .. | Draftsmen .. | Rs. 51 each. | |
| Two .. | Overseers .. | Rs. 68 with a conveyance allowance of Rs. 3 each. | |
| One .. | Stenographer .. | Rs. 85 | Town Planner's Office. |
| One .. | Accountant .. | Rs. 77 | Government servant on deputation. |
| One .. | Stenographer .. | Rs. 78 | Chairman's Office. |
| Three .. | Clerks .. | Rs. 34 each. | |
| One .. | Daftri .. | Rs. 19. | |
| Five .. | Peons .. | Rs. 14 each. | |
| Two .. | Khalasis .. | Rs. 13 each. | |
| One .. | Ferro-coolie .. | Rs. 13. | |

BUILDING PLANS FOR THE CONSTRUCTION OF NEW HOUSES IN LAHORE.

***290. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Commissioner of Lahore or any other authority has ordered that no building plans for the construction of new houses in Lahore, be sanctioned for an indefinite period ;
- (b) whether building plans for areas for which lay-out plans have already been sanctioned, are also being refused ;
- (c) whether it is a fact that several of the building schemes passed by the last Lahore Municipal Committee have not so far been sanctioned or approved ;

- (d) what building schemes have been prepared by the Lahore Improvement Trust since its creation ;
- (e) how many private building schemes have so far been finally sanctioned and approved ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret that the information is not yet ready.

IMPOSITION OF HOUSE TAX BY LAHORE MUNICIPALITY.

***291. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly state—

- (a) whether the Government is aware of the proposal of the Administrator, Lahore Municipality, to impose a house tax at 12 per cent on the rental value of buildings in Lahore ;
- (b) whether the Government is aware of the great resentment shown by the public in the matter ; if so, what action is proposed to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No. Government is not aware of any special resentment, but all objections received will be carefully considered.

REDUCTION OF THE SIZE OF OUTLET NO. 79300, RAJBAB WAN.

***292. Mian Abdul Aziz :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Irrigation authorities, Upper Bari Doab Canal, have on 21st May, 1936, without serving any notice, reduced outlet No. 79300 Rajbah Wan from 18" × 9" to 10" × 9" ;
- (b) whether it is a fact that during this period the supply of water was reduced to 3 cusecs for *kharif* 1936 crops which had been sown on the basis of 5½ cusecs, and whether it is a fact that temporary channel that should have been given under the rules, was not given ;
- (c) whether it is a fact that during that period the gardens, vegetables, fodder and cotton crops, etc., on irrigation water suffered great damage ;
- (d) whether it is also true that the owners of lands and gardens concerned submitted their prayers to the irrigation authorities for redress of their grievances through telegrams, petitions and verbal requests ;
- (e) whether it is a fact that the owners of lands served a notice on the Irrigation authorities claiming Rs. 25,000 as damages, which notice the said authorities have not so far replied to ;
- (f) whether it is a fact that on the said outlet 79300 Rajbah Wan, wheat and gram of *rabi* 1937 have not at all been sown ;
- (g) if replies to the above be in the affirmative, what action the Government proposes to take or would take in this matter ?

The Honourable Dr. Sir Sundar Singh Majithia : As in this case notice of suit against the Government has been served and as it is possible that the subject matter of the Question may be before the courts, it is not in the public interest to answer the Question.

PASSPORT APPLICATION OF MR. M. A. MAJID.

***293. Diwan Chaman Lall :** Will the Honourable Minister for Revenue please state—

- (a) whether one Mr. M. A. Majid applied for a passport on 1st March, 1937, for Australia ;
- (b) whether the rea-on given was urgency for Mr. Majid to proceed to Australia to look after business of his uncle who was seriously ill ;
- (c) whether it is a fact that Government has not so far replied to the request made by Mr. M. A. Majid above mentioned for a passport ; if so, the reason for the delay ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) Yes. (c) The application has been refused. The orders were issued to the Deputy Commissioner, Lahore, on the 11th June, and have doubtless since been communicated to the applicant.

Diwan Chaman Lall : Has the honourable Minister any reasons to give for refusing this request ?

Minister : Public interest.

Diwan Chaman Lall : But how is the public interest of the Panjab involved by permitting the gentleman to depart outside this country ?

Minister : I am afraid I cannot enter into discussion on that point.

Diwan Chaman Lall : May I ask the Honourable Minister to let me know if he has satisfied himself that this passport was refused on the ground of public interest ?

Minister : In this matter I may inform the honourable member that farther enquiries are being made.

Sardar Sohan Singh Josh : Is the Honourable Minister aware that Mr. Majid's uncle is dead and that there is nobody to look after his property ?

Minister : That is why farther enquiries are being made.

AMENDMENT OF SECTION 85 OF THE GOVERNMENT OF INDIA ACT.

***294. Lala Duni Chand :** Will the Honourable the Premier be pleased to state whether the Government proposes to take necessary steps to have section 85 of the Government of India Act amended ?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is invited to the reply given to question No. *2291.

Lala Duni Chand : Has the honourable the Premier received any reply to the representation ?

Premier : No reply can be expected for some time I am afraid.

DEPUTY COMMISSIONER, SIMLA.

***295. Lala Duni Chand :** Will the Honourable the Premier be pleased to state whether it is a fact that the Deputy Commissioner, Simla, has ceased to be the Political Agent of Simla Hill States and consequently his work has been reduced ?

The Honourable Major Sir Sikander Hyat-Khan : Yes.

Lala Duni Chand : Is the Honourable the Premier prepared to consider the question of retrenchment in view of the fact that the Deputy Commissioner, Simla, has very little work to do ?

Premier : He has the same amount of work during the summer season, while during the winter season he has less work, and some other work is being allotted to him.

Lala Duni Chand : Is it not a fact that most of his work was in connection with the States ?

Premier : Yes, a considerable amount.

Lala Duni Chand : What other work is being entrusted to him ?

Premier : We have not yet arrived at any definite decision what other work will be allotted to him.

Lala Duni Chand : Is it not a proper thing to retrench this post ?

Premier : No.

DRINKING WATER IN VILLAGE KAINWALA, AMBALA DISTRICT.

***296. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that there is no well in the village Kajmwala, tahsil Kharar, district Ambala, and consequently the inhabitants of the village numbering about 800 are forced to drink and use for cooking and other domestic purposes water collected in the village ponds ;

(b) whether it is a fact that in spite of repeated representations to the District Board, Ambala, no provision has been made to provide the village with a well, there being no funds available for the purpose ;

(c) if the reply to (a) and (b) be in the affirmative, what steps he proposes to take to supply healthy water to the said village ?

The Honourable Mian Abdul Haya : (a) Yes. The inhabitants drink and use water collected in the village pond or bring it from the neighbouring villages.

(b) Yes.

(c) An estimate for improving the water supply in this village was prepared by the District Board, Ambala at a cost of Rs. 255. The District Board has expressed its inability to provide this amount. It has been advised to apply to the Sanitary Board for a grant.

Pir Akhar Ali : Is it not a fact that in tahsil Fazilka, district Ferozepre there are hundreds of villages of the same category ?

Minister : I would like the honourable member to put his question on paper.

Lala Bhim Sen Sachar : Is it the first time that this state of affairs in the village has been brought to the notice of Government ?

Minister : So far as the present Government is concerned this is the first time.

Lala Duni Chand : Will the Honourable Minister be pleased to take steps to see that the people of the village are supplied with well water ?

Minister : My answer is sufficient to indicate that this is a case where the mother is prepared to supply milk although the child has not yet cried for it.

COUNTERFEIT COINS.

*297. **Lala Duni Chand :** Will the Honourable the Premier be pleased to state whether his attention has been drawn to the abnormal increase in percentage of false, counterfeit or defective rupees and smaller coins finding currency in the Punjab ; if so, what action is intended to be taken to put an end to this evil ?

The Honourable Major Sir Sikander Hyat-Khan : It would probably not be true to say that the position in regard to counterfeit coins is worse now than it has ever been, but even so it is sufficiently serious. To deal with it a special establishment was formed in the Criminal Investigation Department in June last year—a similar staff was in existence for a few months in 1934—and the efforts of this staff, working in co-operation with the district police, have resulted in the detection of a large number of cases. This campaign against local counterfeiters will be further intensified if necessary, and with the co-operation of the Governments of the neighbouring provinces and States should serve to end a state of affairs which has undoubtedly meant considerable inconvenience to the public, as well as loss to the Treasury.

Lala Duni Chand : Can Government give any idea of the percentage of counterfeit coins which are current in the market ?

Premier : If the honourable member will give me the number of genuine coins, I will give him the percentage of counterfeit coins.

Lala Duni Chand : Is it not a fact that a good many counterfeit coins are current in the market ?

Premier : I have already said so .

Pandit Shri Ram Sharma (Urdu) : Is it a fact that people refuse to accept rupees bearing Queen Victoria's effigy ?

Premier : I heard a rumour to that effect, but that has been contradicted in the form of a press *communiqué*.

Sardar Sohan Singh Josh (Urdu) : Why do the people not accept rupees minted in 1862 with Queen Victoria on them ?

Premier (Urdu) : They ought to accept them.

Pandit Shri Ram Sharma (Urdu) : But supposing somebody does refuse, what is the remedy in that case ?

Premier : Take it to the Treasury and get it exchanged.

Pandit Shri Ram Sharma (Urdu) : Is there no penalty for the person who refuses to accept such coins ?

CO-OPERATIVE SOCIETIES IN THE RAWALPINDI DISTRICT.

***298. Khan Muhammad Yusuf Khan :** Will the Honourable Minister for Development be pleased to state—

- (a) the number of co-operative societies in the Rawalpindi district ;
- (b) the total amount of debt owed by the rural population of the district before the advent of the co-operative societies in the district ;
- (c) the total amount of the debt by which the amount in (b) has been reduced by the effective working of the co-operative societies ;
- (d) the number of challans and auctions effected by the co-operative societies in the district in connection with the realisation of their dues ?

The Honourable Chaudhri Sir Chhotu Ram : (a) 671.

(b) and (c) Not known.

| | | | | |
|-----------------------------|----|----|----|----|
| (d) Number of challans | .. | .. | .. | 15 |
| Number of auctions effected | | .. | .. | 4 |

NON-OBSERVANCE OF A TERM OF CONTRACT BY THE IRRIGATION DEPARTMENT.

***299. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in 1934 the Irrigation Department entered into an agreement with the zamindars of villages Thaska Miranji, Azmatpur, etc., in tahsil Thanesar, district Karnal ;
- (b) if the answer to (a) above in the affirmative, whether it is a fact that the Irrigation department did not observe term No. 4 of the contract regarding facilities to be afforded for *sailaba* irrigation on either side of the new cut, made by the department, by gaps of suitable sizes and at selected places where it was not considered necessary for the Irrigation department to erect banks to prevent the river from flowing to the right and creating new channels ;
- (c) if the answer to (b) above be in the affirmative, whether he is aware of the fact that by the non-observance by the Irrigation Department of term No. 4 of the contract, immense loss is caused to the zamindars inasmuch as either the crops on the other side of the bank erected by the Irrigation Department are spoiled e.g., when the river Mukanda is over-flooded, or are not at all irrigated, e.g., when the volume of water in the said river is less ;

[Sufi Abdul Hamid.]

- (d) if the answer to (c) above be in the affirmative, whether the Government proposes to compensate the zamindars of the above mentioned villages for the loss thus caused to them ;
- (e) the steps, if any, Government proposes to take to avoid the recurrence of such a loss to the zamindars of the said villages in future ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) No. The Irrigation Department not only provided gaps as per clause 4 of the agreement but also allowed three large pipe outlets in the bund in the reach where bund had to be built to control the river.

- (c) Does not arise.
 (d) Does not arise.
 (e) Does not arise.

Sufi Abdul Hamid Khan (Urdu) : Have the pipes installed by the Irrigation Department been irrigating the lands they were meant for ?

Minister : Naturally they must have been.

ENTERTAINMENT TAX.

***300. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Lahore Municipal Committee ever proposed to levy an entertainment tax ; if so, when ;
- (b) the object of levying the said tax as indicated by the said Committee ;
- (c) whether the Government rejected the proposal ; if so, on what grounds ;
- (d) whether the Government has itself levied an entertainment tax in the Lahore municipal area ; if so, on what grounds, and what has been the yield from the tax ;
- (e) if the answer to the first part of (d) above be in the affirmative, whether the Government is prepared to grant the proceeds of the entertainment tax to the Lahore Municipality to carry out the Sewage Scheme and other improvements ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, in 1935.

(b) To meet the Committee's contribution towards expenditure on the Inspectorate of Local Bodies and the Lahore Improvement Trust.

(c) Yes. In view of the financial situation and the desirability of a provincial entertainment tax being found necessary, it was considered not advisable to sanction the imposition of an entertainment tax by local bodies.

(d) Yes, with effect from the 1st February, 1937, in order to raise revenue and to give effect to a recommendation of the Sources of Revenue Committee of 1931. The income during the months of February to May, 1937, has been Rs. 35,173 from the Lahore district. In the Lahore district the Punjab Entertainments Duty Act of 1936 has been applied to the municipal and cantonment area of Lahore, the municipal area of Baghbanpura-cum-Bhogiwal, the Small Town Committee of Ichhra and the municipal area of Kasur.

(e) No, because there is no such provision in the Act.

MOTION FOR ADJOURNMENT.

RE PREMIER'S REFERENCE TO MISCHIEF-MONGERS IN CONNECTION WITH JHATKA MEAT.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural) : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely the utterance on the floor of the Assembly by the Honourable Premier on the 2nd July 1937, in answer to supplementary questions to starred Question ¹No. * 259 insinuating that the demand for *jhatka* meat by Sikhs is the creation of communal mischief-mongers, and that in this matter *status quo* shall be maintained.

Mir Maqbool Mahmood : On a point of order. My point of order is based on four arguments.

Mr. Speaker : Please wait a while. I wish to find out certain facts. Then the honourable member may raise his points of order. Which insinuation does the honourable member wish to discuss ?

Sardar Lal Singh : The insinuation made by the Honourable Premier that the question raised about *jhatka* meat in Government institutions is the creation of communal mischief-mongers.

Premier : I strongly protest against these words that I have made any insinuations against the request for *jhatka*.

Mr. Speaker : Against whom is that insinuation made ?

Sardar Lal Singh : It is made against the Sikh members of this House.

Premier : No. Certainly not.

Mr. Speaker : That does not appear to be the case. Has the honourable member read the relevant proceedings, which have been circulated in the House ? Will he please refer to these proceedings and tell me where any reference has been made to the Sikh members of this House ?

Sardar Lal Singh : Question No. *259 was a question put by a Sikh member and in answer to that question, if the Speaker will allow me to dilate upon it, a definite 'no' was given to the opening of any question about *jhatka* meat. The answer reads—

"The facts are that in the Jails of this Province meat does not form part of the dietary of the ordinary prisoner. When a prisoner of the A or B class or a State Prisoner has expressed a wish to be supplied with *jhatka* meat, Government have arranged for him to be supplied with this kind of meat, provided the application has seemed to be without ulterior motive."

[Sardar Lal Singh.]

It lies entirely in the hands of the officials who are the Premier's men to decide whether—

Mr. Speaker : Will the honourable member come to the point regarding the mischief-mongers ?

Sardar Lal Singh : On the answer to the main question, there were supplementary questions and the Honourable Premier said that it would be giving a handle to mischief-mongers who wish to raise this question merely to intensify communal bitterness. These questions are asked only by the Sikh members, because it is only their business to ask such questions and the expression 'mischief-mongers' does not refer to anybody but the Sikh members of this House.

Premier : No.

Mr. Speaker : The point is whether the reference is to Sikh members of this House or to the Sikhs outside.

Sardar Lal Singh : It cannot apply to anybody else because the original question and the supplementary questions thereto were asked by the Sikh members on the floor of this House.

Mr. Speaker : Any member of the Assembly could have asked the question. The mere fact that it is asked by a Sikh member does not necessarily justify the conclusion that the reference was to the Sikh members of this House.

Sardar Lal Singh : The fact was that it was put by Sikh members. Even if it had been put by other members and even if a reference had been made to other members, the use of the words 'mischief-mongers' for members of this House would be a serious matter.

Premier : چوری دازوی میں کیا Does the cap fit ?

Mr. Speaker : Such allegations, if made against the honourable members of this House, may be said to be unparliamentary ; but a reference to outsiders, if its language is not objectionable, can be made. Is it not open to a member of this House to say that the number of dacoits in the province has recently increased to such an extent that people consider their lives and properties unsafe ? Cannot the dacoit and robber inhabitants of the province be called dacoits and robbers ? There is no dearth of mischief-mongers in any part of the world. Therefore, cannot one say that there are such people in the world ? (*Hear, hear*).

Sardar Lal Singh : It is the motive of the Premier behind the use of these words that matters.

Premier : I strongly protest against motives being attributed to me.

Mr. Speaker : No motives should be attributed to the honourable members of this House.

Sardar Lal Singh : Premier did it pointedly with the express purpose of stifling any ventilation of the grievances regarding *jhalka*.

Mr. Speaker : I wish, I could agree with the honourable member.

Sardar Lal Singh : It is a question of eating what one likes and the Premier introduced unnecessarily the communal question. He brought out that communal bogey and wanted to frighten us and stifle any discussion.

Mr. Speaker : May I take the insinuation to be that the demand of *jhatka* meat by the Sikhs is the creation of communal mischief-mongers, that is to say, some communal mischief-mongers have persuaded or instigated the Sikhs to demand the supply of *jhatka* meat ?

Sardar Lal Singh : These questions were put to the Premier by the honourable members of this House and supplementary questions were also put by them. There was no question of discussion of this question by any outsider. There was no justification for the Premier to remark that this question has been raised by the mischief-mongers. This is a reflection on the members of this House only and to no one else.

Premier : No, nothing of the sort.

Mr. Speaker : The Honourable Premier denies and I am not convinced.

Sardar Lal Singh : May I through you remind the members of this House that it is not the first time that it has happened across the floor of this House that the Honourable Premier has particularly with reference to the incident at Alla while reading his statement pointed out to this corner of the House and said that there are some creators of communal mischief sitting on these benches.

Mr. Speaker : I wish the honourable member had then drawn the attention of the Chair to that matter.

Premier : May I say a word or two to clear up the position ?

Mr. Speaker : The Honourable Premier need not speak just yet. If necessary I will allow him to have his say later.

Sardar Lal Singh : If you will go through the original answers, you will find the answer.

Raja Ghazanfar Ali Khan : May I request the honourable member to read the question also ?

Mr. Speaker : The Leader of the House has denied that he meant to refer to the honourable members of this House. Besides, the language does not inevitably justify the conclusion that the reference was to the members of this House. Therefore, I cannot allow the alleged insinuation to be discussed by an adjournment motion, which I hold to be out of order, and decline to put to the House. (*Hear, hear from Government benches*).

Dr. Gopi Chand Bhargava : May I make one request and that is, could I ask the Honourable Premier to make a statement on this point so that the whole position may be cleared up ?

Mr. Speaker : I shall have no objection to his making a statement, if he likes, at the end of to-day's business. But it is for him to decide whether he will make a statement or not.

Sardar Lal Singh : On a point of information, Sir. Is your ruling based on any answers or want of answers or want of any information that I could or could not give ?

Mr. Speaker : Typed copies of the relevant proceedings of this House were circulated among members. I have read those proceedings. I have also read the honourable member's motion. I am not convinced that

[Mr. Speaker.]

the alleged reference is to the honourable Sikh members of this House. If I were convinced, even then the honourable member had no right to move an adjournment motion, inasmuch as the conduct of a member of this House can be attacked only by a substantive motion and not by an adjournment motion. Besides, had the honourable member drawn my attention to the objectionable remark, when it was made, and I were convinced that it was unparliamentary, I would have there and then called upon the Leader of the House to withdraw his remark and the matter would have ended.

(At this stage Sardar Lal Singh rose to speak).

Mr. Speaker : No more discussion can be allowed.

JHATKA MEAT IN POLICE AND EDUCATIONAL INSTITUTIONS.

Sardar Sampuran Singh : I beg leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the new situation that has arisen out of the Premier's answer to question¹ No. *259 particularly by his reference to police and educational institutions in view of the fact that a new provincial autonomous Government has deliberately encroached upon the religious rights and freedom of the Sikhs.

Mir Magbool Mahmood : May I raise my point of order at this stage?

Mr. Speaker : After a little while, if the honourable member considers necessary.

Sardar Sampuran Singh : I submit this motion on the understanding and clear presumption that everybody has the right of eating meat killed in whatever way he likes. That is the right of every individual. The Honourable Premier has said that he would allow the supply of this kind of meat in jails provided the application seemed to be without ulterior motives. I think that the question of ulterior motives does not arise on anybody's asking for *jhatka* meat.

Premier : Is the honourable member allowed to speak at this stage on the merits of the motion itself?

Mr. Speaker : May I ask on what part of proceedings the later part of the honourable member's adjournment motion is based.

Sardar Sampuran Singh : Later part, Sir.

Mr. Speaker : Which relates to police and educational institutions?

Sardar Sampuran Singh : I am dealing with these two things. The Government has deliberately encroached upon the deliberate rights and freedom of the Sikhs.

Mr. Speaker : What is the basis of the later part of the honourable member's motion?

Sardar Sampuran Singh : That is based on the whole answer which has been given by the Honourable Premier. I have marked the points and if you like I will read the relevant portions from his answers.

Mr. Speaker : Does the honourable member wish to discuss by his adjournment motion the recent policy of the Government?

Sardar Sampuran Singh : I only want to show that he has encroached upon the religious rights and freedom of the Sikhs by giving this answer and acting upon it.

Mr. Speaker : Does the honourable member wish to protest against and criticise that answer ?

Sardar Sampuran Singh : Yes, that is right.

Mr. Speaker : If that is the honourable member's wish then item No. 8, on to-day's agenda (Motion of Sardar Partap Singh that the item of Rs. 1,10,900 on account of Total A.—Superintendence be reduced by Rs. 10) to urge that *jhatka* meat be placed on an equal footing with *halal* meat in all police lines, will afford ample opportunity for discussing the question.

Sardar Sampuran Singh : That does not deal with educational institutions at all.

Mr. Speaker : The honourable member is well aware that it can be discussed. It is almost certain that that item shall be reached.

Sardar Sampuran Singh : Is there any guarantee for that ?

Mr. Speaker : The motion is on the agenda and the honourable member has no right to anticipate it.

Sardar Sampuran Singh : I do not stand in the way of other people having a right to move their motions. They may move the motion or they may not do so.

Mr. Speaker : The Rule of Anticipation, as stated on page 248 of "May's Parliamentary Practice" is :—

Motions for adjournment regarding matters for the discussion of which the committee of supply or other appointed business would afford an early opportunity.—
~~_____~~ have been ruled to be out of order—
 on a motion for adjournment, discussion cannot be raised of any matter already appointed for consideration, or of which notice has been given ;

As this matter has been appointed for consideration and notice also has been given, the motion in question, even if otherwise in order, cannot be allowed.

Premier : Otherwise, also it is not in order, but with your permission I might be able to satisfy the honourable member that it is not necessary for him to move this motion.

Mr. Speaker : Does the honourable member wish to make a statement ?

Premier : I thought I might be able to make the position clearer.

Mr. Speaker : He may do so when the out motion is taken up.

Premier : In that case I better wait till this particular item comes up.

QUESTIONS TOUCHING COMMUNAL ISSUES.

Premier : I request your permission, Sir, to make an appeal to honourable members in regard to interpellations touching communal issues. While seeking in no way to restrict the right of interpellation of members I wish to make a request to them to refrain themselves from putting questions which are likely to create communal misunderstanding or embitter

[Premier.]

communal feelings. Under the rules and standing orders of the Assembly now in force there is no power vested in any one to disallow any question for that reason. But I trust that I may appeal to members to resist the temptation of putting questions open to objection on this score. Nevertheless if such questions are put by members I shall have, much to my regret, to decline to answer the questions on the ground of public interest. I hope, however, that without putting me to this painful necessity, members would, after this appeal of mine, impose a healthy restraint upon themselves and avoid putting such questions in the interests of communal harmony in this province which it is the earnest desire of all of us to establish beyond disturbance in the least degree.

Sardar Sampuran Singh : We do not consider these questions communal at all.

Mr. Speaker : Statements made by members of Government cannot be discussed.

BUSINESS OF THE HOUSE.

Premier : There is a change in the programme of business of the Assembly which I wish to announce to the House with your permission. Members were informed that Friday, the 23rd July had been allotted for business other than Government business, namely resolutions. The state of Government business now indicates that the four days which had been provided for the purpose may not be necessary. I may therefore inform the House that after consultation with you, Sir, I have allotted, Tuesday, 20th July for business other than Government business, namely resolutions, instead of Friday, the 23rd. It is expected that the sittings of the Assembly would terminate on the 20th. But if the state of Government business would require it, the Assembly will meet on Thursday, the 22nd July for the transaction of Government business.

DEMANDS FOR GRANTS.

POLICE.

Minister for Finance (The Honourable Mr. Manohar Lal) : Sir, I beg to move—

That a sum not exceeding Rs. 1,11,96,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Police.

Mr. Speaker : Motion moved—

That a sum not exceeding Rs. 1,11,96,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Police.

But before discussion on this motion is started, may I request the honourable member for Ambala (Lala Duni Chand), to explain what he means by the remarks attached to his motion?

Lala Duni Chand : It appears that two words " police administration " have been left out. Probably they will be found in my original motion.

Mr. Speaker : Does he mean to say that the office has left those words out?

Lala Duni Chand : Yes, Sir. The remarks ought to read: "To discuss the question of more efficient police administration" (the words ' police administration ' have been left out by mistake) " and more equitable treatment of police officers and police ranks."

Mr. Speaker : What does the honourable member mean ?

Lala Duni Chand : I want to make a contrast between the advantages and the salaries that are being enjoyed by the police officers with those that are being enjoyed by the lower ranks of the police.

Syed Afzaal Ali Hasnie : The idea of the honourable member ought to be conveyed by the words by which he chooses to describe his out motion and not by a speech which he cares to deliver.

Mr. Speaker : His original notice has been sent for from the office. In the meantime the honourable member may explain himself.

Lala Duni Chand : The second part of the remarks is meant to show that the officers are enjoying more advantages than the lower ranks of the police.

Mr. Speaker : Does the honourable member intend to raise two points ?

Premier : The honourable member may be asked to explain what he means by his second motion also.

Lala Duni Chand : The second motion is really analogous to the first motion. If I am allowed to move the first motion, in that case it will be unnecessary for me to move the second.

Mr. Speaker : The honourable member should not have given notice of identical motions. (*The Secretary showed the original notice of the motion to the honourable member*).

Lala Duni Chand : I submit, Sir, that I have seen the original motion. It appears that by an oversight on my part the words ' police administration ' have been left out.

Mr. Speaker : I must take the motion as it stands.

Premier : I submit that even after adding these words the meaning still remains obscure.

Lala Duni Chand : It does not make any difference whether I move first motion or the second motion.

Mr. Speaker : But both of them are defective.

Lala Duni Chand : I venture to submit and I feel that I will be able to convince the House to accept the motion with the words ' police administration ' in the remarks, but so far as the second motion is concerned — " to discuss the question of more honest and more efficient police administration."

Premier : If they are honest and efficient, where is the use of discussing them ?

Mr. Speaker : Has this motion anything to do with that item ?

Lala Duni Chand : The item relates to the general superintendence, and the question that I am raising under these two motions is perfectly relevant to that department.

Mr. Speaker : The honourable member ought to have given notice of a cut on the total demand. Personally I do not mind, but rules are rules.

Lala Duni Chand : I am perfectly within the rules to move the cut motion in order to raise the question connected with the work of superintendence. Whether you allow me to move the first motion or the second, it does not make any difference. If you consider the first motion out of order, I shall move the second.

Mir Maqbool Mahmood : The item which the honourable member seeks to reduce relates to the Inspector-General of Police and his establishment. It does not concern the superintendents of police and the other ranks.

Lala Duni Chand : The item relates to the salaries of the Inspector-General of Police, the Deputy Inspector-General of Police and their establishments. When I want to raise the question of more efficient and more honest administration of the Police Department, I can certainly raise it while discussing this item in the demand, because the Inspector-General of Police is the head of the Police Department and is therefore responsible for the efficient and honest administration of the department.

Mr. Speaker : I think there is some force in the honourable member's contention. Therefore, I allow him to move his second motion.

POLICE ADMINISTRATION.

Lala Duni Chand (Ambala and Simla, General, Rural): I beg to move—

That the item of Rs. 1,10,900 on account of total A.—Superintendence be reduced by Rs. 10.

In moving this motion, as I have said in the remarks to the motion, my object is to raise the question of more honest and more efficient administration of the Police Department. It was suggested by the Treasury benches sometime ago and particularly by the Honourable Premier, that we on this side of the House do not offer real co-operation. He has said more than once that if we offer co-operation to the Treasury benches they will be able to achieve a good deal. To-day we are going to offer whole-hearted co-operation to the Treasury benches. (*Hear, hear*). It has also been said that we do not offer constructive suggestions. I am going to lay constructive proposals to-day before the Treasury benches. Let me see how far the Treasury benches are going to respond to our spirit of co-operation and how far they are going to accept our constructive proposals.

I may say at the outset that I believe that the police organisation is the most important institution in this country for the protection of life and property of the people and for detecting crimes. I am not a believer in the nihilist theory that the time may come when there may be no necessity for any kind of authority. I believe that it is only by the proper exercise of authority that you can improve the conditions in the country. I submit that of all the police officers and ranks the constable is the most important man. I have got the greatest sympathy for him, because he is the most hard-worked and the least paid official in the department. My ideal of a police constable is the constable of London. (*Hear, hear*). I

wish that our police reached that standard of efficiency which is attained there. I know that the police constable in England is paid something like £5 to £8 a week. In our currency it will come to about Rs. 250 or Rs. 300 a month. I submit that one of the greatest defects in our police administration is that the disparity in the pay of the highest and the lowest paid official is very great. This is a department which is peculiarly officer-ridden. There are so many officers in this department; there are the assistant sub-inspectors, sub-inspectors, inspectors, deputy superintendents, superintendents and so on.

(At this stage one honourable member crossed the line between Mr. Speaker and the member in possession of the House.)

Mr. Speaker : More than once have I ruled from this Chair that honourable members should not cross the floor of the House irregularly, and that especially they should not cross the line between the Chair and the honourable member who is speaking. Therefore, I am very sorry to find that some honourable members commit this irregularity almost daily.

Lala Duni Chand : I suggest that the lowest pay of a police constable should be Rs. 80 and the highest Rs. 50. *(Hear, hear)*. If our rulers in England pay Rs. 250 and Rs. 300 for their constables, there is no reason why in the Punjab we should not pay one-eighth or even one-tenth of what is being paid to police constables in England. *(An honourable member : Compare the revenues in both countries)*. I submit that the disparity between the highest and the lowest paid official in the department is very great in this country. Now take the case of the Inspector General of Police. He gets, I think about Rs. 2,500 a month whereas a police constable gets not more than Rs. 15 or 20 a month. I want that such a great disparity in the pay of the various parts of the same official machinery should be done away with. I also want that acts of gallantry and heroism should be encouraged on the part of police officers. I have the greatest respect for the police constable who does his duty on the road and sometimes prevents the people from going the wrong way. I know that lot of rewards and pensions have been given to those people who have been working against the interests of the country. I know of cases where pensions have been given to people for working against the non-co-operation and civil disobedience movements. I know for a fact that pensions have been given to those people whose business it was to arrest people involved in political cases. I submit that this policy should completely be changed. Only those people should be rewarded with pensions who place their lives in danger in the cause of the province.

I submit that it was only a few years ago, not more than 10 or 15 years ago that the office of deputy superintendents of police was created. *(Cries of 'No, No')*. If any honourable member of Government can correct me, I am prepared to accept the correction.

Premier : They have been in office at least for the past twenty-eight years.

Lala Duni Chand : This cadre of deputy superintendents was created not more than twenty years ago.

Premier : It was created in 1909.

Lala Duni Chand : The number of inspectors of police was also much less than what it is now.

I submit that an increase of these officers has not brought about any corresponding improvement in the police administration. I would say :

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The more the department has been enlarged the more deteriorated it has become. I submit that it is a question for consideration of the Government, whether the Government really requires so many officers in this department ?

I also want to suggest that some police officers and constables should be sent to European countries, particularly to England (*"hear, hear"* from the *Treasury benches*) not only to seek training in Scotland Yard in scientific ways of detection of crimes, but also to learn the art of good manners and better treatment of the public.

Pir Akbar Ali : Why should not the honourable members of this House be sent to the House of Commons to learn the procedure there ?

Lala Duni Chand : I think there is no better man, who is entitled to go to the House of Commons, than the honourable member himself who has raised this point.

Mr. Speaker : Order, order.

Lala Duni Chand : Sir, I was placing before the House that it is necessary, in order to improve the police administration in this province, that certain number of policemen should be sent for training to England or to some other European countries.

I am sorry that I have to raise a question which ordinarily I should not have liked to raise. It is the question of proportional representation of different communities in the police service.

Mr. Speaker : As another honourable member has given notice of a motion to discuss proportionate representation of different communities in the police, I request the honourable member not to discuss it incidentally in discussing his motion.

Lala Duni Chand : I have no doubt that the question of proportional representation is perfectly relevant to the motion. But I may assure you that I do not want to give any unpleasant turn to this question. It is in the best interest of the Punjab that I am going to raise this question. The members of public services should forget to what religion or to what community they belong. (*"Hear, hear,"* from the *Opposition benches*). The time has not come when that will be the mentality of the Government servant to whatever community he might belong. My only reason for referring to this question is that this is one way of making the police administration more efficient. It is only for this reason that I want to raise this question.

Mr. Speaker : May I draw the honourable member's attention to motion No. 7 ?

Lala Duni Chand : I admit that there are other motions that also raise this question. But my point also is covered by this motion.

Mr. Speaker : I would request the honourable member to restrict his speech to his motion.

Lala Duni Chand : I respect the wishes of the Honourable Speaker. Therefore, I will no more refer to this aspect of the question.

The other question that I want to place before the House is the question of recruitment in police service. That is the most important question and it should be given serious thought by the Government. I know certain amount of improvement has been made in certain sections of the Police Department. (*"Hear, hear," from the Treasury benches*). I know recently some B.A., LL.Bs. have been recruited as court inspectors and assistant court inspectors. But it is not sufficient. I suggest that the power to make appointments should be taken away from the Inspector-General and Deputy Inspector-General and most of the appointments, for instance, the appointments of court inspectors, inspectors of police, deputy superintendents of police, etc., should be thrown open to competition. (*An honourable member*: There is the Public Service Commission). Yes, the Public Service Commission can be entrusted with this work. I submit, Sir, that so long as the question of appointments remains in the hands of the higher officers, the regrettable condition of things will continue. I do want that the best youngmen belonging to all communities should have their share in the police service. If it is necessary to fix any communal proportion, I have no objection to that. But what I want is that the best youngmen belonging to all the communities—I believe the best youngmen can be found in all communities in the province at present—should be recruited in this Department. It is only the influence of high-placed people that can secure appointments in the Police Department now. It is not the right man who can get the appointment. But what the country requires is that the persons, who cannot get support or backing of high-placed people, should have an equal chance to enter the police service. This is the most important question that I beg to place for the consideration of the Government. As regards certain sections of the police service, I want to say that some of them have become close preserves for certain communities, howsoever insignificant they might be. I submit that in view of the provincial autonomy that we are now enjoying according to the Treasury benches—there is no reason why Indians should not be recruited more and more in the Police Department. Capable Indians can be found in any numbers, who can efficiently serve the Police Department. I know that high posts are filled by Europeans and Anglo-Indians. I do invite the attention of the Government to this state of things. It is essential that the standard of police administration should be raised all round by improving conditions of recruitment and by raising smaller ranks of the police. I have no objection if the head constables, assistant sub-inspectors and sub-inspectors of police get more pay than they are getting now, but what I object to is that the inspectors of police and the deputy superintendents are absolutely unnecessary. They should be done away with and the number of sub-inspectors also reduced. These are the suggestions that I have made. I hope these suggestions will be acted upon by the Government and something will be done in that direction.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 1,10,900 on account of Total A—Superintendence be reduced by Rs. 10.

Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural) : Sir, I will first bring it to the notice of the House through you that we should bear in mind and particularly remember the various difficulties which stood in our way during the various stages when the question of transfer of law and order was under consideration. I do not think that I will be divulging any secret if I state to-day on the floor of this House that sometimes recommendations had been made by provincial Governments to the Central Government and even to the higher authorities that before law and order could be transferred His Majesty's Government should think twice as to various conditions prevailing in the different provinces of this great country. It was after very mature deliberation that it was finally decided that even this most important subject should be transferred and that there should be full provincial autonomy in the sense in which that word is used to-day. Before they criticise any action of the present Government in respect of law and order, therefore, I think honourable members opposite should wait and see as to what the present Government is doing, what steps the Government will take to deal with this most important subject, because it is only two or three months back, as the House conceded the other day, that the new Government have taken the reins of Government in their hands. Therefore, the Opposition is in a way pre-judging the case of the present Government.

Mr. Speaker : The honourable member is not relevant. The honourable mover, who moved the cut, has not criticised the present Government. He has only made certain suggestions to improve the efficiency and honesty of the department.

Khan Sahib Chaudhri Riasat Ali : In certain ways he did find fault with the present Government. I am glad to hear that the mover admits that the police is a wall of defence between the public and various menaces of the present day. He has made no doubt certain practical suggestions and constructive proposals. But I must tell him the practical difficulties in the way of carrying out those suggestions. His first demand was that he wants an increase in the pay of the constable. I am glad that he being a Congressman has behaved in a way to-day which justifies the following quotation—

اس چمن کے رهنے والو بون گذارہ چاهئے
بانگدان بھری خوش رہے راضی رہے صیاد بھری

He has suggested even the police force should get something more in the way of emoluments as compared with other departments. He suggested that a constable should get a pay of between Rs. 30 and 50. Now the number of constables as it stood on the 1st January, 1937, is 17,781. Following the argument advanced by the honourable Revenue Member at the time when the suggestion for the increase of pay of the patwari by Rs. 5 was made, the increase of pay in the case of constables by Rs. 2 will amount to no less than 3 lakhs. (*An honourable member* : 10 lakhs). I do not know enough mathematics being a Muslim.

Dr. Gopi Chand Bhargava : I think the honourable member has passed such a remark against all the Muslims that he should withdraw it. (*Honourable members* : "Withdraw, withdraw.")

Khan Sahib Chaudhri Riasat Ali : I did not mean anything serious but I withdraw it. I think the constables get Rs. 18 and after about 10 or 12 years they get into the selection grade and get an increase of Re. 1 and after 5 years another increment of Re. 1. If the pay is increased to such a high level as suggested by my honourable friend, the total increase will come to several lakhs. Taking into consideration the various items in the budget, it will be difficult to find money for this extra expenditure. The honourable member should remember that during this year we have to make expenditure to a great extent which is termed new expenditure. He must remember that we have to spend 60 lakhs on the Haveli Project ; we have to spend 20 lakhs more for the beneficent departments ; we have to spend Rs. 3,20,000 for the new industrial exhibition. We have to spend one lakh more under the State Aid to Industries Act and 9½ lakhs more for the new civil works. Then under the general administration, we have to spend Rs. 1,85,000 for the Public Service Commission; Rs. 91,000 for the Election Petitions Enquiry Commission, and 50,000 more on the Parliamentary Secretaries which means that this year at least we cannot afford to make an increase in the pay of the constables as suggested by the honourable member. Again, the Government wants to do so many other things, for instance, they want to have a nation building programme for the advancement of this province. Again members want new roads, new colleges to be established, more grants to local bodies, more hospitals and so on. When we have this programme in view it is very difficult for the Government of the day to incur this additional expenditure at this time as suggested by my honourable friend.

So far as the question of reducing the number of inspectors and deputy superintendents is concerned, in the first place the honourable member must remember, that the number of inspectors has already been reduced. Formerly there were circle inspectors and there were two or three circles at least in each district. Some years ago there was one inspector at least in each tahsil. A reduction has been made and there is only one inspector now for the purpose of investigation in each district who is called headquarters inspector. Sufficient reduction in this direction has already been made with due reference to the efficiency of the administration. So far as the reduction of deputy superintendents is concerned, we must remember that the present Government has already appointed a Retrenchment Committee and the special terms of reference of that committee are that it has to see whether in any particular case there is over-lapping of activities or duplication of functions of the various officers and after their report is received by the Government, surely all the departments will be reorganised, if necessary, according to the terms of the report. It is more practical for the honourable member to give his evidence before that committee or send any representation to that committee or request any other gentleman on his behalf to make practical suggestions and constructive proposals before that committee, so that the committee might act in the light of those suggestions. Thus a more effective remedy will be secured.

Now, Sir, a reference has already been made that the number of assistant sub-inspectors and head constables has been increased. Their number is not so much increased, but their efficiency has certainly been improved. There was a suggestion made when the last Council was considering the new Criminal Law Amendment Bill—new at that time. Amendments were

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tabled to the effect that assistant sub-inspectors should be provided in place of head constables to perform the functions involving the conducting of searches in various houses. The assistant sub-inspectors as we all know are graduates or double graduates as direct recruitment of sub-inspectors is not made in these days.

It is the assistant sub-inspector who after having practical experience and after doing practical work in various branches of the administration becomes sub-inspector. So we have got in place of the poorly educated, and hardly literate head constable, the assistant sub-inspectors who are undergraduates and graduates. My argument is that the number has not been increased, but rather the efficiency of the department has been increased.

Another argument so far as the increase in the number is concerned, is that circumstances do sometimes arise, contingencies do sometimes arise which justify the increase in the number of the police. I do not want to refer to them in detail, but sometimes, for example, in the case of the additional police the Government wanted to get rid of additional police, but on account of certain unfortunate happenings somewhere in the province, I do not want to refer to them particularly, it was necessary for the Government to continue that force in its service for a further period. I do not know the exact number of years and months for which it has been retained, but it has been thought fit in order to maintain the peace and tranquillity of the province that these people should go on. In some cases in the district administration there have been increase of thanas and chaukis. The reason for that also is not far to seek. It is not in any way the fault of the present Government that they have increased the police. As I have said circumstances have arisen in those distant quarters in some districts which justify the creation of another police chauki or police station. The number of crimes in some cases has also risen particularly at long distances which cannot be controlled from a particular police station, and where the villages are situated at a radius of more than 12 miles : it is, of course, very difficult to reach the place of occurrence in a good conveyance in time which must be sufficient to help in the suppression of crime. So there have been reasons for the increase in the number of the police force.

Another point raised by the honourable member was the method of recruitment. This has been discussed on many occasions on many cut motions, and there has always been a controversy over the matter of recruitment by competition *versus* other considerations. I think it will be more properly met by the head of the Government on this side of the House, who will explain the situation why competition in some cases has not been made the basis for recruitment of services. I might only remark that in such services as the police service, which is surely a semi-military service, there are other considerations which must be weighed. People who belong to martial or semi-martial races, of course, must be given preference in some respects to those people who can only cram books and are able to write good essays. These things might count in other departments. This department needs bravery, valour and other out of door action. I do not say that any particular community is backward in this respect, but there might be individuals who might not come up to the standard required for the maintenance of law

and order in the province. Again there might be people who might not be considered fit merely on the consideration that they belonged to a particular school of thought, and who might not be quite fit persons to be employed in the police service.

As I have said, Sir, I want only to make general remarks in this direction. There are people, Sir, who think of joining the police or the military, but some of them only run away if they hear a shriek from a cluster of trees, during the night in fear of imaginary ghosts. I do not refer to any particular community, but we must eliminate such persons. People in the police have to deal with riots, big processions and contingencies do arise where firing is justified. For all these reasons competition alone is not a thing which should justify their selection. I think everybody here remembers the words of our Honourable Chief Justice who sometime back said that if competition alone was the thing to effect recruitment of the people, the people of the Punjab would not have found him at the head of the judicial administration. This does not mean that efficiency does not count, but there are other things which govern and which must be given sufficient regard when making appointments in military and semi-military departments. I think, Sir, I have dealt at sufficient length with the arguments which were advanced by my learned friend. With these words I oppose the motion.

Chaudhri Muhammad Hassan (Ludhiana, Muhammadan, Rural) : Sir, it is with great hesitation but with full sense of responsibility that I would like to say something in support of this cut motion. I think there is an identical motion standing in my name, No. 27, in to-day's agenda. We have been assured by the Government on that side that everything will be done for the people of this province, but the present Government has to show, as far as this department is concerned, as to what they have done in order to eradicate corruption from this department in particular. The prosperity of every country and every province depends much upon the honesty and the efficiency that is displayed by this department especially. Now, Sir, it will not be out of place if I place specific instances of corruption so far as my district is concerned because as the proverb goes :

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It will give you an idea how the police department is functioning in the whole province. In my constituency you will notice, Sir, and I bring to the notice of the Government through you, that several complaints are pending against high police officers, subordinate police officers. In those complaints there are also insinuations against police officers of higher rank. The head of the police department in the province, I do not think, has moved in the matter, and this matter as a matter of fact was of primary concern. I find that complaints were instituted against police officers in my constituency in court. I do not know under what circumstances and how and under what pressure they were withdrawn. I find, Sir, at this particular hour in Jagraon thana alone there are several complaints of the people against the Sub-Inspector and the Assistant Sub-Inspector, which I am aware have been enquired into by a gazetted officer. I do not know how and in what manner the Government will deal with those officers or whether they are to be dealt with departmentally. I do not know how my learned friend just now said that

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we should wait and see that this Government does something towards improvement in this department as this Government has assumed office only three months ago. There was no time to deal properly and effectively with these evils. He pleaded that Government have not had sufficient time to look into these matters. With due deference to him, Sir, I venture to suggest that Government should have devoted attention particularly to this department as soon as they assumed office, because if this department is not free from corruption, and if honest and efficient police officers are not encouraged, and dishonest police officers are not discouraged, I am perfectly sure everything will come to a standstill.

The people of the province will have no faith in this Government as well as their representatives. I know of an instance when a deputation wanted to have an interview with the Inspector-General of Police. Some officer, some public servant refused time on the ground that the Inspector-General had no time. It is not very creditable to the department or to the particular officer concerned. I do not know his definite designation. Probably he was a personal assistant or the Assistant Inspector-General, as he is now called. He probably did not like that the deputationists should cite the instances of corruption or inefficiency against a brother officer of his. Therefore he refused to arrange for the interview. If this can happen in the case of a deputation of responsible persons, what will happen in the case of an illiterate zamindar who has got a complaint against a police officer and who, if he comes to Simla or goes to Lahore, finds that he has not been able to obtain time and that the state of affairs in the office of the Inspector-General, does not permit time to be given to him. The police officer after getting information that the man went to Simla or Lahore, but could not get time for an interview with the Inspector-General does everything that is in his power against the man. He is challaned under every section of the Indian Penal Code and his case is put before the courts and knowing as we do that the magistracy these days is under the thumb of the police, the poor man has little chance of an acquittal. I find that there is no denial of the fact that such man is very much harrassed.

Premier : There is a denial of that allegation.

Chaudhri Muhammad Hassan : I know it is so easy to deny on the floor of this House, but I request the Premier to go to my district and see what is happening there. He should not make any statement without making an enquiry into the allegations that I am making on the floor of this House at the door of the Police Department. It is not proper for any honourable member in this House to come forward and challenge any statement which they have not verified.

Premier : These are allegations which I must deny.

Chaudhri Muhammad Hassan : Honourable Premier has denied these facts, I hope in future we shall have no such complaints against the police and I know that the Honourable Premier as soon as he is free from this business, will run up to Ludhiana and find for himself as to how many police officers are under suspension and against how many of them complaints are pending in courts and before their officers. I was just submitting that the state of affairs, so far as the police is concerned in my district is an open

scandal. Corruption does not mean only acceptance of money for discharging a duty or refraining from discharging a duty imposed by law. It also means that on account of undue influence the officer should get things done, for example, in my district I find that several relations of the Superintendent of Police have been recruited in the Police Department as constables and complaints have reached the Deputy Inspector-General and the Inspector-General and I do not know as to what has been done in that particular matter. I find that the Deputy Inspector-General and the Inspector-General run up to districts, inspect the *thanas* and afford no opportunity to the public to come into contact with them and to get redress of their grievances against the department, and therefore, it is not possible for anyone to reform the police even by this Government. They do not issue special instructions to these inspecting officers to go to villages and find out for themselves what the police in each district is doing and how it is functioning. I know of an instance where a large number of people waited upon the Inspector-General of Police when he visited Ludhiana. Somehow or other it reached the ears of the Superintendent of Police and he arranged another deputation consisting of about 500 people all *zaildars*, *lambardars*, honorary magistrates, title holders and retired Deputy Superintendents of Police and they told the Inspector-General that these few congressmen and political agitators who have brought to your notice defects of the police administration should not be cared for. On this account the Inspector-General rejected the suggestions made by the deputationists. He did not inquire into these complaints and did not care to redress the grievances of the people who had waited on him and had spent and wasted their time. No reform is possible in these circumstances. I know of another instance of a zamindar in dirty clothes who went to the Assistant Inspector-General with the request that he may be granted an interview with the Inspector-General because he had to make serious allegations against the Superintendent of Police. The answer was that the man should go to the Deputy Inspector-General. I ask, is that fair? Were the Assistant Inspector-General, or Inspector-General doing their duty? Was it not the primary duty of every public servant in the Police Department to afford an opportunity to the people to lay their grievances before them and to see that these are redressed? It was most improper on the part of the public servant and as long as that Personal Assistant exists, as long as that officer is there, I am sure it is absolutely impossible to obtain any redress and obtain any promise from the Government that they will try to eradicate corruption and improve the efficiency of the Police Department. I know that in my district contracts by district boards and municipalities are granted to the near relations of the Superintendent of Police simply because undue pressure is brought to bear upon the persons concerned, and in order to save themselves from undue trouble and false cases, they give these contracts. The primary consideration of any civilized government should be to improve the efficiency of the Police Department. I regret that in spite of so many assurances from the Government and from the Honourable Ministers it has not been possible for this Government, for the present Government which is alleged to be for the people by the people and of the people to take any step towards the improving of the police administration. If I were to quote instances, I think I have about 51 of them in which it has been held by departmental enquiries by gazetted officers that there appears to be grounds to suspect that the policeman or the officer has accepted bribe, but only because

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there was no sufficient evidence, therefore it has not been deemed proper to either send the man's case for judicial enquiry or for any departmental action. Is it fair? Is the Government going to put up with such things? if the Government is going to put up with such things it cannot be a government of the people by the people for the people.

✓ As my learned friend just now remarked, it is Government of a few ministers, a few secretaries and a few government servants who are the champions of the Police Department. I do not dispute the methods that have been suggested by my learned friend about the improvement in recruitment of the Police Department. The only question is whether these suggestions which have been submitted by my learned friend just now, will be sufficient in themselves to be adopted by this Government or in the light of criticism that is made by different members that the Honourable Premier being in charge of law and order will consider as to what to do with the present state of affairs existing in the Police Department. I know of a case which was pending in the court of the Additional District Magistrate, Ludhiana, against a Sub-Inspector of Police. For want of proof the case was dismissed but that police officer, after having been summoned to the police lines, has been reposted to one of the most important stations in Ludhiana District. I am very much pleased to note that there is a circular of the Government that if any five respectable men give an application for an enquiry against the conduct of a police officer, an enquiry will be instituted. But the question here is the criterion of respect as to whether the Government will consider an ordinary zamindar as a respectable person (*Premier*: Why not,) or the Government servants as respectable persons. I know that ordinary zamindars with no particular service to the Police Department by way of supplying information or assisting the police in perpetrating different kinds of crime and the grievances of the people of the ilaqa are neither heard nor redressed. That circular exists on paper only. It is not given effect to.

Premier : Can the honourable member give any instance?

Chaudhri Muhammad Hassan : I shall furnish information to the Honourable Premier at the proper time. I have not yet concluded my speech. I will do it towards the conclusion even at the risk of being prosecuted.

Chaudhri Krishna Gopal Dutt : Being prosecuted?

Chaudhri Muhammad Hassan : I was submitting that the police administration, so far as my district is concerned, is going from bad to worse (*Voices from Opposition Benches* : It is the same all over.) The honourable members can say that it is the same all over on their own authority. I will not say anything against the police officers of other districts because I have not got data of other districts. I have got instances so far as my district is concerned. If a person gives an application against a police officer, surely there must be something about it. If the reputation of a police officer is bad, it is necessary for the Government to institute an enquiry as soon as they get a complaint from five people of a particular village in a particular ilaqa. Another thing that appears in the circular is the term "disinterested persons". I have not been able to follow what the Government means by 'disinterested persons'.

Premier : Any person who is not disgruntled himself.

Chaudhri Muhammad Hassan : If you find some fault with the police officer and you make a complaint, you are considered as an interested person when it is found that on a certain occasion you found fault with the police officer, and the application is either dismissed or filed after a departmental enquiry. What I understand by 'disinterested' is that he himself is not a victim of the police tyranny. So far as a man is not involved in a case, or he has not found fault with the police or has not forwarded a case of his constituents and voters, he is not an interested person. He is as good a disinterested person as any other.

Premier : I entirely agree with the honourable member .

Chaudhri Muhammad Hassan : I wish the Honourable Premier had agreed with me on all the points.

Premier : No.

Chaudhri Muhammad Hassan : I will now quote particular instances for example. A complaint for corruption was filed in the court of District Magistrate, Ludhiana, against the Sub-Inspector of Sidhwan Police Station. The complaint was made over to another magistrate in the district. The magistrate under some circumstances—I do not know what those circumstances were—had to allow a compromise. Most probably it must have been with the connivance of the Superintendent of Police.

Premier : I am afraid the honourable member is making allegations and insinuations in a vague and sweeping manner. I request him not to do so. He has made insinuations against a magistrate, against a deputy commissioner and a superintendent of police and then he says that these are the concrete cases.

Chaudhri Muhammad Hassan : I just wanted to satisfy the Honourable Premier that every case that would be quoted by me would be supported by instances. I did not make any allegation against the trial magistrate. I made specific allegations—of course with full responsibility—against the District Magistrate, and the Superintendent of Police, Ludhiana.

Chaudhri Krishna Gopal Dutt : He is doing this at great risk.

Premier : Not in this House. It will be risky if he does so outside the House.

Chaudhri Muhammad Hassan : I have done this outside also. There are complaints pending with regard to certain cases. I will not touch those matters because they are before judicial officers.

Mr. Speaker : The honourable member can speak according to the Punjab Legislative Assembly Rules and not otherwise. I would, therefore request him to continue in that spirit.

Chaudhri Muhammad Hassan : Without challenging the authority of the Honourable Speaker, I think that I am perfectly within my rights when I quote specific instances with a view to prove my case. If I were to say that the general administration of the Police Department is bad, you will not agree with me. I must quote specific instances in support of my contention that the entire administration, so far as the Police Department is concerned, is rotten. I am bound by the ruling of the Honourable Speaker, but I request that I might be allowed to quote specific instances.

Raja Ghazanfar Ali Khan : Give names as well.

Chaudhri Muhammad Hassan : There is no defamation. I am not making this speech with a view to lower the reputation of any official.

Mr. Speaker : Is it not defamation to say that a particular sub-inspector, superintendent of police or district magistrate is corrupt? If this is not defamatory, I do not know what else can be defamatory? The honourable members have the privilege of freedom of speech, subject to the rules in force. May I invite the attention of the honourable members to Rule 29 (1) and Rule 29 (2) (v) on page 16 of the *interim* rules (Punjab Legislative Assembly Rules and Standing Orders). The rules read as follows :—

29. (1) The matter of every speech shall be strictly relevant to the matter before the Assembly.

(2) A member while speaking shall not—

(v) utter treasonable, seditious or defamatory words.

i.e., defamatory of anybody whether in or out of this House.

Sardar Sampuran Singh : He can just interpret for himself what is defamatory and what is not. It is for the Honourable Speaker himself to judge because hereafter he shall not be protected.

Dr. Sir Gokul Chand Narang : May I just say a word on this point as the matter is of great importance and I should like a definite ruling from the Chair. I am not concerned with what the honourable member from Ludhiana has been saying. I do not take responsibility for that, for, he has expressly taken responsibility for it, but the question is whether it is defamatory to say anything against a particular individual, an officer of the Government or an institution under the control of the Government, with a view to secure redress from the Government (*Hear, hear*). One essential element of defamation, as I understand, is malice and unless there is an element of malice in any statement made on the floor of the House, it is not defamatory. If the object of giving expression to what one knows about any particular officer or about any particular institution under the control of Government is to secure reform and redress, I would submit, apart from this individual case for which I have said already that I take no responsibility, it is not defamatory to draw attention of the Government to any abuse which comes to the notice of any member of this House, relating to an institution or a particular officer.

At this stage the Assembly adjourned for Lunch.

The Assembly re-assembled at 2 P.M. Mr. Speaker in the Chair.

Chaudhri Muhammad Hassan : I was quoting instances in support of my contention that the police administration is going from bad to worse. One more specific instance I will give and through you I want to invite the attention of the Honourable Premier that he will have to deal with this semi-military department in a military manner, and I am glad that our Premier is an Honorary Major of some Regiment, he will have to strictly deal with this department. I know of a case *Crown versus Hukmi* in which a retired police officer was suspected to have beaten a man. There were 26 injuries on the person of the injured man. He was arrested and challaned under

section 109 and ultimately the man died in hospital. The widow of the injured made a complaint to the Superintendent of Police. Nothing was done. She instituted a complaint in a magistrate's court. The case was taken up. It was committed to the Sessions Court. It was ultimately decided by the High Court and it was held and found specifically that injuries that were inflicted on the person of this man Hukmi were inflicted in the manner alleged in the complaint by the widow. (*A voice* : Which year ?) In the year 1935. I might mention that the case was decided in the High Court in 1936. So far no action has been taken against the police officers concerned by the Superintendent of Police. Perhaps the case has not come to the notice of the present Punjab Government.

Premier : Is this a Ludhiana district case ?

Chaudhri Muhammad Hassan : Yes. The Punjab Government is not so wide awake that such a case in which merciless beating was given to one of the residents of that district has not come to the notice of the Government.

Premier : May I request the honourable member to provide me with a copy of the judgment or give me definite indication with regard to the case.

Chaudhri Muhammad Hassan : Certainly. This alone is a fact which if the Punjab Government takes into consideration, it should not feel elated on what it has done so far since the assumption of office. (*A voice* : For something which was done in 1935 ?) The case was ultimately decided in 1936, but so far nothing has been done by the present Government. (*A voice* : It might have been done by the old Government.)

Premier : It might have escaped the honourable member's notice.

Chaudhri Muhammad Hassan : Here is another instance of Simla. A sub-inspector of police challaned a person under section 451 under the very nose of the Punjab Government, simply because he was playing a gramophone at 12-30 and a man remonstrated with him as his wife was ill. The next day a carpenter was playing his gramophone in the day. The same man remonstrated with the carpenter. The sub-inspector challaned him for having trespassed in the house of the carpenter to ask him to cease playing on the gramophone.

Mr. Speaker : What about the 451 case ?

Chaudhri Muhammad Hassan : It must be pending, but I have made no reference to that.

Mr. Speaker : But the honourable member has made serious allegations.

Chaudhri Muhammad Hassan : So far as my information goes, it is reliable.

Premier : But I have thought that my honourable friend opposite definitely asserted that the sub-inspector had challaned this man *mala-fide*.

Mr. Speaker : Is the matter pending before a court of law ?

Chaudhri Muhammad Hassan : I do not know. There are several other allegations of cases under section 109, which I can quote in support

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of the argument that the police administration is not working satisfactorily in the whole of the province.

Look at the inconsistency of the Punjab Government. They have fixed Rs. 15 for an assistant sub-inspector to maintain a horse and Rs. 30 for a sub-inspector for maintaining a horse of the same kind. I do not understand how this position is consistent. An assistant sub-Inspector who is ordered to maintain a horse naturally will require the same allowance so far as the feeding of the horse is concerned, as a sub-inspector would do, and I know that the Punjab Government instead of increasing the pay of the lower ranks of the Police Department, is increasing the pay of those who are holding offices in the Provincial and Indian Police ranks.

There are several instances I know of. One is of Balabgarh in the Gurgaon district. There Rup Lal Mehta's sister was harassed. In Dalhousie Dr. Dharamvir at the time he was going to receive Miss Mira Ben (Miss Slade) was maltreated and molested by the police at Dalhousie.

There are several other instances which are sufficient to condemn the Police Department so far as this province is concerned. One of my honourable friends reminded me that it might be possible to withdraw the protection which as a matter of right is claimed by honourable members of this House so that they might not be ill-treated or falsely implicated in any case. I may assure the House that I do not care for such protection because anything that I say I say on personal authority after having ascertained from my voters and constituents and after making due enquiries into those matters. I know of a case where there was a general complaint of corruption against a sub-inspector of police. The police authorities instead of taking action against the sub-inspector were pleased to reward him by promoting him to officiate as inspector of police. I do not know the reason why it was done. This case must be within the knowledge of the Inspector-General of Police or the Superintendent of Police of the district. There are several instances in my district where corruption is rampant so much so that even the man in the street talks about it. I, therefore, suggest to the Government that some drastic action is necessary in this matter. If I suggest any drastic action it may not be acceptable to the Treasury benches. Simply on the score that we are Congress men the police authorities will not care for our suggestions. They will not care to make enquiries into our allegations.

Premier : That is not correct under the new regime.

Chaudhri Muhammad Hassan : I am talking about the new regime and not of the old regime, because I was not a member under the old regime.

Now, I turn to the reply of my honourable friend, the Premier. I personally wrote a letter to the Deputy Inspector-General of Police, Eastern Range, in order to discuss the police administration. What I was required to do was that I must specifically say on what particular matter I wanted to discuss. I could not afford to do that, because I knew that the matter would leak out and that persons who made allegations to me would not come forward to substantiate their allegations for fear of the local police. It would be all-right if a disinterested person, some judicial officer or some

non-official is employed to make the enquiries, and see the result. The Honourable Premier will not have much to say in defence of his department. (*An honourable member* : You made a mistake.) Yes, I realise it only now. Had the honourable member been with me then, I might not have committed the mistake.

Majority of the members of this House are aware of the ways of the police. We experience what great inconvenience the villagers are put to by the police, particularly when the villagers happen to displease the police. *Begar* is taken by the police from everybody whom they think proper to take *begar* from. Lambardars and zaildars instead of proving of assistance to the public often prove engines of tyranny to the villagers. These are matters to which I want to draw the particular attention of the Honourable Premier of the Punjab Government. I, therefore, vehemently oppose the suggestion that this cut motion should be thrown out. Rather I heartily support the motion moved by my honourable friend, Lala Duni Chand. (*Cheers.*)

Sardar Sahib Sardar Ujjal Singh (Western Towns, Sikh, Urban) : Allow me to congratulate the honourable member from Ambala for the very moderate tone, and if I may say so, responsible tone of his speech. (*Hear, hear.*) This is probably due to the fact that he realises the spirit and significance of the change which the provincial autonomy means. The police in the past were regarded as agents of oppression acting on behalf of a foreign Government. They are no longer so when the whole sphere of law and order is entrusted to the care of a minister who is responsible to the this honourable House. (*Hear, hear.*) The primary function of the police force is to preserve peace and tranquillity in the country without which no progress, either cultural or economic is possible. In every free country the policemen are looked upon for protection of life and property and honour of citizens. (*Hear, hear.*) It is on this account that the police are rather respected than dreaded. I admit that the old mentality of the police in their behaviour towards the public and the hostile attitude of the public towards the police has yet to change and it will take some time. The police has been charged with acts of commission and omission and in some cases rightly too. But it must be admitted that in spite of all that has been said against the police, the police still maintain a high standard of discipline and have shown courage and resourcefulness in coping with riots and disturbances (*hear, hear*), and crimes of a serious nature. (*An honourable member* : No.)

My honourable friend from Ambala made two or three constructive suggestions from his point of view. He and the honourable member for Ludhiana stated that the constables are being paid very low salary. I believe there is no one in the House who is not in sympathy with the constables or with the sentiments expressed by these honourable friends. The only point which they have not studied is the figure. When the honourable member from Ambala suggested that the pay of a constable should be raised to about Rs. 30 or even Rs. 50, he did not calculate what the extra cost would come to. If he had calculated the figures he would not have made a proposal of that kind. According to his proposal the pay of each constable would be increased by about Rs. 20 and the number of constables and head constables which my honourable friend ought to know is 21,000.

Lala Duni Chand : The number is 17,000.

Sardar Sahib Sardar Ujjal Singh : You have not included the number of head constables. There are 17,781 constables and 3,000 head constables, who are paid Rs. 30 per month. Now, Sir, if the salary of constables is raised by Rs. 20 the expenditure of the province would rise by not less than Rs. 50 lakhs or so. I do not know how and where this money is to come from. Then it must be taken into consideration that it is not only the low-paid constables whose salaries have to be raised, but along with them there are low-paid teachers and patwaris, for whom the other day most of the honourable members on the other side of the House pleaded. If you are going to raise the salaries of all these low-paid men, you will have to provide not only 50 lakhs but in all about one and a half or two crores of rupees. (*"Hear, hear" from the Treasury benches*). I think, Sir, that it will be the duty of the Government to raise the salaries of these low paid officials whenever financial conditions permit.

The second point that my honourable friend from Ludhiana raised was the question of corruption in police ranks.

Lala Duni Chand : May I inform the honourable member that if he will calculate the pay of the constables and head constables at Rs. 40 per mensem the total will come to only Rs. 8 lakhs.

Premier : If my honourable friend multiplies 8 lakhs by 12, he will get 96 lakhs.

Sardar Sahib Sardar Ujjal Singh : My honourable friend still requires to learn the multiplication table. (*Laughter.*) My honourable friend from Ludhiana put up a list of charges against police officials in his own district. I am not aware of these charges, but I agree that there is a certain amount of corruption in police; and it is not only in police, but we have got to admit with shame that corruption exists in other departments also. (*"Hear, hear" from the Opposition.*) Wherever there is power certain amount of corruption is likely to arise in and corruption, if I may say so, has not been totally eradicated in any country in the world. I must say that every effort should be made to root out corruption, not only in the police forces, but in all departments. I must here state with certain satisfaction that in the High Court and judicial departments the Honourable Chief Justice has taken very strong measures and with certain amount of success. I believe that equally strong measures will be taken to eradicate corruption in police and other departments. I do not under-value the action taken from time to time by the heads of departments and particularly by the Police department in this matter. Sir, I have in my hands a police report for the year 1934 and I find that action has been taken against no less than 800 men and officials. About 175 officials and men were dismissed and minor departmental punishments were given to 620 men. I know that this is not sufficient to root out corruption; but the Government is doing and, I think, the new Government will do all in their power to eradicate corruption in all departments. (*Hear, hear.*) My honourable friend from Ludhiana gave a list of charges of those acts of high-handedness and of corruption. I am not aware of those charges. but if those charges are correct and if the honourable member takes responsibility for the

accuracy, I think, the Honourable Premier and his Government will not shirk the responsibility of making enquiry into those charges. (*Hear, hear*).

Sir, my honourable friend from Ambala made a suggestion that Government ought to send one or two officers to London for training in police methods of detecting crimes. (*Lala Duni Chand* : A dozen at least). A dozen. I am not going to oppose him. I agree and sympathise with the sentiments of my honourable friend in this matter. We are trying to follow English methods in our Parliament, in our rules and procedure and everywhere. I think the London Police is the envy of the whole world and the Government would be well-advised to follow the model of London police. I do not know whether the Government would like to send its officers there or the Government would have one or two London policemen sent from London for giving training in the Phillaur training school to police officers. I do not wish to take more time of the House, but I do feel that there must be a re-orientation, not only in the police methods of detecting crimes and dealing with criminals but also a change of attitude of the public towards the police, (*"hear, hear" from the Treasury benches*), and if that change is brought about, which I am sure will be brought about, in course of time, then the day is not far off when the policemen will be looked upon with respect for the protection and honour of the people of this country. I believe, Sir, after having made constructive suggestions, which the Government is prepared to listen to and welcome, the honourable member will be well-advised to withdraw his cut motion. (*Cheers*).

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : Sir, I had no intention to speak on this cut motion, but owing to a peculiar set of circumstances and in view of certain letters that I received this morning from my constituency, I felt the necessity of expressing my susceptibilities about the police administration. Before I do that I would like to assure the Honourable Premier that whatever I say will not be out of any malice towards the police. Although I am a Congress-man I have quite a number of friends who are in the police department and I know that there are quite a few in the police department who are really honest and good gentlemen. But we have to take into account the general police administration and if I say anything against the working of the police administration in our province, it will not be with a view to condemn any particular individual — the Honourable Premier or the Inspector General or the Deputy Inspector-General. It will be a criticism levelled against the police administration as a whole, so that the Honourable Premier, in the light of that criticism, may try to effect reforms. It is acknowledged on all hands that the police is one of the most important departments of the Government on which depends the safety of the people as well as the safety of the State.

In fact one cannot imagine a State without a police, unless of course human nature, which is dominated even to-day by animal nature, is transferred into an angelic nature — culminating in the materialism of that utopian ideal of anarchical form of society in which there is no need for a Government. The present is not the occasion to discuss the metaphysical or the biological theories on the subject, that is to say, whether the process of evolution is leading mankind towards the superman — may

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be Nietzsche's Superman or Bernard Shaw's Superman. Society as it is constituted to-day will remain so for the next thousands of years and will continue to require the services of the police. I have said all that in order to bring home to the Government the importance of the subject. Certain factors into the details of which I am not prepared to go at present and which are quite well known to the honourable members of this House have made this subject more important to-day in our country and I believe that great responsibility rests on the shoulders of the Provincial Governments in tackling these difficult questions very tactfully, sometimes cautiously and sometimes boldly. Let me carry the honourable members of this House on the wings of imagination to that period of their life called the babyhood or even boyhood. Whenever they refused to take milk or medicine, or whenever they were refractory or mischievous, they were terrorised into submissiveness by their parents, by being reminded of the fact that the policeman was at hand. Such is the terror associated with the word 'police'. Few will deny that this state of affairs is as good to-day as it was then. I dare say without fear of contradiction that amongst the police of all the civilised countries of the world, the Indian Police is most inefficient, corrupt and tyrannical. I am making no irresponsible statement. I know what I am saying and I mean what I am saying. As most of the honourable members know, I have travelled far and wide. I have been twice to Europe and America. I have seen things for myself and that only very recently. Even last year I was in Europe and America and there I saw things for myself. I may tell the House that 14 years ago when I read that wonderful book of Dicey, the Law of English Constitution, which graphically describes the Rule of Law in England, I could not believe then that that account was a faithful reproduction of the actual state of affairs in England. But when I went there and saw things for myself, I was convinced the every word that Dicey wrote then was literally true even to-day. Sir, from my knowledge I speak. Therefore I said that I was making no irresponsible statement. I am therefore in a position to say that there is no comparison whatsoever between the police in the United Kingdom and the police in our country—the one is so benevolent; the other is so truculent, the one is so honest and incorruptible, the other so knavish and unscrupulous (*cheers*). The policeman in England considers himself as a servant of the people, while here in our country the policeman considers himself the master of the people.

Sir, our Press bristles with the most horrible reports of excesses committed by the police. Even the High Court in the Punjab has, on several occasions, passed severe strictures against the methods and conduct of the police. The brutal treatment of the police towards the public and their fiendish habit of cooking prosecution stories and the torturous manner in which they try to extract the so-called confessions from the accused are all well known to every honourable member of this House. While conditions in this respect are undoubtedly deplorable in the towns, it is in the small towns and in the villages, that the poor people suffer terribly at the hands of the police, and the Unionist Government which claims to represent the villagers, and the poor people, should take note of this terrible state of affairs. I am really surprised that every time a member of the other side

gets up, he considers it his duty to defend the police. It is not a question of defending the police. It is not a question of even criticising the police. The question is of actual facts. Every member of this House, whether Congressite or Unionist, knows that the police is not fair, that the police is corrupt, that the police is tyrannical and yet when we move this cut motion before the House, honourable members opposite get up and say, it is for the people to behave and it is for the public to offer co-operation to the police and so on. I do not expect the Honourable Premier to get up and dance to the tune of the Honourable Finance Minister who the other day advocated the policy of *laissez-faire* in the matter of development of industries and the eradication of unemployment. I do not expect the Honourable Premier to get up and say that it is for the people to do this and do that. Our duty is to bring these matters to the notice of the Government and it is for the Government, which is all powerful now-a-days, to attend to them. The conception of state that is being followed in this House, I am afraid, is medieval; it is not modern; it is not rational. Whenever we bring in questions of improvement, any question of reform, we are told it is to be done by individual effort, it is by private enterprise, it is by self-effort that we can do these things. No, I do not agree. If the Government is sincere — and I believe the Honourable Premier may be sincere — if the Government is sincere, then I would say that they should listen to our criticism, and to our suggestions. We do not want to put them in the wrong. It is not with any sense of flippancy or frivolity that we bring these cut motions before the House. We realise our responsibilities. I know that certain honourable members talk about the irresponsible attitude of the Opposition. They think that we are wreckers, that we are irresponsible persons. I assure them that we do not even flirt with irresponsibility. (*Hear, hear*). We might have different views from theirs. But do not think that if a person differs from you, he is irresponsible or offers destructive criticism. Even if we offer destructive criticism it is with a view to construct something upon it. Unless you demolish a certain thing which is totally rotten, you cannot construct any beautiful and stately building upon it. (*Cheers*). I would appeal to the Honourable Premier to issue a circular to everybody in the police administration telling him that the old order has been buried unmourned, unhonoured and unsung and that we are now under a new regime, that we are now under a humane regime (*hear, hear*). I expect the Honourable Premier to get up and give us a definite assurance that he is aware of the sorry state of affairs in the police department and that he would try his level best to humanise the police department. You know, Sir, and the honourable members know what sort of police we have got. Instances after instances have been given. I can quote instances too. But I have not bothered the Premier so far by quoting instances on the floor of this House. I have not tried to bother him with any interpellations because I have come to believe that in our legislature the method of interpellation is probably not the best method, because every time a question is asked, the Government members get up and try to defend the department or the officers. Of course interpellations are meant to elicit information. But they have got another object also, that is, to bring certain complaints before the Government.

I have said that I have not bothered the Premier by putting questions to him. What in the circumstances I would like to do is to approach

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him and place these facts before him, and would say to him, "You claim to be sincere, you claim to reform the entire machinery of government. Here are certain facts before you, let me see what you will do." I would like, for the information of the House, to place certain facts so that the Premier might know how things are going on in our province even now-a-days when he holds the highest rank in the Provincial Police Service. Sir, I may inform the House that I represent one of the biggest constituencies in the Punjab. My constituency comprises, Sialkot, Wazirabad, Gurdaspur, Kasur, Chunian, etc. My constituency is an urban constituency and I think it is one of the biggest constituencies in the Panjab (A voice: What about the University constituency?) So far as these complaints are concerned my correspondence is fairly heavy. With your permission, Sir, I will read out an extract from a letter which I have received from my constituency. It reads—

عرض یہ ہے کہ چند ضروری امور کے متعلق جناب سے ملنے کی خواہش ہے۔ چونکہ اجلاس شملہ میں ہو رہا ہے اسلئے بوجہ اخراجات آپ کی خدمت میں حاضر نہیں ہو سکتا۔ اگر اجلاس لاہور میں ہوتا تو ضرور ہی آپ کی خدمت میں حاضر ہو کر زبانی بات چیت کرتا۔ اسلئے براہ نوازش مندرجہ ذیل واقعات کی بابت موجودہ اجلاس میں سوال کر کے خدمت خلق کریں۔ وہ واقعات مندرجہ ذیل ہیں۔

I am omitting the names

مورخہ ۵ جون سنہ ۱۹۳۷ء کی درمیانی شب کو مسٹر کے ہاں نقب زنی کی واردات ہوئی۔ پولیس نے پہلے ریوٹ لکھنے سے انکار کر دیا۔

Please note the underlying psychology.

لیکن بعد میں کافی جدوجہد پر ریوٹ لکھی گئی۔ مقامی سب انسپکٹر پولیس نے بازار کے تمام دوکان داروں جن میں انکم ٹیکس گزار میونسپل کمشنر بھی تھے بلا کر ان کو بازار اور احاطہ تھانہ میں بھی نہایت بری طرح دلیل کیا۔ فحش گالیاں دین۔ چند ایک کو زد و کوب بھی کیا گیا۔

مورخہ ۷ جون سنہ ۱۹۳۷ء کو ایک عام پبلک جلسہ ہوا جس میں مقامی پولیس افسر کے رویہ کے خلاف زور دار الفاظ میں پروٹسٹ کیا گیا اور ایک قرار داد کے ذریعہ حکومت پنجاب اور افسران ضلع سے جس میں قیسی اور ایس پی شامل ہیں واقعات کی تحقیقات کا مطالبہ کیا گیا۔ قرار داد کی نقل بذریعہ رجسٹری ان کو بھیجی گئی۔ لیکن تا حال مورخہ ۲۶ تک کوئی کارروائی نہیں ہوئی۔ معززین اپنی بے عزتی کو بہت بری طرح محسوس کرتے ہیں۔ لیکن مقامی پولیس کے قدر کی وجہ سے قانونی کارروائی کرنے سے گھبراتے ہیں۔ اس لئے ہم لوگ آپ سے امید کرتے ہیں

کہ آپ اس کے متعلق ایک جامع سوال پوچھکر اس جگہ کی پبلک کی حوصلہ افزائی فرمائیں گے۔

نوٹ—یہ خط اس جگہ کے سات معزز اصحاب کی طرف سے موصول ہوا ہے۔

I have got another letter which I have received just now and that is a registered letter. I have not been able to go through it carefully but I have gone through it only cursorily. There are many names mentioned in it. I do not propose to read it.

Syed Afzaal Ali Hasnie : All written on the same stationery.

Chaudhri Krishna Gopal Dutt : No. Sir, If you like I can pile up instances upon instances of the brutal excesses perpetrated by the police on innocent men, and women in towns and villages, which will draw tears from the eyes of the honourable members of this House, unless of course beneath their breasts they carry stones instead of hearts. Innocent men and women, Mr. Speaker, are molested; and the tragedy of the situation is that there is no one to come to their rescue—the administration is so stereotyped, so ligneous, and so unresponsive. And when one of us on this side of the House, say, the Leader of the Opposition, than whom no fairer-minded person adorns this august Assembly, takes upon himself, out of sheer sense of service to the government and the people, to investigate into certain excesses committed by the police, up gets the Premier on his feet and issues a stern warning to the Leader of the Opposition that it is none of his business to poke his nose into the affairs of the administration and if he does so he does it at his own risk and responsibility. (*Premier* : I repeat that). He said these words, but does not realise that such statements supply encouragement to the police, that such statements are the *Magna Charta* of the police, that such statements give a *carte blanche* to the Police to do whatever *zulum* they like (*cheers*). I do not want to take more time of the House, but I will repeat what I said before that the Honourable the Premier should not be officious in these matters. He should not be in the hands of his subordinates. (*Voices from Treasury Benches* : No). He should take courage in both hands. There is no sense in denying the fact. The fact is there. Up till now, in quite a number of cases, I am sorry to say, not only the honourable the Premier, but other members of the Cabinet as well, are more or less in the hands of the Secretaries (*Voices from the Treasury Benches* : No, no.) There is no use denying this because they have taken over office only recently and do not well understand the machinery of the administration. It is no condemnation of theirs. It will take them some time to understand the administration which is so complicated. I do not believe that gentlemen over there know everything, that they are astrologers, all wise, that they are omnipotent and omniscient : they are human beings, as most of the members are. It takes time. What would you say if I point out specific instances in support of my contention? The secretaries, who know the intricacies of the administration and who know how to answer questions, please ready made things before you. I am not condemning you. I have the greatest respect for the ability of these people who possess it. Sir, every man, woman

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and child in this province wants the police to be as polite as the honourable the Premier — the provincial head of the police in this province so far as transferred department is concerned.

I would like that every policeman in our province, whether he is an ordinary police constable or a sub-inspector or an inspector or superintendent of police or even Deputy Inspector-General or Inspector-General should be as courteous and as polite as the honourable Premier himself (*hear, hear*). If the Premier desires to be the uncrowned king of this province—

Premier : I have no such desire.

Chaudhri Krishna Gopal Dutt : The sweet Premier should not be so modest. Modesty is the virtue of a woman (*laughter*). If the Honourable Premier aspires to that position or if his friends desire that he should be the uncrowned king of the province then I would suggest that he should act in a magnanimous manner, in a benevolent manner, in a kingly manner, otherwise, — I would not like to say anything trenchant or caustic —, but I would conclude my speech by narrating a very interesting story appropriate to the subject. Once in a German school a teacher called out three boys from the class and enquired from one of them :

“ Well my dear boy, if your father were General Goering what would you like to be ?

The boy said : “ If my father were General Goering, I would like to be a Commander in the Army.”

The teacher called out the second boy and enquired :

“ My dear boy, if your father were Dr. Sacht what would you like to be ? ”

The boy replied :

“ If my father were Dr. Sacht I would like to be the President of the Reichbank.”

He then called the third boy and enquired from him :

“ Well, my dear boy, if your father were Hitler, what would you like to be. ” ?

The boy was “ cute ” and perhaps a little knavish and he said in a lachrymose tone ;

“ If my father were Hitler. I would like to be an orphan. ”

(*Laughter*). If we here have any uncrowned kings like Hitler, I can only say that we had better remain without a king. But I do not grudge him the honour, if the Honourable Premier comes up to the standard set by Mahatma Gandhi or Pandit Jawahar Lal. Were he to come up to their standard, I and we on this side of the House shall be the first to acknowledge him as the uncrowned king of the province.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) Sir, we have listened to a very fine speech from my honourable friend who represents—one of the biggest constituencies of the Punjab. He is a fine speaker and he has a facile delivery which makes it a pleasure to listen to him and to follow him. But angels are jealous and when they gave him all that, I speak with due deference, they made him so enthusiastic that any subject that he talks on he refuses to see the other side of it.

Chaudhri Krishna Gopal Dutt : But is there any ?

Mir Maqbool Mahmood : I will make that clear when I develop my point. I am sure that there cannot be any two opinions in this House on the questions, one that corruption wherever it exists in the Punjab should be eradicated and should be eradicated with a strong hand.

Minister for Revenue : Hear, hear.

Mir Maqbool Mahmood : That is not a mere lip expression but it is one of the main items of our creed and our political faith. The second point has been indicated in the course of the speeches that in the Police Department just as in other departments there are black sheep who deserve to be treated in a manner that they may make a repetition of such things impossible in the Punjab. I am sure on that question there will be no difference of opinion on this side of the House or on the other. But, Sir, there is one point on which I feel that the responsible members on the Opposition benches will agree with us and it is this that we protest against certain wholesale condemnation of the police force. I refer in particular to the speech of my honourable friend from Ludhiana in which he quoted certain bad instances from his own district on the merits of which I am not in a position to speak just now, but referring to some of the delinquents in his own district he stated that this is the position of the police force in the Punjab. I feel it is my duty and of those who sit on my side of the House, and others on the opposite side will also bear me out, that in the Punjab police ranks there are many honest, courteous, self-sacrificing and industrious public servants (*hear, hear*) who are discharging their exacting duties under very difficult circumstances. Therefore, anything which we speak as the tribunes of the people of the Punjab in this House should not be such as to lead to a wholesale disheartening or condemnation of the police force which may give an undue encouragement to the *badmash* element in the Punjab with whom the police force has to deal, for that would be a definite disservice to the Punjab and the electors of the Punjab.

Chaudhri Krishna Gopal Dutt : We are the badmashes.

Mir Maqbool Mahmood : My honourable friend says something about badmashes on the other side. I will not follow his example and of certain other members on the opposite side for whom we have a great respect, but there is one point which I wish to bring to his notice. My honourable friend in the course of his very beautiful speech in a very telling style referred to the so-called terror which is instilled in the children's minds when they refer to the policemen standing at the corner. Yes, sir, policeman is a terror, if I may say so, to the bad boys of the family and I think the Premier and the Government will be failing in their duty, if they fail to take action against bad men and badmashes in the country. So long as the Police Department exists and the Government exists, I feel it shall be their duty and I hope and pray it shall be the duty of the other party in the six provinces where they have been returned in a majority, to hold out the police, as a terror to badmashes in the country. There is one point which I wish particularly to emphasize. In the course of speeches to-day we have had some very instructive suggestions and I am sure nobody will be happier to welcome them and examine them than the Honourable Premier whose sense of fairmindedness is recognized by all sides of the House. My honourable friend from one of the biggest constituencies of the Punjab

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asks, why is it that whenever a proposal is made from the other side, and in particular such a suggestion as the removal of corruption from the police, it is opposed by the other side?

Chaudhri Krishna Gopal Dutt : We did not oppose the debt conciliation boards.

Mir Maqbool Mahmood : My friend has misunderstood me. What I was saying was this that it has been asked, why is it that whenever the opposite side makes any suggestion howsoever constructive, it is opposed by the Government? My reply to that would be this. If my honourable friend has the patience or the industry to look into the statement and the declaration of policy made by the Honourable Premier on the 1st of April and of the creed of the Unionist Party that has been published, he will find that the reform of the administration, removal of corruption and improvement and efficiency of the departments and better attitude and understanding between the administration and the people is one of the first items of that creed.

If that is the position, Sir, I say when a Government on the very first day of assumption of office makes a declaration to that effect, does it lie in the mouth of a responsible Opposition to turn round and say "this is what we want you to do"? I appeal to the responsible members on the Opposition side to have the courage to say that they are only asking the Government to give effect to the policy which they have declared and I am sure on that point we will all be agreed and there will be no need of pressing this out.

3 P. M.

With regard to some of the specific suggestions that have been made, some of them have already been ably dealt with by my honourable friend, Sardar Sahib Sardar Ujjal Singh, and I need not waste the time of the House over them any further. It has been stated that there are instances when police have dealt with the people of the Punjab harshly or they have mal-treated innocent people. I am sure I could declare on behalf of my side of the House that we have no sympathy for such police officers and we want all such cases to be examined and delinquents treated in a manner that such things may not be possible in the Punjab. (*Voices : Set up a machinery*). That has already been set up by the circular of the Honourable Premier issued within two months of his taking office, which says that if any five persons of repute not connected—it is not disinterested but not connected—with a particular allegation, bring forward a serious allegation against an officer of corruption, the case shall be examined and an enquiry shall be held. If we cannot find even five persons of repute—five persons not connected with the allegation—to make enquiry into the allegation, I am sure that is a matter not worth going into. I would appeal through you to my honourable friends on the Opposition benches to kindly treat this circular of the Premier not as a paper proposition. Some honourable friends of the Opposition will concede that where declaration of that nature comes from a responsible head of government, his endeavours ought to be given a trial. If our friends on the opposition and this side find that there is anything in the circular which needs amendment, I am sure nobody would be happier than the Honourable Premier to receive constructive suggestions to amend it.

Nobody, particularly on this side of the House wants to shirk or to stop or to shield the real general grievances. They shall be redressed and should be redressed but unfortunately, as we all know, in our country there may be ejection complaints and there may be other complaints and, therefore, it is the unpleasant duty of the administration to sift the truth from the other side and that being the position, I would appeal to my honourable friends of the Opposition that in view of the circular that has been issued, they should consider whether they would like to press the motion that has been moved.

There is a specific suggestion that the department is top-heavy and, therefore, there should be substantial reduction in the cadre of deputy superintendents of police and others and the second connected item is that there has been very substantial increase in the police force. I have before me the figures for the last eleven years. I find that though in these eleven years there has been an increase of 15 per cent. in the population, the increase in the police force has been only 5 per cent. But with all that I will not conceal the fact that I am one of those servants of the public who feel that any increase in police force should be carefully examined. I am averse to unnecessary increase of forces which do not give protection to the people of the Punjab. But look at the increase of crime in the province. As compared with the increase in crimes in the province, I feel this increase in the police force is very trivial. As to the other point that the administration is top-heavy, on that point too the Government, as is clear, have appointed a retrenchment committee. The Leader of the Opposition is a member of that committee and I am sure my honourable friends on this side and the other side of the House will vie with each other to come forward with constructive suggestions to effect retrenchment which will be possible and if there is any scope I am sure it will be given effect to. But let me invite the attention of the House to one fact at this stage. We find that out of a total police force comprising of about 22,717 constables and head constables—these are the figures of the year 1935—there are only 55 deputy superintendents of police in the whole of the Punjab which does not give you even two deputy superintendents of police to each district. I remember that in the Punjab Legislative Council and elsewhere even some friends of the Opposition used seriously to advocate that at least in murder cases and important cases of that nature the investigation should not be left to the sub-inspector but gazetted officers should be entrusted with the work of investigation and that they should associate themselves actively with investigation of murder and other serious cases. If you have in the whole of the Punjab on an average not even two deputy superintendents of police in each district and the average number of murder cases is near about nine hundred per year, it is obvious that the need of such officers is more than needs suggestion.

My honourable friend next raised the question of recruitment to the police. He said that the best men should be recruited in the police. I entirely agree with him but when it comes to define 'best men' I have some differences. I am one of those who believe that in the recruitment of services we have to see what particular service is under contemplation and in the police we have to see that best of the people that can be brought forward come to serve the department. I claim that leaving aside educational tests,

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physical tests, tests of mental fitness and certain other tests, there is something as heredity. If you go to select a horse, you think of its pedigree and I think, other things being equal, for such a job you must look to the heredity of the person along with his educational qualifications. I do not claim that that should be the only criterion but I say that in selecting certain number of officers, the recruitment should be made on that basis.

The second point is that so far as the recruitment to the police is concerned, I want particularly to emphasise one factor, that is, that in the definition of 'best men,' those people who have rendered services to the State or whose families or generations of families have rendered services to the State—a state now is not necessarily of the old type but state of public service—should also be taken into consideration. I would make a specific suggestion that in order to encourage honesty amongst officers, a certain number of appointments in the police should be earmarked for the sons of those officers in the police department who have done conspicuous and acknowledged honest service for the province (*Hear, hear*). That will be a source of encouragement to such officers and more than that I would submit that in a service like the police there should not be too much red-tapism in the matter of promotion by automatic time-scale. Let people be given special promotions for higher jobs and higher grades when they have shown loyalty and honesty in the discharge of their duties.

There is one point to which I wish to refer before I finish my speech on this aspect of the question. My honourable friend Chaudhri Krishna Gopal Dutt spoke of a reference by the Honourable the Leader of the House in a particular case when the Honourable the Leader of the Opposition went out to make some investigation in a particular district and he said the Honourable Premier stated in the House that he would not encourage such interference with the executive. On that again let there be no misunderstanding. What the Honourable Premier stated, I have not got exact words here, but I speak subject to correction, was that while he would welcome all suggestions and while he was prepared to examine reasonable grievances coming from that side of the House, he would not permit interference of the legislature in the executive and so long as he and his friends on this side know, parliamentary government will be allowed in the Punjab. That is what he stated. I say with due deference that we may differ from my honourable friends on the Opposition and they may differ from us so far as our programme is concerned and they may differ from us so far as we are concerned, but one thing we shall have to agree to and it is that we believe in the autonomy of the Punjab which we have got under the constitution—it may be good, bad or indifferent. We believe in that temple of autonomy whatever may be your or our differences. We are determined and you should be determined that, in this province if you ever come on this side of the House, no disruptive hand shall touch that temple of autonomy.

Chaudhri Krishna Gopal Dutt : On a point of explanation. Some situation happened in England and the Honourable Leader of the Opposition conducted an enquiry into that incident. The Leader of the Opposition was not refused co-operation.

Mir Maqbool Mahmood : The honourable member asks me whether the hands of the Leader of the Opposition are disruptive. Certainly not unless

he is out for disruptive work. I am one of those who respect the honourable the Leader of the Opposition as second to none but when you are defending that shrine of autonomy, then whichever hand touches that temple that unclean hand shall have to suffer the consequences of its action. In this connection I would inform my friend what happened in Ireland. I do not want those things to be repeated here, but let my friends know that De Valera's Government actually interned without trial 12,000 people in order to safeguard the liberties of others. And De Valera was not a rebel at that time. Any interference with a regularly constituted authority which tries to create a parallel government in the Punjab, it will be our unfortunate duty to discourage. But I do not want to go further into that question.

I have to make one submission. So far as the genuine grievances and the genuine complaints are concerned, there is no difference. That side of the House and we are agreed on that question and we are anxious to go into that. As to the suggestion that we should try to get the atmosphere of the English Bobby, there is no difference of opinion. I am sure my friends on this side of the House will associate themselves with the request that the Honourable Premier, better than whom there can be no custodian of this policy, shall personally tackle it by references to the police officers and tell them that the atmosphere has changed and that it is for them to create confidence in the minds of the people, that the new administration wants a different tradition in the province, but at the same time it is my duty, it is the duty of the members of this House to show to the world that the policy is not defending a foreign bureaucracy but is armed to protect the national Government of the Punjab.

In this connection I wish to make a suggestion or two. I would appeal to those responsible for the administration of the police to consider them. The first one is that it shall be definitely stated through inspections or otherwise that any police officer who wants to encourage party factions among the people shall get black marks and if necessary further punishment. It should be regarded as good work if they try and settle differences in the poorer and richer families of the Punjab and bring them together. The second is that the police officers should be given definite instructions that any policeman who encourages communal differences shall be penalised, and shall be given exemplary punishment. We want to take action which will have a good effect.

This is all I have to submit and in view of our appeal to my friends of the Opposition and the policy of Government which has already been declared which they are attacking, they should not press their cut motion and vote with us for the demand.

Pandit Shri Ram Sharma (Southern Towns, General, Rural) (*Urdu*): Sir, the Unionist Government and its supporters are worthy of praise indeed because thanks to their presence here, all the speeches that have been delivered in praise of the police department on the floor of this House have been made by them. It is a fact that it is the police that rules the Punjab and yet in comparison with the English Police the Punjab Police is useless, worthless and a shameful blot on the fair name of India. The police of England is undoubtedly the best in the world and yet the Punjab Police is being compared to it and it has been said that they are doing really good

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work. If we raise a voice from these benches for reducing the expenditure on the devil, the government will certainly oppose us by saying that if the expenditure on the devil is reduced the machinery of government will come to a standstill. (*Laughter*). It is said that the Punjab is governed by a national government, but I do not see any difference between the previous and the present administration. We are still being governed by the police. The inauguration of the new regime from 1st April, 1937, has made no difference in the fortunes of the people. It would be useless to try to discover the shortcomings of police raj. On the other hand I would like to ask you whether the police possess any good points at all. I would like the Honourable Premier to visit any village in the province and ask the poor villagers as to how they have fared at the hands of the police during the last three months. I am sure that they will relate a long tale of woe, in comparison with which the tales of the Arabian Nights would pale into insignificance. We, the Congressites do not love the police and it does not become me to say anything against them. But in view of the hardships suffered by the general public at the hands of the police I am obliged to give tongue to my thoughts.

I should like to relate an incident which happened only the day before yesterday. I alighted at a railway station and the first thing I heard was that the police had taken into custody a man belonging to the Mandi and had belaboured him mercilessly. I sent a wire to the Superintendent of Police concerned and I understand that some sort of enquiries have been made by higher authorities. You are sure to come across glaring examples of police *zoolum* and police corruption wherever you go.

We are prepared to recognise the present government as an autonomous and national government if police high-handedness is reduced by only one per cent. I beg to say, with all the emphasis at my command, that there has been no change in the attitude of the police. They are as oppressive as ever.

If we the Congressites make any allegations against the police, we will be supposed to be making irresponsible allegations out of spite, but I would respectfully request my friends of the Unionist Party to cast a glance on their past lives and discover incidents in which they were or about to be made victims of police *zoolum*. I should like to remind the Honourable Sir Chhotu Ram, Minister for Development, of an incident in his life as to how he was involved in a murder case and how he saved himself by the skin of his teeth. I should also like to remind him of the fact as to how he led a deputation of the residents of Rohtak district on the occasion of a visit of a former Governor of the Province to Rohtak, and the serious allegations he made against the police. I think that even a Congressman cannot surpass the vehemance with which he made allegations against the police. If the Police Department was corrupt or addicted to excesses two years ago, how have they got rid of all their bad habits and have now become paragons of virtue? When the administration of the province was in the hands of the bureaucracy, we used to make similar complaints and now that the reins of government are in the hands of a Unionist Government we have to repeat our allegations against the police. May I enquire if the police have turned over a new leaf since the assumption of office by the Unionist Government. I

think it would be useless to give instances of what happened if such and such a thana and what kind of *zoolum* was perpetrated by such and such a sub-inspector of police. I would only ask the Premier to give me the names of such sub-inspectors as are really honest.

(Voices from the opposite benches : Give us the names of only five of them.)

I have heard of one such sub-inspector and I have seen another. If I remember aright, I have always found him bewailing his fate. And do you know how he has been rewarded for his honesty? He has been shunted over to the prosecution line. Whenever any allegations are made against the police, the government is always ready with the reply that a committee is being appointed to enquire into the matter. I would suggest that besides the appointment of these committees some other means must be found for redressing the wrongs of the public. You may take it for granted that we are used to making complaints, but I should like to ask the members of the Unionist Party; whether there has been any reduction in the number of false cases instituted by the police. I will not dilate on this matter any further. I hope that the government will take the hint. I would draw the attention of the government to the disparity existing between the pay and the expenditure of sub-inspectors. Just go to Rohtak or better still go to a loyalist district like Gurgaon and you will find that the thanedars are living like princes. Not only the thanedars but higher officials are living like princes, because they are getting fixed sums of money from each thana, under their jurisdiction. (Hear, hear).

Sir, I would also like to say that the police department is not only notorious for corruption, but is also notorious for its bad manners. The police may be behaving better in cities but so far as villages are concerned, the members of the Unionist Party, who have won their elections with the support of zamindars and who are never tired of telling the villagers that zamindar are now in power, ought to be aware of the fact as to how the police harass, loot and belabour the zamindars.

I will not mention the martial law days and the indignities to which the people were subjected by the police in those days. I will take only the present time when there are no political movements in the country and ask the members of the Unionist Party whether they are or not aware of the misdoings of the police. If they are acquainted with the misdoings of the police, can they by any stretch of imagination describe their government as an autonomous government. I would not insist upon more. I would be content if there is an improvement of only 20 per cent. in the tone of the police department, but as ill-luck would have it they have no other means of improving the tone of the police department except by the appointment of enquiry committees. (The Honourable Chaudhri Sir Chhotu Ram : Suggest some other means.) It is for the government to devise other ways and means. It has been said that the police have shown their great capacity for work, their irreproachable organization and their impartiality during communal riots. The police may have done all this in other parts of the province, but I know of the incidents that occurred in my own *ilaga* at Panipat. I know that it is not desirable to refer to communal matters in this House. However, I would

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confine myself to saying that the police at Panipat did not do their duty properly. It was the foolishness and lack of sense of duty on the part of the police that led to the firing at Panipat. I am making this allegation against the police with the fullest realization of my sense of responsibility. Dr. Satya Pal, the President of the Punjab Provincial Congress Committee, himself visited the spot and investigated in person the situation at Panipat. Perhaps you are aware of the fact that the other day there was a communal fracas at Rewari, and the police instead of controlling the situation made it worse. I have here with me a letter signed by a number of responsible residents of Rewari, which throws a flood of light on this matter. Just hear what these people have to say—

“ We the undersigned beg to say with all the earnestness at our command that with reference to the dispute regarding music before mosques our signatures to the agreement drafted by D. S. P., Gurgaon, on 23rd June, 1937, at 12 noon were obtained under threat of imprisonment.”

This letter is signed by Messrs. Mussadi Lal, Nand Kishore, Jagdish Prasad, Behari Lal and many others, who have appended their signatures in Hindi Mahajni. Lest I should be accused of listening to hearsay I want to make it quite clear that I have visited the spot myself, because it happens to be within the boundaries of my constituency.

Sir, I have only to-day received a letter which I will read out to the House. It runs as follows:—

“ Lala Musaddi Lal, Joint Secretary District Congress Committee, Palwal, who happens to be a member of the working committee of the District Congress Committee also was going to attend a meeting of that body when on his way he came across one police head constable and two constables in plain clothes. These officials prevented Lala Musaddi Lal from proceeding towards Palwal. They refused to show him any written order.”

This fact was intimated to the Superintendent of Police concerned. I fail to understand why police officials do not discharge their duties honestly. We have to find out the real cause of their shortcomings. I believe that careless recruitment is responsible for the general inefficiency of police ranks. Recruitment to the police department is made from amongst those whose ancestors have served the department. Unfortunately our country is already a land of slaves and by attaching undue importance to birth we are simply jeopardising her interests. The notion that a particular person can perform acts of valour is simply absurd. If the police department continues to be a monopoly of the sons of ex-officials, the inefficiency of the force is bound to become hereditary. The existing police force is so corrupt and the public are so much overawed by them that even men of great influence who know the evil doings of the police have not the courage to complain against them. If ever things come to such a pass that one is compelled to lodge a complaint against them, one has to face the opposition of semi-official gentlemen who side with the police. We are told that at the time of recruitment, the principle kept in view is that only such persons should be recruited as are sturdy and brave and are prepared to face the perils of death. But my submission is and Chaudhri Sir Chhotu Ram is not unaware of the fact, that generally speaking the scavengers are second to none so far as fighting spirit is concerned. In view of this may I ask whether Harijans possess martial qualities in a lesser degree as compared with other people. If not, what are the reasons for not recruiting them in the police force? I.

do not want that the recruitment to police department should be based on communal considerations; nor do I want that so many Hindus, Muslims, Sikhs or so many members of the Jat community should be recruited. The people so recruited, later on become dishonest and deliberately commit irregularities. They think that if they ever receive a stern reprimand from the higher authorities they can count upon the help of their respective communities by inflaming their communal feelings. I have personal knowledge of a case. Once a Hindu sub-inspector of police was involved in a corruption case. He complained to every member of his community that he had been reported against on account of his being a Hindu. Similar tactics are resorted to by Jats, Muslims and others. Strictly speaking the police department has become so corrupt that at the time of recruitment, the higher authorities pay no heed to the candidates' ability or other qualifications prescribed by the rules. They regard sycophancy and connections with big families as a sufficient certificate for recruitment. In view of these serious drawbacks, it is fatuous to expect any improvement in police administration. Congress is not in favour of the recruitment of police being carried on communal lines. The Congress view is that at the time of recruitment the ability and fitness of the candidates should alone be kept in the forefront; and that recruitment should be made through competitive examinations without showing favour to any community.

May I ask another pertinent question? How is it that government forgets this principle while making recruitment to the Co-operative Department? Mahajans are considered to be adepts at accountancy. Anyway they are better than Jats or Muslims, but the door of service in the Co-operative Department is closed for them. I am sorry to point out that government does not stick to any principle.

The police of England is commended as a model of perfection everywhere. But there at the time of recruitment no one cares to ask about the caste or creed of the candidates. No discrimination is made among the candidates. No body cares whether they are Roman Catholics or Protestants or Jews. It is only in this unfortunate country that stress is laid on communal representation. The police commits all sorts of atrocities and excesses and indulges in unlawful activities and no one is the wiser for it. When a report is lodged against a police officer, attempts are made to hush it up by making appeals to the brotherhood or community of the culprit.

My second submission is that I entirely endorse the views expressed by my honourable friend Lala Duni Chand in regard to the enhancement of the salaries of police constables. The salaries of the constables are really very low. It is very difficult for them to support their families and bear the educational expenses of their children. It is but natural that they should resort to corruption and squeeze the blood of the poor as they possess no other means of supporting their families. Congress believes in the principle of paying adequate salaries to subordinate services so that they may be able to discharge their duties efficiently and honestly. But under the present regime high officials are paid fat salaries. A sum of rupees 1½ crores has been earmarked for the police, and the major portion of this sum has been disbursed on the salaries of high police officers. I would request the government to enhance the salaries of poor constables by effecting reduction in the salaries of high officers.

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I want to bring another matter to the notice of government. It is that the magistracy of the province is afraid of the police because of the latter's haughty and domineering conduct.

Premier : This is not correct, Sir.

Pandit Shri Ram Sharma : I know that at this stage no discussion can be raised in regard to the magistracy. Although the Honourable Premier has characterised my statement as incorrect, yet I can also assert that he too has made a mis-statement. If the Honourable Premier or any other honourable minister cares to accompany me I will prove to his satisfaction that magistrates are really afraid of the police.

Minister for Development : It is only the burglars that are afraid of the police, because the latter apprehend them.

Pandit Shri Ram Sharma : Once the police laid hands on the honourable minister's munshi. Will he kindly inform me as to what kind of theft he had committed? (*Laughter*). I cannot help saying that there has been no change in the policy of government since the first of April.

Mr. Speaker : The honourable member has said so perhaps six times.

Pandit Shri Ram Sharma : One cannot help repeating an axiomatic truth again and again. (*Laughter*). An honourable member on government benches remarked that just as children are afraid of badmashes similarly the public should be afraid of the police.

Mir Maqbool Mahmood : Sir, on a point of personal explanation. What I said was for bad boys and not for all.

Pandit Shri Ram Sharma : The children of a bad government are seldom good. Sometime ago children used to be afraid of evil spirits. Now that fear has vanished to some extent, the fear of the police has taken its place. Not to speak of children even high placed people, especially those who administer justice, are afraid of the police.

Sir, may I ask as to what useful purpose the Criminal Investigation Department is serving? May I know whether the only business of the Criminal Investigation Department officers is to report against Congressmen or to submit unfounded reports against persons with whom their relations are not cordial? Why do they shut their eyes against the corruption which is rampant in the police department? Why do they take no notice of the atrocities committed by the police? Are not these misdoings of the police criminal deeds? If a Congress member comes from Rohtak to Simla, his name and address are noted at least three times. I think the Criminal Investigation Department is in reality the Congress Investigation Department (*laughter*). All these things go to show that inspite of the English Raj and despite the Unionist Party's power, the real rulers of this province are the police. I remember once I reported against a corrupt police sub-inspector. The result was that the sub-inspector escaped scott free while the investigating magistrate suffered. I request the Honourable Premier and other honourable ministers that they should, like Sir Douglas Young, gird up their loins to eradicate corruption from the police department. With these words I support the cut motion moved by my honourable friend Lala Duni Chand, and appeal to the honourable members of the Unionist Party

not to lose sight of the real facts of the situation and desist from lavishly praising the police and incidentally this cut.

Raja Fateh Khan (Rawalpindi, East, Muhammadan, Rural), (*Urdu*): Sir, before I oppose this motion, I would like to make a humble request that I may be exempted from the strict rules of procedure regarding relevance and irrelevance. I also seek the same indulgence which you have kindly accorded to experienced speakers of the Assembly, and I hope that you would very kindly grant my request.

Before I discuss the principle of the cut motion, I would like to say a few words regarding the remark made by the Opposition that the government while rejecting the non-constructive suggestions do not agree with constructive ones. I must make it clear at the very outset that the government are not prepared to accept any unreasonable suggestions. They are, however, prepared to accept any practical suggestions within reasonable limits. But it should be according to this principle:—

دھو شوق سے کپڑے کو پہ اتنا نہ رگڑ
کہ دھبہ رہے باقی نہ کپڑا رہے باقی۔

Whenever you point out any mistake on the part of the government, they will be prepared to rectify it, provided the government are not acting illegally in so doing. At the same time I would request you not to submit such proposals as are likely to interfere with the administration of the province. If you put forward constructive proposals they will prove beneficial to you as well as to the country at large.

To-day many speakers have suggested in the course of their speeches that a constable should get the same pay to which a "booby" is entitled in England. If this argument is carried to its logical conclusion, then according to these gentlemen the ministers should draw only one and a half annas per day. These diametrically opposed views remind me of a verse:—

کہے ہر ظالم اعلیٰ نشہم
کہے ہر پست پائے خود بہ ہنم

It is a matter of surprise for me to find that proposals are being submitted for paying a constable a salary equivalent to that of an English constable, while a minister of government should follow the example of Mahatama Gandhi and get only one anna and a half per day.

It is a fact that the world has gradually progressed in accordance with the laws of evolution. It has not progressed by one leap or bound. Every natural phenomenon bears testimony to this fact. If this principle is correct, then I would say that since the present ministry has been in office for a short time only, its work and its programme should be judged from the point of view of evolution and not from the point of view of an extremist; and an attempt should be made to know their ideals. If you simply want to indulge in Utopian ideas, then we can also say that the government has reached the pinnacle of glory in such matters, inasmuch as we not only wish to see India holding its head high amongst the free nations of the world, but we also wish to make it a guide as well as a torchlight for the whole world.

[Raja Fateh Khan.]

I would request the honourable members of the House not to shut their eyes against communal tendencies and present day conditions. No responsible government can keep itself aloof from them. At present many economic questions are under discussion. It is true that on account of certain natural causes the nation is passing through a trying period of economic depression. It is possible on the one hand that economic depression may well nigh sap the life-blood of a nation, but on the other hand there is no denying the fact that under an irresponsible government and in the midst of maladministration no nation can survive even for a day. It is, therefore, our bounden duty that we should do nothing to add to the difficulties of the government. Also we should not seek to create disturbances in the country. But it is very unfortunate that while on the one hand it is suggested that the burden of land revenue should be reduced, on the other hand proposals are being made for making a 50 per cent. increase in the salaries of police constables, so as to bring up their salaries to the level of English constables. ("Hear, hear" from the Ministerial Benches).

I may be permitted to say that we can no longer shut our eyes to the fact that the volcano of communal warfare has turned its attention from the cities to the countryside. I would also request the government to spare no pains in the matter of maintaining law and order in the province. In the end I would request the Opposition to trust the government and have confidence in it. Let them not act according to this verse—

نہ ٹھیک ان کی ہر کڑ کوئی بات سمجھو

وہ دن کو کہیں دن تو تم رات سمجھو

If you put trust in the government and act in a spirit of give and take, I am sure the government will not hesitate to accede to your demands, With these words I oppose the cut motion.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Mr. Speaker, whenever an occasion arises to discuss the policy of the government on any cut motion, it has been said time and again that the present Cabinet has taken the reins of the Government in their hands only three months ago. Well Sir, when I am going to criticise the policy of the government as far as police administration goes, it is for two reasons. One is that I believe that the Government has so far not given us any indication to show that the policy of the present Cabinet is changed as compared with the policy of the past government as far as the administration of the police goes. The second reason is that I stand here to criticise the policy of the government and offer my criticism from the point of view of constructive criticism. When we criticise the policy of the government it should not be taken that we do it only to censure the government, but we feel it our duty to put our point of view and suggest what we would like the police to be (*hear, hear*). Sir, whether we represent one constituency or the other, when we become members of this House and we sit here, I think every member has got the right and is entitled to represent the grievances of every constituency in this province. We are the representatives of the people here. If I am a representative of the city of Lahore, it does not mean that I have got no right to say that I am representing the Punjab. Well, Sir, I say so because I always receive information, I always receive letters after letters from every part of the

province, from every nook and corner of the province laying their grievances as far as police administration is concerned. Well, Sir, in spite of the fact that the Honourable the Premier was pleased to say that day that I had no right and if I did I would do so at my own risk, to go to a certain village to make enquiries into what the police did. Well, Sir, I did not agree with him. I think it is my right (*hear, hear*). And as such I also think that if the law of the land does not permit me to exercise that right it is not only my right, but it is my duty to rebel against that law. I say on the floor of this House that whenever I hear any piece of news about the police *zulum* in any part of the province, I think it is my duty, and if God helps me I would be the first man to enter that place and give my help whatever it is worth.

I will not go into the details: I will not go into one happening or the other. I want to criticise the policy as a whole. Well Sir, the Police Act under which we are ruled, was passed in 1867 after a commission made certain enquiries in 1860. The policy of the police as laid down in that Act is this. The Indian police shall be subject to the civil government, and its duty shall be civil and not military, its functions to be protective as to the public, repressive as to the criminal and detective. Police and judicial functions shall be separate. The organisation and discipline of the force should be similar to that of the Indian army and should be centralised in the hands of the Executive Government. The pay of the lowest rank should be superior to that of an unskilled labourer. The economy of the force must be in the hands of the police officers. There is only to be one force in any locality: not one under a police officer and one under a magistrate. Village police to be used temporarily as a source of information and not to be employed on executive duties. All the police must be provincialised. Inspectors-General were appointed with the following duties: Maintenance of peace, prevention and detection of crimes, escorting and guarding of prisoners and treasuries.

Well, Sir, it was on this report, as I have said, that the police was provincialised, and according to that provincialisation we have got Inspector-General of Police at the head, and we have got the Assistant Inspectors-General and the Deputy Inspectors-General of Police. Then we have got the Superintendents in every district. The duties as far as police goes are divided between the Superintendent and the District Magistrate. Well, Sir, what I want to-day to put before you is that whatever duties are assigned under the Police Act, the policy underlying the administration according to those rules is not what it ought to be under a government which styles itself as popular government. Well, Sir, it is said that the functions of the police shall be protective, as far as public is concerned, and they shall be repressive as far as criminals are concerned and it shall be detective. So I shall confine myself to these three duties. Now let us take the protective duty. I do not know how far I am correct, but I have heard here on the floor of the House that the poor villager has to pay *chaukidara* and have to do the duty of the *chaukidar* in their own village. As far as protection from criminals in villages is concerned, the police does not discharge its duty. As far as protection to people is concerned, I do not think, Sir, that we can generalise the cases. But if we hear even a single example of a police man who instead of protecting poor honest citizens himself commits dacoities and thefts, I think, you will agree with me that the police do not discharge their duty well.

[Dr. Gopi Chand Bhargava.]

Now, Sir, what about the other protection? If I take the protective and repressive duty of the police together, it will, I believe, help me and also save time. Criminals can be divided into three kinds. One who commits the ordinary crime against the society, the other is what is called a communal criminal and the third is a political criminal to which class at times I also have the honour to belong. Now, let us see whether the policy according to which the administration of the police has been conducted as far as these three kinds of criminals are concerned is a correct policy or whether the time has come when we should change it. I am of the opinion and I think that is the modern theory that what is called a social crime is not really a crime, but it is a disease and, Sir, the treatment for the disease is not to punish the man or to thrash him or resort to similar repressive measures against him, but the remedy is to put him in a reformatory. That is why jails are no more jails as they used to be in former times, but jails are now a days only reformatories. The point from which we wish to see this problem is this. Those who have power call a man criminal because he has violated the laws which they have enacted to their own advantage and according to their own lights. Those who contravene these laws, they are described as criminals and are punished. Opinions can differ. My opinion is that you can approach a criminal from two sides. One is that we have to find out the reason why a man commits a crime. It may be sheer necessity. A man wants bread and he cannot get it. He is therefore forced to commit a crime. The other reason is that he loses control over his passions and he murders a man or commits other things, e.g., dacoity or robbery. If you want to treat such a criminal, a criminal who commits a theft or any other similar crime to satisfy a certain need or hunger, the real treatment lies in enacting laws or creating social circumstances and atmosphere that no man remains without bread and has all his needs satisfied (*hear, hear*). But when the police make enquiries and catch a thief they use violence towards him. Therefore, I would submit that the policy of the Government should be changed as far as criminals of this nature go and they should make provisions and enact laws as would encourage industries or take such measures as would remove unemployment from this country so that there may not remain a single needy person. Then, Sir, there are other criminals who lose their control in a fit of passion. They lose their senses and commit crimes. If you resort to violence against such a person, he will grow worse. In the mental hospital where violent people and maniacs go, if the superintendent of the hospital were to practice violence against such people, they would grow much worse. Therefore, it is with love that such a man should be treated and not by violence. I would, therefore, suggest that whole view point of this system of Government should change as far as these criminals are concerned. Then we come to the communal question. Arguing on the same lines, I would submit that the solution of the communal question does not lie in these riots. It does not lie in suppressing the liberty of one community or favouring the other. The communal solution lies in changing the atmosphere in the province (*hear, hear*). Why are there so many communal riots? They are because we know that power lies in communalism (*hear, hear*). If we were to take away that power, if the power were to go to the man who can serve best, then communalism will disappear (*Premier: Hear, hear*). To-day, we find

that a man can be taken in the police because he belongs to a certain community. Therefore people say that they belong to such and such a community. If we were to say that he alone shall be enlisted in the police who is prepared to serve the people and serve the people as a servant, then of course nobody would come forward and say that he is a Muhammadan, Hindu or a Sikh (*hear, hear*). He will come and say that he wants to serve his brethren and therefore he wants to join police service. My submission, therefore is that if you want to remove this communalism and to stop these communal riots, you should change the atmosphere and practice love (*hear, hear*). It was said that there are people on this side of the House who are responsible for the additional police. My submission is that we are against the additional police, we will not only condemn in words but even by our actions, fight against communalism to remove it. Therefore it is not we who are responsible for this expenditure on additional police.

Premier : Certainly, you are not.

Dr. Gopi Chand Bhargava : But what do we find? My past experience and I want to speak about my past experience, for I have no knowledge of the real facts as far as the recent communal riots go, is very sad. I had an experience of two riots in Lahore. One took place in 1927 on the very evening when my wife died. We went with the funeral procession, but what did we find on our return? One of us had been left behind. He was slapped and beaten. A person goes with a funeral party and while returning, for no fault of his he is beaten. When we went with the procession, it is to my utter shame that I have to confess it that we had to take that procession out with a police escort. We could not go because we were afraid. Whenever there are *Id* celebrations, or when a procession is taken out in honour of a Guru or when the Dussehra is being observed, we cannot observe these festivals without the police aid. Is it not to our utter shame?

Premier : It is.

Dr. Gopi Chand Bhargava : We who call ourselves free cannot celebrate even our festivals without the help of the police.

I was speaking about those riots. What did we see? There was a certain dispute between three or four persons and in that quarrel two or three persons were killed. A procession was taken out and when the processionists returned, there was a riot. Who were the victim of those riots?

Premier : Poor innocent people.

Dr. Gopi Chand Bhargava : Those poor travellers who came to Lahore to visit certain relations of theirs. It is the poor people who always suffer who are either labourers, shop-keepers or agriculturists. Those who are responsible for these riots, sit in their chairs and in their bungalows ("*Hear, hear*" from Government benches). I submit it is the educated people who are responsible for these riots (*Hear, hear*), because the educated man believes that he can earn his bread only if he belongs to a certain community. They excite these poor people, they excite their passions and these people resort to violence. What was the result of this excitement? Sixteen innocent people were killed. I doubt very much if any educated man was killed. It is the poor man who suffers. I wish those who excited the feelings of these poor people should be brought forward, tried and hanged (*Hear, hear*).

[Dr. Gopi Chand Bhargava.]

Though I do not believe in capital punishment, yet if the capital punishment were given to those people who are really responsible. I shall not be sorry for it (*hear, hear*). I was arriving at one conclusion which was that the Deputy Commissioner of Lahore was not at his headquarters on that day and the Additional District Magistrate consulted the Chief Secretary and with his permission permitted that procession. The police did not take measures to protect the poor people, the unarmed and innocent people, from the members of the procession, when they came back. This is only by way of an instance. It always happens like this. I presume even in these riots Police did permit people to take out processions and then did not make provisions for their protection. When people who did not like the processions came and talked against the order of the police, they were fired at. Why did the police not take preventive steps so that such occasions may not arise and when such occasions arise they come and say that the public is responsible as they fight with each other and thus the demand for additional police comes forward. My submission is why did not the Government take to task that police which was posted there. Why did the Government not take action against the police of Alla and Amritsar? Why did the police of these two places not take sufficient measures to protect unarmed people?

Premier : They did.

Dr. Gopi Chand Bhargava : Had they taken steps to prevent this trouble, I am sure the riots would not have taken place. I am one of those who do not agree with you on that point. If you want additional police to suppress these communal riots, you shall never be able to do it and you shall never be able to reduce expenditure. If you want to reduce expenditure, then let us come to a settlement, let us understand each other and let us learn to like brothers in this country (*hear, hear*). Let us devise measures by consultation so that poor men may be protected. As far as these communal riots go, my submission is that the Government should now change their angle of vision and should believe in non-violence rather than in violence. The third thing is the political crime. There is a certain big item which has been provided for in this budget for the Criminal Investigation Department and a part of the additional police is also used against the political "criminal." I was consulting the figures to-day and I found that the expenses on the Criminal Investigation Department and under the non-voted head have been increased by twenty thousand rupees. Arguing on the same line I think the chief remedy which can prove most useful, as far as the political criminals are concerned—

Premier : There are no political criminals.

Dr. Gopi Chand Bhargava :—is not the non-release of political prisoners, is not their internment under Regulation 3 of 1818, is not internment under the Criminal Law Amendment Act which can suppress them? The political criminal is like rubber. The more it is suppressed the more it rises higher. Therefore, it is not the remedy as is provided for under the police. The policy should be to satisfy a man who wants freedom for his country. There are people who sacrifice not only their property, not only their children, but even themselves at the altar of freedom of the motherland. They

want to see this country free. I do not think you can call them lunatics, because they believe that they can only free their country if they resort to violence. My submission is that you ought to create such a political atmosphere, you should act in such a way that we may be on the road to freedom. If a political worker finds that the line which is adopted by the Government would lead him to freedom, he shall never resort to violence. Those who believed in violence gave an assurance to Mahatma Gandhi in the year 1921 that they would remain non-violent. They joined the non-co-operation movement and tried to free the country practising civil disobedience by working on the lines of non-co-operation and they found that according to their own light they were not successful. I am not one of those who believe in violence and I am not here to defend the violence but my submission is that your policy of repression so far as these political prisoners are concerned, is not a right solution of the problem. The right solution is to release them (*hear, hear*). Have a talk with them and then by an agreed solution adopt lines which should lead us to freedom. If you cannot do that, you should tell them so. Try to understand them and let them understand you. Your concerted methods shall liberate the country from foreign domination. Then they shall be with you and shall be as good citizens of this province as any other man and woman should be. If the present policy, as is indicated by this police administration is taken to be the right policy, as far as the repressive policy of the police is concerned, I think that the House should think twice before they can give their sanction to this item, because the sanction would mean that they are at one with the policy, they like the policy, and that they endorse the policy of the police as far as these three criminals are concerned.

Last is the detective duty. I have got no experience because I am not a lawyer. I did not come across people who would say that in the detection of crime the police has not acted as honest men should do and, therefore, I leave it there. I have to make some other observations as well. My friends have pointed out that the behaviour of the police, and I think the Honourable Premier agreed with those people, was far from what it ought to be. Well, Sir, I can quote one instance. When I had the privilege to be a member of the old Punjab Legislative Council, I one day was coming to attend the meeting. Fortunately I was clad in the same clothes as I am to-day. When I was entering the Chamber, the policeman on duty said, have you got a ticket? I said, no. Then this is not the place for you, you go upstairs, he said. I asked him his number. He then asked me whether I was a member of the Council. I said I was. Then he said, forgive me, I did not realise that a man in these clothes could be a member of this Council. I relate this incident just to tell you that this is the mentality of the policeman. The policeman thinks, and he is given to understand, that the man who goes in a black coat, who has got a hat or a tie, who wears a *turadar* turban, he can be a member of the Council, and a poor man like me who wears a cap worth two annas or who is clad in khadi and has no boots to wear, cannot be a member of the House.

Minister for Development : What about his bank balance?

Dr. Gopi Chand Bhargava : I am glad Chaudhri Chhotu Ram has referred to bank balance. I am prepared to exchange places with him, not so far as the ministry is concerned but as far as the bank balance is concerned. He is a man who stood for the Legislative Assembly from the landholders constituency, he is a man who owns a big palace in the town of Rohtak, he is a man who is now drawing a fat salary, and I am prepared to exchange my property with him. This was the remark he made once previously also. I may tell him that if he thinks that in the service of Mother country anybody can get rich, he is mistaken. If he thinks that he serves the country or the province, he does not do so, but does so because he has acquired power. I submit that it is not only bank balance—

Khan Sahib Chaudhri Riasat Ali : Is the honourable member in order in being personal ?

Dr. Gopi Chand Bhargava : I was submitting that looking to the bank balance which is a minus one because I have no account with any bank, I have nothing in my bank. But a man who himself belongs to a class of agriculturists money-lender, he has got no right to criticise me. I am a labourer. I earn my bread and therefore I think I can command that self-respect which every citizen of this province should command at the hands of the police as well as the Minister (*hear, hear*).

I was submitting that the behaviour of the police is far from desirable. I have to say one thing more, and that is this, that whatever my friends have related to you to-day about the behaviour of the police in the villages, about their method of inquiry and about their treatment with ordinary men, about their corruption, all that goes to emasculate our people. If the Government think it desirable that the present policy is the right one, then I am here, Sir, to warn them, through you, that this policy instead of improving the conditions of this province will emasculate people and if people are emasculated, whom are they going to govern? They are poor and if poverty is on the increase revolution shall be the result as it happened in other countries. The Government should know the history of other countries and learn a lesson from that history.

Then I have to submit that the salary of the ordinary policeman should be raised, so that he may be in a position to work honestly. First, there is a temptation for him, and secondly the police officers and others who are responsible for the police administration connive at their actions. Whenever any information reaches them, they instead of punishing the policeman against whom the complaint is made, the man complaining is persecuted both by the police and by the friends of the police. My honourable friend there remarked that when we were discussing the salaries of the Ministers, we said that the Premier should live on 1½ annas a day as does Mahatma Gandhi. Sir, those who are calling the Premier the uncrowned king of the province are wrong. Calling a man king means that they believe in power through violence and my submission is that power should be in service and therefore the Premier should think himself as a first servant of the people and when he does so every policeman shall believe that he is a servant of the people and not a ruler. Therefore when he has admitted like that and when there is no temptation in his way to become dishonest he shall not become dishonest; and that you can do if you

increase his pay. The honourable members will ask, where is the money to come from? They will say, you put in destructive proposals and proposals which are not reasonable. You will be astonished to find that the pay of constables is Rs. 39,85,800 and this is for 16,786 people and the pay of the supervising staff which includes head constables, assistant sub-inspectors, inspectors, assistant superintendents, deputy superintendents, superintendents, assistant inspector-general, deputy inspector-general and the inspector general numbering 1,456 officers, the pay of the supervising staff is Rs. 38,00,000. (*A voice*: Are you excluding the assistant-sub-inspectors?) I have tried to calculate figures from the budget and if I know my arithmetic all right I think my figures are correct. My submission is, why not cut down the supervising staff? Where is the need of such a high salaried staff? I know a certain amount of this demand is non-voted which the Cabinet cannot cut. Above the pay of superintendents the Government cannot cut, but below the superintendents there is a large number of officers whose pay can be reduced.

Even if the superintendents' pay and that of his superiors cannot be reduced, their number should be reduced. Thus we should retrench the supervising staff and increase the pay of the poor constables. I have taken a lot of time of the House, but I have tried to put the point of view of this side of the House and suggested that if the Government changes its policy of violence into non-violence, if they really want to serve the people, it is only then that they can carry on the Government; otherwise, this police demand will not remove crimes from the province. The Government will be forced to come up for the grant of more money in another six months or so. (*Cheers*).

Mr. Speaker : I think, before the House adjourns, I must give my ruling on the point of order raised by Dr. Sir Gokul Chand Narang. He asked: 'whether it is defamatory to say anything against a particular officer of Government or an institution under the control of the Government, with a view to secure reform and redress. Before I give my ruling, I wish to make it clear that so long as I am in this chair I will be the last to curtail or tolerate curtailment of the privileges of this Honourable House or its honourable members. (*Hear, hear and cheers*). The privilege of freedom of speech is a very important one and there is no reason why the honourable members should not exercise it as freely as they can under the law and rules in force. But I must point out that, according to Rule 29 of our rules of business, no member, when he speaks, should utter defamatory words. Section 71 of the Government of India Act reads as follows:—

Subject to the provisions of this Act and to rules and standing orders regulating the procedure of the Legislature, there shall be freedom of speech in every Provincial Legislature, and no member of the Legislature shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Legislature or any committee thereof.

The section makes it perfectly clear that the honourable members are to exercise their right of freedom of speech, subject to rules and standing orders. I may add that this is also the practice of the Mother of Parliaments. (See page 107 of May's Parliamentary Practice and page 45 of Volume III of Redlich's Work).

[Mr. Speaker.]

The honourable members will see that they do not possess the right of unbridled oratory and that they cannot say a word in violation of the Rules of the House. In other words, the rules of the House come before everything else. Our Rule 29 is there. It may be repealed or modified, but so long as it is there, the honourable members should avoid the use of defamatory expressions. (*Dr. Sir Gokul Chand Narang* : What words should be considered defamatory ?) If there is intention of harming the reputation of a person, then it may be said to be defamatory.

Dr. Sir Gokul Chand Narang : That is malice.

Mr. Speaker : I am not a practising lawyer and therefore am not in a position to say whether the honourable member is right or wrong. But I may say that if an expression *prima facie* imputes anything wrong to a person, it may be considered defamatory.

Lala Duni Chand : Will you please enlighten us on one point? Supposing a member with a sense of duty says certain things about the public conduct of an officer. Suppose he says that such and such an officer has taken bribes. Will you please say whether that is defamatory?

Mr. Speaker : I think so unless the conduct of the officer concerned is being discussed under a substantive motion.

The Premier : I suggest that honourable members in addition to having a sense of responsibility should also have a sense of proportion. Then everything will be all right.

The Assembly then adjourned till 11 A. M. on Tuesday, 6th July, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 6th July, 1937.

The Assembly met in the Assembly Chamber, Simla, at 11 A. M. of the clock.
Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

PROCEEDS OF THE LAND REVENUE FROM LANDS WITHIN LAHORE MUNICIPAL LIMITS.

***301. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Lahore Municipal Committee requested the Government to give the proceeds from land revenue charged on lands within the Lahore Municipal limits to the Lahore Municipality ;
- (b) if the answer to (a) above be in the affirmative, the reply given by the Local Government to the request ;
- (c) whether he is aware that the said Committee wanted to utilise the proceeds of this land revenue towards the improvement of the new *abadis* ;
- (d) whether the Government ever promised to utilise the amount of this land revenue for the improvement of the new *abadis* ;
- (e) whether any amount of this land revenue has been spent towards that end so far, if so, when and on what ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) The request was refused as it was pointed out that the payment was not being made as a 'jagir' but as a grant-in-aid, and that the sum allotted was approximately equal to the land revenue actually assessed on areas added to the Lahore Municipality since 1867.

(c) Yes.

(d) A grant of Rs. 60,000 per annum for the purpose of improving these areas was sanctioned from 1927-28.

(e) The following amounts were spent on the purpose with effect from the year 1927-28 :—

| | | | | Rs. |
|---------|----|----|----|----------|
| 1928-29 | .. | .. | .. | 1,20,000 |
| 1929-30 | .. | .. | .. | 53,571 |
| 1930-31 | .. | .. | .. | 60,000 |
| 1931-32 | .. | .. | .. | 53,790 |
| 1933-34 | .. | .. | .. | 1,26,210 |
| 1935-36 | .. | .. | .. | 60,000 |
| 1936-37 | .. | .. | .. | 60,000 |

[Minister for Public Works.]

As no report was ever submitted except in the year 1934, it is not possible to give full details of the work done during different years. A statement showing the list of works enumerated in the 1934 report or subsequently executed by the Committee or Government is attached. As no payment was made for the year 1934-35 a provision of Rs. 1,20,000 has been made in the budget for payment in the present year.

Statement.

A payment of Rs. 1,26,210 was sanctioned in March, 1934. Out of this the Government retained Rs. 27,300 for the improvement of the Chauburji Outfall which work was executed by the Superintending Engineer, Public Health Circle, Punjab. The balance of Rs. 98,910 was paid to the Municipality on 27th March, 1934.

The Punjab Government, Transferred Departments, in their letter No. 32843-P. H., dated 14th December, 1933, directed that the grant should be spent for the purposes noted below :—

| | Rs. |
|--|--------|
| (1) Saadi Park and Krishna Nagar Drainage Scheme .. | 28,000 |
| (2) Laying of water mains in Saadi Park and Krishna Nagar .. | 8,000 |
| (3) Laying of water mains in areas list of which is attached herewith and is marked A. | 17,000 |
| (4) Other sanitary works detailed in the list marked B. .. | 45,910 |
| Total .. | 98,910 |

Rupees 28,000 meant for Saadi Park and Krishna Nagar Drainage Schemes were subsequently earmarked for the former only by the Committee. This work is being executed by the Municipality and is nearing completion.

In 1934-35 no grant was received. In 1935-36 Rs. 38,681 was received. The balance Rs. 20,319 was deducted by Government on account of the excess payments made in years preceding 1927-28. In 1936-37 Rs. 8,381 was received. The balance of Rs. 51,619 was retained by Government for the execution of the Drainage Scheme for Krishna Nagar and its suburbs. This work, it is understood, the Superintending Engineer, Public Health Circle, Punjab, is taking in hand.

*Laying New Water Mains.**List A.*

- (1) Data Ganj Bakhsh Road.
- (2) Prem Gali.
- (3) Kirshna Gali.
- (4) Chauburji.
- (5) Qila Gujar Singh New *Abadi*.
- (6) Nicholson Road New *Abadi*.
- (7) Misri Shah.
- (8) Grand Trunk Road (Shalamar Road).
- (9) Qila Gujar Singh New *Abadi*.
- (10) Ram Nagar.

The total amount spent on the above-noted works amounts to Rs. 18,000.

Other Sanitary Works.

List B.

| Serial No. | Locality. | Nature of work. | Amount actually paid. |
|------------|---|---------------------|-----------------------|
| 1 | 2 | 3 | 4 |
| | | | Rs. A. P. |
| 1 | Faiz Bagh | Constructing Road.. | 516 0 0 |
| 2 | Bahawalsher Road | Ditto .. | 317 0 0 |
| 3 | Naulakha | Ditto .. | 926 0 0 |
| 4 | Road near Mozang Thana .. | Ditto .. | 810 0 0 |
| 5 | Vishnoo Gali | Ditto .. | 530 0 0 |
| 6 | Manohar Street | Ditto .. | 929 0 0 |
| 7 | Kacha Road off Temple Road .. | Ditto .. | 747 0 0 |
| 8 | Village Ganjian | Ditto .. | 1,999 0 0 |
| 9 | Mohni Road | Ditto .. | 3,633 0 0 |
| 10 | Portion of Rajgarh | Ditto .. | 999 0 0 |
| 11 | Momanpura | Ditto .. | 2,020 0 0 |
| 12 | Singhpura | Ditto .. | 2,969 0 0 |
| 13 | Bahawalsher Road | Ditto .. | 5,753 0 0 |
| 14 | Kirshan Nagar Road | Ditto .. | 5,705 0 0 |
| 15 | Mohalla Ali Hajwari | Ditto .. | 1,339 0 0 |
| 16 | Kacha Road, Chauburji to Government Quarters. | Ditto .. | 994 0 0 |
| 17 | Ram Gali | Constructing Drain | 8,459 0 0 |
| 18 | Guru Datt Bhawan | Ditto .. | 1,614 0 0 |
| 19 | Bahawalsher Road | Ditto .. | 401 0 0 |
| 20 | Improving bund of S. W. Drain, Chauburji. | Ditto .. | 1,329 0 0 |
| 21 | Sullege Motor for Miri Shah .. | Ditto .. | 1,500 0 0 |
| 22 | Garhi Shahu Motor | Ditto .. | 3,810 0 0 |
| 23 | Bhundpura Pump | Ditto .. | 3,000 0 0 |
| | Total | .. | 50,099 0 0 |

LEVYING A HOUSE TAX IN LAHORE.

***302. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Lahore Municipal Committee proposed a house tax some years ago ;
- (b) if the answer to (a) above be in the affirmative, whether the Government accorded its approval to the proposal ; if not, reasons for the same ;
- (c) whether a proposal has now been made by the Administrator to levy a $12\frac{1}{2}$ per cent. house tax within Lahore Municipal limits ;
- (d) if the answer to (c) above be in the affirmative, whether the proposal has received the approval of Government ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No. The proposal was dropped by the Committee and was never submitted to Government for approval.

(c) Yes, with the exception that the tax proposed for houses within the old city walls is at the rate of $6\frac{1}{4}$ per cent. for the first five years. Remission of $2\frac{1}{2}$ per cent. out of $12\frac{1}{2}$ per cent. and $1\frac{1}{4}$ per cent. out of $6\frac{1}{4}$ per cent. proposed tax will be allowed in the case of prompt payment.

(d) No.

Diwan Chaman Lall : Does the Government intend to come to a decision in regard to this matter ?

Minister : Proposals have not yet been submitted to Government.

Diwan Chaman Lall : May I take it that the proposals are to levy a house tax ? What are the proposals that the Honourable Minister is expecting ?

Minister : Yes, proposals regarding house tax.

Pandit Muni Lal Kalra : Has any representation been made so far with regard to the house tax ?

Minister : Not so far to the Government.

Dr. Gopi Chand Bhargava : Will the Honourable Minister be pleased to state whether he will pay any attention to the representation when it comes to the Government ?

Minister : It will be carefully considered.

Diwan Chaman Lall : How much money does the Honourable Minister expect to get out of this house tax ?

Minister : It has already been published in the press. I cannot give figures offhand here.

Diwan Chaman Lall : Does the Honourable Minister think that it would be sufficient for the purpose for which this house tax is levied ?

Minister : Yes, I believe so, but proposals have not yet been received by Government.

MATERIAL FOR A SEWAGE SCHEME FOR LAHORE.

***303. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the different schemes that have been proposed during the last decade for improving sewage in Lahore ;
- (b) the estimated expenditure on each of these schemes ;
- (c) the most expensive one of all these schemes, and the reasons for its expensiveness ;
- (d) the material required for a sewage scheme that cannot be manufactured in India with its cost ;
- (e) whether the Government is prepared to direct that no material required for Lahore sewage scheme that can be manufactured in India should be purchased from abroad, if not, reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) (i) In 1929-30, a sewage scheme dealing with an area of 2,201 acres and a population of 265,717, and

(ii) In 1937, comprehensive sewage scheme dealing with an area of 9,124 acres and a prospective population of 950,250.

(b) (i) Rupees 45,94,795 (reduced in 1933 by 10 per cent. on account of fall in prices of materials) and

(ii) Rupees 2,44,44,160, respectively.

(c) The second is more expensive and the reasons for its expensiveness are—

- (i) increase in acreage of the area to be sewered by more than 4 times ;
 - (ii) tremendous increase in the prospective population to be served and calculated on the rate of increase as indicated by the census of 1931 ; and
 - (iii) incorporation in the scheme of the latest and most up-to-date developments in sanitary construction and hygienic requirements including sewage purification works.
- (d) (1) Pumping machinery,
 (2) Detritus Elevator plants,
 (3) Mechanical screens,
 (4) Bio-aeration installation for sewage treatment,
 (5) Sluice and control valves,
 (6) Flushing syphons,

at a cost of about Rs. 32,00,000.

(e) Yes. Government is prepared to give the desired direction with regard to any scheme carried out under the orders of Government or the Administrator appointed by Government.

ALLEGED POLICE EXCESSES IN VILLAGE KUTLOHI KHURD.

***304. Sardar Muhammad Hussain :** Will the Honourable the Premier kindly state —

- (a) whether his attention has been drawn to a statement recently issued by Dr. Gopi Chand Bhargava, M.L.A., regarding the alleged police excesses in village Kutlohi Khurd, district Lahore ;
- (b) whether Government has made any inquiry into these allegations, if so, with what result ?

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

(b) Yes, the allegations contained in the statement of Dr. Gopi Chand were found to be baseless. The facts are that on the 2nd of April a head constable of police searched the houses of a number of sweepers in village Kutlohi and recovered a number of spears and stolen property from their possession. The sweepers admitted the commission of about forty burglaries. The day following the searches the head constable was returning to the police station with the recovered property when he was attacked by the sweepers who were armed with spears and axes and was robbed off his private clothes and articles of uniform. During the course of the investigation into the robbery and assault case it came to light that these sweepers were being harboured by the lambardars of the village. Fearing that the police would take action against them for harbouring, one of them approached a prominent Congress worker of Makhi Khurd (Sajjan Singh) who stood for election to this Assembly on the Congress ticket but was defeated. It is understood that on the representation of this person Dr. Gopi Chand Bhargava and Mian Iftikhar-ud-Din visited Kutlohi and recorded the statements of a number of sweepers who had previously been tutored by the lambardars. In order to produce a dramatic effect an old man was brought before the honourable members on a *charpoy* and as soon as the *charpoy* was put on the ground the old man is reported to have shouted "Take me away from these policemen". I do not want to give any statement to them". The investigation into the robbery and assault case was personally supervised by a gazetted officer and no excesses or irregularities were committed by the police. The persons who assaulted and robbed the head constable decamped after the commission of the offence and were arrested from distant places. The enquiries made by Dr. Gopi Chand took place a month after the events and appear to have been instituted on the importunities of persons who had by their action laid themselves open to criminal proceedings. The complaints were in the nature of what is known as a *peshbandi* and the inexperience of the enquiry committee led to its failure to get at the real facts.

Sardar Gopal Singh : In the circumstances will the Government not consider the possibility of opening a special class for the training of investigators and enquiry agents of the Opposition ?

Premier : I am afraid the honourable member is expecting too much of the Government.

Dr. Gopi Chand Bhargava : May I know who were the investigating officers ?

Premier: The case was investigated by gazetted officers.

Dr. Gopi Chand Bhargava : If it were proved to the Honourable the Premier that the statement, which has been supplied by them and on which the present reply is based, is wrong, will he be prepared to take action against those officers ?

Premier : Certainly.

Dr. Gopi Chand Bhargava : Shall I be given a chance to prove that this report is absolutely wrong ?

Premier : Yes.

An Honourable Member : Does the Honourable the Leader of the Opposition deny that those people were guilty of committing 40 burglaries ?

Dr. Gopi Chand Bhargava : What I deny is this that I never examined the sweepers. I examined other inhabitants of the village at the time of the enquiry.

Premier : I am afraid the honourable member has not followed my reply. The case was investigated on the representation of those persons who came to persuade the honourable member to make an enquiry.

Dr. Gopi Chand Bhargava : It is absolutely wrong. If I am given a chance I will prove that it is wrong.

Premier : Does the honourable member say that he did not hold an enquiry ?

Dr. Gopi Chand Bhargava : I did hold the enquiry. But what I say is this. The report on which this reply is based is absolutely wrong. If a chance is given to me I shall prove that it is so. If I prove that the report is absolutely wrong, will the Honourable the Premier take any action against those officers ?

Mian Muhammad Iftikhar-ud-Din : Is not there a misunderstanding ? The Honourable Premier is under the impression that we went to enquire into the thefts that had been committed by certain sweepers. On the contrary we had nothing to do with them. They may have committed 40 or 50 burglaries. We were only concerned with the atrocities of the police on the innocent villagers.

Diwan Chaman Lall : May I ask the Honourable Premier whether he has decided to allow Dr. Gopi Chand Bhargava to place his case before him and come to an independent conclusion in regard to the matters mentioned in this question ?

Premier : I am sorry to say that Dr. Gopi Chand Bhargava came to certain conclusions without coming to me, and then these were published in the Press.

Diwan Chaman Lall : Is the Honourable Premier now prepared to permit Dr. Gopi Chand Bhargava to place the entire facts before him and discuss the matter with him ?

Premier : Provided Dr. Gopi Chand Bhargava is prepared to take back his statement which he has already published.

Dr. Gopi Chand Bhargava : Certainly. I will be prepared to take it back if it is proved that I was wrong.

LOWER JHELUM CANAL.

***305. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue please state—

- (a) the maximum capacity of discharge of water from the Headwork of the Lower Jhelum Canal at Rasul ;
- (b) the share of water supply proposed to be allotted to the proposed Shahpur Branch of the said canal system ;
- (c) the share of water supply to the different channels of this Canal ;
- (d) the present and the proposed share of the water supply (after the "Haq" has been enhanced) on the Sulki Branch ;
- (e) the names and their capacity of discharge of the different "escapes" on the different channels of the Canal, respectively ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The authorised full supply discharge of the Lower Jhelum Canal at Rasul is 4,093 cusecs.

(b) Nil.

(c) The authorised full supply discharges of the various branches of the Lower Jhelum Canal are—

| | Cusecs. | Percentage. |
|--|----------|-------------|
| 1 | 2 | 3 |
| Northern Branch | 1,492 or | 36.4 |
| Sulki Branch | 384 .. | 9.4 |
| Southern Feeder | 359 .. | 8.8 |
| Khadir Branch | 397 .. | 9.7 |
| Southern Branch | 966 .. | 23.6 |
| Direct Distributaries (plus absorption) .. | 495 .. | 12.1 |
| Total | 4,093 .. | 100 |

(d) in view of (b) *supra* does not arise.

(e) Sulki Escape 200 cusecs.
 Budhi Nala Escape 350 "
 Chenab Escape 490 "

ABIANA FROM ZAMINDARS OF THE JHANG DISTRICT.

***306. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state the amount of money realised from the zamindars of the Jhang district (whose lands are irrigated from the water from the Lower Jhelum) as *abiana* during the financial year 1935-36 ?

The Honourable Dr. Sir Sundar Singh Majithia : Rupees 5,43,923.

AREA IRRIGATED BY LOWER JHELUM CANAL IN JHANG DISTRICT.

***307. Sayed Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state the total area of land irrigated by the Lower Jhelum Canal in the Jhang district during 1935-36 ?

The Honourable Dr. Sir Sundar Singh Majithia : The total area irrigated by the Lower Jhelum Canal in the Jhang district during the year 1985-86 is 151,522 acres.

WATER RATES SCHEDULES IN JHANG DISTRICT.

*308. **Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the names and the total area of the villages in Jhang district which are irrigated by water supplied from the Lower Jhelum which were brought under schedule B of water rates from schedule A within the last two years ;
- (b) the names and the total area of the lands of the villages in Jhang district which are still under schedule A of the water rates and are irrigated by the Lower Jhelum Canal ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Names and the total area of the villages in Jhang district which are irrigated by the water supplied from the Lower Jhelum Canal and were brought under Schedule B of Water Rate from Schedule A within the last two years :—

| | |
|-------------------------|--|
| 1. Sharin Amanwala. | 41. Kachian. |
| 2. Shadipur. | 42. Kalabali. |
| 3. Sheikhan. | 43. Mahram Sial. |
| 4. Kul. | 44. Mason. |
| 5. Mohran Baqir. | 45. Burala Bhattian Almaruf Chak Bhattian. |
| 6. Sardarwala. | 46. Chak Said Baraham. |
| 7. Kalri. | 47. Attowana. |
| 8. Tibba Dhupsari. | 48. Patai Illanwali. |
| 9. Chandi Afraz. | 49. Jan Muhammad Nau. |
| 10. Mari. | 50. Dhaulika. |
| 11. Turbat Hajishah. | 51. Bhaukni Shaukni. |
| 12. Hissam. | 52. Kolar. |
| 13. Moharwali. | 53. Kot Kushhal. |
| 14. Jungle Kutab. | 54. Lang Shumali. |
| 15. Chak Daulatkhan. | 55. Nadha Ghar. |
| 16. Unara. | 56. Barana. |
| 17. Bali Kak Shahjewana | 57. Baghal. |
| 18. Budhi Thatti. | 58. Kalowal. |
| 19. Balochwala. | 59. Thatta Chandu Khurd. |
| 20. Talwara. | 60. Chhani Khiehi. |
| 21. Junglo Katora. | 61. Thatta Rahmun. |
| 22. Jhirkoo. | 62. Penjowala. |
| 23. Chak Jalal Din. | 63. Kaloer. |
| 24. Chak Pir Bahlol. | 64. Madal Ali. |
| 25. Chak Sialan. | 65. Sabuwala. |
| 26. Chak Ganesh Dass. | 66. Kot Lala. |
| 27. Chak Darzi. | 67. Ichharwal. |
| 28. Chak Mudarsa. | 68. Dorratta Sangrawan. |
| 29. Haveli Diwan. | 69. Bahiwal. |
| 30. Haveli Sheikh Raju. | 70. Kot Alyana. |
| 31. Hamzowala. | 71. Sagrewala. |
| 32. Hassan Khan. | 72. Chak Bahadur. |
| 33. Daduana Kuhna. | 73. Bahauddin. |
| 34. Rasulpur. | 74. Vijhalke. |
| 35. Zindashah. | 75. Khari. |
| 36. Silanwala. | 76. Wada Shah. |
| 37. Saidanwala. | 77. Hammoana. |
| 38. Shah Jewana. | 78. Changranwala. |
| 39. Alipur. | 79. Kalri. |
| 40. Kot Khan. | 80. Langar Makhdum. |

Total area for those villages is 115,600 acres.

[Minister for Revenue.]

(b) Names and total area of the lands of the villages in Jhang district which are still under Schedule A of the Water Rates and are irrigated by the Lower Jhelum Canal :—

| | |
|------------------------|---------------------------|
| 1. Bulewala. | 63. Wadhan. |
| 2. Burhani Kanoanwali. | 64. Wasalshah. |
| 3. Punjewala. | 65. Bhutta. |
| 4. Pipal Nurpur. | 66. Buri. |
| 5. Tindianwala. | 67. Bhindi Haidan. |
| 6. Thatta Shah Jamal. | 68. Thatti Panju. |
| 7. Tibbi Nalera. | 69. Thatta Kamira. |
| 8. Thatta Umra. | 70. Jagangirpur. |
| 9. Jil. | 71. Doaba. |
| 10. Ramdana. | 72. Akalpur. |
| 11. Sajawalewala. | 73. Ghauspur. |
| 12. Inayatpur. | 74. Kot Iseshah. |
| 13. Kot Sultan. | 75. Lau. |
| 14. Kot Amira. | 76. Bhaun. |
| 15. Kot Mahhta. | 77. Thatti Said Braham. |
| 16. Maru Killa. | 78. Kaloka. |
| 17. Attoana. | 79. Saruwala. |
| 18. Bhawanian Viran. | 80. Thatti Bala Raja. |
| 19. Berwali. | 81. Yakeke. |
| 20. Bhamb. | 82. Burj Bahbal. |
| 21. Bhairo. | 83. Chak Dhigian. |
| 22. Panj Girain. | 84. Kot Amir Shah. |
| 23. Pabarwala. | 85. Thatti Khudayar. |
| 24. Pirkot Sidhanan. | 86. Thatti Alamshah. |
| 25. Pira. | 87. Dohmi. |
| 26. Pindi Lal Murid. | 88. Bakhshwala. |
| 27. Thatta Kuriana. | 89. Karimpur. |
| 28. Thatta Jabana. | 90. Alipur Nadh. |
| 29. Tahli Daulatkhan. | 91. Ilauddinwal. |
| 30. Jatiana. | 92. Rattapur Bala. |
| 31. Jhanda. | 93. Markh. |
| 32. Chund Bharwana. | 94. Bhabrana. |
| 33. Chatta. | 95. Balianwala. |
| 34. Chak Mahabali. | 96. Paeca. |
| 35. Danka Baluchan. | 97. Kandiwala. |
| 36. Dosera. | 98. Lole. |
| 37. Dhaulka. | 99. Jand Hassan Katel. |
| 38. Dhoriwala. | 100. Sadrewala. |
| 39. Ratta Matta. | 101. Banwre. |
| 40. Ramana. | 102. Hast Khewa. |
| 41. Sobhaga. | 103. Jodh. |
| 42. Silmana. | 104. Galotranwala. |
| 43. Shah Murad. | 105. Kot Rahman. |
| 44. Shergarh. | 106. Burali. |
| 45. Sharin. | 107. Thatta Chandu Kalan. |
| 46. Ghauspur. | 108. Kot Qazi. |
| 47. Kutb. | 109. Wadd Sayadan. |
| 48. Qadarpur Bakhsha. | 110. Brahmanwala. |
| 49. Khakan. | 111. Ragh Shah Bahlol. |
| 50. Kot Dharena. | 112. Chak Mathreme Pucca. |
| 51. Karriwala. | 113. Ahmed Nagar. |
| 52. Kot Mohla. | 114. Malspra. |
| 53. Kangra. | 115. Pathanewala. |
| 54. Kot Pushhal. | 116. Jagoki. |
| 55. Kulcha. | 117. Bo threnwala. |
| 56. Ghoriwala. | 118. Kanwewala. |
| 57. Latifpur. | 119. Yakuwala. |
| 58. Lang Shumali. | 120. Khokhranwala. |
| 59. Muradwala. | 121. Pillowal Saddiqan. |
| 60. Munda. | 122. Pillowal Sayadan. |
| 61. Mongar. | 123. Dharanagar. |
| 62. Naunari. | 124. Dawar. |

| | |
|------------------|--------------------------|
| 125. Mughlewala. | 134. Dhikhanwal. |
| 126. Sangra. | 135. Tahroo. |
| 127. Jhabana. | 136. Jaisal. |
| 128. Lalian. | 137. Chak Jhera. |
| 129. Vinoka. | 138. Pir Panja. |
| 130. Kalas. | 139. Ghansewala. |
| 131. Khai. | 140. Ganje Talla. |
| 132. Ahlewala. | 141. Bhurani Kanianwali. |
| 133. Walla. | 142. Nurpur Pipal. |

Total area of these villages is 217,988 acres.

REMISSIONS IN JHANG DISTRICT.

***309. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total amount of money remitted with regard to the wheat crop this year by Government in the province ;
- (b) whether it is a fact that the gram crop has been almost destroyed in the Jhang District; if so, the total amount of money remitted by Government this year with regard to this crop ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Details by crops are not available, but remissions of land revenue and *abiana* to the extent of about Rs. 27 lakhs have so far been granted.

(b) The area damaged by gramblight in the Jhang district was 24,329 acres. Rupees 17,625 in land revenue and Rs. 18,060 on account of *abiana* have been remitted in respect of the gram crop.

CIVIL HOSPITAL, MAGHIANA.

***310. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Civil Hospital at Maghiana (head-quarters of the Jhang district) was proposed to be provincialized this year, and that orders were issued to this effect some time ago ;
- (b) whether it is also a fact that orders mentioned in (a) have been cancelled ; if so, why ?

The Honourable Mian Abdul Haya : (a) Administrative approval was given by Government for the provincialization of the Jhang-Maghiana Civil Hospital this year. The actual carrying out of the project was subject to the provision of funds in the budget.

(b) It was not found possible to provide the funds and it was therefore necessary to postpone the provincialization of this hospital.

Diwan Chaman Lall : May I ask the Honourable Minister how much money it would cost to provincialize this hospital ?

Minister : I do not keep the figures in my head.

Diwan Chaman Lall : May I ask the Honourable Minister whether he intends to take any steps to enquire whether it is feasible financially ?

Minister : The proposal was before us. But it was an act of God, namely, the hail-storm, that interfered.

Diwan Chaman Lall : May I ask the Honourable Minister whether it was an act of God that he does not know how much money was required ?

Minister : At the time we considered this question we had the figures before us.

Diwan Chaman Lall : Has the Honourable Minister forgotten the figures now ?

Minister : Certainly.

Diwan Chaman Lall : Has the Honourable Minister made an attempt to brush up his memory with regard to these figures ?

Minister : When the proposal came before us we had the figures.

Diwan Chaman Lall : Can the Honourable Minister give an approximate idea of the amount ?

Minister : No, Sir.

Diwan Chaman Lall : Was it very small ?

Minister : No, Sir.

Diwan Chaman Lall : How can the Honourable Minister say that the amount was not small when he does not remember the figures ?

Minister : I know the approximate cost.

Lala Bhim Sen Sachar : What is the approximate cost which the Honourable Minister says he knows ?

PROVINCIALIZED CIVIL HOSPITALS.

***311. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education be pleased to state :—

- (a) the number of civil hospitals in the province that were provincialized last year, i. e., in 1935-36 with the names of places where these hospitals are situated ;
- (b) the number of civil hospitals which are proposed to be provincialized during the year 1937-38 with the names of the places where these are situated at present ?

The Honourable Mian Abdul Haye : (a) No civil hospital was provincialized during the year 1935-36.

(b) It is proposed to provincialize three district headquarters hospitals, i. e., Hoshiarpur, Gujrat and Hissar during the year 1937-38. Representation has now been made by the Gujrat district authorities that instead of district headquarters hospital a tahsil headquarters hospital be provincialized. This matter is at present under consideration.

WATER SUPPLY TO DHRIKHANWALA VILLAGE.

***312. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state whether the Government have received any complaints regarding the water supply to the Dhri Khanwala village situated in the Kot Naja Sub-Division of the Kirana division of the Lower

Jhelum Canal to the effect that the zamindars of that village have again and again brought their difficulties to the notice of the local as well as the higher authorities concerned without invoking any redress of their grievances?

The Honourable Dr. Sir Sundar Singh Majithia : No such complaints have been received by Government. Petitions received by the Executive Engineer were fully investigated and found to be baseless, inasmuch as the average irrigation of the village for the last 5 years is 1,252 acres against their Haq of 872 acres, indicating that the arrangements of water supply are satisfactory.

CONTRACTORS IN THE SHAHPUR, KIRANA AND SARGODHA
DIVISIONS OF LOWER JHELUM CANAL.

***313. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of contractors communitywise on the approved list of contractors maintained in the Shahpur, Kirana and Sargodha divisions of the Sargodha Circle of the Lower Jhelum Canal respectively;
- (b) the number of works given to contractors belonging to each community, i.e., Muslims, Sikhs and Hindus separately during the year 1935-36 with the amount of money for which each such work was given and also the number of contractors out of them who belong to the statutory agriculturist class;
- (c) if the number of the (i) Muslims, (ii) statutory agriculturists among these contractors be unduly small the action that is proposed to be taken to make up the deficiency?

The Honourable Dr. Sir Sundar Singh Majithia : The collection of the information required by the honourable member will involve considerable labour and it is not proposed to collect it.

Further, Government cannot regulate the giving out of works on communal considerations because in accordance with orders in Public Works Department Code paragraph 2-69 and for reasons of economy, works are given out to the lowest suitable tenderer, and Government clearly has no means of insuring that the lowest tenderers shall be in any fixed communal ratio.

Endeavours will however be made that members of communities (who are not on the approved list or are meagerly represented thereon) be entered on that list provided the conditions laid down in the Code are fulfilled so that they may have a chance of competing for work given out by tender.

Lala Duni Chand : Does the Government accept the principle of open and free competition in the matter of granting contracts and of the lowest rates; and if so, will the Government issue instructions to all departments to that effect?

Minister : The reply is quite clear.

Sayed Amjad Ali Shah : May I know whether this principle was adhered to in the last contract given for the brick kiln for the Haveli project ?

Minister : The lowest tender was accepted.

OFFICE OF THE SARGODHA CIRCLE, LOWER JHELUM CANAL.

***314. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total number of persons communitywise employed in the Office of Sargodha Circle and in the three Divisions (Shahpur, Sargodha and Kirana) of the Lower Jhelum Canal at Sargodha separately with amount of money the members of each community are receiving in the shape of salaries ;
- (b) the number of statutory agriculturists among them ;
- (c) if the number of (i) Muslims, (ii) the statutory agriculturists be very small the steps, if any, that Government intends to take to make up the deficiency ?

The Honourable Dr. Sir Sundar Singh Majithia : (a)

| | MUSLIMS. | | | SIKHS. | | | OTHERS INCLUDING HINDUS. | | |
|----------------------|-----------------|---------------------|-------|-----------------|---------------------|-------|--------------------------|---------------------|-------|
| | Agriculturists. | Non-Agriculturists. | Pay. | Agriculturists. | Non-Agriculturists. | Pay. | Agriculturists. | Non-Agriculturists. | Pay. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | Rs. | | | Rs. | | | Rs. |
| Circle Office .. | 2 | 5 | 621 | .. | .. | .. | 1 | 6 | 714 |
| Sargodha Division .. | 25 | 10 | 2,643 | 4 | 3 | 499 | 2 | 27 | 2,235 |
| Kirana Division .. | 22 | 5 | 1,796 | 3 | 8 | 582 | 1 | 25 | 2,025 |
| Rasul Division .. | 16 | .. | 1,168 | 2 | 2 | 336 | 4 | 23 | 2,008 |
| Total .. | 65 | 20 | 6,228 | 9 | 13 | 1,417 | 8 | 81 | 7,032 |
| | 85 | | | 22 | | | 89 | | |

(b) 82 agriculturists.

(c) The number of Muslims as also of Sikhs and agriculturists is at present below the proportion fixed but it is not unduly small and will increase with the entry of new men ; hence no action other than that already in force to govern recruitment is considered necessary.

Pandit Muni Lal Kalia : Have any representations been made by any community that the posts given to them are not up to the required figure ?

Minister : They are made in the Press.

OFFICE OF THE LYALLPUR CIRCLE, LOWER CHENAB CANAL.

***315. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Revenue please state :—

- (a) the total number of persons communitywise employed in the Office of the Lyallpur Circle and in all the divisions of the Lower Chenab Canal, Irrigation Department with the amount of money the members of each community are receiving in the shape of salaries, every month ;
- (b) the number of statutory agriculturists among them and the amount of money they are receiving monthly in the shape of salaries ;
- (c) if the number of statutory agriculturists and the amount of money that they receive be unduly small, the steps that are proposed to be taken to redress their grievances ?

The Honourable Dr. Sir Sundar Singh Majithia :

| | No. | Rs. |
|--------------------------|-----|--------|
| (a) Muslims | 628 | 25,066 |
| Hindus | 647 | 33,892 |
| Sikhs | 247 | 10,386 |
| Others | 7 | 7,809 |
| (b) Agriculturists | 631 | 26,827 |

(c) The number of statutory agriculturists and the amount of money they receive is comparatively small but not unduly small and will increase with the entry of new men ; hence no action other than that already in force to govern recruitment is considered necessary.

LYALLPUR-JHANG ROAD.

***316. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total amount of money proposed to be spent on the metalling of the Lyallpur-Jhang road ;
- (b) the total number of the contractors communitywise who sent in their tenders for the work ;
- (c) the names and the communities of the contractors to whom this work has been given with the terms of their tenders ;
- (d) whether he will lay on the table of the House the tenders submitted and the terms quoted by the contractors whose tenders were accepted as well as of those whose tenders were rejected, and give reasons for the acceptance of the tenders, respectively?

The Honourable Nawabzada Major Malik Khizar Hayat Khan-Tiwana : (a) Rs. 7½ lakhs.

(b) Total number of tenders was 37 (thirty-seven). Community-wise they were as under :—

| | | | | |
|-----------------------------|----|-------|----|----|
| Muslim | .. | .. | .. | 1 |
| Hindus | .. | .. | .. | 26 |
| Sikhs | .. | .. | .. | 2 |
| Hindus and Sikhs (combined) | .. | .. | .. | 2 |
| Companies | .. | .. | .. | 6 |
| | | | | 37 |
| | | Total | .. | 37 |

It is added that a partner of one of the companies who tendered, as mentioned above, was also a Muslim.

(c) Messrs Karam Chand-Mehng Raj .. Hindus. At 6½ per cent. below the notice rates. Work to be completed in 8½ months.

Messrs Sind Punjab Road Construction Company. At 6½ per cent. below notice rates. Work to be completed in 6 months and 20 days.

Sardar Uttam Singh Dugal .. Sikh. At Rs. 10-5-0 per cent. below notice rates. Work to be completed in 12 months.

Lala Faqir Chand .. Hindu. At notice rates. Work to be completed in 8 months and 22 days.

Lala Lal Chand Kalra .. Hindu. At 12 per cent. below notice rates. Work to be completed in 6 months.

(d) Government does not consider it in the public interests to give the information asked for, and to lay on the table of the House the tenders received for the work in question.

Chaudhri Kartar Singh : Will the Honourable Minister please consider the desirability of not giving contracts to members of the Assembly ?

Minister : I have given the names of the contractors ; I do not know whether they are members of the House or not.

FRUIT GROWING IN THE PROVINCE.

***317.5 Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development kindly state—

(a) the number of fruit plants supplied by the Fruit Specialist in 1936 from the Government Nurseries, Lyallpur ;

(b) the total demand for fruit plants in 1936 ;

(c) whether the demand was met ; if not, why not ;

- (d) if the answer to (c) above be in the negative, whether the Government proposes to increase the staff and also the number of nurseries ;
- (e) whether the Government proposes to have fruit plants' nurseries in every District Farm to enable the zamindars to get their supplies from there ;
- (f) whether the Government proposes to encourage the preservation, canning and growing of fruit in the province ; if so, how ?

The Honourable Chaudhri Sir Chhotu Ram : (a) 7,876 plants from 1st July, 1936 to 30th June, 1937.

(b) 69,415 plants.

(c) Only a small percentage of the demand was met, as nursery production on a large scale takes time and it has not been possible yet for supply to overtake demand.

(d) Government have already taken active steps in the matter. With the aid of funds from the Government of India Rural Reconstruction grant to the Punjab in November, 1935, the staff has been increased, existing departmental nurseries enlarged considerably and a number of new nurseries opened.

(e) All the departmental District Farms are not suited for fruit nursery work, but nurseries are being established in as many suitable and convenient centres as funds permit.

(f) Government is already doing a great deal in this direction, such as giving practical advice and demonstration, holding classes of instruction and fruit shows, and providing fruit nursery plants of good quality. In addition funds for the erection of a fruit cannery at Lyallpur and its equipment with machinery for demonstrating fruit preservation on a semi-commercial scale have been obtained from the Government of India and the first demonstration course of seven months duration is in progress at present.

Syed Amjad Ali Shah : Will the Government be prepared to recommend to the Government of India to reduce the customs duty on reformed tins or other tins which are used for preservation of canned fruit ?

Minister : If a representation is made I will consider the matter.

MEANS OF COMMUNICATION IN THE RURAL AREA.

*318. **Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to lay on the table of the House a detailed programme of the improvements proposed to be effected in the means of communication in the rural areas of the Punjab, districtwise ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A programme of road development in the Punjab is under preparation. Its details are to be worked out in the next few months.

IMPROVEMENT OF UNMETALLED ROADS IN THE PROVINCE.

***319. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works kindly state—

- (a) whether it is a fact that unmetalled roads in this province are in a very bad condition ;
- (b) whether the Government is prepared to take some steps to get the unmetalled roads improved in the near future ;
- (c) whether the Communications Board has taken any steps towards the new system of scheduling roads ; if so, what ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No, not all of them. Out of about 9,000 miles of unmetalled roads in the province of Classes I and II there were 3,323 miles estimated to be in motorable condition at the end of 1934-35.

(b) Yes, proposals are afoot to improve in the near future many of the unmetalled roads to make them fit for motor traffic.

(c) No, this is purely an executive function with which the Communications Board are not directly concerned.

RANBIR PRESS, LAHORE.

***320. Dr. Gopi Chand Bhargava :** Will the Honourable the Premier be pleased to state whether it is a fact that the Ranbir Press, Lahore, has been called upon to deposit a security ; if so, why ?

The Honourable Major Sir Sikander Hyat-Khan : Yes ; for printing a portion of the book entitled " Puranic Pol Parkash " which contained matter which was offensive to Sanatanists and came within the purview of clause (h) of sub-section (1) of section 4 of the Indian Press (Emergency Powers) Act, XXIII of 1931, as amended by section 16 of the Criminal Law Amendment Act, XXIII of 1932.

Dr. Gopi Chand Bhargava : When was the book published ?

Premier : I should like to have notice of that question.

Dr. Gopi Chand Bhargava : Will he please state whether a second edition has been published or not ?

Premier : I am afraid I cannot give that information.

An honourable member : Was the owner of the Press given a warning before ?

Premier : I believe so.

PROVISION OF SHELTER AND OTHER FACILITIES FOR JAIL VISITORS.

***321. Dr. Gopi Chand Bhargava :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that there are no seating arrangements in a large number of jails in the province for those who go to interview prisoners ;

(b) whether it is also a fact that the visitors have to stand in the sun or rain while interviewing the prisoners ;

(c) what action Government propose to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : This has been dealt with in the reply to question *161.¹

SHORTAGE OF WATER SUPPLY IN THE ILAQA IRRIGATED BY RAJBH
MUNDORA.

***322. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that there is a shortage of water supply in the *ilaqa* irrigated by Rajbah Madhora in Hafizabad division, and especially at the tail of the said Rajbah ;

(b) the commanded area and the irrigated area of village Thatha Asalatke at present ;

(c) whether it is a fact that the land owners of the village mentioned in (b) above have been making complaints regarding shortage of water supply to the Irrigation Department ;

(d) if the answer to (c) above be in the affirmative, since when the authorities of the Irrigation Department have been receiving such complaints and the action, if any, taken in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. There is no shortage of water for the areas of the Madhora distributary. Owing to the need to re-adjust the upper outlets, the supply at the tail has been short on occasions.

(b) Since 1935, the culturable commanded area and permissible annual irrigation of Thatha Asalatke have been recorded as 486 and 218 acres, respectively.

(c) The only complaints from the distributary tail have come from Dr. Shaikh Muhammad Alam or his relatives — the owners of the villages.

(d) Since 1935.

The supply for the outlet will be increased as soon as the adjustment of the upper outlets permits and after re-verification of the culturable commanded area — quoted in (b) above — has been completed, as appears desirable from the present investigation.

ROAD FROM PINDI BHATTIAN TO HAFIZABAD.

***323. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the condition of the road from Pindi Bhattian in district Gujranwala to Hafizabad via Jalalpur Bhattian, is extremely bad ;

[Dr. Shaikh Muhammad Alam.]

- (b) whether it is a fact that several accidents have happened on that road ;
- (c) whether it is a fact that the metalling of the road from Pindi Bhattian to Hafizabad which is connected with the road from Pindi Bhattian to Chiniot, has already been sanctioned by Government ;
- (d) when Government proposes to take up the work of metalling the above-mentioned road ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) This is an unmetalled road and is no worse than most unmetalled provincial roads in the province. No accidents have been reported.

(c) No. The metalling of the road is, however, contemplated.

(d) No date fixed as yet.

ROAD BETWEEN KASUR AND RAIWIND.

***324. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state—

- (a) Whether it is a fact that the condition of the road joining Kasur with Raiwind, in district Lahore, is bad ;
- (b) whether it is a fact that this is the only road which joins Kasur with important grain producing centres like Athelpur, Raokhanwala, Raja Jang, Raiwind, etc ;
- (c) when this road was last repaired with the amount of money spent on its repairs ;
- (d) what action Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No. The condition of the road is like other earthen roads. The road is motorable but is liable to get ratted especially by iron-tired carts.

(b) Yes, but the road runs close and parallel to the railway line (Lahore Kasur). The traffic is not great.

(c) The road was repaired last in October, 1936, at a cost of Rs. 576-2-0.

(d) It is understood that the District Board, Lahore, is considering the question of metalling the road up to 3 miles from Raiwind as soon as funds become available.

REALISATION OF SUSPENDED LAND REVENUE IN GURGAON DISTRICT.

***325. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that under the existing rules land revenue which remains under suspension for three years or more is remitted ;

- (b) if the answer to (a) above be in the affirmative, whether it is a fact that from some villages in the Gurgaon district, land revenue, suspended in 1932 and not realized during the last 5 years, has to be realized this year; if so, reasons for the same?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member's attention is invited to paragraph 576 of the Land Administration Manual and Appendix IX to the Final Settlement Report of the Gurgaon district. The question of the remission of the outstanding arrears is taken into consideration after the lapse of three harvests and remissions are granted according to the merits of each case. They are not granted automatically after the lapse of any fixed period of time.

- (b) Does not arise.

COMPLAINT BY SARDAR HAZURA SINGH AGAINST POLICE.

***326. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that Sardar Hazura Singh, son of Dayal Singh, Jat of village Khalra, tahsil Kasur, district Lahore, complained to the Additional Superintendent of Police, Kasur, that he was molested and beaten by the head constable, muharrir and other constables posted at police station Khalra, tahsil Kasur, on the 16th February, 1937; if the answer be in the affirmative, whether he will kindly lay on the table of the House his original application;
- (b) whether any inquiry was made on that application by a responsible police officer; if so, on what date the complaint was served with a notice to appear before the investigating officer;
- (c) whether the investigating officer recorded the statements of the complainant and of his witnesses, if so, the result of this inquiry?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. A copy of the application is laid on the table.

(b) and (c) Under the instructions of the Additional Superintendent of Police, Kasur, an inquiry was made by the officer in charge of the police station, who found the allegations in the petition to be contrary to the facts. The scene of the incident was the open market place, and the inquiring officer was able to ascertain the facts from the shopkeepers and other independent witnesses, without questioning the petitioner.

Translation of a Vernacular petition from Hazura Singh, son of Dyal Singh, Jat of Khalra, tehsil Kasur, to the Additional Superintendent of Police, Kasur.

A Ram Lila was held in Khalra Mandi on the night of 16th February, 1937, and I went to see the show. I was standing behind other spectators when the head moharrir of Khalra Police Station came to the spot with a stick in his hand. He ordered all the people to sit down. The moharrir was somewhat drunk at the time. Some people sat down and the rest were about to sit down when the moharrir came up to me and using abusive language ordered me to sit

[Premier.]

down. I said "Do not use abusive language." Upon this the head moharrir lost his temper and attacked me. I caught hold of his hand and two or three constables who were present in the Ram Lila also attacked me. All the policemen beat me severely with fists and sticks, and disgraced me. I request that a thorough enquiry into the incident should be made, and the culprits should be severely dealt with in order that they may not disgrace a respectable person in future.

PRISONERS IN KASUR SUB-JAIL.

***327. Dr. Sant Ram Seth :** (i) Will the Honourable the Premier be pleased to state whether Sajjan Singh Margindpuri, member, Servants of the People Society, Lahore, submitted an application to him on the 8th June, 1937, stating therein some grievances of the prisoners of Kasur Sub-Jail transferred to Multan Central Jail ;

(ii) if the answer to (i) be in the affirmative whether he will lay on the table his original application and state whether any inquiry was made by the Government ; if so, the result of the inquiry and what steps the Government proposes to take to remove the grievances complained of ;

(iii) whether any prisoners were transferred to Kasur Sub-jail on the 7th June, 1937 ; if so, their number and the number of the police guard sent with them, and also the capacity, i. e., volume of the prisoners' van in which they were put at Kasur Railway station ?

The Honourable Major Sir Sikander Hyat-Khan : (i) Yes.

(ii) and (iii). A copy of the application is laid on the table. It has been ascertained that on the date in question thirty prisoners were transferred from the Kasur subsidiary jail to the Old Central Jail, Multan. They were marched to the railway station at Kasur, in the late afternoon, according to the usual practice, and were despatched by a train leaving Kasur at 5-39 P. M. and reaching Multan early on the following morning. The prisoners were accommodated on the train in four compartments, each constructed to hold eight persons. The guard consisted of one head constable and six constables of police, and one jail warder. The complaints made in the application thus seem to be without foundation, and no action is contemplated.

Copy of a letter, dated the 8th June, 1937, from Sajjan Singh Margindpuri, member, Servants of the People Society, Lahore, to the Honourable Premier, Government, Punjab, Lahore.

I beg to bring the following facts to your notice :—

- (1) Ordinarily prisoners from Kasur Sub-Jail are transferred to Multan Old Central Jail after their convictions by the local courts. On the 7th instant about 25 convicts were transferred from Kasur Sub-Jail to Multan Central Jail. The scene of their marching on foot, at the roads in the scorching heat of the sun was too much dreadful. They were all bar-fettered and handcuffed. The fetters grew hot under the heat of the sun and began to bite their ankles and legs. Some of them received severe bites of iron fetters. This system of marching the bar-fettered prisoners on foot from the Sub-Jail, Kasur to the Railway Station, Kasur, a distance of about 2 miles must be given up. It is very troublesome. Therefore, I would request you to look into the matter and see that some satisfactory arrangement for the conveyance of the prisoners from the Kasur Sub-Jail to the Kasur Railway Station is made as early as possible.
- (2) I also beg to add that the scene of their packing in the prisoner's van on the railway was much more horrible. The prisoner's van consisted of 5 compartments. In the four compartments all the prisoners were put in handcuffed. The accommodation in each compartment was so insufficient that the prisoners could

hardly move. They were made to sit shoulder to shoulder. The train left Kasur at 6 P.M. They had to pass the whole night in the journey, while there was not the least possibility of their getting sleep during their stay in the prisoner's van at night. I would request you to make such arrangement for the prisoners who are transferred from Kasur to Multan that either they be booked in the morning train which leaves Kasur at 6 A.M. or they be transferred in a van which provides sleeping accommodation for them during night.

PUNITIVE POLICE POST AT VILLAGES SAIDO, CHEEMA AND JAUR SINGHWALA IN LAHORE DISTRICT.

***328. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether any additional police post was quartered at village Saido, Cheema and Jaur Singhwala, tahsil Kasur, district Lahore, between 1921 and 1924 ;
- (b) if so, the sanctioned strength of the police force for each year, the strength of the police force actually posted there each year and the amount imposed on and recovered from the inhabitants of the villages for the costs of police post each year ;
- (c) whether any inquiry was made by the District Magistrate, Lahore, about the actual cost of the police force located in the aforesaid villages before issuing orders for its recovery ;
- (d) whether one Suja Singh and other inhabitants of the aforesaid villages submitted an application to the Honourable Premier in April, 1937, claiming refund of a certain sum said to have been realised in excess of the actual cost of the police post borne by Government ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is asked to refer to the reply given to his earlier question (No. *361) regarding this additional police post. I regret that I cannot undertake to go into further details in regard to this old matter.

PUNITIVE POLICE POST AT VILLAGE HARDO SAHARI, DISTRICT LAHORE.

***329. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any punitive police post was quartered at village Hardo Sahari, district Lahore, in 1928-29 for a period of one year ;
- (b) if so, the date of its arrival in the village, the date of its withdrawal from the village, the name of the house owner who provided his house for the police force, the amount of monthly rent settled with him and the total rent paid to him during the stay of the police force in the village ;
- (c) whether any inquiry was made by the District Magistrate, Lahore, before issuing orders for the recovery of the police post costs ;

[Dr. Sant Ram Seth.]

- (d) whether any reserve force was ever called in during the stay of the police force in the village and whether the village inhabitants were charged on this account at the fixed rate. *i. e.*, 1/6th part of the total salaries of the constables ;
- (e) whether the furniture purchased for the police post at the cost of the village inhabitants was taken to the District police headquarters after the withdrawal of the police post from the village without any compensation to the village inhabitants ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is asked to see the reply given to his Question *30,¹ relating to this same post. I regret that I cannot undertake to go into further details regarding this old matter.

PUNITIVE POLICE POST AT MAKHI KHURD AND MAKHI KALAN
IN LAHORE DISTRICT.

***330. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that mounted punitive police post was sanctioned to be posted at villages Makhi Khurd and Makhi Kalan tahsil Kasur, district Lahore, for a period of 3 years ;
- (b) whether any police force was sent from the District police headquarters, Lahore, for this police post before May, 1922 ; if so, the grounds for delay ;
- (c) whether it is a fact that during the year 1922-23 the police force which was to be located at the above villages mentioned in (a) remained stationed at police station, Valtoha ;
- (d) if the answer to (c) be in the affirmative, the period for which it remained there and the actual costs borne by the Government for this period ;
- (e) if the answer to (a) be in the affirmative, the name of the village resident house owner who provided house for the police during its stay in the village, the monthly rent settled with him and the total rent paid to him during each year of the stay of the said punitive police post ;
- (f) whether any grain compensation was allowed to any of the Government servants from 1st April, 1922, to 31st March, 1923, and whether the punitive police costs recovered from the village inhabitants of the aforesaid villages included Rs. 360 for grain compensation allowance of the police force ; if so, why the compensation was not paid ;
- (g) whether any inquiry was made by the District Magistrate, Lahore, about the actual costs of the punitive police posts during its stay in these villages before issuing orders for the recovery of the punitive police post costs from the village inhabitants ;

(h) the reasons why the village residents were charged Rs. 636 per annum on account of pensions for 3 years when no such pension was allowed to the members of punitive police post ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is asked to see the reply given to his earlier question No. *40¹. I regret that I cannot undertake to go further into this old matter.

DEMANDS FOR GRANTS.

POLICE.

Police Administration.

Mr. E. Few (Anglo-Indian) : I thank you for the opportunity given me to say a few words on the cut motion before the House. Unfortunately I was not in the House yesterday when my honourable friend on the opposite bench made his observations but in the course of his remarks he referred to Anglo-Indians in the police force. The Anglo-Indian is in a minority but I think it will be admitted that he has been second to none in the development of India and the service he has rendered to the country. (*Hear, hear*). The Honourable Leader of the Opposition in surveying the police field deplored the method of recruitment to the police and pressed that we should not confine recruitment to this or that community but recruit only the best. I maintain that the Anglo-Indian being the best material available finds himself in the police force. In storm and stress the Anglo-Indian is always to the front and I pride myself that my community is India's second line of defence by forming the backbone of the auxiliary force. Anglo-Indians are still very useful particularly in dealing with critical situations. I would remind the House through you that some years ago when a notable communal trial was held in Rawalpindi the services of an Anglo-Indian Magistrate from Lahore were requisitioned to try the cases. Again, in the unfortunate recent clash at Panipat we find soon after an Anglo-Indian magistrate drafted to that list. I therefore submit that the Anglo-Indian is pulling his weight in the administration of the country and my honourable friends on the Opposition benches should not grudge him his share in the economic life of the province. The next point I wish to refer is the strictures of the Honourable the Leader of the Opposition and his followers on the police. Do these people really consider that in a force of over 22,000 every individual should be immaculate ? Is there any country in the world that can point to any institution that can boast of 100 per cent. righteousness ? I maintain that the public is responsible for the corruption of the police and it is brought about by some interested party getting hold of a weak-minded policeman and by threats, by bribes, by inducements of a varied nature get him on the track of somebody else, when the Opposition benches raise the matter on the floor of the House without pausing to consider the origin of the trouble. I respectfully maintain, that unless the public change their angle of vision on corruption we can never hope to have an incorruptible police. The lot of a policeman in this country is the hardest of all ; he is between the devil and deep sea and realizes that whether he is in the right or wrong he will get the rotten end of the stick. Is it therefore anything to be wondered at that in desperation he lapses from the correct path ?

[Mr. E. Few.]

Now my honourable friends on the Opposition benches after condemning the police lock, stock and barrel, without a redeeming feature, recommend that the salaries of the constables be raised, when they are told that Finances will not permit of such, they get over the difficulty by suggesting that the supervisonal staff should be chopped off. I wonder if the Honourable Leader of the Opposition has ever tried to visualise a herd of sheep being controlled without a shepherd. If you do away with supervisonal staff who will be there to train the rank and file, to show them the right path and pull them up when they deviate from correctitude? The suggestion is impracticable and I respectfully submit that the remedy proposed is worse than the disease. The inconsistency of the Leader of the Opposition bothers me. He wants the pay of the constable to be raised and in the same breath says that the greatest living being Mr. Gandhi, exists on six pice a day, and it would therefore be logical for him to say that as constables are lesser mortals they should be able to exist on five pice.

The other point I wish to stress is the continual cry of the Opposition that the Government benches having an overwhelming majority do not listen to their suggestions. Nobody can deny that the Opposition are certainly the most vocal, but I will never concede that they have the monopoly of wisdom. Do they expect every suggestion of theirs to be accepted, no matter how wild, by the majority party abdicating their own judgment? I am afraid if we were to accept all their suggestions we should be all placed under restraint. I challenge them to put forward a single constructive proposition. Some of the stuff put forward is really an insult to the intelligence of the House. One member tells us to reduce the Land Revenue from 12 crores to 2 crores, another to raise the minimum wage so that an expenditure of 200 crores would be needed. Could any sane person make such proposals? Again, we are told that Mr. Gandhi lives on six-pice a day. It must be a wonderful six-pice with includes Jaffa Oranges, dates from Bushire and hot house grapes from the vineries overseas. The electorate sent us here to do a spot of work. The sooner we get on with it and stop bleating to the gallery the better for the province.

Master Kabul Singh (Jullundur East, Sikh, Rural) (*Punjabi*): Sir, I rise to support the motion moved by the honourable member Lala Duni Chand. It is quite clear that the burden of almost all the speeches made by the members sitting opposite has been that they have every sympathy with the peasantry of the province. They have also given high sounding pledges to extend their helping hand to the agriculturists. They are always labouring this point, so much so that even when they demand fat salaries for ministers they do so on the plea of helping the agriculturists, and, when they press another demand for heavy charges on account of parliamentary secretaries, again it is pleaded that they are essential for the good of the peasantry. And now when we are discussing the demand for police, the same argument of helping the agriculturists is being advanced. It appears as if the Unionists' Government is always pining for the welfare of the peasants, and always thinking out measures for relieving them of their distress. If they ride in a rickshaw, they maintain, it is for the sake of the poor peasants. If they indulge in the luxury of taking 'Karah' they declare "that too is for the good of the peasants". Some of my honourable friends

who spoke yesterday held that police is maintained for safeguarding the honour, property and life of agriculturists. But let us consider how far the police really safeguards the honour, property and life of those who provide the wherewithals for the maintenance of the Police Department out of their hard-earned income. If it were a fact that police is meant for safeguarding the life and property of the agriculturists, they would have been saved from the worries on the score of watch and ward. But the fact is that they are forced to provide 'thikri-pehra' even though their own cattle which they keep in their farms may be stolen. It is a pity that when they return home exhausted after a hard day's labour they are made to patrol the streets of their villages. Moreover, when a case of burglary occurs in a rich man's bungalow, the poor villagers are ordered to trace the thieves. Why should these poor villagers be compelled to act as 'khojis' when they have not got enough to eat. Nevertheless it is claimed that the police is kept for safeguarding the life and property of the agriculturists. As to the plea of saving their honour, I would say that the honour of even the dignitaries of the province is not safe at the hands of the police, not to speak of the poor agriculturists. When the late Lala Lajpat Rai,—a man of international reputation—could not save his honour from the attacks of a superintendent of police, who else can feel safe at the hands of the police? It is my firm conviction that the police does not protect the honour of the public. On the contrary it heaps indignities upon them. But here in this house the evil tendencies of the police are being represented as virtues. I would mention, as an example, the case of a police superintendent, Khan Bahadur Shaikh Abdul Aziz who was a great favourite with the Government and about whom it is often claimed that he rendered meritorious services to the province.

Raja Ghazanfar Ali Khan : On a point of order, Sir, is the honourable member justified in bringing this charge against a retired officer who is not here to give a reply?

Mr. Speaker : No charge is made so far.

Master Kabul Singh : That officer while speaking to a gentleman from the United Provinces, who begged leave to see a political prisoner, said, "This is Punjab, Sir". I intend to impress upon the Government benches the deplorable mentality of every police officer inasmuch as he considers himself a ruler rather than a servant of the public.

Some of my honourable friends compared the Punjab police to the police in Europe. But why go so far? Why not compare it with the police of the other provinces of this very country? I had to remain under the vigilance of the Bengal police and I found their treatment to be more gentlemanly as compared with the police of our own province, in spite of the fact that revolutionaries are more active in that province. Just compare the attitude of the police of your own province with that of the Bengal police. Here every head constable moves about with a stick in his hand as a token of his stiffneckedness. Only recently we came to know of a head constable who roamed about in certain villages of tahsil Phillaur with the sole object of receiving humble greetings from the people. He would insult the man who failed to pay homage to him. At last the Rurka Committee took notice of his insulting behaviour to those who had failed to offer homage to him. They reported this matter to higher authorities in the form of a resolution which

[Master Kabul Singh.]

was passed unanimously. I wonder if any action has been taken on that. It was perhaps Mir Maqbool Mahmood who speaking from the opposite benches yesterday, proudly referred to the bravery of the Punjab police. I am also tempted to mention an example of their bravery which must put every one of us to shame. I want to refer to the Babar Akali Movement of 1922-23 when about 500 policemen were deputed to arrest only three akalis, but, none of them ventured to grapple with an Akali. At that time police officers with their big turbans and broad chests and their so-called brave constables did not dare even to come near the fearless Akalis. They tried to throw petrol upon them from a distance or otherwise tried to overcome them. Can there be anything more cowardly than the behaviour of these brave policemen? Another thing said, in favour of the police, is that their presence is necessary for the prevention of communal outbreaks. But I would charge the police with the responsibility for causing communal riots. An honourable member remarked yesterday that such riots are caused by educated persons. I would modify that statement and say that riots are caused by educated persons in Government service. It does not lie in the mouth of any reasonable man to say that police prevents communal riots. As a matter of fact they foster such riots. Again, much has been made of the fact that the Honourable Premier has convened a unity conference in order to end communal conflicts. I do not doubt his sincerity but I must point out that this conference has strengthened rather than weakened the foundation of communal bickerings, because no unity is possible when the prestige of rank communalists like Master Tara Singh, Maulana Zafar Ali Khan and Bhai Parma Nand has been enhanced by inviting them to this conference. Maulana Zafar Ali Khan is the man who remarked, the other day, that he is out to establish Muslim Raj in the Punjab within a short period of 10 years.

Raja Ghazanfar Ali Khan : On a point of order, Sir. I would again invite your attention to the fact that it is not fair that such serious allegations should be brought against a gentleman who is not present in the House and cannot give explanation for his conduct.

Mr. Speaker : The remarks of Master Kabul Singh do not appear to be objectionable. He is talking of the unity conference.

Raja Ghazanfar Ali Khan : I did not take exception to those words but I took exception to the words that Maulana Zafar Ali Khan were making speeches that he would establish Muslim Raj in the course of the next ten years.

Pandit Muni Lal Kalia : May I ask Raja Ghazanfar Ali Khan whether he denies that fact?

Mr. Speaker : But Maulana Zafar Ali Khan's speech is not under discussion.

Master Kabul Singh (Punjabi) : Sir, I was saying that the attempts made by the Government for checking communal riots in the province have further strengthened their foundations.

As I have already stated the general attitude and arrogant behaviour of the police cannot be tolerated by any gentleman. I will give an instance

of the high-handedness of police. A posse of police constables in charge of a police officer travelled in a lorry to Nawanshahr in order to raid a place where it was understood that illicit liquor was being manufactured. The poor lorrywala was not paid any fare. The owner of the lorry or the driver had not the courage to report this matter to higher officials because they knew that they would be shoved into the *hawalat* if they did so.

Syed Afzaal Ali Hasnie : Is it parliamentary, Sir. ?

Mr. Speaker : Apparently the honourable member has raised his point of order without following what Master Kabul Singh has said .

Master Kabul Singh : I do not think that the words "be shoved" are objectionable. They simply mean "they would have been sent behind the bars." I may inform the honourable member that the phrase "shove in" is commonly used in Punjabi.

I was saying that the attitude of the police is highly undesirable. There seems to be something fundamentally wrong with the department. One's hair stand on end when one hears of the methods employed by the police in the course of their investigation. It was mentioned in the course of a murder-trial that is pending in the court of a magistrate in the Doaba, that the police belaboured two or three persons to such an extent that they were obliged to say what the police wanted them to say. The Honourable Premier, not only refused to accept my statement, he pointed towards this side and said that the members of the Defence Committee try to overawe crown witnesses and turn them into hostile witnesses. I should like to point out to him that when an accused is in police custody or is in jail no one is allowed to see him and the members of Defence Committee are especially denied this privilege. I may also point out that these innuendoes of the Honourable Premier will not deter us from defending our friends. It is our duty and privilege to do so. It is said that the police is kept for the benefit of the poor, but I fail to see any advantage to the public. On the other hand the public is a heavy loser. Criminal Investigation Department constables follow the political workers like shadows. I should like to say that public money is being wasted on this shadowing. May I ask the Government what service the Police Department renders to the general public. We are not afraid of the constables who are appointed to watch our movements. We do not care for the police. If the Government appoint these men to follow us to get information about our activities, let me point out to them that these men who follow us like coolies are of no use because they submit false and haphazard diaries to the Government. They are only misleading the Government. In my opinion the police does not serve the public. On the other hand public money is being wasted on it. I am not prepared to believe for a moment that this department is meant to serve the public or safeguard their lives and property. It is a department of robbers meant for looting the public on the pretext of safeguarding their lives and property. Toadies are given pensions for years and years together and we can no longer tolerate this kind of looting. Sir, there is only one way of checking the corruption in this department and that is to increase the pay of efficient constables. The Government would be well-advised to recruit efficient constables, so that they may supply the department with correct reports of our activities. The foolish constables of the Criminal

{Master Kabul Singh.}

Investigation Department who are appointed to watch us are no good. As soon as we come across them they tell us that they have been appointed to watch our movements. The constable who is standing outside the chamber does not know what kind of a plot we are hatching here.

With these words, I support the cut motion moved by my learned friend Lala Duni Chand and before I resume my seat I beg to request the honourable ministers once again to show a little spirit of sacrifice. They should not accept Rs. 8,000 per mensem. They should not be greedy. They should be more considerate and should always keep the interest of the country in the forefront. With these words I resume my seat.

Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural): Mr. Speaker, as far as the reform of the police is concerned, I do not think there are two opinions in this House. There is none in the House who would not like to see the police reformed and brought to the ideal which ought to be the ambition of every State. But we must not forget the facts as they are. The heritage which this Government has received is unfortunately not a happy one (*hear, hear*). We know that in 1872 when the Indian Evidence Act was framed and passed, section 24 was brought in to say that a confession made to a police officer would not be admissible in evidence. What is that the proof of? It is a legal proof of the fact that the framers of that Act did believe that there is the tendency in the police force to extort confessions. Unfortunately that habit of the police force has not been altogether eradicated, though it is not so much in vogue now as it used to be. We have to see what it is due to. Is it altogether due to the fault of the police or the public of this province or of this country is also to blame? Do we not find that it is ingrained in the people of this country to shield an offender. When an offence is committed, or a murder is committed for a time the sympathy is with the victim, but soon after the sympathy diverts towards the offender. (*Voices: Question*). You take it from me that that is a fact. If necessary the judicial files and records could be brought forth in support of this submission of mine. We shall have to admit to our shame that this is not a fact in this country that a father would come forward to give evidence against his son or a brother to give evidence against his brother. (*A voice: That is nowhere the rule in the world*).

Mr. Speaker: May I request the honourable members not to make a running commentary on the speech of the honourable member.

Maulvi Ghulam Mohy-ud-Din: We have to reform the police, Sir, but we have to reform ourselves also. We have to inculcate amongst our people the idea that it is the duty of every citizen to bring forth any fact which is in his possession or in his knowledge. Unless and until that is done, my submission is, that no institution, no force, be it police or be it judicial, can ever perform its duties perfectly.

Much has been said against the police. As I have already submitted, I do not deny that the fault is there. But as they say--

12 Noon.

عیب او جملہ بغفتی ہنرش نیز بگو

' You have mentioned all his faults, please say something about his merits also.'

If my personal experience could be brought to my honourable friends' notice, I may be allowed to quote one or two instances though I can quote many instances of police officers who have been doing their duty honestly, efficiently and perfectly so much so that they would be the envy of even the Scotland Yard. (*Hear, hear*). To come to one concrete instance, I may quote the case of the late Khan Bahadur Abdulla whose honesty is a household talk in the whole district of Lahore, whose boldness in rounding up thieves and dacoits is so very well known to everybody. As to his abilities I may be allowed to give one incident. When the highest police officer in India, the Director-General of Police came one day to Lahore from Calcutta, he sent for Mr. Abdulla and asked him to proceed at once on the investigation of a murder case which he believed had occurred in a train coming from Calcutta by which an English lady was travelling, but who had not reached her destination. The first class compartment in which she was travelling bore evidence of a murder having been committed, because there was blood and marks of struggle in it. Mr. Abdulla left the office and came back in half an hour. When he was asked, 'Have you not yet left for the investigation?' the answer was, 'Sir, I have completed the investigation and the matter is finished so far as I am concerned.' The House can very well imagine the wrath of the officer who took Mr. Abdulla to mean that he could not understand the case which Mr. Abdulla concluded in half an hour. Thereupon Mr. Abdulla sent for a tumbler of water and took out a packet of paper from his pocket and put into the water and asked the police officer to scan it and see the result.

Raja Ghazanfar Ali Khan : I should like to have a piece of information. Is that name 'Abdulla' a real name or a fictitious one?

Maulvi Ghulam Mohy-ud-Din : For the information of my honourable friend I may be permitted to say that that person was a resident of Lahore district and not of the Jhelum district. (*Laughter*).

Chaudhri Muhammad Abdul Rahman Khan (Urdu) : On a point of information. Was he the same Abdulla who used to send up so many cases? (*Laughter*).

Maulvi Ghulam Mohy-ud-Din : I am not surprised at this question of my honourable friend, because all persons who have to deal with police would speak according to their own experience. (*Hear, hear*). Taking the thread of my narration, I was submitting that in a moment Mr. Abdulla succeeded in proving to the satisfaction of that high police officer that it was not human blood and no murder had been committed in that railway compartment.

Lala Duni Chand : How long will the honourable member harp on the theme?

Maulvi Ghulam Mohy-ud-Din : Till I tire out the patience of the honourable member. He proved that it was not human blood, but the blood of an animal killed by a shikari and the marks of the feet in the compartment were not those of a lady but of an animal. My honourable friends would evidently like me to give instances of a living police officer. There are many such instances but I would content myself with only one. The honourable members will remember the 13th of April, 1919. It was due

[Maulvi Ghulam Mohy-ud-Din.]

to the honesty, efficiency and strength of a police officer that many innocent lives were saved in Kasur. At a time when the military had taken possession of the city, when none was sure of the safety of his life and property, when the real position of Kasur was according to that old verse of Zafar—

جسے دکھا حاکم وقت نے کہا یہ بھی قابلِ دار ہے

when simply pointing out a man would be sufficient to hang him just outside the railway station where the gallows were publicly put up—

Lala Deshbandhu Gupta : Does not a worse state of affairs exist at present ?

Maulvi Ghulam Mohy-ud-Din : If that were so, my honourable friend would not have been here, (*hear, hear and cheers*).

Lala Deshbandhu Gupta : Such a state of affairs may come to-morrow.

Maulvi Ghulam Mohy-ud-Din : My honourable friends have laid great stress on the fact that if our police was not so well in the past regime, but has the present Government given any indication of its intention to eradicate the evil ? A very pertinent question indeed. Certainly the present regime must be judged by the indication it gives of its intention. Do we not know, Sir, that the first thing the present regime has done is to ask the public and specially our honourable friends on this side and that side of the House, to be more vigilant now, to stir up and start vigilance committees all over the province, to see that there are groups of independent persons, in every district or in every tahsil ? They should be on the look out to see if any irregularity or any oppression is done by the police officers and if there is any case of corruption, it should be their duty to bring it to the notice of the Government. (*A voice : Appoint a special committee on behalf of the Unionist Party*). If my honourable friend is incapable of doing anything, certainly the Unionist Party will take that duty upon themselves alone (*"hear, hear" from the Treasury benches*). What we expect is that the honourable friends on the other side of the House would also, not only talk, but act and act in the interest of the people. (*"Hear, hear," from the Treasury benches*). My honourable friends should know that the Honourable Premier has made it more certain—by issuing instructions to the local officers everywhere—that they should be more courteous and more considerate to the honourable members of this House. That is another indication of the fact that the traditions of the past regime no longer exist. Above all, Sir, this Government has, through the Honourable Premier, been proclaiming in this House, as well, as outside this House, that the present Government is the people's government, and the Government responsible to this House and through this House responsible to the people. (*Hear, hear, from the Treasury benches*). My honourable friends do not wish to take it on its face value, they do not wish to believe it. After all what is their intention ? Do they not mean to make officials everywhere believe that really now the old Government no longer exists and the present Government is people's government ? They still want officials to keep in their mind that it is the old regime and that they are not working under the new regime. I have failed to understand the trend of

thought in the minds of my honourable friends on this question. If I had been on those benches, certainly I would have welcomed such a statement and proclaimed it from the house tops that the present Government is the people's government and if any officer of Government does anything in future he must know that he is responsible to the people and not to a certain official.

Lala Duni Chand : The taste of the pudding lies in the eating of it and that dish is not yet prepared.

Maulvi Ghulam Mohy-ud-Din : If my honourable friend purposely distorts his taste nobody is to blame.

Now, Sir, I want to say a few words more before I finish. My honourable friends have laid stress that additional police should be removed. There is none in this House who does not want the additional police to go away. But my honourable friends on that side of the House have themselves given the proof of the fact that for some time to come, till the communal angle of vision is changed, the additional police is to remain there. (*Interruptions*).

Mr. Speaker : I have more than once requested honourable members not to interrupt or make remarks or comments on the honourable member who is speaking.

Maulvi Ghulam Mohy-ud-Din : I am thankful to the honourable Leader of the Opposition for the support he has given to my submission which I expressed the other day. It is a matter of shame for us all to see that on *Dushera* or *Id* days, bayonets and cannons are being posted at different parts of the city. What is it due to? Is it due to the inefficiency of the police, is it due to the corruption of the police? It is due to my and your mentality. It is due to the communal mentality. It is due to this fact that we cannot and do not possess sufficient tolerance to see that our festivals are enjoyed by our brothers concerned. It should be our duty on the *Dushera* day to see that the ceremony is performed in the most amicable manner and it is our duty to see that no police is needed on *Dushera* days, and so, I would request my honourable friends opposite, that on *Id* days, make the Government believe that in future no police would be required on those days, we ourselves will supervise the whole thing. It is we who will patrol the streets. It is we who will keep our kith and kin in control. If we bring about this state of affairs, to-morrow the additional police will go away. Unfortunately, what is the atmosphere we are living in? The atmosphere is that our leaders and I say all sorts of leaders—I am not referring to any particular section of Punjabis—when they talk they have their one eye towards their followers. They cannot talk so freely as they do in private talks. They ask their followers to rise and kill their brethren,—in what name—in the name of religion. They ask them to look up to this as an act of virtue, and as my honourable friend the Leader of the Opposition was pleased to say yesterday—that we see people rising in groups with the result that riots flare up without warning, now here and now there. The Punjabis would kill each other in the wild hatred of brother killing a brother. We have to search our hearts. We have to take courage in our hands.

Lala Duni Chand : I rise to a point of order, Sir. I do know that there is no time limit to speeches, but I should like to know whether a sense of proportion is to be observed or not.

Mr. Speaker : There is no time limit, but I request the honourable members to take as little time as possible, as a large number of them are anxious to speak.

Maulvi Ghulam Mohy-ud-Din : With pleasure, Sir. What I have to submit to my honourable friends on that side of the House as well as to my comrades on this side of the House is in the words of Mr. Pindi Das—

تو بھی بدل فلک نہ زمانہ بدل گیا

(Honourable members : Ha, ha). (Interruption).

Pir Akbar Ali : On a point of order. The gestures which are being made in this House and the remarks which are made are not, I submit for your consideration, according to the dignity of this House.

Mr. Speaker : The dignity of the House demands that this should not be done. So, I appeal to all honourable members not to make gestures, remarks or comments.

Sardar Lal Singh : Interruptions to a certain limit are, I think, consistent with parliamentary procedure.

Mr. Speaker : It is difficult to fix any limit ; but even if it could be fixed, it shall be transgressed. Therefore, we should be rather strict.

Maulvi Ghulam Mohy-ud-Din : Therefore we have to ask the police force in this province that they have to change themselves and in future they are to behave as servants of the public. (Hear, hear). They have to remember that they have to be civil servants and not insolent masters. (Hear, hear and applause).

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban): Sir, unfortunately I have not had the advantage of hearing the remarks in the debate of yesterday as I arrived just now from Lahore.

(Interruption). (Some honourable members : " Why ?

Pir Akbar Ali : It is your fault.

Mian Abdul Aziz : Am I to obey honourable members and to resume my seat ?

Mr. Speaker : Only two minutes ago I appealed to the House not to make such remarks.

Mian Abdul Aziz : The real point is about the justification of keeping the whole of this force for which the demand has been made. Nobody denies the importance and the utility of this branch and there is no doubt that there are advantages. But at the present moment the real question comes in whether the demand now made by the Ministerial benches is a just demand or is a top heavy demand. That is the real point. Undoubtedly the police is meant for the protection of the public, to keep peace. But we are indirectly now concerned to see whether the police honestly performs that duty or not. That will be another question also to be considered by the House. My humble submission is that first of all we have to compare the present police force with that which existed 10 or 15 years ago and if we compare it, undoubtedly we find the present force is more than double that which existed 10 or 15 years ago. It might be said that because the population has increased therefore, it is necessary to increase the number of police force. But my humble

submission is that the police force has not been increased because of the increase of the population. It is only increased to over-power, on the wrong and false reports which are made by that department about the breach of peace and such other affairs. I am prepared to prove this allegation, if our Honourable Premier wants it, as he has already said several times on the floor of this House that he would be prepared to discuss this question or such other question or questions. Sir, first of all we have to see that every year gradually this punitive police, this extra police, this unnecessary police, is increased and kept at places for months and months and for years and years where it is not required. The question is this. If you want to trust the public there is another way. If you want to reduce this expenditure, create honorary posts, put the duty on all the members of this House that they must be responsible in their constituencies. (*An honourable member : Special constables ?*) (*Interruption*).

Syed Afzaal Ali Hasnie : Would the honourable member like to be the honorary Kotwal of Lahore ?

Mian Abdul Aziz : If the honourable member would like to become the inspector I would not mind to be the Kotwal of Lahore.

Let us first see with regard to what are called the investigations. Let me put a simple picture before you. The first thing is how the public is treated, how a man who has suffered loss either in a dacoity or theft or in any other way. When he approaches a police officer at the police station, what is the treatment meted out to him ? I would humbly request my honourable friends to tell me whether it is right or not that the treatment generally meted out to him is of a most objectionable character. Unless he has actually greased the palm of somebody, his report will not be taken down. (*Hear, hear*). This is nothing new ; it is not unknown. Even the honourable member who remarked just now whether I would be prepared to become the honorary Kotwal of Lahore city knows it. I would request him to say whether this is so or not. Of course there are some honourable exceptions. I do not mean to say that each and every officer is a scoundrel. But the first thing done is the report and we have to see how it is written and how the investigation commences. First of all that report will not be taken down in the precise words or in that spirit in which the man makes the report. After that the investigation commences. The officer in charge of the investigation goes to the spot. If it happens to be a village he will tell the lambardar and chaukidar to collect practically the whole village, whether there may be saints included in it or there may be scoundrels.

He will collect them and make them sit in front of himself and disgrace them. He knows that there is no suspicion against any one of them, but he will remark that they are at the bottom of this affair. He will keep them for a day or two or three, and unless something is paid to him, he will keep them collected and will treat them in a most disgraceful manner. My humble submission is that the treatment meted out to them is most disgraceful and dishonourable and of a very horrible character. Abuse is the ordinary language used against them no matter whether he is a gentleman or not. That treatment is the real thing at the bottom of the refusal of respectable men in not joining the police in their investigation to get at the truth. (*Hear,*

[Mian Abdul Aziz.]

hear). People know that by going to the Police they will be disgraced. If that were not their fear, they would be the first to help the Police in every investigation. (Hear, hear). They do not like to screen the offenders, as my honourable friend has suggested, it is not the public that screens the offenders, there may be a few relatives of the offenders who may not unnaturally like to screen them. I certainly refute this charge. I say that the Police turns the respectable people away themselves. It does not require their help. The police does not stand in need of them and the result is that a proper and fair investigation or a truthful investigation does not follow and I do not think it is the fault of the public, it is the fault of the police (hear, hear). I would request you to note the haughty manner of the police constable. I know that he is on duty and I am bound to obey his instructions, but note the haughty spirit and the way in which he conducts himself and treats the people (hear, hear). I have seen a most dishonourable instance. An illiterate lady who was taking her small child, in order to frighten the child who was giving her trouble, asked the policeman

لے بھاگی نذا اہنوں پھرتیں

and the reply which was given to her is beyond what I can repeat in this House.

ارے حرام دیا چپ کرنا این کہ نہیں

Mr. Speaker : Order, order.

Mian Abdul Aziz : This is the treatment meted out to the people. Can you expect that the public will help such like people in the police? Can you expect that the public will dare to come near them? Let their manner and demeanour be changed and I am sure the people will help them to a great extent. What happens after that? You are in the know of it and many of my honourable friends who happen to be practising lawyers ought to know the ways and means in which these investigations are conducted. The first thing is to know and find out the man who is against the police. His name is brought on to the diary. These diaries are written on a scrap of paper that is easily destroyed and renewed and subsequently added to and papers can be expunged from these diaries. These are not cases which are not known, I can quote rulings of the High Court in which I have brought to light instances in which confessions are extorted from the people by the police. It is not a question of this House entirely eliminating the whole demand for police, it is a question whether Government wants to create more scoundrels like these who exist in the Police Department. We want honourable men and not scoundrels.

Mr. Speaker : The honourable member is requested not to use that word over and over again.

Mian Abdul Aziz : I obey the orders of the Chair at once without the least demur, but I am placing these facts and figures and I ask the House whether it is a fact or not (Voices : It is so). I am not using this language with regard to any individual. I know several of them are good people. I certainly say that it is a most useful department, but at the same time I must tell you why it is not the public who is responsible. We are entitled to draw your attention to these things. I trust that the Honourable Premier

being the head of the Government will kindly take steps to wipe out all these sorts of complaints which actually exist in the department. Further on I beg to submit that if a man shows a little self-respect, he is considered as a scoundrel and his name is entered in a book and when a case occurs in which investigations have to be made, he is considered as one of the suspects. In the next case when another investigation has to take place his name is again mentioned as a suspect and when a third case occurs he is entered as a bad-mash in register No. 10 and report is made against him and he is sent up for trial under section 110. I can give instances and also quote rulings of the High Court of Lahore to this effect. The Honourable Chief Justice of Lahore High Court has also made remarks about this state of affairs in the Police Department. I beg to ask how many cases have been there in which reports have been made against the police officers having extorted confessions from poor people who were innocent. I know of so many cases in which remarks have been made against police officers but in which no action has been taken against them. These are the things to which I beg to draw your attention and particularly the attention of the Ministerial benches. If you want to save the public from the tyranny of these people for God's sake do it soon and do it in any way you like. We are all prepared to help you and we will be prepared to help you to the very extent of our ability (*hear, hear*). I want to appeal to the Honourable Premier whose department it is to improve the way in which these investigations go on. If you want to add to this department you can go on as much as you like. I know that the events that have happened at Panipat and Alla and Amritsar may bring out another demand for extra thousand men in the additional police, but it is my endeavour to avoid that. My honourable friend Maulvi Ghulam Mohy-ud-Din just told us that we should help the police. I am sure that each and every member of the House will be prepared to help (*hear, hear*). I submit that we are not moving these cuts simply for the sake of fun or for opposing these demands, but we sincerely believe that this heavy expenditure can be reduced to a very great extent.

Mr. Speaker : How many times will the honourable member repeat this point ?

Mian Abdul Aziz : I apologize. But I was trying to use this argument for the sake of another point and I hope that you will kindly permit me to do so. My honourable friend Maulvi Ghulam Mohy-ud-Din has given only one instance. I have seen during two or three riots at Lahore for myself the things that happen. During the last riot I had the opportunity to see things for myself, because I live close to the scene of occurrence. People were afraid to go to the police to make very genuine complaints.

Sir, my submission is that we have got the Inspector-General of Police, a European gentleman of considerable experience. He ought to teach them the ways and the manner in which the English police in England treat the public. Sir, I do not mean that I am against the department. I say take the example of the English police. If you happen to pass by a policeman and ask him anything, first of all he will very politely salute and after that he will reply courteously. On the contrary if you happen to seek any information from a policeman here he will not take notice of your enquiry and will simply pass away. My humble submission is, as I have suggested already, that more respectable people should be made as honorary members of the police

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department under the Police Act. If that can be made there is no necessity of getting extra police force. The demand for the extra police force just made by the Government is entirely uncalled for. They can have the punitive police where it is absolutely necessary but should not keep it because they want to have very heavy police to threaten the public.

Premier : May I ask which particular item of the budget the honourable member is referring to ?

Mian Abdul Aziz : I say that the extra expense of the Police Department which has been created during the last two years should be wiped off.

Sir, I am very grateful to the Honourable the Premier. I am sure he will be pleased to take this into consideration and enquire from the Department whether any action has been taken on the cases sent by the honourable High Court about the extortion of confessions. I would submit, Sir, that I do not mind increment in their pay, but is there any guarantee that after their pay has been increased they would cease to be corrupt? That is the question to be considered. I do not think that Government, knowing that a sub-inspector is paid from Rs. 60 to Rs. 100, he keeps a horse at a cost of Rs. 20 a month and pays another Rs. 20 to the grass cutter, lives in a respectable house, expects him to meet all these expenses from the sum of Rs. 60 he is paid. The Government has to see for itself whether it is a correct procedure adopted by them. I do not want to overburden the exchequer. I do not want to overburden the public, but I do want that some steps should be taken to wipe off that method adopted by the police officers. One can see easily that within the pay of Rs. 60 it is impossible for any gentleman in these days to make both ends meet. Can it not be considered or presumed that the extra expense over Rs. 60 are taken out by corruption? I would submit that if the Honourable the Premier will kindly take steps and order—he has to order only—his subordinates to find out the various increases in the force and the purposes and the reasons why they are necessary, we would be satisfied; but he should not rely on the reports of the subordinates. They certainly would like to create as many posts as they possibly can. Sir, I only want to say these few words about this motion. I think so far as the top-heavy burden of the department is concerned, it is the Government and not the police, who want to extort from the public in this way. I would submit that some methods should be adopted by which the expenditure should be reduced to a very great extent. I have already suggested that honorary posts should be created for respectable people, and not for those people who are undesirable; and instead of spending heavily indirectly by way of paying Rs. 20 or Rs. 50 a month to the spies, who bring false reports, why not appoint some people who will perform that duty honorarily without giving any false reports? I say, Sir, if the Honourable Premier desires, I can give a list of such people who are used as spies (*hear, hear*).

Rai Bahadur Mr. Mukand Lal Puri : Let the House know.

Mian Abdul Aziz : Certainly I consider it my duty to point out those cases, because the Honourable the Premier has said several times that if any gentleman brings any grievances to his notice he will try to redress them...

Why should I not adopt that course? So the question is of the type of people who are to be employed for such work. My honourable friend Maulvi Ghulam Mohy-ud-Din said that even the law has not laid much reliance on the Police Department. He quoted section 24 of the Indian Evidence Act. It is not only one section but there are others also which as a matter of fact support the contention of the public view that the police certainly do things which are not right and do try to extort many confessions also. With these few remarks I resume my seat.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, we are at one with our learned friend—I am sorry he is absent from his seat—Maulvi Ghulam Mohy-ud-Din, when he says that the present Government has inherited a legacy from its predecessor which is not a happy one. But I join issue with him, I rather strongly protest against his remark, when he goes on to say that the corruption and other evils that exist in the police, etc., are due to the fault of the public itself. I strongly protest against this maligning of the Punjab electorate, on account of whose “sturdy commonsense” the leaders of his party are in places of office and power to-day. Much has been made by Maulvi Ghulam Mohy-ud-Din and other gentlemen on the opposite side of the fact that the present Government, within two months of taking office, issued a circular saying therein that if five respectable persons make a petition to the departmental officer against any official who may be suspected of corruption, then the department will make a thorough enquiry into the matter and take necessary action. Corruption in the departments is very ripe. It is a disease so deep-rooted that such proposals cannot be expected, by any stretch of imagination, to clear the Augean stables which are full of dirt accumulated since centuries. Herculean efforts are required to clean these stables. No lamer excuse has ever been put forth by any full-fledged bureaucrat, a full-blooded apologist of even the last Government, than what has been said by Mr. Few and Maulvi Ghulam Mohy-ud-Din that the public is responsible for all the evils existing in the province. No severer stricture of the police department has come from a most irresponsible man from any side of the House than the statement contained in the speech of Mr. Few when he compared the police to a flock of sheep and Inspector-General of Police to the shepherd. The police authorities admit that there is corruption in the Police Department but they protest when we people on this side of the House make charges of corruption against the police. They say, why should police particularly be made the object of condemnation when there is corruption in all departments of public service? They say that the police is unjustly being made the Ishmael of the province. All people who desire to show their powers of invective find an appreciative audience to show their eloquence (*hear, hear*). There are good reasons why police should be made the special object of attack. There are good reasons why the searchlight of severe criticism should be directed particularly on this department. What are those reasons? In the first place this is a basic service on the admission of the Lumsden Committee Report itself. It is a service on whose purity depends the purity of all other departments. If we are to reform, says the Committee Report, the other departments, we must begin purifying the

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police department. In the second place it is admitted on all hands that this department has more points of contact with individual life, with the life of the man-in-the-street than any other department. Thirdly, none possesses wider powers and greater scope for either mischief and evil or for service and good than the policeman. The police constable still symbolizes the power and existence of the government in the eyes of the ordinary man-in-the-street and the police constable may be to that poor man either an angel of peace, protection or security or a fiendish agent of oppression. We direct our attack on the police particularly in the matter of corruption. Whereas in other departments bribes are given in consideration of certain benefits contemplated by the giver, in this department bribes are extorted out of the poor people. It is thus natural for the critics of the government to direct their special attention to this department. I do admit that the present government is not responsible for the evils existing in the police department, but I do charge the present government with responsibility for eradicating those evils and faults at as early a date as possible. Not only I but the 'sturdy commonsense' of the Punjab electorate has charged the present government with the responsibility to eradicate the evils in the police department. What kind of policeman do we want? What are his duties and functions? That is a simple question. Policeman is there as our watchman. He is the protector of the life, property and honour of the poor man. He is our scout. He is there to see that the strong does not harm the weak. He is to protect the innocent, the weak, the child, the lady, the old man from the strong man. What do we expect of him further? We expect civility, courtesy, integrity, honesty and impartiality. We expect that these should form the hall-mark of a constable of the police department (*hear, hear*). It is with this mental picture in my mind that I am going to look at the policeman of to-day in the Punjab and I base my remarks not on the testimony of a political agitator or on an irresponsible oppositionist. I base my remarks on the incontestable testimony of the government publications, on the government reports and on the testimony of the poor peasant sitting at his cottage door, musing at the vagaries of the weather and of the cruelty of man to man. The essential characteristics of the police are persisting through long long years. We read the history of the Punjab Police or the Indian Police of a hundred years ago. Then we read the report of the commission appointed during the opening years of this century by the Government of India. We read the resolution of the Government of India on that report. Later on we read the Lumsden Committee's Report and then we find that the state of affairs was the same as it is at present. There are three essential things which characterise the Punjab Police or the Indian Police. What are they? They are in the first place, corruption, then third degree methods employed by the police in investigating cases and the third is their uncivil conduct. These are the three "hall-marks" of our policeman of to-day (*Voices: Quite right*). The Government Resolution on the Report of the Indian Police Commission, 1902-03, runs as follows:—

"Of all branches of the public service in India, the police by its history and traditions, is the most backward in its character..... The taint of its earliest antecedents still affects the morale of the lower ranks; the constable has inherited the reputation, if not the methods, of the *barkandaz*."

Years roll on, Mr. Speaker. Then the Punjab Government appointed a committee to go into the question of police organisation in this province. One of the terms of reference of that committee was to examine and report on the question of improving the efficiency and integrity of the police force.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P. M. of the clock. Mr. Speaker in the chair.

Sardar Hari Singh : Before the lunch interval I was submitting that in the year 1925-26 the Punjab Government in order to examine the integrity of the police force of the province appointed a committee consisting of officials and a solitary Indian non-official. That committee was dominated by service-wallahs. It was dominated by men who had been identified and associated with the department, with the police service, for so long a time that they could not shed their fondness even for the shortcomings of the department. Their case was, if I may so put it, like that of the parents of a spoilt child, who in spite of his shortcomings and faults and in spite of its consciousness of those shortcomings and its anxiety to remove those shortcomings is yet hesitant to take drastic remedies to remove those shortcomings. The same was the case with the Police Committee. The members of the committee were conscious of the defects of the police and they were desirous of removing them, but they had been so long associated with the police service that when they came to the question of suggesting remedies for eradicating the evil, when they came to the question of making suggestions for eradicating the corruption in the department, their hearts quailed and they could not suggest drastic remedies. These members of the committee were all worthy gentlemen, they were honourable gentlemen. They came to very fair conclusions—conclusions which any independent and impartial committee would come to. What were their conclusions? With your permission I will read out to the House a few quotations from the report. On page 21 the report says:—

“Bribery and corruption appear to be as universal now as twenty years ago, the only difference being that the increase in the wealth of the province leads to the payment of larger sums.”

On page 88 it says:—

“Corruption is admittedly rife in the department”.

Yet certain honourable members on the opposite benches had the temerity to say that there is only a certain amount of corruption. Then on page 27 it says:—

“The existence of the disease requires no proof”.

Minister for Revenue : May I know which report the honourable member is reading from?

Sardar Hari Singh : I require notice of that question (*laughter*)

Minister for Revenue : Very well, I give you notice.

Sardar Hari Singh : I am referring to the Lumsden Inquiry Committee report—the Punjab Provincial Police Committee report, 1926.

Minister for Revenue : Nothing would have been lost if you had given me that information before.

Sardar Hari Singh : I have been talking of the Lumsden Inquiry Committee for the last half an hour, but the Honourable Member was not listening.

Then there was a certain allegation made before the Inquiry Committee. The Inquiry Committee endorses it and says that there is a substantial truth in the allegation. The allegation is—

“ That a sub-inspector when investigating a case summons all and sundry to attend. It is alleged that this indiscriminate calling is a fertile source of corruption. Persons are detained on the flimsiest pretext and are eventually compelled to purchase release.”

This is as true and, therefore, of as much application to the condition prevailing to-day as in 1925.

Then on page 39 the report says :—

“ Constables are foisted on the public without any real knowledge of the elements of the duties they are supposed to perform.”

This is as true as anything. The recent report of the police department will bear me out. Because of a lack of accommodation at Phillaur only a very small number of men can be admitted there, and there are no arrangements for them to get any adequate training in the Lines Schools.

On page 31 it is stated :—

“ The dice are heavily loaded in favour of the dishonest official. This very fact operates as a vicious circle. Evidence is from the nature of the case difficult to obtain and the few witnesses that might come forward will not do so from a fear that the accused will escape and exact full reprisals.”

But today we are told that the Government within two months of its coming to power issued a circular saying that if five persons make a report, action should be taken. My question is, who will bell the cat? How can men come forward and make complaints against officials when they know that the officials may escape and exact full reprisals?

Then again on page 38 it says :—

“ There is a widespread and genuine belief that Government secretly favours the dishonest servant.”

No protestations can be of any avail until this belief is dispelled by definite action. Let me concede that I for one believe that the Government wants to root out corruption from the department. It is sincere in its desire, but the rub lies when we come to the method of doing it. The findings of the Inquiry Committee are very valuable indeed, but when they went on to make suggestions for rooting out the evil, their heart quailed. They tried to shift the responsibilities from the shoulders of the Government and put them on the shoulders of the people themselves — Government says that the present deplorable state of affairs is largely the fault of people themselves. Even at this hour of the day we find them saying that it is the fault of the people themselves. If it is not shirking responsibility, what else is it? The new Government has been placed in power to administer the affairs of this province. I say, is the removal of corruption from the police department outside the ambit of administration? Mr. Speaker, there was only one independent non-official Indian member on the committee, who was not associated with the service. He made to the committee a very valuable suggestion, but he was over-ruled by his European colleagues. What did he suggest? I do not mean to say that I endorse

his whole suggestion, but he said that in order to root out corruption an independent impartial board should be constituted. That board should be peripatetic in nature. It should go from district to district. All complaints of corruption should be referred to this board. The board should make recommendations to the departmental heads for dealing out punishment to those found guilty of corruption. The board should submit periodic confidential reports to Government on the general question of corruption and should from time to time suggest remedies. In the case of gazetted officers also it should make confidential reports to the Government.

But this suggestion of that non-official was ruled out as impracticable by the European members of the committee. They said that they were themselves making certain other suggestions and if those suggestions were not sufficient to eradicate the evil, then his suggestion might be put into effect for a limited period. I shall show to honourable members of this House how keenly that Indian non-official felt by reading out an extract from that report. He said—

“It is possible that my proposals may be opposed by some officers on the grounds of prestige and interference, but if my suggestions are carefully considered, it will not be difficult to realise that the activities of the board, if anything, will tend to enhance the prestige of the different services; while the nature and mode of their functions will provide the officers with reliable agency to secure first-hand information which will enable them to exercise a better control and supervision over their subordinates. Under these circumstances, any opposition will be tantamount to evading the important issues involved.”

“There is no doubt,”
says the committee—

“that the mere existence of a board of the kind would have an excellent deterrent effect.”

That non-official member of the committee further on gives vent to his feeling on this question in these words—

“The present bitterness of feeling against Government servants and the misgivings in the mind of the people about Government must be removed at all costs for the sake of everyone concerned. A change of attitude on the part of Government and a desire to employ means which will show tangible results will have the desired effect.”

As I already submitted, this suggestion was ruled out as impracticable by the European members of the committee. May I inform the House that that non-official was no other than the gentleman who at the stroke of 12, on the night of 31st March last, found himself as the Premier of this province and who is now in charge of law and order. Perhaps he did not know at the time he made this suggestion, that in a few years' time he would become Minister in charge of law and order and that a critical and hostile opposition would confront him with his own recipe. (*Cheers*).

Premier : May I correct one misstatement of the honourable member? I was not over-ruled by my European colleagues in the committee. It was largely on account of financial and administrative grounds that my suggestion could not be accepted by Government. My colleagues in the committee rather supported me.

Sardar Hari Singh : The disease is self-evident and it requires no proof. The problem of problems is, what remedy should be adopted to root out the evil? Now that the Punjab people have given a mandate to the Government to administer the affairs of the province on their behalf, according to their lights and according to their conscience, may we expect

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the Government over whose head sits the Premier to take drastic steps in this direction? A century back the condition in England was quite similar to the condition in India at present. Just as we are told that there is no public opinion strong enough to help the Government to root out the evil of corruption and other evils in the department, similarly a century ago similar excuse was trotted out by the apologists of the Government of England. Later the Government took a certain step and found that the public co-operated with them and corruption and other evils of the department became things of the past. May I suggest to the Government of the Punjab to-day to take a leaf out of the book of the Government of England in those days? What did the Government of England do? I shall read out a passage—

“If a reference be made to the ‘Report of the English Constabulary Force Commissioners,’ presented to Parliament in 1839, it will be seen how necessary for ‘throwing away good money after bad’ in prosecuting, ‘the trouble and expense which are sustained in pursuing and apprehending felons’, and the fact that the ‘expense, trouble and loss of time in cases of misdemeanours are frequently more mischievous than some felonies,’ are assigned as ‘the motives to withhold information or abstain from prosecution’ and the causes of the failure to secure ‘the general support of the community’ in police work. The perusal of that report inspires the Commission with hope that, if police reform in England, initiated by Sir Robert Peel, has converted the state of things described therein as existing sixty years ago into the state of things now existing in that country, earnest efforts to reform the police of India may in due time produce incalculable benefit.”

But there is one thing which neither the Indian Police Commission nor the Provincial Police Committee of this province was required to go into and examine. That is the question of “third degree” methods of investigating crimes. In making allegations in this respect I am quite well fortified by the judicial findings of the High Court of the Punjab. I have got certain particulars up my sleeve regarding the methods employed by the police which I propose to make public property before the House.

Here is my charge sheet against the police—

- (1) the suspect is compelled by the investigating agency to keep vigil until he succumbs;
- (2) severe beating is resorted to especially in private parts;
- (3) in winter ice blocks are placed on the chest of the suspect;
- (4) in summer the suspect is laid on cot and then something like pepper or other material which gives out pungent fumes is burnt under the cot for the inhalation of the suspect;
- (5) they are bastinadoed; I have seen people who have been subjected to this treatment and some have almost lost their eyes;
- (6) a new innovation of police ingenuity is that the body of the suspect is besmeared with night-soil to our shame and disgrace.

Premier: Has the honourable member picked out all these iniquities from the various old historical records of inquisitions? If he will give concrete instances, I promise to hold an enquiry and punish the officers concerned. (*Hear, hear*).

An honourable member : I am grateful for this assurance of the Honourable Premier, but these allegations are of common knowledge.

Sardar Hari Singh : I make these charges on the testimony of people whom I believe to be true.

Premier : I am afraid the honourable member is not in order in making such indefinite allegations.

Sardar Hari Singh : I am not making vague allegations.

Premier : The honourable member is making sweeping generalisations which is not fair.

Sardar Hari Singh : If the Honourable Premier does not want to hear all these things—

Premier : I have no objection to hearing all these charges ; provided the honourable member gives concrete instances as to where these things happened I shall then be able to make enquiries. If, on the other-hand the honourable member is quoting from historical records as to what happened in France or Spain and in other courts of inquisition, that does not necessarily mean that they are happening in the Punjab to-day.

Sardar Hari Singh : I have got the facts in my possession. I do not think it would be discreet for me at this stage to give them on the floor of the House. If the Honourable Premier wants them I can give them to him privately.

Premier : The honourable member should not say such things on the floor of the House if he is not prepared to give the facts.

Sardar Hari Singh : When I say that the police is corrupt am I out of order ? When I say that the police is dishonest am I out of order ? When I say that the police is inefficient, am I out of order ? I am entitled to say what methods they adopt.

Premier : These are mere allegations which can be of no use. Has the honourable member any concrete instances ? Why does he not take the House into his confidence ? He can omit the names and give the date and place so that I may be able to hold an enquiry.

Sardar Hari Singh : (8) Ducking in water (9) Clutching ears in hot sun. Severe questioning and cross-examining approximate to the means adopted in medieval ages in Spain. The methods adopted by the police go to make them unpopular and they go to prove to the man in the street that the Government is not a Government for him. They also bespeak of a lamentable lack of scientific method and skill in the armoury of the investigating agency of the police.

Further on, let me take a little more time of the House in ventilating certain other grievances of the public. Speakers preceding me have already referred to these things. The Lumsden Committee itself admits that ordinarily the *Hakim* aspects over-shadows the *Mulazim* aspect. Police man considers himself more as a master of the people than a servant. Certain friends on this side of the House referred to mal-practices, instances of malfeasance and misfeasance and abuse of power resorted to by the police in the Punjab. May I just give one instance. Take the Sheikhpura.

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case, Crown *versus* Dr. Baldev Singh, who was challaned in the court of Thakur Kanti Chand, Magistrate, II Class. (*A voice* : Which year ?) This year. (*A voice* : Which month ?) This month.

Raja Ghazanfar Ali Khan : This case is *sub-judice*.

Mir Maqbool Mahmood : Is the case *sub-judice* before the High Court ?

Sardar Hari Singh : No. What was the judgment of the magistrate ? It says :

“ It appears to me that the sub-inspector bore a grudge ”

Shaikh Karamat Ali : On a point of information. I come from Sheikhpura and know the facts of the case better than my honourable friend opposite. A reference has been made to the High Court on this particular point. I do not see why the honourable member is pressing this point too much. He does not know the circumstances of the case as I do.

Sardar Hari Singh : I am reading the judgment. The judgment is public property. It says —

“ It appears to me that the Sub-Inspector bore a grudge towards the accused for giving medical certificate to Ganpat Rai and then appearing as prosecution witness for him against Ghulam Mohy-ud-Din, Sub-Inspector. The challan against the accused is vindictive, malicious and false.”

Premier : May I bring to your notice and to the notice of the honourable members that the matter is *sub-judice* because a complaint has been put in against the sub-inspector concerned.

Diwan Chaman Lall : May I have your ruling on the point whether it is out of order for honourable members to make a reference to a judgment which is public property, without referring to the merits of the judgment ?

Mr. Speaker : If that judgment is under appeal before a higher court, no reference should be made to it.

Diwan Chaman Lall : May I draw your attention to the fact that although there may be an appeal lodged against the judgment as it stands there is finality as regards that particular judgment. That particular judgment, as far as it goes, stands now, though it is liable to be revised later on. That means that another judgment may be given. As far as this judgment goes, it is on judicial records, it is public property. It is a matter which has been and which can be commented upon by the members. I see no reason why a judgment like that should not be read out without any comments ?

Premier : Dr. Baldev Singh, on the basis of that very judgment, has given notice of a civil suit against the sub-inspector.

Raja Ghazanfar Ali Khan : May I have your ruling in regard to the opinion expressed by Diwan Chaman Lall ? If the honourable member is allowed just to read out the judgment, will it be open for us to criticise that judgment and to contradict it ?

Mr. Speaker : I am not sure of the position.

Lala Bhim Sen Sachar : May I ask the Honourable Premier whether the Local Government have appealed against this judgment ?

Shaikh Karamat Ali : A reference has been made by the District Magistrate of Sheikhpura.

Diwan Chaman Lall : May we know what that reference is ? A mere reference having been made does not mean that the judgment is under appeal. I take it that the judgment is not under appeal.

Mr. Speaker : I suppose Government has not filed an appeal in this case.

Sardar Hari Singh : No.

The Advocate-General : I do not wish to say anything about the facts of the case. I know a reference is pending. The point is, a reference can only be pending while the limitation for the period of appeal is still going on. Therefore the position is—I am only referring to the criminal judgment and not to the civil suit to which the Honourable Premier made a reference—that a reference has been made to the Government and Government is considering the matter and Government can only consider that matter during the period of limitation. Government has not yet made up its mind and therefore it is pending during the period of appeal. The case therefore is analogous to a case where a certain judgment is delivered the party affected has still time to appeal and so the matter is *sub-judice* during the period for appeal.

Diwan Chaman Lall : May I enquire from the Honourable Advocate-General as to what that particular reference is, to whom it is made, whether that reference relates to the filing of an appeal to the High Court or whether it is purely an executive action that is contemplated by it ?

The Advocate-General : The reference, as is usual in all such cases is made in this way. When an order of acquittal is made by a magistrate or a sessions judge, the district magistrate, when so advised, moves the Local Government through the Commissioner of the Division concerned and that is dealt with partly by the Advocate-General and partly by the other agency of Government right up to the Premier.

Diwan Chaman Lall : Is it not on a par with a private individual trying to make up his mind whether he should appeal or not ? Is it not exactly similar as far as the Government is concerned ?

Mr. Speaker : There can be no doubt that Government has a right of appeal. But the question is whether before an appeal is filed, the case can be said to be *sub-judice*. May I request the learned Advocate-General to give his opinion ?

The Advocate-General : The position is that the party affected by the judgment, namely Government, is considering whether to take its legal remedy or not and during that period, if any discussion is allowed it might prejudice the decision of the court of law to which an appeal would lie. That is the ground on which I submit that this judgment should not be referred to.

Lala Bhim Sen Sachar : I believe we are governed by our rule and standing orders. I may be permitted to refer to standing order 29 which says that speech shall not refer to a matter of fact on which a judicial

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decision is pending. That is all. This does not preclude us from making a reference to a judgment which is not before a court of law. The mere fact that the Government are taking time—they take time over every matter, they have got so many administrative matters to consider—should not preclude us from discussing a matter which is not before a court of law or under appeal. The mere fact that the Advocate-General has taken it up and is considering it does not constitute it to be a matter which should be considered as pending in a judicial court.

Mr. Speaker : Ultimately the Government may come to the decision that an appeal should not be preferred.

The Advocate-General : On the other hand they might come to the other decision. There was a case which was referred to, which occurred, in the Central Assembly. I forget the name of the paper which was under discussion. The case there was whether within two months during which the party affected could move under section 28 of the Press Act, the matter was *sub-judice* and it was held there that the matter was *sub-judice* till the period for filing of a petition under section 28 of the Press Act had expired. For the position of the Government was affected by that judgment of acquittal and Government had a period of limitation within which to make up its mind. My position is that this case is entirely analogous to that.

Lala Duni Chand : The Advocate-General is presumed to be the most impartial man. The word *sub-judice* is clear by itself. It means that the matter should be pending before a judicial tribunal. He says that the matter is pending before the Punjab Government. The Punjab Government is not a judicial tribunal. Here is the rule which makes it perfectly clear, that the matter could not be considered judicial unless it is one about which a judicial decision is pending. The learned Advocate-General should not give a wrong direction on an obvious point like this.

The Advocate-General : It is for the Speaker to say whether it is right or wrong and not for my honourable friend.

Diwan Chaman Lall : May I draw your attention to the fact that reference has been made by the honourable Advocate-General to the case which was referred to in the Central Legislature and he suggested that the case we are discussing now is on all fours with that case or, if anything, stronger than that particular case. May I draw your attention to a very vivid and clear distinction between that particular case and the case we are discussing at the present moment. In that case, I believe it was a case of the Free Press of India, the Honourable President of the Central Legislature held that since an executive order had been passed forfeiting security and the law permitted a period of two months during which it was open to the person concerned to make an appeal to the High Court, therefore he considered that the matter was *sub-judice*. That was an executive order. It is not the executive order, Mr. Speaker, which is before you, it is a judgment which is before you and a judicial decision given in a judicial court which is contemplated by the rule 29.

Mr. Speaker : I have not looked up the point and therefore am not in a position to express a considered opinion. But as it is not certain that Government will file an appeal the case cannot be said to be *sub-judice*.

Sardar Hari Singh : The judgment of the court reads :—

“It appears to me that the sub-inspector bore a grudge towards the accused for giving medical certificate to Ganpat Rai and then appearing as prosecution witness for him against Ghulam Mohy-ud-Din, Sub-Inspector. The challan against the accused is ”

and mark these words :—

“vindictive, malicious and false.”

Then in another case of Sardar Atma Singh and others which was tried in the court of Chaudhri Sundar Dass, Additional District Magistrate, Lahore.

Shaikh Karamat Ali : There is no such Additional District Magistrate at Lahore.

Sardar Hari Singh : I mean Chaudhri Sundar Dass, Additional District Magistrate. The judgment reads :—

“I have not the least hesitation in rejecting the story for the prosecution as false and”—

These are the most important words—

“the story for the prosecution is false and fabricated. There is no chance of conviction of the accused persons and I hereby order that they shall be discharged.”

May I refer to another case, this time the judgment of the Lahore High Court in Crown *versus* Shoran, a murder case in which an appeal was decided by the Chief Justice and Justice Munroe. In that judgment they say :—

“This court has often had reason to suspect that confessions were wrung out of villagers by these means and there is grave reason to suspect that in some cases something more severe than questioning may be adopted to obtain a false confession. We direct the attention of the Government to the fact.”

Premier : Is this against the police ?

Sardar Hari Singh : This is against the prosecution.

“An incident of this kind not only tends to throw doubt on all similar confessions obtained during an investigation by Lambardars and other persons in authority, but there also is a very grave possibility that on such a confession the whole prosecution case might be built up and as a result an innocent person might be hanged.

It is the suspicion that this kind of treatment is accorded to suspects that makes courts very loth to act upon extra-judicial confessions even when there is nothing on the record to show that the case is false. Government ought to take most serious steps to see that this procedure is stopped immediately.”

Premier : May I enlighten the honourable gentleman that in this particular case, it was the police officer who found out that the confession was false and that it was on that account that the confession was not relied upon ?

Sardar Hari Singh : The words mean what they mean. I am reading from the judgment of the High Court.

Premier : The honourable member is reading only an extract from a newspaper and not the whole of the judgment.

Sardar Hari Singh : It is the judgment of the High Court all the same.

Premier : The honourable member may take it from me that in this particular case it was the investigating officer who brought to the notice of the court that the confession was false and the High Court as a matter of fact paid a mead of praise to that officer in that judgment.

Mian Abdul Aziz : May I bring to the notice of the Honourable Premier that only last year Mian Abdul Haye appearing as a Counsel criticism was made against police ? (*hear, hear*).

Premier : I am not talking of that. I am only talking of this particular case.

Sardar Hari Singh : Mr. Speaker, as gentlemen on this side of the House are very anxious to take the next item on the agenda into consideration, I will wind up my remarks with just one word as a practical suggestion. If I had time, I could give them more. Will the Government consider the question of making the constitution and the place of the Police Department under the new constitution as a part of the syllabus in the Phillaur Training School ?

An honourable member : Question may now be put.

Raja Ghazanfar Ali Khan : On a point of order. May I request you to give a ruling as to whether it is open to the Chair to call upon any member to speak instead of calling on the member to speak who has already risen in his seat ?

Mr. Speaker : The general practice is that the Chair calls one of such members only as rise to speak. But what happens sometimes is that the party whips or leaders supply to the Chair lists of members who will speak on behalf of the respective parties. In that case the members whose names are given, may be called even if they do not rise.

Premier : If there is nobody wishing to speak, then I will speak.

Mr. Speaker : I have got the names of a number of honourable members who wish to speak.

Premier : Since you are going to call upon other honourable members, I should like to speak after they have finished their arguments.

Mr. Speaker : But closure was moved yesterday and has been again moved to-day. The point to be considered is whether I should put the motion to the House. Speaking generally a closure motion has to be considered by the Chair in the interest of the minority, as ordinarily such motions are moved by the majority and not by the minority. But when they are moved by the minority, they should be put to the vote of the House, as a rule.

Sardar Hari Singh : The question is whether there is to be further debate or not.

Mr. Speaker : According to the lists supplied by party whips, there are 5 or 6 honourable members who yet wish to speak. Sardar Sampuran Singh and Sardar Lal Singh also had given their names, but now they do not wish to speak, as they wish to have the next item moved.

There is one more point. A number of honourable members have given notices of amendments, which cover almost the same ground as the amendment, which has been discussed for 2 days. So I should ask them whether they like to speak. Now I proceed to call them one by one.

Mr. Bhagat Ram Choda : I do not want to move the motions standing in my name as desired by my party.

Diwan Chaman Lall : I do not move the motion standing in my name.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, North, Muhammadan, Rural) (*Punjabi*): Sir I whole heartedly support this cut motion. The Police department has been under the fire of criticism since yesterday. One of the parties has been speaking in favour of it and the other against it.

3 P.M.

It has really surprised me to find that the people who spoke in favour of the police department are honourable and respectable gentleman, holding a high position in society. This has made me doubt my own senses, and I am beginning to wonder whether we are foreigners or they do not belong to this country. The misdoings of the police are pretty well-known. In this connection I am reminded of an old Punjabi proverb which runs as follows:—

کمالا ہووے اک تے سمجھاوے وپہڑا
کمالا ہووے وپہڑا تے سمجھاوے کپہڑا

Besides, there is another maxim well known to the people of my district:—

اوپر کتار نیچے پتوار یا تماندار

A sum considerably larger than what the zamindars owe to their creditors by way of principal and interest goes into the pockets of the police. There is no doubt that corruption is rampant in all government departments. This is the greatest blessing of the British Raj that corruption has become the rule for almost all government departments, perhaps with the exception of the posts and telegraphs departments. But the police department has excelled all in this respect. Other departments may be likened to this that if anybody puts his finger in the hole of a snake, it naturally bites. But the police attack the people just as a flying snake does. (*Laughter.*) They extort money even from the innocent wayfarers. (*The actual language used to express the above idea was vulgar.*)

Mr. Speaker: Order, order. The honourable member is using vulgar language.

Chaudhri Muhammad Abdul Rahman Khan : The Government has maintained the police mainly for two purposes, firstly, to protect the honour of the people, secondly, to protect their property. I submit that instead of doing their duty they insult the women folk and would not let any woman go unmolested. In short the women of the whole world would not satisfy their carnal passions. Besides, they need wealth which they procure for themselves by hook or by crook. (*Voices : Too bad.*) Now I would like to mention a few incidents.

Mr. Speaker : The honourable member has again used a very indecent and vulgar expression. (*Voices : Be careful in your speech.*)

Chaudhri Muhammad Abdul Rahman Khan : In the first place I would like to make a few remarks about the police and I would let you know what is not regarded by them as illegal gratification and what they

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claim to have as a matter of right. They do not consider the following as illegal gratification :—

- (1) free travelling in motor lorries.
- (2) free rides in tongas.
- (3) obtaining grass, fodder and corn from the village folk gratis.

They consider all these things as perfectly legal. Again, they get fuel wood free, also hens and eggs free. In this connection I must say a word or two, that many of my honourable friends complain that either they do not get hens at Simla, or they get them very dear. I say a hen can only reach Simla if it escapes the hands of policemen in the plains. All such activities of the police are perfectly lawful in their eyes.

My friends who own 10 acres of land may be unaware of the fact that the big landholders and those who own large number of squares of land are in fact paying the police constables and sub-inspectors fixed sums of money every six months. Almost all big land-holders bribe them. I will not name anybody, but in fact there is no exception to this rule.

Mr. Speaker : The honourable member is making sweeping allegations against all people of the Punjab.

Chaudhri Muhammad Abdul Rahman Khan : Even the Ministers know that as a matter of fact, this is the main profession of the big land-lords. I would even go a step further and say that stolen horses and other animals are generally carried to these ilaqas and there they disappear in no time and it becomes nearly impossible to trace them. No challan is prepared and no report is written even if the thieves remain concealed in the house of any such person. *(The honourable member again expressed the above idea's in undignified language).*

Mr. Speaker : Order, order. If the honourable member again uses vulgar language, I shall have to invite to it the special attention of the House.

Chaudhri Muhammad Abdul Rahman Khan : I do not like to mention names. Almost all the big people know it and share the proceeds of the stolen property among themselves. *(The honourable member again used similar language to convey the above idea).*

Mr. Speaker : May I ask the honourable members whether the language used by the honourable member is parliamentary and consistent with the dignity of the House? *(Voices : No. no.)*

Chaudhri Muhammad Abdul Rahman Khan : I submit that when we go to a police station to make a report it is not usually registered, but even if one is able to persuade them it is registered after grossly abusing the complainant. I would suggest that if the government were to start a school for imparting lessons in abusive language, a police sub-inspector or any other policeman should be appointed as its principal. I was submitting that at least 40 per cent. of the reports are not registered at all, even if the animals are stolen under the very nose of the chaukidars. I request responsible officers of the police department that the least they should do is to see that the reports are registered and should also try to run the department to the

entire satisfaction of the people at large. It is also a fact that sometimes reports of even the most serious offences are not registered.

Again the police department as a whole is not doing justice at all. It is said that complaints should be made to responsible police officers. But it is useless. If we complain to responsible police officers, we court trouble thereby. Once I made a certain complaint to a deputy commissioner. The result was, that two persons were fined, two were imprisoned and I myself narrowly escaped.

If the statements I have made prove to be incorrect, let the officers concerned be granted promotions. Again I say that if it is proved to the satisfaction of the House that I have been making wrong statements, let some members of the House throw me on my back and let them thrust a red hot iron rod into my wind-pipe and demand an explanation from me as to why I had told lies.

Mr. Speaker : Will the honourable member please not use such vulgar expressions ? I warn him once more.

Begum Rashida Latif Baji : I would request the honourable Chaudhri Sahib not to use police language at least in our presence.

Mrs. J. A. Shah Nawaz : Mr. Speaker, we have been listening to very bad language since this morning and I shall be right in saying that my sisters on the opposite benches will join us in leaving this hall, if the honourable member continues in that strain.

Shrimati Parbati Devi : Certainly, we too will have to leave the Chamber.

Chaudhri Muhammad Abdul Rahman Khan : There is a person, named Ahmad, who is being very much harassed by the police. The police officials at that police station have amassed between five and seven thousand rupees within the last few months. The head constables and the police sub-inspectors are really very corrupt, and are looting the ilaqa. I challenge the Government to say that it is not a fact that the police daily bring about 150 persons to various police stations and make them sit there day and night and at times make peacocks of human beings. Now I would like to explain how peacocks are made of human beings. *(At this stage the honourable member gave a demonstration (Laughter).*

Again they beat them most severely, and take no pity on their victims. On complaint made by the enemies of Ahmad Khan, the head constable beat him mercilessly, insulted him and extorted money from him. The former reported against the head constable to the higher authorities to the effect that the head constables had beaten and insulted him and extorted money from him. Up till now the officers have done nothing in this matter. What happened afterwards was that his enemies made a report of theft against him and the head constable after searching his house, threw him into the lock up. In fact Ahmad Khan had not committed or even abetted the offence. Such is the result of complaints made to the officers.

An offence was committed at Banga, about which a complaint was lodged at the police station. Eventually this complaint was found to be false and was consequently dismissed. In this complaint certain allegations were made against a woman of loose character. I requested the police

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to make an enquiry into the allegations but they did nothing of the sort. How can they attend to their duties, when their plain function is to receive illegal gratification from real offenders and to involve innocent persons in false cases? Where such darkness prevails justice cannot be expected.

The high-handedness practised by the police department is simply unparalleled. When a constable goes to a village to serve summons on a zamindar, he kills two birds with one stone. Firstly he extorts as much money as he can from the poor zamindar and secondly he takes away anything he can lay his hands upon including fuel, wood, etc. But when a sub-inspector of police pays a visit to a village and finds that the carpenter is a skilful workman, he takes away all the chaukis, charpoys and pirhis manufactured by the carpenter. This is what honest sub-inspectors of police do. If they are dishonest then God save the poor zamindars. Sir, in our ilaqa it is a common saying that if you ask a policeman as to what salary he is drawing, his reply would be that he is getting Rs. 40, but at the same time he would add that by the grace of God he is able to earn Rs. 200 or 250 per mensem. (*laughter*). While bringing these tell-tale facts to the notice of the government I assure them that I am not at all against them. What I mean to say is that the present government is a responsible government and our own kith and kin are at the helm of affairs. They should adopt measures for the eradication of irregularities and excesses committed by the police department. They should appoint enquiry committees for the purpose of investigating the corruption prevalent in the police department and to suggest ways and means for its eradication.

Sir, I wish to bring this fact to the notice of the honourable members that almost all the political cases are concocted by the police and the whole of the evidence is cooked up by them. Strictly speaking, Sir, only those sub-inspectors of police qualify themselves for promotion who first contrive to cause unrest amongst the masses and then manage to pacify them. If I were to narrate individual cases the question of personalities will arise. Anyway the police is responsible for all cases of unrest and it brings about peace when its palms are greased. When I challenge the government to set up an enquiry committee to investigate the allegations made by me, the government quietly replies in the negative, just as a patient when asked to take hot water refuses it, but when offered cold water readily accepts it, even though he may develop pneumonia. (*laughter*).

Sir, I may assure the government that we are their well-wishers. When we criticise the government we simply mean to urge upon them the necessity of putting a check on the high-handedness of the police. It is our firm belief that a government which does not meet out even-handed justice to all, irrespective of their caste or creed, has no business to remain in office. During the election campaign the police committed irregularities and accepted illegal gratification to their heart's content. The sub-inspectors who were kind enough to extend a helping hand to me were transferred at once (*laughter*) although the help rendered was not of a substantial nature. If the government has the will to eradicate corruption prevalent in the police department they can do so to a very great extent. I know of three Superintendents of Police, namely Messrs. Jenkins, Slesser and DeGale, who were successful in rooting out corruption from the police department.

But there are certain superintendents of police whose monthly bills go up to thousands. What can be expected from them? A short time ago a dacoity took place. The burglars made good their escape with a sum of Rs. 6,125 from the Government treasury. Mr. Ibadullah, Inspector of Police, traced the burglary. He completed his investigations with such consummate skill that the people of the ilaqa did not suffer any hardship or harassment at the hands of the police (*laughter*). Sir, one cannot help praising a police officer who has really served the people. But I may point out that this burglary was committed by some police constables and they shared the booty with certain other people.

Sir, all the gambling dens that exist in Lahore or in other small or big cities are run with the connivance of the police. The proprietors of hotels, who encourage gambling at their premises, are generally in league with the police. They are realising fixed sums of money from every gambling den, say one hundred or Rs. 150 per mensem. I am prepared to substantiate my statement. It is not idle talk. It is my firm conviction that gambling dens cannot flourish without the connivance of the police.

The land revenue of my village, *i.e.*, Rahon amounts to Rs. 10,000, but the pity of it is that the sergeant and the sub-inspectors stationed there misappropriate funds to the extent of Rs. 5,000. I strongly urge the Government to appoint an enquiry committee so that these irregularities may be brought to light and the culprits brought to book.

Only a little while ago the honourable lady members objected to certain remarks made by me. I may be permitted to say, Sir, that it is up to them to study the miserable plight of those of their sisters who fall into the clutches of the police. It is time they knew that their sisters are subjected to all sorts of indignities at the hands of the police and how some of them are robbed of their honour and chastity. If I were to unmask the atrocities committed by the police the honourable lady members would perhaps be inclined to call me a fool (*laughter*). It behoves the lady members to study facts for themselves and urge upon the Government the necessity of eradicating all these irregularities from the Police Department. With these words I support the cut motion before the House and request the Honourable Premier to take effective steps for reforming the police as soon as possible. (*Applause and laughter*).

Premier : Please lend us a helping hand.

Chaudhri Muhammad Abdul Rahman Khan : We are always at your back and call. We are prepared to sacrifice our lives and property. (*Applause*). You are at liberty to sell us, if you can thereby bring about reform in the Police Department. We do not want any certificates from you. If the Honourable Premier acts upon our advice, he will be a gainer in this as well as in the world to come. (*Loud cheers and laughter*).

Two of our Honourable Ministers, the Honourable Chaudhri Sir Chhotu Ram and the Honourable Mian Abdul Haye have been practising as lawyers. They know that corruption is rampant in the Police Department and they also know that the police practise all sorts of excesses.

Mr. Speaker : Order, order.

Chaudhri Muhammad Abdul Rahman Khan: Sir, I was submitting proposals for the eradication of corruption in the Police Department (*laughter*). I do not want to waste the valuable time of the House and I close my speech with the remark that I strongly support the motion under consideration.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural): Sir, I hope honourable members will excuse me if I just remind them of the object of the cut motion before the House. The object of the cut motion is to discuss the question of more honest and more efficient police administration. What I understood from this was that the mover of the motion admitted that the police in the province was both honest and efficient, but he wanted to make it more honest and more efficient. I am astonished that although so many gentlemen spoke on this question, they have very carefully avoided to say a good word about the honesty and efficiency of the police. Before I start my arguments I would just like to remind the House that it is the 9th day that we have been discussing the budget. Of course, the first three days were for the general discussion, then two days for the Revenue demand, two days for the General Administration and now it is the second day for the Police, that is, the 9th day. Now, Sir, if we look upon what practical contributions we have made during these 9 days, I regret to say that we have made very little practical contributions.

Mr. Speaker: The honourable member should speak to the motion.

Raja Ghazanfar Ali Khan: I was submitting that the trend of arguments and the method of discussion has been very defective—

Mr. Speaker: No allusion should be made to the proceedings of a past debate of the current session, except when it may be essential to do so.

Raja Ghazanfar Ali Khan: If you will just allow me to finish my sentence, you will be pleased to find that I am not making any reference to—

Mr. Speaker: I repeat that no allusions should be made to the previous proceedings of the current session, unless the peculiar circumstances justify the honourable member to do so.

Raja Ghazanfar Ali Khan: Am I not entitled to make a reference to the understanding which has been arrived at between the Honourable Leader of the House and the Honourable Leader of the Opposition? As a member of this House it is my right to have my say as any other member. Therefore I was going to refer to that agreement—

Mr. Speaker: The Chair is not aware of any such agreement. Will the honourable member proceed with his speech?

Raja Ghazanfar Ali Khan: I bow to your ruling and pass on to the subject under discussion. As a matter of fact we have heard such a lot during this debate. We have heard about the atrocities committed by the police in connection with the Babbar Akali movement. We have heard some very interesting stories relating to the most deplorable day, that is, the 18th of April, 1919. We have also heard some very interesting stories about one Mr. Abdullah.

My honourable friend from Kasur gave us an interesting description of the achievements of Mr. Abdullah. Similarly, to my greatest surprise, the honourable member from Jullundur, who preceded me, also gave a very interesting story of one Mr. Abdullah. Therefore, I would like to make a constructive suggestion to the Honourable Premier that in making recruitments to the police, he should prefer those candidates whose names happen to be Abdulla (*laughter*).

I think, if we really look at this issue with an unbiased mind, I do not think there is any difference between that side and this side of the House, so far as the administration of police is concerned. The honourable mover says that the police is honest and efficient. He wants to make the police more honest and more efficient. We, on this side of the House, admit that the police is not by any means a model. We admit that there is a good deal of room for improvement. We admit that we would very much like to see the police more honest and more efficient. So, as a matter of fact, on the main issue there is no disagreement between the two, and judging from the speeches which have been made either on the opposite side or this side of the House, I see there is no case for my honourable colleague to press this cut motion. (*Lala Duni Chand* : Will you vote for the motion ?) When there is no disagreement between both sides of the House, where is the idea of pressing this cut motion ?

Now, Sir, the only trouble arises, when it is a question of making any practical suggestion which will make the police more efficient and more honest. The only practical suggestion about which, during the course of speeches, we heard from the mover of this cut, was that the salaries of the constables should be increased to Rs. 30 or preferably to Rs. 40. I am entirely in agreement with the mover of this cut. I personally do feel that the salaries of these low-paid ranks of police ought to be increased. Their status and their position ought to be raised. But there is the trouble about finances. I may here suggest one way out of it to the Honourable Minister for Finance to consider and also to the Honourable Premier, I personally feel that the number of the police can be considerably reduced and their efficiency increased. I realise that we have too many superintendents of police, and a few too many sub-inspectors and inspectors. But to achieve this object, that is, by decreasing the police force and recruiting more efficient personnel, we shall have not only to consider the administration of the police but some other necessary requirements too.

Firstly, communication. As the honourable members are aware at present it is very difficult to get quickly from one village to another. If we can have better roads where the police can quickly move about, if we can have better methods of communication, that is, more telegraph offices, more telephones and more post offices, certainly then so many police stations would not be necessary.

As far as the methods of investigation by the police are concerned, I confess, to my great regret, that some police officers do indulge in these unlawful activities. But at the same time let us not presume that the whole police force is dishonest. I can assure the honourable members from my personal experience that I have come across quite a fairly large number of police officers who are very honest and who are very efficient. Now, Sir, I would like you to look at the difficulties under which the police have

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to work. They get a report that a burglary has been committed in a particular house at midnight. They reach the place the following morning. The man whose house has been burgled cannot give any hint as to whom he suspects. They do not know whether the persons who committed the offence belong to that area or belong to any other area or district or tahsil. Having no clue of the suspects from anybody what have they to do? The only method which the police can adopt is to collect a few men whom they suspect to indulge in such sort of crimes. Naturally out of 100, whom the police would call, at least 95 would be innocent people. Certainly we condemn that innocent persons should be put to so much inconvenience. But I would request the honourable members opposite to suggest what other method the police can possibly adopt.

Therefore, considering the nature of the duties which the police have to perform we must not be too cruel in criticising them. Some of the members on the opposite side suggested that my honourable friend, Maulvi Ghulam Mohy-ud-Din said that the blame lay with the public. I think my friend did not mean that; he never made such a sweeping statement. What he said was that the public was also to blame to some extent because when you compare the police here with the police in England you must compare the public here with the public in that country too. (*Hear, hear*). I must confess I have not got much personal experience of the working of the police in England. But once when I happened to be there for a short time I just read that a murder was committed in one of the streets in London. The police after reaching the spot collected a few clues as to the description of the man who was supposed to have entered the particular house. They sent this news in the papers as an advertisement or otherwise. This piece of news was in the papers and within 12 hours people started coming from all directions, telephone messages came in, informing the police that a man of such and such description was staying in such and such a hotel, the taxi-man coming forward and saying that he drove such and such a man. Is such a kind of co-operation coming forth in this country? I admit that the blame is not entirely with the public. The methods adopted by the police are also objectionable. But the fault lies with both and unless we create a healthy opinion in the public that they should co-operate with the police, at least with the honest officers among them, at least with those who are anxious to get at the real culprit, then certainly we will not hear much of these atrocities.

Before I conclude my speech, I would like with your permission to pay one tribute to the police. If there is one thing for which we can rightly feel proud of our Punjab Police it is this that during the last 20 years they had passed through most difficult and critical stages of political and communal upheaval and throughout these 20 years there is not a single instance where the police were not true and faithful to their duty. (*An Honourable Member: Political matters?*) No; in criminal matters and I would challenge any honourable member to quote a single instance where any police constable or any police officer was found failing in his duty.

Chaudhri Krishna Gopal Dutt: Many, many.

Raja Ghazanfar Ali Khan : I do not believe such statements. I want concrete instances.

Chaudhri Krishna Gopal Dutt : You do not believe ; you shut your eyes.

Raja Ghazanfar Ali Khan : If I were to accept these irresponsible statements coming from my honourable friends opposite, I feel ashamed of myself. With what face can my honourable friends opposite say that the Muhammadan officers of the police or the Hindu officers or the Sikh officers would be true to their duty when there is a communal trouble? (*An Honourable Member :* Not from that point of view.)

Lala Deshandhu Gupta : Is it open to any honourable member to say that the remarks of other honourable members are irresponsible, particularly when they are prepared to take responsibility for those remarks ?

Mr. Speaker : He is not referring to any particular individual. But, may I request the honourable member to wind up ? There is no time limit for speeches ; but I request him to wind up his speech, as there are many other honourable members who wish to speak.

Raja Ghazanfar Ali Khan : I am very anxious to accept not only your rulings but your suggestions. But you will kindly allow me to complete my speech. Because, naturally when I knew that there was no time limit and when I knew that the greatest liberty was allowed to other honourable members, I never thought that I would be called upon to close my speech.

Mr. Speaker : The honourable member has misunderstood me. What I said was that there was no time limit for speeches but that if possible the honourable member may wind up his speech as soon as he can, as there are many other honourable members, who wish to speak. Besides, if possible, the next item may be taken up.

Raja Ghazanfar Ali Khan : Sir, I can assure you that I am not a bit interested in the next item. On the other hand I strongly feel that if I had the choice I would condemn such items being talked on the floor of this House. Therefore, that argument will never appeal to me. As long as I have a right to speak and as long as there is no time limit, I thought I could speak on all points. I was submitting that instead of making sweeping statements, instead of indulging in generalities, instead of indulging in destructive criticism, I would have very much liked if the honourable members had made some constructive suggestions. And for the advantage of those who may be interested I would like, with your permission, just briefly to read out a few constructive suggestions which I would like to make for the improvement, efficiency and honesty amongst the police officers. The first and foremost is that unfortunately when there is a question of promotion from one rank to a higher rank in the Police Department, say from assistant inspectors to sub-inspectors or from sub-inspectors to inspectors, the main factor which is taken into consideration is as to how many crimes were recorded in that particular thana.

Mr. Speaker : As closure motion has been moved more than once, I propose to put it to the House. The question is—

That the question be now put.

The motion was lost.

(At this stage Raja Ghazanfar Ali Khan rose to continue his speech which was interrupted by the Speaker while putting the closure motion).

Mr. Speaker : As I interrupted the honourable member's speech for putting the closure motion to the vote of the House, and as the motion has been lost, I allow him to continue his speech.

Sardar Sampuran Singh : Sir, I challenged your decision regarding the question as soon as you expressed your opinion.

Mr. Speaker : I am afraid the honourable member was too late. Nothing can be done now.

Sardar Sampuran Singh : I challenged the decision.

Mr. Speaker : I assure the honourable member that I paused for a while and when no one challenged my opinion, 'I think the noes have it'; I said 'Noes have it.'

Sardar Sampuran Singh : For the last 24 hours you have been promising us time.

Mr. Speaker : I could not and did not.

Premier : But why is the honourable member so restive? Does he want to advertise to that extent?

Sardar Sampuran Singh : On a point of order, I would request the Honourable Member to withdraw his words that "I want to advertise." Perhaps he wants advertisement more than myself.

Mr. Speaker : Such language should not be used. Will the Honourable Premier please withdraw or explain?

Khan Bahadur Nawab Muzaffar Khan : It was just a question.

(Voices : Withdraw, withdraw).

Mr. Speaker : The Honourable Premier should be given time to explain or withdraw the expression objected to.

Chaudhri Krishna Gopal Dutt : I beg to draw your attention to the fact that when I used the word "dodge" you made me withdraw the word and I withdrew it without any hesitation. In the same way, I would appeal to the Premier to withdraw the words.

Mr. Speaker : The honourable member is perfectly right. I asked him to withdraw and he withdrew.

Chaudhri Krishna Gopal Dutt : If you are satisfied that the explanation is not satisfactory?

Mr. Speaker : Then I shall ask him to withdraw.

Premier : There has been a lot of excitement about what I said. What I actually said, was, why is the honourable member so restive? Is he anxious for advertisement to this extent? I was going to add that he forgot that one of the honourable members stood up and spoke for 35 minutes.

If this is unparliamentary I have not the slightest hesitation in withdrawing it (*hear, hear*).

Raja Ghazanfar Ali Khan : In view of the fact that you are anxious that the next motion may come up, I close my speech.

Mr. Speaker : Does the honourable member who moved the motion wish to give a reply ?

Lala Duni Chand : Yes.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : The House has taken nearly two days to discuss this rather important question and it was one of the reasons which actuated me to agree to the request of my honourable friend opposite to allow him to select any two grants which he wanted to discuss, so that I may have an opportunity of hearing from my friends in this House criticism with regard to two important departments of administration with which I am personally concerned. I must confess that I have heard a great deal of criticism of these departments, but I am sorry to say that there again very little constructive suggestion has come from those benches. The main theme of the speeches from my honourable friends opposite naturally related to the subject of corruption in the police. I am not surprised that the burden of their speeches was the rather vexed problem of corruption. But certain other statements, or, if I may say so with your permission, mis-statements were made in this House with regard to other matters and other aspects of this problem and I should like very briefly because the time at my disposal is short, to try to correct these misleading statements. To begin with my honourable friends opposite and the honourable mover of this cut stated that the Police is very corrupt, the police constable is very bad, his behaviour is abominable, his treatment to the public is dreadful. All kinds of things were said against the policeman, yet he finished up by saying that we must immediately raise the salary of the constable. Is it a reward for all that is being said against him ? I was rather intrigued (*interruption*) to know why that anxiety for the poor constable who in the previous breath had been condemned so unequivocally that no word of opprobrium was spared by the honourable gentleman who moved the cut and by others who followed him. I think I can give the House an answer to that question and that is this. I know it for a fact that as a party, they decided sometime ago that they should win over the smaller fry, as one might put it in slang, in the Revenue Department as well as in the Police Department, with a view to bring them within the orbit of their activities, and that with a view to win their sympathies a point should be made to press for the increase of their salaries (*A voice : Question*).

Lala Deshbandhu Gupta : Is that information based on the report
4 P.M. of the resourceful Criminal Investigation Department ?

Premier : Upon a statement made by his conferees in the United Provinces. He does not probably read all the papers which are published in the United Provinces although he is a journalist and the editor of a paper, otherwise what explanation is there for this curious attitude to condemn a man and in the same breath reward him for doing all the abominable things which are attributed to him.

Lala Deshbandhu Gupta : It is as a precaution and not as a reward

Premier : Let me tell him that we on this side of the House are not less solicitous of the condition of the constable than my honourable friend over there. Let me remind my honourable friends opposite that from the very report of 1926, from which he quoted, we discussed at length and made certain recommendations with a view to ameliorating his condition and increasing his small emoluments, but unfortunately our recommendations have not been given effect to in their entirety so far on account of financial difficulties. A portion of our recommendations with a view to bettering the prospects—

Dr. Gopi Chand Bhargava : Are you speaking about the past or the present Government ?

Premier : I am talking of the report of 1926. The past Government decided in view of the financial stringency to spread those improvements over a number of years. They started with certain improvements and carried them out. Then the slump came and the whole process had to be slowed down ; as a matter of fact it came to a stand still during the period of depression. We have now, as you will have noticed, made provision in the budget to meet the recommendations of the committee which were made in 1926.

Then, Sir, my honourable friend, the member from Lahore, Mian Abdul Aziz, mentioned that the sub-inspector of police was only getting Rs. 60. I do not know whether he deliberately reduced his salary with a view to give point to his argument (*Mian Abdul Aziz* : Say Rs. 80) or perhaps it was through sheer ignorance that he made that statement. Let me tell him that the starting salary of a sub-inspector is Rs. 80 rising by Rs. 5 it goes to Rs. 130 with selection grades at Rs. 130, Rs. 140, Rs. 150 and Rs. 160. They draw a horse allowance of Rs.30. In addition they are given free quarters or house rent allowance in lieu thereof, free uniform and equipment. At expensive places such as Simla and Lahore they are given compensatory allowance. It is not Rs. 60 or Rs. 80, they can rise up to Rs. 160. They get a horse allowance of Rs. 30 in addition to special allowance in those expensive places.

Mian Abdul Aziz : Beginning with Rs. 80, what is their horse allowance ?

Premier : The horse allowance remains the same because a horse costs the same whether the sub-inspector gets Rs. 80 or Rs. 100.

Then, Sir, my honourable friend Dr. Gopi Chand Bhargava said that our administration was very top heavy and we are paying enormous amounts to officers, while the amount being paid to other ranks was comparatively small. I interrupted him during his speech and tried to correct him, but in the heat of his speech probably he did not notice my interruption. At that time I pointed out that he was probably excluding the head constables who must necessarily be included in the rank of constables. Now, Sir, let me give you some figures. Dr. Gopi Chand said, and he thought he made a strong point of it, that the pay of constables in district executive force was Rs. 39,29,200 while the pay of other ranks amounted to 38 lakhs. His object merely was to impress the House that the officers were getting a very big slice of the budget and the smaller fry were getting very little. The exclusion

of head constables, who are lower subordinates and come from the constables class, gives you a fallacious impression. If they are combined with constables, the pay of the lower subordinates amounts to Rs. 51,70,040.

Dr. Gopi Chand Bhargava : How much do you pay to the head constables ?

Premier : They start with Rs. 30.

Dr. Gopi Chand Bhargava : What is the total amount ?

Premier : You will find the amount in the budget : 39 lakhs *plus* 12 lakhs. While the pay of superior officers from assistant sub-inspectors upwards—who is more or less of the same status as the head constable—amounted to Rs. 23,89,120. If gazetted officers only are taken as against subordinates that is sub-inspectors, assistant sub-inspectors and other ranks, the figures are Rs. 7,55,000 for gazetted officers and Rs. 68,14,000 for subordinates.

That, Sir, will make clear to my honourable friend that after all it is in no wise a top heavy Department. Some of the speakers had the audacity to say that we had a much larger supervising staff as compared with England. In spite of the fact that the conditions here are quite different and considering what has been said to-day and yesterday in this House, even the bigger supervising staff is easily justified. Let me give comparative figures of supervising staff in England and here in our own province. The Metropolitan Police with a total force of about 20,000 men policing an area of 700 square miles within a radius of about 15 miles from headquarters at New Scotland Yard has the following superior officers—

| | | | | |
|--------------------------------|----|----|----|-------|
| Commissioner | .. | .. | .. | 1 |
| Deputy Commissioner | .. | .. | .. | 1 |
| Assistant Commissioners | .. | .. | .. | 4 |
| Deputy Assistant Commissioners | .. | .. | .. | 8 |
| Chief Constables | .. | .. | .. | 8 |
| Superintendents | .. | .. | .. | 36 |
| Chief Inspectors | .. | .. | .. | 66 |
| Sub-Divisional Inspectors | .. | .. | .. | 159 |
| Junior Station Inspectors | .. | .. | .. | } 276 |
| Station Inspectors | .. | .. | .. | |
| Total | | | | 559 |

559 officers for a total force of about 20,000 men.

Thus Metropolitan Police with a total force of about 20,000 men policing an area of 700 square miles within a radius of about 15 miles from headquarters at New Scotland Yard, has 559 superior officers to supervise the

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police force. The Punjab Police with a total force of 20,910 policing an area of 96,614 squares miles (excluding Indian States) has the following superior officers :—

| | |
|---|-----|
| Inspector-General | 1 |
| Deputy Inspectors-General | 4 |
| Assistant Inspectors-General | 3 |
| Superintendents of Police | 35 |
| Assistant Superintendents of Police | 32 |
| Deputy Superintendents of Police | 54 |
| Inspectors | 136 |
| Total | 265 |

The percentage of officers in the Metropolitan Police is 2·8, while the corresponding percentage in the Punjab is 1·2. If officers down to the rank of Superintendents are taken in the case of the Metropolitan Police (corresponding to gazetted officers in the Punjab), the percentage of officers in the Metropolitan Police is ·3, while that in the Punjab is ·2. Now these figures will clearly remove the fallacy which the speech of the honourable member opposite may have created in the minds of my friends in this House. Let me also answer his criticism with regard to the increase in the amount provided for the Criminal Investigation Department. If the honourable members will consult the budget, they will find that the total of Criminal Investigation Department as compared with the whole grant is only 1/20th. The non-votable police items are only 1/11th. In the 'District Executive Forces' the non-voted portion of the budget is only 1/18th of the total. So the impression which my honourable friend opposite had was not correct.

Dr. Gopi Chand Bhargava: May I explain, Sir. What I meant was that the budget in the Criminal Investigation Department had been increased by Rs. 20,000 and almost all of that is non-votable.

Premier: I am afraid that the honourable member again has not studied the budget correctly. He is in the main correct about the increase—but let me assure him that it is not non-voted, and let me now inform him why this increase has been made in the budget. The increase is due to two things. The first reason for the increase is the special staff for investigating kidnapping cases. You are aware that kidnapping has now increased to a scandalous extent not only in this province but in other provinces as well. Therefore, it is necessary for us to try to combat this menace. The second item, for which this extra staff was necessary, was 'enquiries about counterfeiting'. The honourable members raised that point yesterday. We have provided for additional staff to trace counterfeiting cases. The remaining amount is due to the consequent increase in the establishment of staff on account of these increases in the budget. The honourable members opposite, I hope, are now satisfied that this amount of rupees twenty thousand or more was not meant in any way to increase that portion of the police which they thought harassed people outside or kept watch over undesirables.

My honourable friend from Ludhiana made a rather vehement speech, and he seems to have been personally interested in several of those battles. It is only human nature that one should be vehement and try to be very strong in answering others' remarks. He said that he was going to quote specific instances. This House is well aware that he quoted no specific instance but made general insinuations of a very vague character. But I should have been obliged if the honourable member had also pointed out to us the other side of the picture. He is well aware that several complaints were made during the election that several inspectors were helping my honourable friend opposite and those allegations were made by responsible persons, but I—

Chaudhri Muhammad Hassan : On a point of personal explanation, Sir. That is incorrect.

Premier : That is not incorrect. I have written representations in my possession which I can show to the honourable member, but I did not take any action on those allegations because I thought that the honourable member should not be asked to answer those allegations until after the election. I did not want to jeopardise his chances of being elected and secondly, because they were made by individuals. We have laid down special rules for this kind of allegations. If five people come forward and make an application it must be enquired into. I, therefore, think that my honourable friend was unjust in trying to bring out one side of the picture to the notice of the House and not the other side of the picture. If we started an enquiry and asked for names of those people who are alleged to have helped him during election, he would not naturally mention those names. His other grouse was that when a man goes to the Assistant Inspector-General of Police for purposes of interview with the Inspector-General of Police, he is not allowed the opportunity of having the interview. I am afraid there again he has made an extremely indefinite statement. The Assistant Inspector-General is there to arrange interviews with the Inspector-General in important matters and he can arrange for the interviews only when the Inspector-General has got time. It must be remembered that the Inspector-General who has to command a force of twenty thousand people has his hands fairly full and he is not available to see every person at any time merely at his behest. There are regular rules of procedure laid down and if the honourable members will follow those rules, they will find that there will be no difficulty in bringing their complaints to the notice of the higher authorities. They should, in the first instance, go to the local officer. If he refuses, there is the Deputy Inspector-General and eventually they should come to the Inspector-General. If they cannot get redress, there is the local Government—the final authority to redress their grievances provided they can prove their genuineness. But I think it was very uncharitable on the part of the honourable member to try to attack the Assistant Inspector-General of Police because he could not arrange an interview with the Inspector-General with regard to a particular matter.

It was said that the Inspector-General of Police made the recruitment of gazetted officers. Let me inform the House that this is not the case. The gazetted appointments in the police are made and were made by the local Government and in future all the appointments will be made by the Public

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Service Commission. So, you will see, that that statement was again incorrect.

One of the honourable members mentioned that there was restriction with regard to recruitment of certain classes. I am afraid there again the honourable member was either ignorant of the rules or else he was merely trying to produce a rhetorical effect and did not keep the facts in view. I shall presently quote the rule. There is nothing in the Police Rules to limit recruitment to a particular tribe or caste as was tried to be made out by some of the honourable members. Rule 12·14 runs thus :—

Recruits shall be of good character and great care shall be taken in selecting men of a type suitable for police service from candidates presenting themselves for enrolment.

That is the Rule. There is no bar or restriction to the appointment of a person of any caste or any tribe or any particular person.

Lala Deshbandhu Gupta : What is the practice ?

Premier : The practice is in accordance with that rule.

Dr. Sir Gokul Chand Narang : Not quite.

Premier : My honourable friend says, "Not quite". I know that he feels very strongly on that point and he made several representations. I pointed out to him when I was on the Police Committee that the class with regard to which he seemed to be so anxious to provide representation in the police —

Dr. Sir Gokul Chand Narang : The depressed classes.

Premier : He was particular about the non-agriculturist Hindus. With regard to them I made special recommendations in the report. We issued special instructions that these classes be encouraged for recruitment but the difficulty is that they cannot earn more than eight, nine or ten annas in the Police which they can easily do as hawkers. So, why should they come to the police ?

Dr. Sir Gokul Chand Narang : That is not true.

Premier : The honourable member challenged us sometime ago and the Inspector-General of Police said that if he sent candidates they would receive the fullest possible consideration and they would get their proper proportion in the police service. I say so again to my honourable friend that if constable candidates are available, they will receive the same consideration as any other recruit of any other community (hear, hear).

Dr. Sir Gokul Chand Narang : I shall take you on your word.

Premier : Then as regards my Sikh friends opposite. I remember it for a fact that they wanted 100 men to be recruited for the Hongkong police. We informed the Superintendent, Police, concerned and about 300 men turned up at Lahore. They were all anxious and keen to go to Hongkong, but after the officers concerned had selected their quota for Hongkong, the men were asked if they would get themselves enlisted for the local police, for physically and otherwise they were suitable, and they all refused. They naturally prefer to go to the Army which they consider to be more dignified than the police. That is true.

Dr. Sir Gokul Chand Narang : But the fact remains that the number of Hindus in the lower ranks of the police is disproportionately small.

Premier : Not on account of any fault of the administration.

Several honourable members criticised us by saying that Government had done nothing with regard to the investigation of cases. Let me read out to them another circular or confidential instructions which were issued by the Inspector-General of Police. (*A voice : When ?*) I think six or seven months ago. The circular reads :

"The Inspector-General wishes to emphasize that the production of false evidence is a grave criminal offence which injures the reputation of the force as a whole in the eyes of Government and the public, and cannot be too strongly condemned. He directs that supervising officers shall lose no opportunity of impressing this on their subordinates and that they shall be alert to detect and check any such tendency.

The Inspector-General is aware that it is often impossible for the investigating officer to be certain whether a particular witness produced by the complainant is or is not a truthful witness, either in the whole or in part of his evidence. In cases of doubt he should have no hesitation in communicating his suspicion to the prosecuting and supervising officers concerned. It is then the clear duty of the prosecutor to present an honest and straightforward case, and not to convince the court of the truth of evidence which he himself suspects to be untrue. The malpractice of producing or conniving at the production of false evidence is merely one form of corruption and must be treated as such in accordance with the special provisions of Police Rules 16-39, 16-40 (1st Part) and 16-41."

This memorandum with the letter to which it refers was published in the Police Gazette and was circulated to all concerned.

This will make it clear that the Government is not unmindful of all these difficulties and irregularities and is at one with the honourable members opposite to see that these irregularities are eradicated and the sooner that is done the better.

With regard to corruption, I have only got a few more minutes and with your permission, I should just like to say to the honourable members opposite that he quoted words from my police report that the disease is there ; no proof is needed ; it does not need a specialist to diagnose that disease. We all agree that the disease is there, but the question is, how are we going to eradicate that disease ? (*A voice : First try your own method.*) I was waiting to hear constructive proposals. The only so-called constructive proposal was made by the mover of the cut, but he was somewhat confused with regard to his mathematical calculations. Instead of Rs. 96 lakhs he came to the figure of Rs. 8 lakhs. It would cost 25 lakhs to increase the pay of the constables by Rs. 10, and of course, the higher figure of increase contemplated by the honourable member would take us into the region of nearly a crore, and even then it would not have eradicated all these ills. During the last two days we have been hearing of corruption in the Police Department. It would be unfair to single out the Police Department alone for condemnation and attack. We are aware, and like honest men we should admit it that there is corruption in every department. That corruption is in other departments also, we must confess to our shame. In other institutions, also outside Government institutions, the honourable members cannot deny that there are charges made in the press with regard to some private institutions, charitable or political. I was going to say that even the Congress is not immune from that charge. (*Voices : No, no.*) In several provinces the accounts of the Congress have been

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subject to heavy criticism in the Press and from the platform for a long time. So I think it would be futile on our part not to admit that this malady exists not only in the Government departments but throughout the country, much to our shame and disgrace. It is the duty of every one to join and eradicate that corruption, but how can we do it by merely tarring the police? But whatever we do on this side of the House or whatever the administration does, can be no more than a mere palliative. We must eradicate the root cause of corruption and we must make our public incorruptible. We must reform them. But how? Not by pillorying the police, not by holding inquiries behind our back, as my friend opposite did recently. May I remind him that his party in other provinces may be in office tomorrow. Would it be fair for the other parties in those provinces to hold similar enquiries?

Dr. Gopi Chand Bhargava : Certainly.

Premier : I was saying that it is up to us as well as for Government to eradicate this evil. It is not an easy problem, and as I was saying, if the honourable member insists on holding these inquiries which I may be permitted to say are unlawful inquiries, where will be the discipline?

Dr. Gopi Chand Bhargava : I am prepared to bear the consequences

Premier : The honourable member is very brave and is prepared to face anything, but I ask him, is it proper and worth while? Is it right trying to defy law and order? (*Voices :* Of course, it is.) My honourable friends are very restive whenever I speak. They must show me the courtesy of allowing me to speak. I seldom disturb them while they are speaking. Would it be honest for my honourable friends to try and inculcate the spirit of lawlessness amongst the people and hold inquiries? Supposing to-morrow we change places with the benches opposite, would he then like us to set up irregular committees of inquiries to impede Government of the time and rush into press—(*Voices :* Certainly, yes.) That kind of thing is not allowed in any civilised country. If they want real democracy they will have to restrain their tendency to spread lawlessness. If they do not do so, they can only have one result. That is what is happening in Spain.

My honourable friends have been quoting Russia. Let me give them a quotation with regard to Russia.

Mr. Speaker : It is 4-30 P.M. now. So, the time is up.

Premier : If the House will give me a few minutes more I shall wind up.

Diwan Chaman Lall : May I suggest that we sit till 5-30 P.M. today? (*Cries of 'Yes, yes' and 'No, no'.*)

Sardar Sampuran Singh : I request that the period of sitting of the House be extended by one hour so that we may be able to take up motion No. 9 in the list relating to *jhatka* meat. I make this request, because the Honourable Premier and you, Mr. Speaker, have given me to understand that you will give time for the consideration of this motion. In view of the

undertaking given by both of you, I request that the sitting may be extended by one hour.

Mr. Speaker : I gave no undertaking. In fact I could not give any as the taking up of an item depends on the disposal by the House of the item above it. Personally I have no objection.

Premier : My point is that under the rules you are not authorized to extend the time of the House.

Mr. Speaker : The Governor under the rules has been pleased to announce that no demand for grant shall be discussed for more than two days. The discussion on the present demand started yesterday and by two days it is probably understood a period of two days according to our rules and practice.

Premier : If the House wants to sit till 6-30 I have no objection.

Mr. Speaker : I have already stated that personally I have no objection if the House wants to sit after the fixed hour ; but what about the Governor's announcement ?

Diwan Chaman Lall : May I know what the decision is, because, if the decision is that the House shall not sit any longer because the two days allotted for the discussion of the demand have expired, then I think the Honourable Premier cannot continue his speech. He must resume his seat.

Mr. Speaker : The honourable member is right.

Sardar Sampuran Singh : Am I then to understand that all the proceedings of to-day after 4-30 P.M. are void ?

Mr. Speaker : As the two days allotted for the discussion of the demand have expired, I have to put the motion to the vote of the House. The question is —

That the item of Rs. 1,10,900 on account of Total A—Supreintendence be reduced by Rs. 10.

The Assembly divided : Ayes 82 : Noes 80.

AYES.

Ajit Singh, Sardar.
 Bhagat Ram Choda, Lala.
 Bhagat Ram Sharma, Pandit.
 Bhim Sen Sachar, Lala.
 Chaman Lall, Diwan.
 Chanan Singh, Sardar.
 Deshbandhu Gupta, Lala.
 Duni Chand, Lala.
 Gopi Chand, Bhargava, Dr.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Kabul Singh, Master.
 Kapoor Singh, Sardar.
 Kartar Singh, Chaudhri.
 Kartar Singh, Sardar.
 Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,
 Chaudhri.
 Muhammad Hassan, Chaudhri.
 Muhammad Iftikhar-ud-Din, Mian.
 Mula Singh, Sardar.
 Muni Lal Kalia, Pandit.
 Narotam Singh Sidhu, Sardar.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Raghbir Kaur, Shrimati.
 Rur Singh, Sardar.
 Sampuran Singh, Sardar.
 Sant Ram Seth, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.
 Sudarshan, Lala.

NOES.

- Abdul Hamid Khan, Sufi.
 Abdul Haye, The Honourable Mian.
 Abdul Rab, Mian.
 Abdul Rahim, Chaudhri (Gurdaspur).
 Abdul Rahim, Chaudhri (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
 Ahmad Yar Khan, Chaudhri.
 Ali Akbar, Chaudhri.
 Allah Bakhsh Khan, Khan Bahadur Nawab Malik.
 Amjad Ali Shah, Sayed.
 Anant Ram, Chaudhri.
 Ashiq Husain, Captain.
 Atma Ram, Rai Sahib Lala.
 Badr-Mohy-ud-Din Qadri, Mian.
 Balbir Singh, Rao Bahadur Captain Rao.
 Balwant Singh, Sardar.
 Bhagwant Singh, Rai Sahib.
 Binda Saran, Rai Bahadur.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Dasaundha Singh, Sardar.
 Faiz Muhammad, Shaikh.
 Faqir Husain Khan, Chaudhri.
 Fateh Khan, Raja.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Qadar Khan, Khan Bahadur.
 Ghulam Rasul, Chaudhri.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Harnam Dass, Lala.
 Harnam Singh, Lieutenant Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahan Ara Shah Nawaz, Mrs.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Saadat Ali Khan, Khan Sahib Nawab.
 Muhammad Sartaraz Khan, Chaudhri.
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
 Muhammad Wilayat Hussain-Jeelani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din, Chaudhri.
 Nur Ahmad Khan, Khan Sahib Mian.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Rashida Latif Baji, Begum.
 Riasat Ali, Khan Sahib Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.

| | |
|--|-----------------------------------|
| Shahadat Khan, Khan Sahib Rai. | Suraj Mal, Chaudhri. |
| Sikander Hyat-Khan, The Honourable Major Sir. | Talib Hussain Khan, Khan. |
| Sundar Singh Majithia, The Honourable Dr. Sir. | Tara Singh, Sardar. |
| | Ujjal Singh, Sardar Sahib Sardar. |
| | Umar Hayat Khan, Chaudhri. |

Mr. Speaker : The question is—

That a sum not exceeding Rs. 1,11,96,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Police.

The motion was carried.

The Assembly then adjourned till 11 A.M. on Thursday, 8th July, 1937.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 8th July, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A. M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

PUNITIVE POLICE POST QUARTERED AT VILLAGE DALL, ETC., IN
TAHSIL KASUR.

***331. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state :—

- (a) whether it is a fact that a punitive police post was quartered at villages Dall, Dalseri and Kalsian, tahsil Kasur, district Lahore, in 1923, which remained there for four and a half years ;
- (b) if the answer to (a) be in the affirmative, whether he is prepared to place on the table of the House a statement showing (i) the date of its arrival in the villages and the date of its withdrawal, (ii) the sanctioned strength of the police force for each year, (iii) the actual strength of the police force which remained in the police post during each year, with the monthly average attendance of the constables, (iv) the details of the estimated and the actual costs of the police post for each year, (v) the punitive police post costs imposed upon the inhabitants of the aforesaid villages, for each year, (vi) the costs recovered for each year and (vii) the arrears due from the inhabitants of the villages on the 31st March, 1937 ;
- (c) whether it is a fact that Bhola Singh and other residents of the aforesaid villages submitted an application to the Honourable Premier on the 24th May, 1937, claiming a refund of Rs. 7,249 realized in excess of the actual costs borne by the Government ;
- (d) if the answer to (c) be in the affirmative, whether he will lay on the table the original application, with the decision, if any, arrived at by the Government

[Dr. Sant Ram, Seth.]

(e) whether the furniture purchased for punitive police post at the cost of the village inhabitants was taken to the police headquarters, Lahore, after the withdrawal of the punitive police post without giving any compensation to the inhabitants for the same ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, from the 10th September, 1923 to the 9th March, 1928.

(b) The essential figures have been given in the reply to question 30¹ put by the honourable member for Lahore (Central Constituency). As has been explained in the replies to other questions, it is never possible to state the " actual costs " of a body of additional police with exactitude as certain items of the bill are incapable of being set out with precision. In the present case recoveries were completed in March 1933, the uncollected balance of Rs. 152-1-2 being waived.

(c) Yes, The claim was for a refund of Rs. 7,349, and not Rs. 7,249, as stated in the question.

(d) A copy of the application is laid on the table. Government are not prepared to re-open the case at this stage.

(e) Yes. This is the usual practice. The small profit which thus accrues may be regarded as counter-balanced by the expenditure in providing arms and equipment for the men, which is not included in the calculated cost.

Copy of an application dated the 24th May, 1937, from Bhola Singh and other residents of villages Dall and Dalseri to the Honourable Prime Minister, Government, Punjab, Simla.

We the undersigned residents of villages Dall and Dalseri, Police Station Khalra, district Lahore, beg to state as follows :—

- (1) Additional police post was quartered in our villages in 1923 which remained here for 4 years 6 months. Rs. 29,601 were imposed upon the residents as the police tax out of which Rs. 28,446 have been realized and Rs. 155 are still shown as arrears.
- (2) From the statement of costs attached herewith, you will find that there is great difference between the actual costs and the costs recovered. Government was wrong in realizing the contingency charges at the fixed rate i. e., 1/10th of the salary of the police staff in the 2nd, 3rd, 4th and 5th years as during these years no boxes and charpies were purchased for the police posts ; therefore contingency charges must have been less. In the 1st year we were charged Rs. 450 per annum for the hutting charges while the Government paid Rs. 240 per annum on this account. Similarly the sanctioned strength of the police force was never sent to our post particularly the number of constables never exceeded 8 ; sometimes their number was reduced to 5 or 6. During the fifth year the number of the police force was reduced to one sub-inspector of police one head constable and 4 constables. Hence we would request you to make inquiry in the case and refund Rs. 7,349 as detailed below :—

| | |
|--|-------|
| (1) Difference between actual costs and recovery as shown in the charge sheet attached | 7,249 |
| (2) Price of the furniture purchased at the cost of the village inhabitants and taken to the Police Headquarters Lahore after the withdrawal of the Police | 100 |
| Total of the refund due | 7,349 |

¹Pages 266-67 ante.

Actual costs and recovery list of the Punitive Police Post, villages Dall and Dalseri and Kalsian, district Lahore.

| | 1923-24 | 1924-25. | 1925-26. | 1926-27. | 1927-28. |
|--|----------|----------|----------|----------|-----------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | Rs. | Rs. | Rs. | Rs. | Rs. A. P. |
| Government demand .. | 6,640 | 6,316 | 6,316 | 7,205 | 3,124 0 0 |
| | 1923-24. | 1924-25. | 1925-26. | 1926-27. | 1927-28. |
| | Rs. | Rs. | Rs. | Rs. | Rs. A. P. |
| 1. Salary of the Sub-Inspector Police | 960 | 960 | 960 | 960 | 480 0 0 |
| 2. Salary of the Senior Head Constable | 480 | 840 | 420 | 420 | 210 0 0 |
| 3. Salary of the Junior Head Constable | 360 | 360 | 300 | 300 | 150 0 0 |
| 4. Salary of the 8 Constables .. | 1,632 | 1,632 | 1,632 | 1,632 | 816 0 0 |
| 5. Pension charges | 647 | 647 | 647 | 647 | 323 8 0 |
| 6. Contingency | 250 | 100 | 100 | 100 | 50 0 0 |
| 7. Conveyance allowance of Sub-Inspector of Police .. | 360 | 360 | 360 | 360 | 180 0 0 |
| 8. Uniform allowance of Sub-Inspector of Police .. | 25 | 25 | 25 | 25 | 12 8 0 |
| 9. Uniform allowance of Head Constable and Constables .. | 150 | 150 | 150 | 150 | 75 0 0 |
| 10. House rent | 240 | 240 | 240 | 240 | 120 0 0 |
| 11. Equipment charges .. | 40 | 15 | 15 | 15 | 25 0 0 |
| 12. Salaries of the sweepers and water carrier | 36 | 36 | 36 | 36 | 18 0 0 |
| Total .. | 5,180 | 5,005 | 5,005 | 5,005 | 2,502 8 0 |

NOTE (1).—The salaries of the Sub-Inspector of Police, senior Head constable, junior Head Constable and Constable has been counted at the rate of Rs. 80, Rs. 40, Rs. 30 and Rs. 17 per head per month in the 1st year but in the last three years the salaries of Head Constables, senior, and junior, have been counted at Rs. 35 and Rs. 30 respectively.

(2).—As no furniture was purchased during the 2nd, 3rd, 4th and 5th year of Punitive Police Post's stay in the village Rs. 100 per annum allowed for repair and other necessities.

(3).—Very few transfers took place from 1924-25 to 1927-28 hence equipment charges very small.

(4).—Average attendance of the constables never exceeded 8 per month, therefore the salary of eight constables are calculated here.

| Total recovery— | | Costs— | | | | | |
|-----------------|--------|--------|-------|------------|-------|--------|-------|
| Rs. | Rs. | Rs. | A. P. | Rs. | A. P. | Rs. | A. P. |
| 6,640 | 29,446 | 5,180 | 0 0 | 22,697 | 8 0 | 29,446 | 0 0 |
| 6,316 | | | | | | 22,697 | 8 0 |
| 6,316 | | | | | | | |
| 7,205 | | | | | | | |
| 33,124 | | 2,502 | 8 0 | Difference | | 7,249 | 8 0 |

ADDITIONAL POLICE POST AT VILLAGES CHEEMA AND DOBLI,
IN TAHSIL KASUR.

***332. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state :—

- (a) whether it is a fact that an additional police post was quartered at villages Cheema and Doblí, tahsil Kasur, district Lahore, in 1925, which remained there for 3 years ;
- (b) whether any inquiry was made regarding the costs of additional police post, by the District Magistrate, Lahore, before issuing orders for the recovery of the costs of the same from the inhabitants of the said villages every year ;
- (c) whether it is a fact that the village residents were made to pay the estimated costs sanctioned by the Government including the contingency charges estimated at the rate of 1/10th of the total salary of the police staff during the 2nd and 3rd years of the stay of the police force ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (c).

This has been answered in my reply to question *41¹.

(b) As has been explained in the replies to other questions, it is never possible to state the "actual costs" of a body of additional police with exactness. District Magistrates work in these cases on the basis of figures supplied to them by the Police Department.

ADDITIONAL POLICE POST AT VILLAGE BADRPUK, TAHSIL KASUR.

***333. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state :—

- (a) whether any additional police post was quartered at village BadrpuK, tahsil Kasur, district Lahore, in the year 1926-27 ;
- (b) if the answer to (a) be in the affirmative, whether he is prepared to lay on the table a statement showing (i) the date of its arrival and withdrawal from the village, (ii) the detailed accounts of the estimated as well as the actual costs of the additional police post, (iii) the sanctioned strength of the police force and (iv) the monthly average strength of the police force posted in the village ;
- (c) whether it is a fact that the services of the reserve force were never required during the stay of the police post in the said village ;
- (d) whether it is a fact that the furniture purchased for the police post at the cost of the village inhabitants was taken to the police headquarters, Lahore, without giving any compensation to the villagers ; if so, the reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : The essential facts have already been given in replying to an earlier question by the honourable member (No. *39¹). I regret that I am not prepared to make further inquiries regarding this very old case.

PROPOSAL REGARDING GOVERNMENT GIRLS' HIGH SCHOOL,
FEROZEPUR CITY.

***334. Pir Akbar Ali :** Will the Honourable Minister for Education be pleased to state if there is any proposal to start a Government Girls' High School at Ferozepore City? If so, when is it likely to be started?

The Honourable Mian Abdul Haye : Yes; in 1988-89, if funds are available.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Minister for Education be pleased to state whether girls' schools had been opened in every district of the province?

Minister : No, Sir,

Pandit Shri Ram Sharma (Urdu) : Will he please state in which districts girls' schools have been opened and in which not?

Minister : I am afraid I cannot say off hand.

SERVANTS OF THE MUNICIPAL COMMITTEE, SIMLA.

***335. Khwaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state:—

(i) the names of the servants of the Simla Municipal Committee who are related to the members of the Committee; and

(ii) the relationship they bear to the members?

The Honourable Nawabzada Major Malik Khizar Hyat Khan Tiwana : (i) (1) Lala Balak Ram Dogra, Stenographer and Assistant Superintendent, General Branch.

(2) Syed Mohammad Hassan, Meter Repairer.

(3) B. Kishori Lal, Tax Clerk.

(ii) Nos. (1) and (3) are married to the stepsisters of a member. No. (2) is a cousin of a member.

Khwaja Ghulam Samad : Will the Honourable Minister please state as to whether Dr. Mukand Lal is related to Lala Behari Lal, Municipal Commissioner?

Minister : I have no record of the relationship.

(Finding that the member who put the question and the Honourable Minister were both standing at the same time.)

Mr. Speaker : Honourable members are requested to observe the ordinary rules of procedure and practice. When the Honourable Minister got up to answer the question, the honourable questioner should have resumed his seat.

Khwaja Ghulam Samad : I am sorry. The interval between the question and its answer was half a second. I know that the Honourable Minister has no records but what action does he propose to extract correct reports ?

There are many persons who are related to Lala Behari Lal ; I cannot say why they have not been shown in the list. Another supplementary question, Sir, Is it a fact that there were only 11 seats in the municipal committee, Simla, before the last election ?

Minister : The honourable member has not read his question. This question does not arise out of the question which he has tabled.

Khwaja Ghulam Samad : Sir, it is a relevant question as I will prove.

Pandit Shri Ram Sharma (Urdu) : May I know whether there is any local office holder who is related to the member of the committee ?

Minister : Yes.

Pandit Shri Ram Sharma (Urdu) : Is there any rule under which a member can get his relatives employed in the municipal committee ?

Minister : Sanction is necessary in case of certain relations.

Pandit Shri Ram Sharma (Urdu) : Is Government aware that many servants of the municipal committee are relatives of the members of the said committee ?

Minister : In some cases.

Pandit Shri Ram Sharma (Urdu) : May I know whether the Government intends to take any action in the matter ?

Minister : Insistence on compliance with the rules.

Pandit Shri Ram Sharma (Urdu) : Has Government done it in the case of any municipal committee ?

Minister : In many a case.

Pandit Shri Ram Sharma (Urdu) : In which case ?

Minister : I cannot cite the instances off hand.

Pandit Shri Ram Sharma (Urdu) : Was any such complaint received from Rohtak ?

Minister : I am not aware of it.

RULES RELATING TO THE CONDUCT OF BUSINESS OF THE CABINET.

***336. Diwan Chaman Lall :** Will the Honourable the Premier be pleased to state :—

(a) whether new rules of business have been framed for the conduct of business of the Cabinet ;

(b) whether he is prepared to lay a copy of these rules of business on the table of the House ;

- (c) whether the Governor has so far presided over all the meetings of the Cabinet ;
- (d) whether the Governor dictates orders which form the basis of the decision of the Cabinet ; if so, whether this practice is frequent ;
- (e) whether Secretaries to the Government approach the Governor over the head of the Minister ;
- (f) whether it is a fact that in certain cases Secretaries take verbal instructions from the Governor regarding important matters before such matters are communicated to the Minister in charge ;
- (g) the number of instances of this nature that have taken place so far ?

The Honourable Major Sir Sikander Hyat-Khan : I can assure the honourable member that the constitution is being worked by His Excellency the Governor and his Ministers in accordance with the spirit and provisions of the constitution and that there is complete mutual confidence and trust between the Governor and his Ministers. There has been no instance in which there has been any difference between the Governor and his Ministers, or in which the advice of the Ministers has not been accepted as a matter of course.

Having given this assurance, I must, as I have already stated, decline to answer, in the public interest, questions which relate to the proceedings of the Council of Ministers which must be of a secret character, and are intended to encourage questions of which the intention is to convey an entirely wrong and misleading impression of the manner in which provincial autonomy is being worked in this province.

Chaudhri Kartar Singh (Urdu) : Will the Honourable the Premier please state whether in provinces where the Congress is assuming office, the same tradition of the Governor presiding over the Cabinet will continue ?

(No answer).

Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to state whether rule 5 of the Business bye-laws of the Cabinet meetings lays down that the Governor shall preside at the Council meetings and the Premier shall preside only in his absence and further that the agenda of the Cabinet meetings will also be submitted for the approval of His Excellency ?

Premier : Which rules is the honourable member quoting from ? So far as the rules of procedure of the Cabinet are concerned they are a secret document.

Lala Deshbandhu Gupta : That is why I am asking for further information. Will the Honourable Premier be pleased to state what public interest is involved in giving the very necessary information on this point ? May I know whether it is the practice and whether it is the rule that His Excellency the Governor will preside over the Cabinet meetings and it is only in his absence that the Premier will preside and secondly that the agenda of the Cabinet meetings will also be submitted to His Excellency for his approval ?

Premier : So far as the right of the Governor to preside at the Council meetings is concerned, I have already answered that point. The honourable member is referred to the provisions of the Government of India Act.

Lala Deshbandhu Gupta : Section 50 of the Government of India Act says that the Governor in his discretion may preside at meetings of the Council of Ministers. Our objection is that the Treasury benches have abdicated in favour of His Excellency by making it a rule that His Excellency shall always preside at such meetings.

Mr. Speaker : Is that a question ?

Lala Deshbandhu Gupta : I want to know whether they have abdicated in favour of His Excellency the Governor by laying down a definite rule that His Excellency will preside and it is only in his absence that the Premier will preside.

Premier : I am not aware of the rule to which the honourable member is referring to. But I can assure him that rules which have been framed are in consonance with the spirit of the Act itself.

Lala Deshbandhu Gupta : Since the Honourable Premier is taking shelter behind the provision of the Secret Documents Act I cannot go into the matter further.

Lala Bhim Sen Sachar : On a point of order, Sir. The Honourable Premier has stated that the rules of business which bear on the functions of Ministers, the allocation of business and the regulation of the meetings of the Cabinet, are secret rules. My point of order is this. There are certain provisions or relevant sections in the Government of India Act which would be, as it were an indication of the fact as to how the Ministry and the Governor are pulling together. In view of the statement of His Excellency the Governor-General, and as it is the right and privilege of the House to know whether the spirit of the rules or the views that have been given expression to by His Excellency the Governor-General are being observed — because the House is very jealous of its rights and is their guardian — we want to know if there is no encroachment being made on its rights because of certain rules to which the Ministry is subjected. Therefore I would like to know if we would not be in order in requesting the Honourable Premier to take us into his confidence as regards the rules with regard to the procedure at the meetings, such as how many times the Cabinet meets in a week, who presides over them and so on.

Premier : I am afraid the honourable member has unnecessarily wasted his breath. I have already told him that the rules were framed in consonance with the spirit of the Act and the point which he has raised has been answered by me in reply to other questions previously put in this House. As a matter of fact, the honourable member was not present here when I stated that so far as the business of the Council of Ministers is concerned, on the analogy of the cabinet proceedings in England, the rules as well as the proceedings of the meetings are secret.

Lala Deshbandhu Gupta : The Honourable the Premier has just stated that the rules of business framed by them are in consonance with the spirit of the Government of India Act, while I submit that this is a question of interpretation. Therefore we wanted to know what the rules are

I think the honourable the Premier will have no objection to giving us this information.

Mr. Speaker : The Honourable the Premier has answered that they are secret.

Lala Deshbandhu Gupta : There is no provision in the Government of India Act, as far as I know, to the effect that the agenda of the Cabinet meeting will also be submitted to His Excellency the Governor for his approval. I want to know whether they have laid down rules to that effect.

Premier : I am not prepared to relieve the curiosity of my honourable friend opposite.

Lala Duni Chand : The law applicable to confidential documents is embodied in sections 133-134 of the Evidence Act. Does the Honourable the Premier claim privilege under these sections or any other law or rule?

Premier : Under the convention which I have set up.

Lala Duni Chand : Can the convention take the place of a positive rule of law?

Premier : What rule of law?

Mr. E. Few : Will the Honourable the Premier be pleased to state whether there is any other parliament in the world that discusses the internal doings of the Cabinet on the floor of the House?

Premier : Not to my knowledge.

Lala Bhim Sen Sachar : On a point of order. Is it for the House to set up a convention or for the Honourable the Premier to set it up?

Mr. Speaker : Is that a point of order? A point of order can be raised if any of the rules, regulating the procedure and the business of the House, is violated or ignored. Which rule of the House has been violated and ignored now?

Lala Bhim Sen Sachar : If I am permitted—

Mr. Speaker : Is it a point of order that the honourable member wishes to raise?

Lala Bhim Sen Sachar : If I am permitted, I would submit that, speaking from memory, it is rule 14 which regulates the procedure for putting of supplementary questions. When a question has been put and a reply given, further information may be asked for on the floor of the House. When the Honourable the Premier takes shelter behind those rules, which are claimed to be secret rules and cannot be made available to the House, my submission is, is it for him to regulate that—

Mr. Speaker : The Honourable the Premier did not consider it in the public interest to answer certain questions. He may be right or he may be wrong. His opinion is that where the matter is secret it is not in the interest of the public to divulge it.

Premier : I may point out that Ministers have to take the oath of secrecy.

Lala Duni Chand : Can the Honourable the Premier state approximately the number of meetings that have been presided over by His Excellency the Governor since the new Government was inaugurated?

Premier : I have already answered that question. If the honourable member will look up the replies to previous questions he will find his question duly answered.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable the Premier kindly state whether it is a fact that the files are sent to the Governor for consultation ?

Premier : It is not necessary for them to do so.

Pandit Shri Ram Sharma (Urdu) : Does the Honourable the Premier know of any instances where files have been sent to the Governor ?

Premier : They often come to me for advice and consultation.

Pandit Shri Ram Sharma (Urdu) : But I want to know whether they are finally sent to the Governor ?

Premier : What is meant by ' Finally ' ? I have already said that there is no bar to their sending papers to the Governor, but so far as I am aware they have not taken advantage of that position.

Pandit Shri Ram Sharma (Urdu) : Am I to understand that Honourable the Premier knows of no such instance ?

Mian Abdul Aziz : Would it not be in the interest of the ministerial party, and particularly the Premier to give direct reply to parts (d), (e) and (f) in order to avoid any kind of misunderstanding without disclosing the secrecy of those rules ?

Premier : The honourable member was not here when I answered a previous question and I think he was not here when I made a declaration with regard to the relations between the Governor and his Ministers. I can assure him that there is no substance in the allegations or insinuations contained in these questions.

Mian Abdul Aziz : I may inform the Honourable Premier that on the first and second occasions I was present here when he replied. I simply made a request to him.

Mr. Speaker : I am afraid I cannot allow the honourable member to make a speech at this stage. Honourable members are welcome to put supplementary questions for the purpose of further elucidating any matter of fact regarding which an answer has been given.

Lala Duni Chand : Has the Honourable Premier obtained legal advice as to the rules being of a confidential nature, which he refuses to disclose ? (*Laughter.*)

Maulvi Ghulam Mohy-ud-Din : I want to submit through you for the information of the House that a perusal of May's.— (*Laughter.*)

Mr. Speaker : What does the honourable member mean by referring to May's Parliamentary Practice ?

CABINET MEETINGS.

*337. **Malik Barkat Ali :** Will the Honourable the Premier be pleased to state whether it is a fact that His Excellency the Governor has presided over every meeting of the Cabinet that has been held so far ?

The Honourable Major Sir Sikander Hyat-Khan : Yes.

ALLOWANCES OF VICE-CHAIRMEN OF DISTRICT BOARDS.

***338. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state the number and the names of the district boards in the Punjab, the Vice-Chairmen of which draw allowances, daily or otherwise, for attending to the work in these district boards : and also the rates of allowances drawn by them ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The Vice-Chairmen of the following District Boards draw travelling allowance at rates prescribed in the District Board Account Code for journeys performed on district board business :—

Rohtak, Ferozepore, Sialkot, Hoshiarpur, Gurdaspur, Multan, Karnal, Gujranwala, Gurgaon, Lyallpur, Sheikhupura, Montgomery, Attock, Amritsar, Rawalpindi, Shahpur and Gujrat.

No reply has yet been received from Lahore District Board. The Vice-Chairmen of the other District Boards do not draw any allowances.

Sardar Hari Singh : What is the amount of travelling allowance ?

Minister : That depends on the journey.

Sardar Hari Singh : Do they get it even when they attend sub-committee meetings ?

Minister : I have already said, when they travel on district board business.

Pandit Shri Ram Sharma (Urdu) : What is the halting allowance that is paid to the Vice-Chairman ?

Minister : I have not got the District Board Account Code with me to quote it. The honourable member can consult it.

PENSION OF MAULVI ALI SHER, RETIRED HEAD CONSTABLE OF
NAROWAL.

***339. Lala Duni Chand :** Will the Honourable Premier be pleased to state whether it is a fact that the payment of pension to Maulvi Ali Sher, retired head constable of Narowal, district Sialkot, has been withheld since 1923 ; if so, reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : No retired head constable of this name can be traced at Narowal, nor are any orders on record withholding the pension of an officer of this name.

An Honourable Member : Does the Honourable Premier think that this amount is a fictitious amount ?

Mr. Speaker : That is not a supplementary question.

COMPLAINTS AGAINST MUNICIPAL ELECTION OFFICER.

***340. Shaikh Karamat Ali :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether Government is aware,

(i) that there have been numerous complaints against the method adopted by the special Municipal Election Officer in preparing the electoral rolls ;

[Sh. Karamat Ali.]

- (ii) that a large number of persons who are entitled to vote are not registered as voters;
- (b) the amount spent on the preparation of electoral rolls under—
 - (i) the old system; and
 - (ii) the present system;
- (c) if the answers to the above questions be in the affirmative, what action, if any, is intended to be taken in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan, Tiwana : (a) (i) No.

(ii) No.

(b) Figures are not yet available from which a useful comparison can be made. Moreover the honourable member has not specified the municipalities or period for which the information is required.

(c) Does not arise.

OBSTRUCTION TO *TAZIAS* IN VILLAGE JAJJON.

***341. Chaudhri Muhammad Abdul Rahman Khan :** Will the honourable the Premier be pleased to state—

- (a) whether it is a fact that a post and telegraph office has been recently established in village Jajjon, district Hoshiarpur resulting in obstruction to the *tazias* passing that way;
- (b) whether it is a fact that this year the telegraph wires had to be cut in order to make way for the *tazias*;
- (c) whether it is a fact that the sub-inspector of police stationed at Mahilpur molests those who take out the *tazias* and admonishes them to make the *tazias* so small as to be able to pass along the roads without cutting the wires;
- (d) whether it is a fact that Ali Bux, Dhobi, Wali Muhammad Sayad, Mahdi Rangrez, and Isa Shah Sayad, have been forcibly made to put their thumb-impressions on an undertaking that in future they would make very small *tazias*;
- (e) whether it is a fact that one Fateh Muhammad is being coerced into making small *tazias* in future;
- (f) if the answer to (c), (d) and (e) be in the affirmative, what measures the Government propose to take against the high-handedness of the sub-inspector referred to above?

The Honourable Major Sir Sikander Hyat-Khan : (a) Last year the Telegraph Department moved their office at Jajjon to a place which falls on the route of the *tazia* procession taken out on the occasion of Muharram;

(b) Yes;

(c) No.

(d) No. The four persons named voluntarily agreed to make *tazias* of not more than 15 feet in height when carried on men's shoulder ;

(e) No.

(f) Does not arise.

***342.** *Cancelled.*

APPLICATIONS FOR PASSPORTS.

***343. Sardar Lal Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) the total number of applications for passports during the last financial year ;

(b) the number of those applications which were rejected ;

(c) the reasons in each case why it was rejected ;

(d) the number of Punjabis repatriated during the last financial year at the cost of this or any other Government ;

(e) whether it is a fact that the number of repatriated emigrants is negligible ; if so, the reasons for a high percentage of refusals for passports ?

The Honourable Dr. Sir Sundar Singh Majithia : The issue of passports is a prerogative function of the Governor-General falling outside the Government of India Act, 1935 ; and the subject of repatriation of Indians to India falls within the sphere of the Central Government, who moreover pay the costs of repatriation. This being so, it is suggested that the proper place for questions on these subjects would be the Central Legislature.

Chaudhri Kartar Singh : Is it a fact that the applications for passports from the inhabitants of the Hoshiarpur district are rejected after remaining pending for four or five months ?

Minister : The last portion of my reply is there.

Sardar Lal Singh : Does not the issue of the passports in the Punjab depend on the recommendation of the Punjab Government ?

Minister : We are merely agents of the Government of India.

Lala Duni Chand : Does not the question of grant of a passport in the Punjab depend on the Punjab Government ?

Minister : The Government of India are the final authority on the subject.

Lala Deshbandhu Gupta : What is the function of the Punjab Government ?

Minister : We are the agents.

Sardar Lal Singh : Are not the recommendations of the Punjab Government as a rule accepted in the grant of a passport ?

Lala Bhim Sen Sachar : Do the Punjab Government as agents of the Government of India hold any power of attorney or not ?

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MANDI HYDRO-ELECTRIC SCHEME.

***344. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total cost of the Mandi Hydro-Electric Scheme ;
- (b) the sources from which the expenditure mentioned in (a) above was met ;
- (c) the percentage of return on the capital expenditure ;
- (d) the annual recurring expenditure on the establishment of the Mandi Hydro-Electric Scheme by way of salaries ;
- (e) the percentage of salaries mentioned in (d) above, which is received by agriculturists ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (c). The Administrative Accounts of the Punjab Public Works Department, Electricity Branch, for the year 1935-36 compiled by the Accountant-General, Punjab, which is the latest compilation on the subject contains the following figures :—

(a) Capital Outlay to end of 1935-36—

| | Rs. |
|---|-------------|
| (i) Main undertaking.. .. | 5,86,68,788 |
| (ii) Local Distribution | 50,48,269 |
| (c) Percentage return on Capital Outlay : | |
| (i) Main Undertaking | 1·08 |
| (ii) Local Distribution | 6·31 |

(b) From loan funds.

(d) The honourable member's attention is invited to pages 471—492 of the Budget Estimate for 1937-38 presented to this Assembly.

(e) The honourable member's attention is invited to page 29 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937. A copy of this statement has been supplied to every honourable member of this Assembly. The percentage of salaries cannot be worked out without obtaining

figures of the emoluments of every employee in the Branch and this would involve an expenditure of time and labour out of all proportion to the results to be obtained.

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MANDI HYDRO-ELECTRIC SCHEME.

***345. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the portion of the electric energy which is being made available to rural population ;
- (b) what steps Government propose to take to supply energy from this source to the rural areas for irrigational and other agricultural purposes ; if so, to which areas ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No allotment of available energy has been made between urban and rural areas.

(b) Extensions into rural areas are proposed when it seems likely that a reasonable return will be received. Such extensions have already been sanctioned in the Phillaur-Goraya-Phagwara area and in the area north of Shalimar and Baghbanpura. An experimental group of tube-wells has been sanctioned in Gurdaspur district. Other projects, affecting areas near Jullundur, Phillaur and Amritsar are under examination.

Sardar Lal Singh : Were any representations received from the Ferozepore district agriculturists for the extension of this scheme for agricultural purposes ?

Minister : I believe yes and it is under consideration.

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REMISSIONS ON ACCOUNT OF THE DAMAGES BY HAILSTORMS.

***346. Sardar Lal Singh :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing—

- (a) the total amount of revenue remissions made in the different districts of the province on account of the damages caused by the recent hailstorms ;
- (b) relief given to the agriculturists in each affected district under the following heads :—
 - (i) Revenue remissions,
 - (ii) Returnable advances, and
 - (iii) Other grants ?

The Honourable Dr. Sir Sundar Singh Majithia : (a)
Rs. 8,76,265

(b) A statement is laid on the table.

[Minister for Revenue.]

Statement.

| District. | Lead revenue remission for hailstorm. | Returnable Act XII of 1884. | Advances under Act XIX of 1883. | Advances from Famine Relief Fund. |
|-------------------------|---------------------------------------|-----------------------------|---------------------------------|-----------------------------------|
| 1 | 2 | 3 | 4 | 5 |
| | Rs. | Rs. | Rs. | Rs. |
| Rohtak | 339 | .. | .. | .. |
| Gurgaon | 9,021 | 5,000 | 5,000 | .. |
| Karnal | 173 | .. | .. | .. |
| Kangra | 107 | .. | .. | .. |
| Hoshiarpur | 591 | .. | .. | .. |
| Jullundur | 600 | .. | .. | .. |
| Ludhiana | 12,397 | .. | .. | 15,000 |
| Ferozepore | 212 | .. | .. | .. |
| Lahore | 470 | .. | .. | .. |
| Amritsar | 2,299 | .. | .. | .. |
| Sialkot | 339 | .. | .. | .. |
| Sheikhupura | 5,215 | .. | .. | .. |
| Gujrat | 1,390 | .. | .. | .. |
| Jhelum | 196 | .. | .. | .. |
| Rawalpindi | 260 | .. | .. | .. |
| Attock | 1,539 | .. | .. | .. |
| Mianwali | 5,308 | .. | .. | .. |
| Montgomery | 3,90,360 | 1,00,000 | .. | 40,000 |
| Lyalpur | 1,12,576 | 40,000 | .. | 5,000 |
| Jhang | 2,864 | .. | .. | .. |
| Multan | 3,23,559 | 1,92,000 | .. | 49,000 |
| Muzaffargarh | 4,281 | .. | .. | 4,000 |
| Dera Ghazi Khan | 2,169 | .. | .. | 2,000 |
| Total | 18,76,265 | 3,37,000 | 5,000 | 1,15,000 |
| | | 3,42,000 | | |

¹Excludes figures for the Gujranwala district which are not available.

DAMAGES TO CROPS IN BALLABGARH AND GURGAON TAHSILS.

***347. Chaudhri Sumer Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number and the name of the villages in Ballabgarh and Gurgaon tahsils in Gurgaon district in which remission in land revenue has been granted on account of the damage done by hail-storm to the *rabi* crop this year ;
- (b) the amount of land revenue remitted in the case of each village, the area affected by the hailstorm in each village and the proportion of the land revenue remitted to that of the total land revenue due to be realized ;
- (c) whether he will place on the table of the House a copy of the inspection note made by the Deputy Commissioner and the gazetted staff of the said district in the patwaris' diaries or elsewhere regarding each village inspected by them after the hailstorm, if no such notes were made by these officers, reasons for the same ;
- (d) the date and the designation of each officer who inspected the fields after the hailstorm ;
- (e) whether the loss was estimated by the officers when the crops were standing or after they had been cut ;
- (f) whether these officers marked the area on the Patwari's map that was affected by hailstorm ;
- (g) whether he will place on the table of the House a copy of the instructions that the Deputy Commissioner or Sub-Divisional Officer or Tahsildar posted to the Gurgaon district had given to the patwaris for preparing the record and estimate of the loss suffered by the zamindars by hailstorm ;
- (h) whether any action has been taken in the note by the Sub-Divisional Officer, Palwal, dated 8th April, 1937, if not, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a), (b) and (d). A statement is laid on the table.

- (c) It is against constitutional practice to supply this information.
- (e) Some of the crops were standing and some had been cut.
- (f) As the patwaris' map is a permanent record, the area affected was not marked on it.

(g) Instructions on the subject are contained in the Land Administration Manual and the Standing Orders and no special instructions are normally required. Copies of the special instructions issued by the Deputy Commissioner in the case of this particular harvest are laid on the table.

(h) Yes, patwaris were directed to prepare *fard kharaba* after checking the conditions of the crop and remissions have since been given amounting to Rs. 196 in the Gurgaon tahsil and Rs. 8,825 in the Ballabgarh tahsil, in addition to the suspension of land revenue amounting to Rs. 29,845. The local rate in 47 villages amounting to Rs. 4,841-14-0 has also been suspended.

[Minister for Revenue.]

Statement showing the names and other particulars of the villages in the Gurgaon and Ballabgarh tahsils of the Gurgaon district in which remission of Land Revenue for Rabi 1937 has been granted due to the damage caused by hail.

| Serial No. | Topographical No. | Name of village. | Area affected by hailstorm. | Total land revenue demand of the harvest. | Amount remitted out of column 5. | Proportion of the land revenue remitted to the total land revenue demand. | DATE OF INSPECTION BY THE OFFICERS WHO INSPECTED THE FIELDS AFTER THE HAILSTORM. | | | | | REMARKS. |
|------------|-------------------|---|-----------------------------|---|----------------------------------|---|--|------------------------|-----------------------|----------------------------|-------------------------|----------|
| | | | | | | | By Naib-Tahsildar. | By Tahsildar. | By Revenue Assistant. | By Sub-Divisional Officer. | By Deputy Commissioner. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 1 | 87 | Gurgaon Tahsil. Badshahpur .. | 162 | 2,250 | 80 | Per cent. 4 | .. | 8-4-37 & 13-4-37 | 8-4-37 | .. | 13-4-37 | .. |
| 2 | 164 | Palra .. | 204 | 600 | 116 | 19 | .. | 8-4-37 & 13-4-37 | 8-4-37 | .. | 13-4-37 | .. |
| | | Total for the Gurgaon Tahsil. | 366 | 2,850 | 196 | .. | .. | .. | .. | .. | .. | .. |
| 3 | 25 | Ballabgarh Tahsil. Garhi Begumpur .. | 63 | 231 | 135 | 58 | .. | 12-4-37 | .. | .. | .. | .. |
| 4 | 27 | Bela Khurd .. | 31 | 84 | 25 | 30 | .. | 12-4-37 | .. | .. | .. | .. |
| 5 | 29 | Bela Kalan .. | 21 | 491 | 184 | 37 | .. | 12-4-37 | .. | .. | .. | .. |
| 6 | 32 | Shahjahanpur .. | 280 | 1,860 | 638 | 34 | .. | 12-4-37 | .. | 25-4-37 | .. | .. |

| | | | | | | | | | | | | |
|----|-----|--------------------------|----|-----|-------|-----|----|----|---------|----|---------|---------|
| 7 | 33 | Morthuka | .. | 36 | 469 | 25 | 5 | .. | 12-4-37 | .. | 35-4-37 | .. |
| 8 | 34 | Arwa | .. | 22 | 475 | 69 | 14 | .. | 12-4-37 | .. | 25-4-37 | .. |
| 9 | 35 | Faizpur Khadir | .. | 4 | 375 | 12 | 3 | .. | 12-4-37 | .. | .. | .. |
| 10 | 36 | Imam-ud-dinpur | .. | 13 | 225 | 12 | 5 | .. | 12-4-37 | .. | 25-4-37 | .. |
| 11 | 37 | Chandpur | .. | 5 | 422 | 27 | 6 | .. | 12-4-37 | .. | 25-4-37 | .. |
| 12 | 38 | Nagia Mazra Chandpur. | .. | 10 | 109 | 27 | 25 | .. | 12-4-37 | .. | .. | .. |
| 13 | 39 | Dalegarh | .. | 14 | 150 | 51 | 34 | .. | 12-4-37 | .. | .. | .. |
| 14 | 192 | Chhanisa | .. | 125 | 2,463 | 363 | 14 | .. | 12-4-37 | .. | 25-4-37 | .. |
| 15 | 194 | Makanpur | .. | 36 | 208 | 104 | 50 | .. | 12-4-37 | .. | 25-4-37 | .. |
| 16 | 195 | Jafarpur Mazra Chhanisa. | .. | 82 | 337 | 102 | 30 | .. | 12-4-37 | .. | 25-4-37 | .. |
| 17 | 84 | Gonchi | .. | 102 | 2,472 | 282 | 11 | .. | 8-4-37 | .. | 14-4-37 | .. |
| 18 | 90 | Nurpur Dhumasapur. | .. | 35 | 233 | 24 | 10 | .. | 9-4-37 | .. | .. | .. |
| 19 | 91 | Sitakhri | .. | 9 | 87 | 21 | 24 | .. | 9-4-37 | .. | .. | .. |
| 20 | 92 | Paote | .. | 126 | 425 | 126 | 29 | .. | 9-4-37 | .. | .. | .. |
| 21 | 94 | Pakhhal | .. | 26 | 425 | 15 | 4 | .. | 9-4-37 | .. | .. | .. |
| 22 | 95 | Nekpur | .. | 30 | 619 | 12 | 2 | .. | 9-4-37 | .. | .. | .. |
| 23 | 97 | Nagia Gujran | .. | 196 | 687 | 268 | 39 | .. | 8-4-37 | .. | 14-4-37 | 14-4-37 |
| 24 | 98 | Khari Gujran | .. | 124 | 637 | 267 | 42 | .. | 9-4-37 | .. | .. | .. |
| 25 | 99 | Pali | .. | 168 | 1,000 | 171 | 17 | .. | 9-4-37 | .. | 14-4-37 | 22-4-37 |
| 26 | 100 | Bajri | .. | 25 | 266 | 46 | 17 | .. | 9-4-37 | .. | 14-4-37 | .. |

[Minister for Revenue.]

| Serial No. | Topographical No. | Name of village. | Area affected by hailstorm. | Total land revenue demand of the harvest. | Amount remitted out of column 5. | Proportion of the land revenue remitted to the total land revenue demand. | DATE OF INSPECTION BY THE OFFICERS WHO INSPECTED THE FIELDS AFTER THE HAILSTORM. | | | | | REMARKS. |
|------------|-------------------|------------------|-----------------------------|---|----------------------------------|---|--|---------------|-----------------------|----------------------------|-------------------------|----------|
| | | | | | | | By Naib-Tahsildar. | By Tahsildar. | By Revenue Assistant. | By Sub-Divisional Officer. | By Deputy Commissioner. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 27 | 101 | Ghaziपुर | 95 | 406 | 183 | Per cent. 45 | .. | 9-4-37 | .. | 14-4-37 | .. | 13 |
| 28 | 102 | Saran | 366 | 1,312 | 650 | 50 | .. | 8-4-37 | .. | 14-4-37 | .. | .. |
| 29 | 103 | Dabua | 241 | 975 | 649 | 66 | .. | 8-4-37 | .. | 14-4-37 | .. | .. |
| 30 | 104 | Nawada Koh | 37 | 234 | 21 | 9 | .. | 9-4-37 | .. | .. | .. | .. |
| 31 | 105 | Bhankri | 14 | 175 | 24 | 14 | .. | 9-4-37 | .. | .. | .. | .. |
| 32 | 120 | Ajranda | 148 | 1,338 | 123 | 9 | .. | 10-4-37 | .. | 14-4-37 | .. | .. |
| 33 | 121 | Minaro | 93 | 437 | 101 | 23 | .. | 9-4-37 | .. | 14-4-37 | .. | .. |
| 34 | 123 | Majeear | 163 | 1,375 | 251 | 18 | 12-4-37 | 5-4-37 | .. | .. | .. | .. |
| 35 | 124 | Balla bgarh | 161 | 1,500 | 199 | 13 | 12-4-37 | 5-4-37 | .. | 11-4-37 | .. | .. |
| 36 | 125 | Ranhora | 102 | 450 | 158 | 35 | .. | 5-4-37 | .. | .. | .. | .. |
| 37 | 126 | Unchagaon | 156 | 1,500 | 286 | 19 | .. | 13-4-37 | .. | 18-4-37 | 14-4-37 | .. |
| 38 | 127 | Chandoli | 177 | 1,300 | 458 | 35 | .. | 13-4-37 | .. | 18-4-37 | 14-4-37 | .. |

| | | | | | | | | | | | | |
|----|-----|----------------------------------|-------|-------|--------|-------|----|---------|---------|----|---------|---------|
| 39 | 128 | Machhgar | .. | 92 | 1,244 | 181 | 15 | 11-4-37 | 13-4-37 | .. | 18-4-37 | 14-4-37 |
| 40 | 129 | Nawada Tigeon | .. | 69 | 619 | 103 | 17 | 11-4-37 | 11-4-37 | .. | 18-4-37 | .. |
| 41 | 130 | Majeri | .. | 32 | 812 | 68 | 8 | .. | 11-4-37 | .. | 18-4-37 | .. |
| 42 | 131 | Sihl | .. | 225 | 2,381 | 276 | 12 | .. | 21-4-37 | .. | 11-4-37 | .. |
| 43 | 132 | Baranli | .. | 79 | 700 | 83 | 12 | .. | 11-4-37 | .. | 21-4-37 | .. |
| 44 | 133 | Pahladpur Baranli | Mazra | 2 | 150 | 9 | 6 | .. | 11-4-37 | .. | .. | .. |
| 45 | 139 | Murtazapur | .. | 44 | 475 | 173 | 36 | .. | 11-4-37 | .. | 21-4-37 | .. |
| 46 | 140 | Nimke | .. | 161 | 1,045 | 324 | 31 | .. | 11-4-37 | .. | 21-4-37 | .. |
| 47 | 152 | Lehandaik | .. | 37 | 225 | 66 | 29 | .. | 11-4-37 | .. | 22-4-37 | .. |
| 48 | 154 | Mandhaoli | .. | 58 | 575 | 59 | 10 | .. | 11-4-37 | .. | 14-4-37 | 22-4-37 |
| 49 | 155 | Bedraula | .. | 74 | 495 | 50 | 10 | .. | 11-4-37 | .. | 22-4-37 | .. |
| 50 | 156 | Bahadurpur | .. | 50 | 450 | 56 | 12 | .. | 11-4-37 | .. | 22-4-37 | .. |
| 51 | 157 | Korali | .. | 99 | 1,127 | 114 | 10 | .. | 12-4-37 | .. | .. | .. |
| 52 | 158 | Junera | .. | 84 | 425 | 100 | 24 | 5-4-37 | 12-4-37 | .. | 25-4-37 | .. |
| 53 | 159 | Pahladpur Bedraula, | Mazra | 27 | 275 | 38 | 14 | .. | 12-4-37 | .. | 22-4-37 | .. |
| 54 | 160 | Tigeon | .. | 392 | 2,498 | 468 | 19 | .. | 11-4-37 | .. | 22-4-37 | 14-4-37 |
| 55 | 161 | Bukharpur | .. | 32 | 575 | 75 | 13 | 6-4-37 | 12-4-37 | .. | 18-4-37 | .. |
| 56 | 162 | Dawalpur | .. | 92 | 1,679 | 167 | 10 | 5-4-37 | 12-4-37 | .. | 18-4-37 | 14-4-37 |
| 57 | 165 | Atali | .. | 113 | 1,496 | 306 | 20 | 5-4-37 | 12-4-37 | .. | 25-4-37 | 14-4-37 |
| | | Total for the Ballabgarh tahsil. | | 5,300 | 42,998 | 8,825 | .. | .. | .. | .. | .. | .. |
| | | Total for the Tigeon district. | | 5,666 | 45,848 | 9,021 | .. | .. | .. | .. | .. | .. |

[Minister for Revenue.]

Order.

Remission statements of Ballabgarh tahsil on account of the damage done to crops by hail-storm were put up before me this morning. I checked the statement of village Salakhri. I examined khata Nos. 51-148-A, 54-168, and 54-169. Examination of these khata Nos. shows that in khata No. 51-148 the remission recommended by the Tahsildar is nil. The Sub-Divisional Officer, however, recommended total remission. The matured area of the holding is 2 *bighas* 5 *biswas* and damaged area comes to 11 *biswas* only. I cannot understand as to how total remission of the land revenue of this holding is possible. Again in khata No. 54-168 the area matured is 7 *bighas* 4 *biswas*. Out of this 2 *bighas* 10 *biswas* of area is damaged and the ratio determined is Re. 0-7-0. Such is the case with khata No. 54-169.

In this connection attention is drawn to paragraph 565 of the Land Administration Manual. The statements prepared seem to me not to have been prepared on any principle and are defective. Further the orders received from the Government recently are also to be complied with. I, therefore, hope that the Sub-Divisional Officer will please get these statements prepared in accordance with the rules read with the Government letter immediately as the statements are already overdue.

(Sd.) LAL SINGH,

The 14th May, 1937.

Deputy Commissioner, Gurgaon.

*Subject :—*DAMAGE BY HAILSTORM.

I HAVE not so far received statements showing proposed remission on account of damage by hailstorm in the Ballabgarh tahsil. This remission is to be calculated according to the new scale announced by the Revenue Member on the 12th April, 1937. A copy of this letter has already been sent to you. Its interpretation has given rise to some doubts and I have instructed the Tahsildar, Gurgaon, to adopt the following scale :—

- (a) where the crops from nil to Re. 0-4-0 *pukhta* remission will be Re. 0-16-0.
- (b) where the crop is from Re. 0-4-0 to Re. 0-8-0 *pukhta* remission will be Re. 0-8-0.
- (c) where the crop is from Re. 0-8-0 to Re. 0-16-0 *pukhta* remission will be nil.

Kindly have the statements prepared at once according to this scale and let me have them as early as possible.

(Sd.) C. L. COATES,

Sub-Divisional Officer, Palwal :
No. 127-S.-T., dated 18th May, 1937.

Deputy Commissioner, Gurgaon.

The 18th May, 1937.

REALIZATION OF SUSPENDED LAND REVENUE.

***348. Chaudhri Sumer Singh :** Will the Honourable Minister for Revenue be pleased to state the names of the villages in the Gurgaon district, from which the suspended land revenue for the years 1932-33, 1934-35 has been realized ; the amount of the suspended revenue crop-wise and the reasons for realizing it ?

The Honourable Dr. Sir Sunder Singh Majithia : A statement for 1932-33, 1933-34 and 1934-35 is laid on the table. Realizations have been ordered with due regard to the paying capacity of the Rabi 1937 crop.

List of villages in the Gurgaon district from which the suspended Land Revenue for the years 1932-33 to 1934-35 has been realized, with the rabi 1937 demand, and the suspended Land Revenue, crop-wise realised.

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|----------|-----------------------|----------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 1 | Gurgaon. | 10 | Daboda .. | 162 | .. | .. | .. | .. | .. | |
| 2 | | 28 | Jamalpur .. | .. | .. | .. | .. | 300 | .. | |
| 3 | | 29 | Khawaspur .. | .. | .. | .. | .. | 215 | .. | |
| 4 | | 32 | Juranla .. | .. | .. | .. | .. | 131 | .. | |
| 5 | | 33 | Balera Baqipur .. | .. | .. | 242 | .. | .. | .. | |
| 6 | | 38 | Jhanjraula .. | .. | .. | .. | .. | 266 | .. | |
| 7 | | 41 | Kaliawas .. | .. | .. | 82 | .. | .. | .. | |
| 8 | | 80 | Berampur .. | .. | .. | .. | .. | 212 | .. | |
| 9 | | 83 | Ulhas .. | .. | 126 | .. | .. | .. | .. | |
| 10 | | 86 | Dhumaspur .. | .. | .. | 87 | .. | .. | .. | |
| 11 | | 121 | Meoka .. | .. | .. | 50 | .. | .. | .. | |
| 12 | | 123 | Jhund Serai Wiran .. | .. | .. | .. | .. | .. | 62 | .. |
| 13 | | 126 | Dhana .. | .. | .. | .. | .. | .. | 90 | .. |
| 14 | | 127 | Baekusla .. | .. | .. | .. | .. | .. | 131 | .. |
| 15 | | 128 | Kankraula .. | .. | .. | .. | .. | .. | 163 | .. |
| 16 | | 129 | Kasan .. | .. | .. | .. | .. | .. | 413 | .. |
| 17 | | 145 | Langra .. | .. | 113 | .. | .. | .. | .. | .. |
| 18 | | 148 | Chandla Duniyawas. | .. | .. | .. | .. | .. | 150 | .. |
| 19 | | 154 | Manesar .. | .. | .. | .. | .. | .. | 222 | .. |
| 20 | | 163 | Hasanpur .. | .. | .. | .. | .. | .. | 35 | .. |
| 21 | | 166 | Iqbindpur .. | .. | 107 | .. | .. | .. | .. | .. |
| 22 | | 170 | Sabjawas .. | .. | 97 | .. | .. | .. | .. | .. |

[Minister for Revenue.]

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33. REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34. REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35. REALISED. | | REMARKS. |
|----------------|-------------------|-----------------------|----------------------------|---|------------|---|------------|---|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 23 | | 47 | Tughlaqpur .. | 263 | .. | .. | .. | .. | .. | |
| 24 | | 49 | Dhankot .. | .. | 363 | .. | .. | .. | .. | |
| 25 | | 51 | Dhanwanpur .. | .. | .. | 219 | .. | .. | .. | |
| 26 | | 52 | Kherki Mazra Dharamkot. | .. | 400 | .. | .. | .. | .. | |
| 27 | | 53 | Daulatabad .. | .. | .. | .. | .. | 291 | .. | |
| 28 | | 54 | Tikampur .. | 138 | .. | .. | .. | .. | .. | |
| 29 | | 58 | Muhammad Heri | .. | 99 | .. | .. | .. | .. | |
| 30 | | 59 | Dharampur .. | .. | 213 | .. | .. | .. | .. | |
| 31 | | 61 | Bajghera .. | 231 | .. | .. | .. | .. | .. | |
| 32 | | 62 | Chomuan .. | .. | .. | .. | .. | 438 | .. | |
| 33 | | 76 | Haiderpur .. | .. | .. | .. | .. | 77 | .. | |
| 34 | | 81 | Ghata .. | .. | .. | .. | .. | 400 | .. | |
| 35 | | 90 | Adampur .. | .. | .. | .. | .. | .. | 87 | |
| 36 | Gurgaon—continued | 92 | Shamaspur .. | .. | .. | 138 | .. | .. | .. | |
| 37 | | 24 | Jori .. | 219 | .. | .. | .. | .. | .. | |
| 38 | | 113 | Badha .. | 212 | .. | .. | .. | .. | .. | |
| 39 | | 114 | Hayatpur .. | 223 | .. | .. | .. | .. | .. | |
| 40 | | 100 | Bahrampur .. | 77 | .. | .. | .. | .. | .. | |
| 41 | | 104 | Khandea .. | 350 | .. | .. | .. | .. | .. | |
| 42 | | 165 | Nurpur Jharsa .. | 156 | .. | .. | .. | .. | .. | |
| 43 | | 135 | Nurpur Bhora .. | 94 | .. | .. | .. | .. | .. | |
| 44 | | 136 | Bahora Khurd .. | 337 | .. | .. | .. | .. | .. | |
| 45 | | 138 | Parasauli .. | .. | 92 | .. | .. | .. | .. | |
| 46 | | 139 | Sidhraoli .. | .. | 436 | .. | .. | .. | .. | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35. REALISED. | | REMARKS. | |
|----------------|--------------------|-----------------------|--------------------------|--|------------|--|------------|---|------------|----------|--|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | |
| 47 | Gurgaon—concluded. | 140 | Rathiwas .. | .. | .. | .. | .. | 338 | .. | | |
| 48 | | 171 | Bahalpa .. | .. | .. | .. | .. | 57 | .. | | |
| 49 | | 175 | Garbi Bazidpur .. | 137 | .. | .. | .. | .. | .. | | |
| 50 | | 177 | Kherla .. | .. | .. | .. | .. | 108 | .. | | |
| 51 | | 178 | Mahandwara .. | 88 | .. | .. | .. | .. | .. | | |
| 52 | | 184 | Raisina .. | 505 | .. | .. | .. | .. | .. | | |
| 53 | | 185 | Muhammad p u r Gujar. | 134 | .. | .. | .. | .. | .. | | |
| 54 | | 187 | Sohna .. | 522 | .. | .. | .. | .. | .. | | |
| 55 | | 192 | Khaika .. | 129 | .. | .. | .. | .. | .. | | |
| 56 | | 194 | Lohatki .. | .. | .. | .. | .. | 62 | .. | | |
| 57 | | 195 | Jalalpur .. | .. | .. | .. | 50 | .. | .. | | |
| 58 | | 197 | Daula .. | .. | 263 | .. | .. | .. | .. | | |
| 59 | | 198 | Kharanda .. | 75 | .. | .. | .. | .. | .. | | |
| 60 | | 201 | Isaki .. | 66 | .. | .. | .. | .. | .. | | |
| 61 | | 202 | Tolui .. | 50 | .. | .. | .. | .. | .. | | |
| 62 | | 204 | Noversa .. | 288 | .. | .. | .. | .. | .. | | |
| 63 | | 208 | Bhogpur .. | .. | 62 | .. | .. | .. | .. | | |
| 64 | | 215 | Banika Singola .. | .. | .. | .. | 50 | .. | .. | | |
| | | | | Total for the Gur- gaon Tahsil .. | 4,899 | 2,065 | 681 | 100 | 4,154 | 87 | |
| 65 | | Rewari. | 3 | Dharauli .. | 250 | .. | .. | .. | .. | .. | |
| 66 | | | 10 | Kanwali .. | .. | .. | .. | .. | 156 | .. | |
| 67 | | | 52 | Shabjekapur .. | .. | .. | .. | .. | 323 | .. | |
| 68 | | | 54 | Bawri .. | 155 | .. | .. | .. | .. | .. | |

[Minister for Revenue.]

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|-------------------|-----------------------|----------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 69 | Rewari—continued. | 97 | Baldhan Khurd.. | 167 | .. | .. | .. | .. | .. | |
| 70 | | 21 | Mandaula .. | .. | .. | .. | .. | 237 | .. | |
| 71 | | 74 | Manmaria Assampur. | .. | .. | .. | .. | 132 | .. | |
| 72 | | 65 | Shahbazpur Istamrar. | .. | .. | .. | .. | 43 | .. | |
| 73 | | 78 | Nangal Mundi .. | .. | .. | .. | .. | 161 | .. | |
| 74 | | 83 | Allawas .. | .. | .. | .. | .. | 86 | .. | |
| 75 | | 84 | Roliawas .. | 70 | .. | .. | .. | 70 | .. | |
| 76 | | 87 | Jadra .. | .. | .. | .. | .. | 200 | .. | |
| 77 | | 91 | Biharipur .. | .. | .. | .. | .. | 55 | .. | |
| 78 | | 94 | Kumranda .. | .. | .. | .. | .. | .. | 100 | |
| 79 | | 99 | Bohtwas Bhondu | 126 | .. | .. | .. | .. | .. | |
| 80 | | 103 | Gopalpur Ghazi | .. | 170 | .. | .. | .. | .. | |
| 81 | | 107 | Dhokia .. | 145 | .. | .. | .. | .. | .. | |
| 82 | | 109 | Balawas Zamanpur | .. | .. | .. | .. | 135 | .. | |
| 83 | | 110 | Kishangarh .. | .. | .. | .. | .. | 150 | .. | |
| 84 | | 112 | Buria Kamalpur | .. | .. | .. | .. | 227 | .. | |
| 85 | | 114 | Aspur .. | 95 | .. | .. | .. | .. | .. | |
| 86 | | 151 | Karnawas .. | .. | .. | .. | .. | 71 | 286 | |
| 87 | | 154 | Deolawas .. | .. | .. | .. | .. | .. | 62 | |
| 88 | | 152 | Kamalpur .. | .. | .. | .. | .. | 100 | .. | |
| 89 | | 158 | Lalpur .. | 83 | .. | .. | .. | .. | .. | |
| 90 | 161 | Kasauli .. | .. | .. | .. | .. | 90 | .. | | |
| 91 | 162 | Baqapur .. | .. | .. | .. | .. | 85 | .. | | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|-------------------|-----------------------|------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 92 | Rewari—continued. | 163 | Garhi .. | .. | .. | .. | .. | 160 | .. | |
| 93 | | 166 | Pithanwas .. | 42 | .. | .. | .. | .. | .. | |
| 94 | | 162 | Kasaula .. | .. | .. | .. | .. | 70 | .. | |
| 95 | | 181 | Fatehpuri Pipa | 50 | .. | .. | .. | .. | .. | |
| 96 | | 182 | Banmar .. | .. | .. | .. | .. | 80 | .. | |
| 97 | | 184 | Muradpuri .. | .. | .. | .. | .. | 60 | .. | |
| 98 | | 186 | Bhudla .. | 115 | .. | .. | .. | .. | .. | |
| 99 | | 200 | Balir Khurd .. | 75 | .. | .. | .. | .. | .. | |
| 100 | | 205 | Qutubpuri Jagir | .. | .. | .. | .. | .. | .. | 50 |
| 101 | | 216 | Burthal Jat .. | .. | .. | .. | .. | 150 | .. | |
| 102 | | 223 | Ganjaicha Jat .. | .. | .. | .. | .. | 108 | .. | |
| 103 | | 230 | Rohrai .. | 220 | .. | .. | .. | .. | .. | |
| 104 | | 238 | Chang .. | .. | .. | .. | .. | 35 | .. | |
| 105 | | 257 | Rejawas .. | .. | .. | .. | .. | 83 | .. | |
| 106 | | 196 | Masani .. | .. | .. | .. | .. | 167 | .. | |
| 107 | | 267 | Gagli .. | 133 | .. | .. | .. | .. | .. | |
| 108 | 273 | Ghulnawas .. | 90 | .. | .. | .. | .. | .. | | |
| 109 | 276 | Pachlai .. | 119 | .. | .. | .. | .. | .. | | |
| 110 | 280 | Asadpur .. | .. | .. | .. | .. | 119 | .. | | |
| 111 | 282 | Jaitpur Istamar | .. | .. | .. | .. | 262 | .. | | |
| 112 | 284 | Khatashi .. | .. | .. | .. | .. | 375 | .. | | |
| 113 | 285 | Dolma .. | .. | .. | .. | .. | .. | 150 | | |
| 114 | 290 | Kapriwas .. | .. | 302 | .. | .. | .. | .. | | |
| 115 | 294 | Gadhi Alawalpur | .. | .. | .. | .. | 111 | .. | | |
| 116 | 295 | Malpura .. | .. | .. | .. | .. | 287 | .. | | |

[Minister for Revenue.]

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|-----------------------|--------------------------------|------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1932. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 117 | RAWARI— concluded. | 296 | Juniawas .. | .. | .. | .. | .. | 75 | .. | |
| 118 | | 305 | Jarthal .. | 220 | .. | .. | .. | .. | .. | |
| 119 | | 309 | Saupli .. | .. | .. | .. | .. | 183 | .. | |
| | | | | Total for the Rawari Tahsil. | 2,155 | 472 | .. | .. | 4,646 | 648 |
| 120 | Nuh. | 2 | Bisar Akbarpur | 538 | .. | .. | .. | .. | .. | |
| 121 | | 3 | Kherki .. | 118 | .. | .. | .. | .. | .. | |
| 122 | | 4 | Baghanki .. | 181 | .. | .. | .. | .. | .. | |
| 123 | | 19 | Goela .. | 224 | .. | .. | .. | .. | .. | |
| 124 | | 29 | Gudhi .. | 243 | .. | .. | .. | .. | .. | |
| 125 | | 30 | Fatehpur .. | 73 | .. | .. | .. | .. | .. | |
| 126 | | 31 | Jhamunwas .. | 235 | .. | .. | .. | .. | .. | |
| 127 | | 33 | Uton .. | .. | 106 | .. | .. | .. | .. | |
| 128 | | 35 | Rangala .. | 108 | .. | .. | .. | .. | .. | |
| 129 | | 38 | Atitka .. | .. | 58 | .. | .. | .. | .. | |
| 130 | | 41 | Ghoraka .. | .. | .. | .. | .. | .. | 10 | .. |
| 131 | | 43 | Nizampur Faoru.. | .. | .. | .. | .. | .. | .. | 75 |
| 132 | | 46 | Bawla .. | .. | 253 | .. | .. | .. | .. | .. |
| 133 | | 51 | Seoka .. | 262 | .. | .. | .. | .. | .. | .. |
| 134 | | 54 | Naharpur .. | 174 | .. | .. | .. | .. | .. | .. |
| 135 | | 58 | Nanuka .. | 79 | .. | .. | .. | .. | .. | .. |
| 136 | 59 | Silkho .. | 113 | .. | .. | .. | .. | .. | .. | |
| 137 | 60 | Thana Alam <i>alias</i> Masit. | 145 | .. | .. | .. | .. | .. | .. | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|----------------|-----------------------|------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 138 | Nub—continued. | 61 | Chilaoli .. | 156 | .. | .. | .. | .. | .. | |
| 139 | | 72 | Kharkhari .. | .. | 42 | .. | .. | .. | .. | |
| 140 | | 73 | Raheri .. | 84 | .. | .. | .. | .. | .. | |
| 141 | | 74 | Shikarpur .. | 187 | .. | .. | .. | .. | .. | |
| 142 | | 75 | Gojjaka .. | 205 | .. | .. | .. | .. | .. | |
| 143 | | 79 | Chhajjupur .. | 71 | .. | .. | .. | .. | .. | |
| 144 | | 80 | Bidhuwas .. | .. | 61 | .. | .. | .. | .. | |
| 145 | | 81 | Dhulawat .. | 218 | .. | .. | .. | .. | .. | |
| 146 | | 82 | Mendla .. | 108 | .. | .. | .. | .. | .. | |
| 147 | | 83 | Sahasaula .. | .. | 694 | .. | .. | .. | .. | |
| 148 | | 97 | Nurpur .. | 61 | .. | .. | .. | .. | .. | |
| 149 | | 85 | Bahadri .. | 78 | .. | .. | .. | .. | .. | |
| 150 | | 90 | Barwa .. | 95 | .. | .. | .. | .. | .. | |
| 151 | | 91 | Chaudaki .. | .. | .. | .. | .. | 21 | .. | |
| 152 | | 95 | Ralma .. | 538 | .. | .. | .. | .. | .. | |
| 153 | | 96 | Tapkan .. | 252 | .. | .. | .. | .. | .. | |
| 154 | | 98 | Biwan .. | .. | 85 | .. | .. | .. | .. | |
| 155 | | 99 | Bhatka .. | .. | 38 | .. | .. | .. | .. | |
| 156 | 100 | Sonkh .. | 123 | .. | .. | .. | .. | .. | | |
| 157 | 101 | Palla .. | .. | .. | .. | 148 | .. | .. | | |
| 158 | 102 | Patri .. | 42 | .. | .. | .. | .. | .. | | |
| 159 | 103 | Nuh .. | 218 | .. | .. | .. | .. | .. | | |
| 160 | 104 | Dundaheri .. | 119 | .. | .. | .. | .. | .. | | |
| 161 | 107 | Nizampur .. | .. | 534 | .. | .. | .. | .. | | |
| 162 | 108 | Marora .. | 119 | .. | .. | .. | .. | .. | | |

[Minister for Revenue.]

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|----------------|-----------------------|------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 163 | Nuh—continued. | 110 | Zakpur .. | 127 | .. | .. | .. | .. | .. | |
| 164 | | 112 | Muradbas .. | 131 | 149 | .. | .. | .. | .. | |
| 165 | | 113 | Nalhar .. | .. | .. | .. | 140 | .. | .. | |
| 166 | | 114 | Gahbar .. | .. | 19 | .. | .. | .. | .. | |
| 167 | | 115 | Baranji .. | .. | .. | .. | 111 | .. | .. | |
| 168 | | 116 | Khori Nuh .. | .. | .. | .. | .. | 154 | .. | |
| 169 | | 117 | Bai .. | .. | 202 | .. | .. | .. | .. | |
| 170 | | 118 | Meoli .. | .. | 350 | .. | .. | .. | .. | |
| 171 | | 119 | Muhammadpur Nuh. | .. | 83 | .. | .. | .. | .. | |
| 172 | | 121 | Akera .. | .. | .. | .. | .. | 609 | .. | |
| 173 | | 122 | Malab .. | .. | 1,329 | .. | .. | .. | .. | |
| 174 | | 123 | Osrika .. | .. | 62 | .. | .. | .. | .. | |
| 175 | | 125 | Shadipur .. | .. | .. | .. | .. | 53 | .. | |
| 176 | | 134 | Gulesra .. | .. | 80 | .. | .. | .. | .. | |
| 177 | | 135 | Kabujar .. | .. | .. | 142 | .. | .. | .. | |
| 178 | | 138 | Jaisinghpur .. | .. | .. | 371 | .. | .. | .. | |
| 179 | 139 | Jajpur .. | .. | .. | .. | .. | 44 | .. | | |
| 180 | 145 | Surhaka .. | .. | .. | 370 | .. | .. | .. | | |
| 181 | 147 | Babupur Nuh .. | .. | .. | .. | .. | .. | 137 | .. | |
| 182 | 148 | Raipuri .. | .. | .. | 97 | .. | .. | .. | .. | |
| 183 | 161 | Dhunduka .. | .. | .. | .. | 119 | .. | .. | .. | |
| 184 | 152 | Tain .. | .. | .. | 498 | .. | .. | .. | .. | |
| 185 | 153 | Manuski .. | .. | .. | 45 | .. | .. | .. | .. | |
| 186 | 164 | Salamba .. | .. | 585 | .. | .. | .. | .. | .. | |

| Serial number. | Tehsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|----------------|-----------------------|------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 187 | Nuh—continued. | 155 | Salsberi .. | .. | 331 | .. | .. | .. | .. | |
| 188 | | 156 | Ferozepur Namak | .. | .. | .. | .. | 351 | .. | |
| 189 | | 157 | Shahpur Nagli .. | 194 | .. | .. | .. | .. | .. | |
| 190 | | 158 | Chandein .. | .. | 442 | .. | .. | .. | .. | |
| 191 | | 161 | Ghasera .. | .. | 423 | .. | .. | .. | .. | |
| 192 | | 164 | Hiranthla .. | 506 | .. | .. | .. | .. | .. | |
| 193 | | 166 | Gajarpur .. | .. | 93 | .. | .. | .. | .. | |
| 194 | | 167 | Chhapra .. | .. | 163 | .. | .. | .. | .. | |
| 195 | | 170 | Rupaheri .. | 44 | .. | .. | .. | .. | .. | |
| 196 | | 172 | Karaula .. | .. | .. | .. | .. | 126 | .. | |
| 197 | | 173 | Rojka .. | .. | 173 | .. | .. | .. | .. | |
| 198 | | 175 | Kanwarsiku .. | 76 | .. | .. | .. | .. | .. | |
| 199 | | 176 | Badhelaki .. | .. | 177 | .. | .. | .. | .. | |
| 200 | | 177 | Khanpur .. | .. | 285 | .. | .. | .. | .. | |
| 201 | | 182 | Raoka .. | .. | .. | .. | 158 | .. | .. | |
| 202 | | 184 | Bhiraoti .. | .. | 210 | .. | .. | .. | .. | |
| 203 | | 192 | Hasanpur Sohna | .. | 195 | .. | .. | .. | .. | |
| 204 | | 193 | Khalilpur .. | .. | 600 | .. | .. | .. | .. | |
| 205 | | 195 | Gangauli .. | .. | .. | .. | 212 | .. | .. | |
| 206 | | 196 | Kherli Dausa .. | 150 | .. | .. | .. | .. | .. | |
| 207 | | 198 | Chhapera .. | .. | 487 | .. | .. | .. | .. | |
| 208 | 200 | Chhaohera .. | .. | 224 | .. | .. | .. | .. | | |
| 209 | 137 | Dhankli .. | 158 | .. | .. | .. | .. | .. | | |
| 210 | 142 | Naushera .. | .. | 333 | .. | .. | .. | .. | | |
| 211 | 143 | Golpuri .. | .. | 169 | .. | .. | .. | .. | | |

[Minister for Revenue.]

| Serial number. | Tehsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALISED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALISED. | | REMARKS. |
|----------------|----------------|-----------------------|------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1932. | Kharif 1933. | Rabi 1933. | Kharif 1934. | Rabi 1934. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 212 | Nnh—continued. | 144 | Khairaka .. | 179 | .. | .. | .. | .. | .. | |
| 213 | | 186 | Manuwas .. | .. | 287 | .. | .. | .. | .. | |
| 214 | | 188 | Sarauli ... | .. | .. | .. | 100 | .. | .. | .. |
| 215 | | 190 | Kherli Jita .. | .. | 160 | .. | .. | .. | .. | .. |
| 216 | | 194 | Dubalu .. | .. | 94 | .. | .. | .. | .. | .. |
| 217 | | 206 | Chandaka .. | .. | 42 | .. | .. | .. | .. | .. |
| 218 | | 207 | Bighaoli .. | .. | 209 | .. | .. | .. | .. | .. |
| 219 | | 208 | Mirka .. | .. | .. | .. | 83 | .. | .. | .. |
| 220 | | 209 | Lakaka .. | .. | .. | .. | .. | .. | .. | 17 |
| 221 | | 210 | Duraichi .. | .. | .. | 84 | .. | .. | 127 | .. |
| 222 | | 212 | Katwaka .. | .. | 63 | .. | .. | .. | .. | .. |
| 223 | | 217 | Mandkaula .. | .. | .. | 543 | .. | .. | .. | .. |
| 224 | | 218 | Manduri .. | .. | .. | 162 | .. | .. | .. | .. |
| 225 | | 234 | Kaundal .. | .. | .. | .. | 567 | .. | .. | .. |
| 226 | | 236 | Indraula .. | .. | 105 | .. | .. | .. | .. | .. |
| 227 | | 237 | Mohdamka .. | .. | 164 | .. | .. | .. | .. | .. |
| 228 | | 239 | Udaipuri Bhipuri | .. | 289 | .. | .. | .. | .. | .. |
| 229 | | 242 | Bhudpur .. | .. | 110 | .. | .. | .. | .. | .. |
| 230 | | 243 | Guraksar .. | .. | .. | 297 | .. | .. | .. | .. |
| 231 | | 244 | Pachanika .. | .. | .. | 272 | .. | .. | .. | .. |
| 232 | | 223 | Puthli .. | .. | 117 | .. | .. | .. | .. | .. |
| 233 | | 245 | Gohpur .. | .. | 250 | .. | .. | .. | .. | .. |
| 234 | | 246 | Rupraka .. | .. | 680 | .. | .. | .. | .. | .. |
| 235 | | 247 | Paharpur .. | .. | 82 | .. | .. | .. | .. | .. |
| 236 | 248 | Kuhar-Chatli .. | .. | 78 | .. | .. | .. | .. | .. | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALIZED. | | REMARKS. |
|----------------|----------------|-----------------------|---------------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 237 | Nuh—continued. | 249 | Dhiranka .. | 55 | .. | .. | .. | .. | .. | |
| 238 | | 252 | Hathin .. | 258 | .. | .. | .. | .. | .. | |
| 239 | | 258 | Swamikar .. | .. | 191 | .. | .. | .. | .. | |
| 240 | | 259 | Kherli Brahman.. | 84 | .. | .. | .. | .. | .. | |
| 241 | | 261 | Hurithal .. | 184 | .. | .. | .. | .. | .. | |
| 242 | | 262 | Lakhnaka .. | 196 | .. | .. | .. | .. | .. | |
| 243 | | 263 | Babupur Hathin | 89 | .. | .. | .. | .. | .. | |
| 244 | | 264 | Ladmaka .. | .. | .. | 61 | .. | .. | .. | |
| 245 | | 265 | Dunuka .. | .. | 130 | .. | .. | .. | .. | |
| 246 | | 267 | Konthlaka .. | 94 | .. | .. | .. | .. | .. | |
| 247 | | 269 | Ransika .. | 199 | .. | .. | .. | .. | .. | |
| 248 | | 270 | Jalalpur Hathin.. | 344 | .. | .. | .. | .. | .. | |
| 249 | | 271 | Bhimsika .. | 225 | .. | .. | .. | .. | .. | |
| 250 | | 272 | Malal .. | 291 | .. | .. | .. | .. | .. | |
| 251 | | 273 | Dehkalpur .. | 53 | .. | .. | .. | .. | .. | |
| 252 | | 274 | Ghuraoli .. | 250 | 167 | .. | .. | .. | .. | |
| 253 | | 276 | Maluka .. | 234 | .. | .. | .. | .. | .. | |
| 254 | | 277 | Ranisla Khurd .. | 339 | .. | .. | .. | .. | .. | |
| 255 | | 278 | Utawar .. | 1,232 | .. | .. | .. | .. | .. | |
| 256 | | 279 | Jarari .. | .. | 103 | .. | .. | .. | .. | |
| 257 | 282 | Paosar .. | .. | .. | .. | .. | .. | 112 | .. | |
| 258 | 287 | Andhop .. | .. | .. | .. | .. | .. | 537 | .. | |
| 259 | 288 | Nangal Sabha .. | .. | .. | 110 | .. | .. | .. | .. | |
| 260 | 289 | Khalika Hathin .. | .. | .. | .. | .. | .. | 284 | .. | |
| | | | Total for the Nuh Tahsil. | 15,444 | 10,697 | 1,040 | 613 | 2,511 | 93 | |

[Minister for Revenue.]

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALIZED. | | REMARKS. |
|----------------|------------------|-----------------------|--------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharrif 1932. | Rabi 1933. | Kharrif 1933. | Rabi 1934. | Kharrif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 261 | Firozpur-Jhirke. | 2 | Ghagas .. | 351 | .. | .. | .. | .. | .. | |
| 262 | | 5 | Kharera Ferozepur. | .. | 496 | .. | .. | .. | .. | |
| 263 | | 6 | Ulehta .. | 220 | .. | .. | .. | .. | .. | |
| 264 | | 7 | Jatika .. | .. | .. | .. | .. | 47 | .. | |
| 265 | | 50 | Kareti .. | 146 | .. | .. | .. | .. | .. | |
| 266 | | 57 | Nangal Mubarkpur. | 409 | .. | .. | .. | .. | .. | |
| 267 | | 105 | Rigar .. | 207 | .. | .. | .. | .. | .. | |
| 268 | | 114 | Kheria Khurd .. | 74 | .. | .. | .. | .. | .. | |
| 269 | | 115 | Nahrika .. | 94 | .. | .. | .. | .. | .. | |
| 270 | | 125 | Jhamrawat .. | 90 | .. | .. | .. | .. | .. | |
| 271 | | 128 | Akbarpur .. | .. | .. | .. | .. | 69 | .. | |
| 272 | | 140 | Chandraka .. | 57 | .. | .. | .. | .. | .. | |
| 273 | | 143 | Tigaon .. | .. | .. | .. | .. | .. | 42 | |
| 274 | | 149 | Basai Meo .. | .. | .. | .. | .. | 220 | .. | |
| 275 | | 164 | Mulhaka .. | 187 | .. | .. | .. | .. | .. | |
| 276 | | 7 | Rajaka .. | .. | 255 | .. | .. | .. | .. | |
| 277 | | 8 | Iqbimpur Nuh .. | .. | 78 | .. | .. | 156 | .. | |
| 278 | | 22 | Bukharaka .. | .. | .. | 279 | .. | .. | .. | |
| 279 | | 23 | Badopur .. | .. | 478 | .. | .. | .. | .. | |
| 280 | | 37 | Balai .. | .. | 329 | .. | .. | .. | .. | |
| 281 | | 38 | Marora .. | 769 | .. | .. | .. | .. | .. | |
| 282 | | 40 | Jalalpur Firozpur. | .. | 254 | .. | .. | .. | .. | |
| 283 | | 41 | Firoz Dahar .. | .. | 208 | .. | .. | .. | .. | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1933-34 REALIZED. | | REMARKS. |
|----------------|---------------------------|-----------------------|------------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 284 | Firozpur-Jirka—continued. | 42 | Mahomadnagar .. | .. | 462 | .. | .. | .. | .. | |
| 285 | | 46 | Shadipur .. | .. | .. | .. | .. | .. | 58 | |
| 286 | | 47 | Aterna Shamsabad. | .. | 598 | .. | .. | .. | .. | |
| 287 | | 48 | Asaishika .. | .. | .. | 41 | .. | .. | .. | |
| 288 | | 49 | Bhadas .. | .. | 1,074 | .. | .. | .. | .. | |
| 289 | | 51 | Najma .. | .. | 1,178 | .. | .. | .. | .. | |
| 290 | | 53 | Mandikhera .. | 370 | .. | .. | .. | .. | .. | |
| 291 | | 54 | Nagla Sabit .. | .. | 274 | .. | .. | .. | .. | |
| 292 | | 85 | Santhawari .. | .. | 352 | .. | .. | .. | .. | |
| 293 | | 68 | Muhammad Bes Firozpur. | .. | 454 | .. | .. | .. | .. | |
| 294 | | 59 | Sisoni Jatka .. | .. | 169 | .. | .. | .. | .. | |
| 295 | | 62 | Kultajpur Kalan | .. | 225 | .. | .. | .. | .. | |
| 296 | | 64 | Sakras .. | 620 | .. | .. | .. | .. | .. | |
| 297 | | 65 | Kherli Khurd .. | .. | 186 | .. | .. | .. | .. | |
| 298 | | 66 | Naoli .. | 372 | .. | .. | .. | .. | .. | |
| 299 | | 70 | Chak Rangala .. | .. | .. | .. | .. | 79 | .. | |
| 300 | | 77 | Madapur .. | .. | .. | .. | .. | 92 | .. | |
| 301 | | 81 | Akhnaka .. | .. | 141 | .. | .. | .. | .. | |
| 302 | | 82 | Kanmeda .. | .. | 394 | .. | .. | .. | .. | |
| 303 | | 88 | Sohalpur .. | .. | .. | 42 | .. | 42 | .. | |
| 304 | | 90 | Patkhori .. | .. | .. | 192 | .. | .. | .. | |
| 305 | | 91 | Raoli .. | 452 | .. | .. | .. | .. | .. | |
| 306 | | 92 | Pattan Udaipuri | 187 | .. | .. | .. | .. | .. | |
| 307 | | 93 | Shakarpuri .. | .. | 73 | .. | .. | 74 | .. | |
| 308 | 94 | Doha .. | .. | .. | .. | .. | 1,500 | .. | | |

[Minister for Revenue.]

| Serial Number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALIZED. | | REMARKS. |
|----------------|------------------------------|-----------------------|--------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 309 | Firozpur-Jhirka - continued. | 103 | Badarpur .. | .. | 113 | .. | .. | 114 | .. | |
| 310 | | 104 | Agaun .. | 330 | .. | .. | .. | .. | .. | |
| 311 | | 108 | Raniala Firozpur. | 282 | .. | .. | .. | .. | .. | |
| 312 | | 109 | Padia Shahpuri | 427 | .. | .. | .. | .. | .. | |
| 313 | | 110 | Kultajpur Khurd | .. | 81 | .. | .. | .. | .. | |
| 314 | | 113 | Hamzapur .. | 126 | .. | .. | .. | .. | .. | |
| 315 | | 119 | Bahripur .. | .. | 117 | .. | .. | .. | .. | |
| 316 | | 120 | Sheikhpur .. | 139 | .. | .. | .. | .. | .. | |
| 317 | | 124 | Basai Khanzada | 89 | .. | .. | .. | .. | .. | |
| 318 | | 123 | Molhaka .. | .. | 169 | .. | .. | .. | .. | |
| 319 | | 10 | Multhan .. | .. | 402 | .. | .. | .. | .. | |
| 320 | | 12 | Jalalpur Nuh .. | .. | .. | .. | 37 | .. | .. | |
| 321 | | 15 | Mandhi .. | .. | 171 | .. | .. | .. | .. | |
| 322 | | 21 | Sultanpur Nuh .. | .. | .. | .. | 170 | .. | .. | |
| 323 | | 26 | Huhuka .. | .. | .. | .. | .. | .. | 173 | .. |
| 324 | | 27 | Bahdri .. | .. | .. | .. | .. | .. | 69 | .. |
| 325 | | 32 | Sukhpuri .. | .. | .. | 131 | .. | .. | .. | .. |
| 326 | | 133 | Ahmadbas Punahana. | .. | .. | .. | .. | .. | 37 | .. |
| 327 | | 145 | Baded .. | .. | .. | 275 | .. | .. | .. | .. |
| 328 | | 148 | Biwan .. | .. | 1,276 | .. | .. | .. | .. | .. |
| 329 | 150 | Gajuka .. | .. | .. | .. | .. | .. | 90 | .. | |
| 330 | 152 | Nikatpuri .. | .. | .. | .. | .. | .. | 58 | .. | |
| 331 | 154 | Bandhauri .. | .. | .. | .. | .. | .. | 98 | .. | |
| 332 | 159 | Daundal .. | .. | .. | 107 | .. | .. | .. | .. | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALIZED. | | REMARKS. |
|----------------|---------------------------|-------------------------|--------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 333 | Ferozpur-Jirka—continued. | 162 | Dhauri .. | 211 | .. | .. | .. | .. | .. | |
| 334 | | 163 | Inchwari .. | 360 | .. | .. | .. | .. | .. | |
| 335 | | 166 | Sri Surajalheri .. | .. | 168 | .. | .. | .. | .. | |
| 336 | | 167 | Jainwant .. | .. | 150 | .. | .. | .. | .. | |
| 337 | | 168 | Qasimpur .. | .. | .. | .. | .. | .. | 94 | .. |
| 338 | | 169 | Kherla Punahana .. | .. | .. | .. | .. | .. | 273 | .. |
| 339 | | 170 | Phardari .. | 407 | .. | .. | .. | .. | .. | .. |
| 340 | | 172 | Tundlaka .. | .. | .. | .. | .. | .. | 149 | .. |
| 341 | | 173 | Niwana .. | .. | 126 | .. | .. | .. | .. | .. |
| 342 | | 176 | Tuseni .. | .. | .. | .. | 149 | .. | .. | .. |
| 343 | | 186 | Satakpuri .. | .. | 113 | .. | .. | .. | .. | .. |
| 344 | | 193 | Jatana .. | .. | .. | .. | .. | .. | 172 | .. |
| 345 | | 195 | Rajpur .. | .. | .. | .. | .. | .. | 94 | .. |
| 346 | | 196 | Sarauli .. | .. | 188 | .. | .. | .. | .. | .. |
| 347 | | 197 | Gulerseri .. | .. | .. | .. | .. | .. | 105 | .. |
| 348 | | 201 | Gulalta .. | .. | 305 | .. | .. | .. | .. | .. |
| 349 | | 205 | Anthra .. | .. | .. | 211 | .. | .. | .. | .. |
| 350 | | 207 | Raipur .. | .. | .. | 83 | .. | .. | .. | .. |
| 351 | | 210 | Naharpur .. | .. | .. | .. | .. | .. | 88 | .. |
| 352 | | 211 | Jaranli .. | .. | .. | 106 | .. | .. | .. | .. |
| 353 | | 213 | Chansuki .. | .. | .. | .. | .. | .. | 59 | .. |
| 354 | 215 | Karera Punahana .. | .. | .. | .. | 47 | .. | .. | .. | |
| 355 | 216 | Mubarikpur .. | .. | .. | .. | .. | .. | 194 | .. | |
| 356 | 218 | Patakpur Puna- hana. | .. | 70 | .. | .. | .. | .. | .. | |
| 357 | 219 | Punhana .. | .. | .. | .. | .. | .. | 120 | .. | |

[Minister for Revenue.]

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALIZED. | | REMARKS. |
|----------------|----------------------------|-----------------------|--------------------------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 358 | Firozpur-Jhirka—concluded. | 220 | Thek .. | .. | 103 | 86 | .. | .. | .. | |
| 359 | | 221 | Dudanli .. | 362 | .. | .. | .. | .. | .. | |
| 360 | | 222 | Sunehra .. | .. | 168 | .. | .. | .. | .. | |
| 361 | | 223 | Naida .. | 195 | .. | .. | .. | .. | .. | |
| 362 | | 225 | Bikti .. | .. | .. | .. | .. | 78 | .. | |
| 363 | | 226 | Aminabad .. | 94 | .. | .. | .. | .. | .. | |
| 364 | | 228 | Shamsabad Khurd | 55 | .. | .. | .. | .. | .. | |
| 365 | | 229 | Nai .. | .. | .. | .. | .. | 594 | .. | |
| 366 | | 231 | Hajipur .. | .. | .. | .. | .. | 281 | .. | |
| 367 | | 236 | Ghira .. | .. | .. | .. | 174 | .. | .. | |
| 368 | | 238 | Singar .. | .. | .. | .. | .. | 453 | .. | |
| 369 | 239 | Jharokri .. | .. | .. | .. | .. | 145 | .. | | |
| | | | Total of the Firozpur-Jhirka Tahsil. | 10,143 | 10,359 | 1,043 | 174 | 5,810 | 100 | |
| 370 | Palwal. | 1 | Softa .. | 142 | .. | .. | .. | .. | .. | |
| 371 | | 17 | Atarchata .. | .. | .. | .. | .. | 196 | .. | |
| 372 | | 19 | Rajopur Bangar | .. | 19 | .. | .. | .. | .. | |
| 373 | | 21 | Musalakpur .. | .. | 217 | .. | .. | .. | .. | |
| | | | Total for the Palwal Tahsil. | 142 | 236 | .. | .. | 196 | .. | |

| Serial number. | Tahsil. | Topographical number. | Name of village. | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1932-33 REALIZED. | | SUSPENDED LAND REVENUE FOR 1934-35 REALIZED. | | REMARKS. |
|----------------|-------------|-----------------------|----------------------------------|--|------------|--|------------|--|------------|----------|
| | | | | Kharrif 1932. | Rabi 1933. | Kharrif 1933. | Rabi 1934. | Kharrif 1934. | Rabi 1935. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 374 | Ballsagarh. | 2 | Aghwanpur .. | 51 | .. | .. | .. | .. | .. | |
| 375 | | 50 | Kanwra .. | 79 | .. | .. | .. | .. | .. | |
| 376 | | 53 | Tilpat .. | 300 | .. | .. | .. | .. | .. | |
| 377 | | 55 | Wazirpur .. | .. | 93 | .. | .. | .. | .. | |
| 378 | | 57 | Badshahpur .. | .. | 125 | .. | .. | .. | .. | |
| 379 | | 51 | Lakarpur .. | 62 | .. | .. | .. | .. | .. | |
| 380 | | 69 | Zakopur .. | .. | 172 | .. | .. | .. | .. | |
| 381 | | 70 | Aali .. | .. | .. | .. | .. | 350 | .. | |
| 382 | | 73 | Sikronna .. | 362 | .. | .. | .. | .. | .. | |
| 383 | | 79 | Khandaoli .. | .. | .. | .. | .. | 150 | .. | |
| 384 | | 86 | Madalpur .. | 100 | 200 | .. | .. | .. | .. | |
| 385 | | 93 | Gotra Mohabbat-abad. | .. | .. | .. | .. | 250 | .. | |
| 386 | | 107 | Ankhir .. | 131 | .. | .. | .. | .. | .. | |
| 387 | | 116 | Budma .. | .. | 125 | .. | .. | .. | .. | |
| 388 | | 134 | Bhatania .. | 122 | .. | .. | .. | .. | .. | |
| 389 | | 136 | Kheri Kalan .. | 492 | .. | .. | .. | .. | .. | |
| 390 | | 143 | Tajupur .. | 125 | .. | .. | .. | .. | .. | |
| 391 | | 144 | Badarpur Said .. | 94 | .. | .. | .. | .. | .. | |
| 392 | | 147 | Shahabad .. | .. | .. | .. | .. | 69 | .. | |
| 393 | | 178 | Sahapura .. | 425 | .. | .. | .. | .. | .. | |
| 394 | 179 | Malerna | 163 | .. | .. | .. | .. | .. | | |
| 395 | 180 | Jajru .. | .. | 425 | .. | .. | .. | .. | | |
| | | | Total for the Ballsagarh Tahsil. | 2,506 | 1,140 | .. | .. | 819 | .. | |
| | | | Total for the Gurgaon District. | 35,289 | 24,969 | 2,764 | 1,087 | 18,136 | 927 | |

SULLAGE DRAIN PASSING NEAR DYAL SINGH COLLEGE, LAHORE.

***349. Lala Bhim Sen Sachar :** Will the Honourable Minister for Public Works be pleased to state :—

- (a) the year since when the big municipal storm channel which emerges from the covered portion between the Dyal Singh College, Lahore, and the Ram Mohan Roy Hostel, Lahore, and pursues its course along the kacha Nisbet Road, the Nisbet Road, and the Meleod Road, etc., is being used as a sullage drain ;
- (b) the depth of the drain and its portion which is silted up ;
- (c) the year during which the drain was cleaned right up to its bottom ;
- (d) whether the Government is aware that this sullage drain remains constantly full of filth and night-soil ;
- (e) the steps, if any, which the Government intend to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Not known, no record being available. Probably 14 or 15 years ago.

(b) The depth of the drain varies from 3 to 4 feet at different places. No portion is silted up : but a portion of the drain has been filled up reducing its original width to facilitate the flow of sullage in the portion of the drain used as a sullage drain.

(c) A gang of beldars is employed permanently. They clean it regularly from above downward.

(d) No. Ordinarily it contains only sullage water.

(e) The underground drainage scheme is shortly to come up for consideration of Government.

QUESTION OF OPENING A CIVIL COURT AT REWARI.

***350. Pandit Shri Ram Sharma :** Will the Honourable the Premier be pleased to state—

- (a) the number of civil cases filed in the Gurgaon District, and in the Rewari tahsil during the last year,
- (b) whether the Government has ever considered the question of opening a civil court at Rewari, if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a)

Number of civil cases filed in
the Gurgaon district during
the year 1936.

3,359

Number of civil cases filed in the
Rewari tahsil during the
year 1936.

835

(b) This is a question for the Honourable Judges. It is understood that they have considered it more than once but have always come to the conclusion that there is no need for a court.

HARIJANS AND THEIR EMPLOYMENT IN POLICE DEPARTMENT.

***351. Pandit Shri Ram Sharma :** Will the Honourable the Premier be pleased to state :—

- (a) whether in reply to a Harijan deputation at Jullundur the Minister for Development stated that such sections of the community were to be taken in the police and the military forces as enjoyed the confidence of the Government ;
- (b) if so, the names of the sections of community who enjoy the confidence of the Government ?

The Honourable Major Sir Sikander Hyat-Khan : (a) This is certainly not a fair reproduction of what my honourable colleague said. The general sense of his remarks, which were quite informal, was to advise Harijans to take advantage of the facilities which are already available to them to enter the police, and so help to liquidate such prejudices as still exist against them among the public.

(b) Does not arise.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier please state as to what opinion the Honourable Minister for Development gave and in what words ?

Premier : I have already answered that question.

Pandit Shri Ram Sharma (Urdu) : Did he say that Harijans should not be recruited to the Police ?

Premier : No.

Pandit Shri Ram Sharma (Urdu) : Did the report published in the newspapers ever come to the notice of the Government ?

Premier : Newspapers are not infallible.

Sardar Mula Singh : Is the Honourable Premier aware that when the Honourable Sir Chhotu Ram visited Jullundur, he in replying to a deputation of Harijans who waited upon him regarding the repeal of the Land Alienation Act, said that they would be shoe-beaten if they pressed this point.

Premier : No, Sir, that is a gross misstatement.

Pandit Shri Ram Sharma (Urdu) : Is there any list of communities maintained by Government who are in the good books of Government ?

Premier : I am not aware of any such lists.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that the representation of members of the depressed classes is very low in the Police ?

Premier : The same holds good for *baniyas*.

Pandit Shri Ram Sharma (Urdu) : What are the reasons for their not being included in the Police ?

Premier : So far as *baniyas* are concerned, they are not suitable for the kind of work.

Pandit Shri Ram Sharma (Urdu) : And so far as the Harijans are concerned ?

Premier : The high caste people would not allow them to live in the same lines.

Lala Duni Chand : Is Government prepared to allow entry into police and military services to all scheduled classes ?

Premier : There is no bar.

Pandit Shri Ram Sharma (Urdu) : Do Government endorse the views of high caste Hindus ?

Premier : Government strongly condemns that attitude on the part of the Hindus (*Hear, hear*).

Pandit Shri Ram Sharma (Urdu) : What is the attitude of Government towards Harijans as regards their recruitment to the Police ?

Premier : During the war they enlisted a whole battalion of the depressed classes.

Pandit Shri Ram Sharma (Urdu) : My question is regarding their recruitment to the Police.

Premier : I have already said that there is no bar to their being recruited to the Police.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier let me know the number of Harijans recruited in the Police ?

Premier : If the honourable member will give me proper notice.

Lala Duni Chand : Are Harijans encouraged to enter Police Service ?

Premier : So far as I am concerned I will certainly welcome their recruitment.

Sardar Mula Singh (Urdu) : Will the Honourable Premier please state why inspite of the fact that there is no bar against Harijans being recruited to police, they are not recruited ?

Premier : I have already answered that question — because of the prejudices of other people and not of Government.

Chaudhri Kartar Singh (Urdu) : Are Government aware of the fact that, not to speak of Harijans, the Superintendent of Police of Hoshiarpur district has recruited a number of constables from outside the district ?

Premier : That does not arise.

Sardar Sohan Singh Josh (Urdu) : Will Government try to remove the prejudice against the recruitment of *Achhuts* ?

Sardar Gopal Singh : Mr. Speaker, I very strongly protest against the use of the word "*Achhut*".

Lala Bhim Sen Sachar : Will the Government consider the expediency of categorically contradicting any false reports appearing in papers with respect to the utterances of a member of the Government ?

Premier : I shall be only delighted if the honourable member would strengthen my hands in order to allow me to take action. I shall be delighted to take advantage of his suggestion.

Lala Bhim Sen Sachar : I may be permitted to repeat my question. Perhaps I have not been able to make myself clear. Will the Government consider whether or not it is desirable on the part of Government to contradict such things which appear in the papers ?

Premier : I shall have to create a special department with a large staff to be able to contradict misrepresentations and misstatements in one section of the Press which I call the gutter press.

Lala Duni Chand : Is it not a fact that the Government contradicts the reports that appear against the Government in the press ?

Premier : Yes, if such reports appear in papers of repute.

Lala Bhim Sen Sachar : In view of the fact that allegations have been made on the floor of this House with respect to the utterances of an Honourable Minister of the Government, will not the Government consider the desirability of contradicting the allegations that have been so made ?

Premier : If the honourable member will name the paper in which those reports were published, I may be able to give an answer on the floor of the House just now.

Lala Duni Chand : Will the Honourable Premier please state which papers he considers reputable and which disreputable ?

Premier : I am afraid the honourable member is expecting too much of me if he wants me to make any detailed statement on the floor of the House at once.

Lala Duni Chand : What does he think of the *Partap* and the *Milap*. What kind of papers are they ?

Premier : I refuse to answer that question.

Sardar Gopal Singh : Is the Honourable Premier aware of the fact that a lengthy cable was sent by the Warn Ashram to His Majesty the King Emperor protesting against the recruitment of the Harijans into the Police and Military Departments ?

Dr. Sir Gokul Chand Narang : Have any members of the so-called depressed classes enjoyed the confidence of the Government so far as to be taken in the police ? Have any depressed classes been recruited in the police so far ?

Premier : I have already answered that question. The honourable member was not here then. The prejudice is not on the part of the Government, it is on the part of caste Hindus.

Dr. Sir Gokul Chand Narang : Should that stand in the way ? If that stands in the way, the Harijans students cannot even be admitted in schools. Would you countenance that ?

Premier : The Government would not countenance that. The Government is gradually trying to remove the prejudice which exists in schools.

Dr. Gopi Chand Bhargava : Would you remove the prejudice from police as well ?

Premier : I will make every possible attempt to do so.

Dr. Sir Gokul Chand Narang : And dismiss any Hindu who objects to the recruitment of Harijans, are you prepared to do that ?

Premier : I am afraid the honourable member is not voicing the opinion of all Hindus here at the moment.

Dr. Gopi Chand Bhargava : Of the majority certainly.

Premier : I am not prepared to accept that.

Dr. Gopi Chand Bhargava : We are at one with Dr. Sir Gokul Chand Narang.

Pandit Shri Ram Sharma (Urdu) : Will Government issue instructions to district authorities of police that in future Harijans should be recruited ?

Premier : I have already said that there is no bar and I also stated on the floor of this House what were the considerations which have to be kept in view in making recruitment to the police service, but so far as the prejudice is concerned, I think that the honourable members should start in their own homes first to remove the prejudice so that there may be no difficulty for the Government to give effect to their policy.

Sardar Gopal Singh : My question has not yet been answered.

Premier : Will the honourable member please repeat the question ?

Sardar Gopal Singh : My question was whether the Honourable Premier is aware of the fact that a lengthy cable was sent by the Wari Ashram to His Majesty the King Emperor protesting against the entry of the Harijans into the Council and against the recruitment of Harijans into the police and the army ?

Premier : Very likely a communication of that kind was sent.

Pandit Shri Ram Sharma (Urdu) : I wish to know whether Government would adopt a policy of encouraging the recruitment of Harijans to the police service or would act according to what caste Hindus say.

Premier : The Government's policy is already clear that they would much welcome the removal of those prejudices but as I have already said unless the people themselves and particularly my friends — the high class Hindus — themselves begin this reform, it would not be easy for the Government to give effect to their wishes. If they begin this reform, it will be very easy for the Government to meet their wishes.

Dr. Gopi Chand Bhargava : Are not all representatives of Hindus in this Assembly in favour of removal of prejudices ?

Premier : Everybody who considers the depressed classes as low classes is a high class Hindu as compared with the depressed class.

Lala Bhim Sen Sachar : Has there been any occasion on which a so-called high class Hindu has objected to the enlistment of a depressed class member ?

Premier : There have been several occasions in which high class Hindus have objected to the people of scheduled castes taking water from wells.

Lala Bhim Sen Sachar : That is not my question. Will the Honourable Premier be good enough to extend to me the courtesy of answering the question which I put namely whether there has been any instance in the police lines or the Police Department where any high class Hindu employe of the Government has objected to the enlistment of a depressed class member ?

Premier : Yes, Sir.

Sardar Gopal Singh : Is it not a fact that a large number of *Ram-dasias* and *Mazhabis* belonging to Ludhiana, Jullundur and Ferozepore districts are serving in the British Army ?

Dr. Sir Gokul Chand Narang : Is it not a fact that Muhammadans have objected to the depressed classes drawing water from the same well ?
(Voices : No).

Premier : No.

Dr. Sir Gokul Chand Narang : You are wrong.

Syed Amjad Ali Shah : Mr. Speaker, have we not had enough discussion on this question ?

Dr. Gopi Chand Bhargava : Will the Honourable Premier please state whether it is not a fact that the scheduled caste people have been given representation in the Assembly as part of Hindus on account of the representation of the so-called high caste Hindus ?

Premier : I am afraid the honourable member would not like me to express an opinion on this question, because I had a share myself in giving the scheduled castes representation in this Assembly.

Dr. Gopi Chand Bhargava : Is the Honourable Premier aware that the communal award was amended as a result of a settlement between the high caste Hindus and the scheduled castes ?

Premier : I am sure the honourable member would not like me to dwell here on the fact that there were high caste Hindus in this province who very much objected to Mahatma Gandhi's attitude when he wanted to get the award amended.

SUPPLY OF WATER TO HISSAR CATTLE FARM.

***352. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state :—

(a) the amount of canal water given to the Hissar Cattle Farm in 1900, 1920 and 1935 ;

[Pandit Shri Ram Sharma.]

- (b) whether there are any areas in the Rohtak division where the canal water does not reach, or where the supply of water is very inadequate ?

The Honourable Dr. Sir Sundar Singh Majithia : It is regretted that the answer to this question is not yet available. It will be communicated to the honourable member when ready.

SPEECH OF THE HONOURABLE MINISTER FOR DEVELOPMENT AT
VILLAGE PAI, TAHSIL KAITHAL.

***353. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state :—

- (a) whether the Government are aware of the fact that the Minister for Development visited Pai, tahsil Kaithal in May last ;
- (b) whether Government are also aware of the fact that all the district officials attended the gathering in connection with the village uplift movement ;
- (c) whether the Government are also aware of the fact that there in a speech the Honourable Minister said that the zamindars should not hear the *nokdar topi wallas*, that is, Congressmen, and that the Jats were accustomed to treat their opponents in this way (the Honourable Minister demonstrated a gesture by the Act of beating with his own hand) ;
- (d) what Government propose to do in the matter of regularising the official utterances on the part of the Ministers in future ?

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

(b) Many district officials were present at the gathering.

(c) It is impossible to recall exact words, but, to the best of his recollection, while referring to the abusive language frequently indulged in towards Government by some of the less responsible Congress workers the Honourable Minister for Development made the following remarks :—

“ The Punjab Government as now constituted is, in substance, a zamindar Government. Anybody who abuses this Government practically abuses zamindars. If any *nokili topiwala* (meaning Congress worker) comes to your village and begins to abuse Government do not listen to him at all Tell him to desist from abusive language or go away. If he still persists in his obnoxious conduct, I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business.”

Here he may have involuntarily accompanied his words with a physical motion of his hands suggesting a push because that is what he meant.

(d) No action for the purpose of regulating the utterances of Ministers is needed.

Lala Bhim Sen Sachar : Do the Cabinet as a whole agree with the views expressed by the Minister for Development in his speech quoted by the Premier on the floor of the House ?

Premier : Which particular view does the honourable member refer to ?

Lala Bhim Sen Sachar : The view expressed in the paragraph quoted by him.

Premier : When the Honourable Minister warned the people against the abuse of the Government the whole Government is at one with him.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier please ask the Minister for Development to demonstrate before the House the physical motion referred to in the answer ?

Mr. Speaker : Order, order.

Lala Duni Chand : Does the Government consider the Congressmen to be a body of responsible men or not ?

Premier : The Congressmen whose attitude and demeanour are like those of my honourable friend, the Leader of the Opposition command my esteem and respect. But there are also black sheep among the Congressmen.

Pandit Shri Ram Sharma (Urdu) : Is the Honourable Premier sure that making of such statements before the public does not lead to provocation in the villages ?

Mr. Speaker : That asks for an expression of opinion and, therefore, cannot be allowed.

Lala Duni Chand : On a point of order. The Honourable Premier has told us that if there is a man in the Congress who is like Dr. Gopi Chand—

Mr. Speaker : The honourable member will please raise the point of order straightaway without making a speech.

Lala Duni Chand : In order to explain my point of order, it is necessary for me to utter a few sentences at least. The Honourable Premier has said that if there is a person like Dr. Gopi Chand he will command the respect and regard of the Premier. Is the Premier justified in giving such a reply ?

Mr. Speaker : It is for the Honourable Premier to decide what answer to give.

Dr. Gopi Chand Bhargava : Will the Honourable Premier please state whether he endorses the whole speech of the Minister for Development ?

Premier : I was not present when the speech was made.

Lala Bhim Sen Sachar : The Honourable Premier has given a quotation from the speech. He should therefore have a copy of the authorised version of the speech before him. What I want to know is whether the Government endorses all excepting what the Premier has been pleased to exclude ?

Premier : Will the Honourable member please state which particular portion he takes exception to ?

Lala Bhim Sen Sachar : I have not the advantage of having the quotations before me.

Dr. Gopi Chand Bhargava : Does the Honourable Premier endorse all that he has quoted in the answer or only a portion of it ?

Premier : For the benefit of honourable members I shall read it again.

“ Anybody who abuses this Government practically abuses zamindars.”

Dr. Sir Gokul Chand Narang : Is that correct ?

Premier : In a general sense, yes. By zamindars the Honourable Minister meant the zamindars as constituting the Government. There is no difference of opinion on that point. It does not mean that non-zamindars are not respectable.

Dr. Gopi Chand Bhargava : Are all zamindars respectable ?

Premier : So far as I am aware zamindars and non-zamindars stand on the same footing. What the Honourable Minister then said was

“ tell him to desist from abusive language or go away.”

I do not think anybody can take objection to that part of the speech.

“ If he still persists in his obnoxious conduct I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business.”

Lala Bhim Sen Sachar : Do you endorse that ?

Premier : I personally see little objection to that.

Pandit Shri Ram Sharma (Urdu) : What method did the Minister for Development suggest for expelling the Congressites if they still persisted ?

Premier : I have already stated it.

Sardar Sohan Singh Josh (Urdu) : There are black sheep in every group. How many of them are there in the Unionist Government ?

Mr. Speaker : Order, order. Next question.

COMPLAINTS REGARDING ENCROACHMENTS ON MUNICIPAL
LANDS IN SIRSA.

***354. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state :—

- (a) whether the Deputy Commissioner, Hissar, has recently received any complaints from the people of Sirsa (Hissar) regarding encroachment on municipal lands, Municipal Committee, Sirsa ; if so, what action has been taken thereon ;
- (b) whether it is a fact that the present and past President and members of the Sirsa Municipal Committee are involved in these encroachments ;
- (c) whether any correspondence has passed between the Deputy Commissioner, Hissar, and the Sirsa Municipal Committee on the subject ; if so, whether he will lay it on the table of the House ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) and (c) Do not arise.

REPRESENTATION OF THE SCHEDULED CASTES IN SMALL
TOWN COMMITTEE, TOHANA.

***355. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total number of voters in Ward No. 5 (e) of Small Town Committee, Tohana, district Hissar ;
- (b) the strength of voters of the scheduled caste in the said ward ;
- (c) whether it is a fact that a member of the scheduled caste sought election in the last elections from that ward ; if so, with what result ;
- (d) what steps, if any, Government proposes to take to secure the proper representation of the scheduled caste in the Small Town Committee, Tohana ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :

- (a) 237.
- (b) 128 (chamars).
- (c) Yes but the candidate was not elected.
- (d) when a suitable opportunity occurs the matter will receive due consideration.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Minister consider the question of nominating Harijans ?

Minister : When an opportunity occurs, the matter will receive consideration, as I have already stated.

Pandit Shri Ram Sharma (Urdu) : Has not that opportunity arisen now ?

Minister : It is over, I think. I believe the nominations have been made.

Pandit Shri Ram Sharma (Urdu) : Are any of them Harijans ?

Minister : No Harijan candidate was forthcoming this time.

IMPOSITION OF WATER TAX BY BHIWANI MUNICIPALITY.

***356. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that a large number of memorials, telegrams and representations have been submitted by the people of Bhiwani protesting against the imposition of water tax by the Bhiwani Municipality ; if so, what action, if any, has been taken so far on these representations, etc. ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes, a large number of representations were received from the inhabitants of Bhiwani protesting against the imposition of water tax by the Bhiwani Municipal Committee. These representations were fully considered and rejected by the last Government.

Pandit Shri Ram Sharma (Urdu) : Is the present Government prepared to reconsider the question ?

Minister : The present Government has no intention of reopening the matter.

THE ANNUAL INCOME OF LAHORE MUNICIPALITY FROM LAND REVENUE.

***357. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Public Works be pleased to state :—

- (a) the amount of the annual land revenue recovered from owners of sites, whether built or unbuilt, situated in the Municipal limits of Lahore :
- (b) the amount of money realised from the entertainment tax within the limits of Lahore Municipality since its introduction ;
- (c) the amount of money realised annually by the imposition of fines received from persons convicted of municipal offences within the municipal limits of Lahore.

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) A sum of Rs. 36,688 was recovered during the year 1936-37 ;

(b) A sum of Rs. 30,877-13-0 was realised upto the end of May 1937 ;

(c) A sum of Rs. 6,771-6-9 was realised in the year 1936.

HOUSE TAX IN LAHORE MUNICIPALITY.

***358. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Public Works be pleased to state whether the Municipal Committee, Lahore, before its supersession contemplated :—

- (a) to extend the limits within which the terminal tax is imposed so as to include new *abadis* within those limits ;
- (b) to revise the rates of terminal tax so as to raise the total income from it ;
- (c) whether the Committee made some estimates of the additional income from these and some other similar sources; if so, what were those other sources ;
- (d) if the answer to (c) above be in the affirmative, whether the Government is prepared to explore the possibilities of these sources before imposing a house tax ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a)) Yes.

(b) Yes.

(c) The details of the estimates of additional income are not forthcoming from the municipal records. A sub-committee was appointed in 1930 which made recommendations for additional income amounting to Rs. 6,87,400 including the increase from terminal tax. In recent years much has been done to adopt the recommendations of the sub-committee and the income has increased by about Rs. 3,80,000 since 1930. In June 1936 the Municipal Committee unanimously recommended the imposition of house tax and the transfer of the proceeds of the entertainment tax recovered from Lahore from provincial to Lahore municipal funds.

(d) The matter will be considered in all its aspects before a final decision on the house tax is made.

TRAFFIC ON UPPER BARI DOAB CANAL ROADS.

*359. **Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that no restrictions were ever imposed on the traffic over the unreserved canal roads at the Upper Bari Doab Canal since its origin upto 31st March, 1936 ;
- (b) whether it is a fact that there was no gate erected at the Lulliani (Lahore) Canal bridge on the unreserved canal road before 1936 ;
- (c) whether it is fact that nowhere except Lulliani, any gate on the unreserved canal road, Upper Bari Doab Canal was in existence up till the 30th March 1937, between Ghawind and Lulliani ;
- (d) whether Babu Salig Ram and other residents of village Jhaman, district Lahore, submitted an application to the Honourable Minister for Revenue, on the 13th May 1937, in which they protested against the erection of gate at the unreserved road at Lulliani bridge of the Upper Bari Doab Canal ;
- (e) if the answer to (d) above be in the affirmative, whether he is prepared to lay on the table their original application and state whether any inquiry has been made in the matter ; if so, the result of the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The terms "reserved" and "unreserved" canal roads have been introduced recently. All canal roads are controlled to traffic whenever found necessary in the interests of works, and occasionally to establish right of the Government to prohibit use of these canal roads to the people.

(b) Yes.

(c) Yes.

(d) Yes.

(e) Yes. The petition is laid on the table. Enquiry has been made ; the bank has been thrown open to public subject to conditions mentioned in (a).

Copy of a petition from Salig Ram and ten others, Jahman, dated the 13th May, 1937, to the Honourable Revenue Minister, Government, Punjab, Lahore.

We the undersigned residents of village Jahman beg to state as follows :—

- (1) Since the origin of the Upper Bari Doab Canal no restrictions were imposed ever on the traffic vehicles over the right bank road (unreserved) but for the last three or four months the Canal authorities have erected a gate at the Lulliani bridge and have blocked the traffic on the unreserved road over this canal. This act of theirs has caused a good deal of inconvenience to public in general and cartsmen, zamindars and the passengers on horse backs in particular. At no other part of the canal except at Lulliani the way is blocked. By blocking the public traffic the canal authorities have done great injustice ; ordinarily a road or foot path used by the public continuously for 20 years without any hinderance cannot be blocked by its owners according to the provision of the specified Relief Act. Then how the Canal authorities of Raiwind division can be justified in blocking the road which has remained open to public for more than 40 years ?

Under these circumstances we would request you to intervene in the case and ask the Canal authorities to remove the gate erected at Lulliani bridge.

CYCLING ON THE CANAL BANK ROADS.

***360. Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Superintending Engineer, Canal Department, Amritsar Circle, issued a letter on the 6th March, 1937, to the Executive Engineer, Raiwind division, to the effect that no cycling be allowed on the reserved (inspection) canal bank road without permission and that he issued similar letters to the other Executive Engineers, Canal Department, under him as a result of which restrictions were imposed by the Canal authorities on the cycling on the canal roads ;
- (b) whether it is a fact that on the 8th March 1930, Mian Sir Fazli-Hussain, the then Revenue Member, Government, Punjab stated in the Punjab Legislative Council in answer to question No. *2907¹ put by Sardar Hira Singh Narli, M. L. C., that there was no prohibition on the eye over the canal reserved roads ;
- (c) if the answer to (a) and (b) above be in the affirmative, the grounds for imposing fresh restrictions on the cycling ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes.

(c) All Superintending Engineers are being told to cancel any orders issued regarding the necessity for passes for cyclists.

POINT OF ORDER *RE* EXTENSION OF HOURS OF SITTING
OF THE ASSEMBLY.

Lala Deshbandhu Gupta (South Eastern Towns, General, Urban) : Sir, I wish to raise a point of order. The point of order that I wish to raise is an important one and I would request you to give your considered ruling on it. During the last five days we have had two rulings from you on the same point which are conflicting with each other. I would therefore request you to give a ruling as to which of these two rulings should be considered as correct and as binding upon us. The two rulings that I refer to are with regard to the extension of time of this House. On the 2nd of July when a point of order was raised by my honourable friend, Dr. Gokul Chand Narang, whether you can extend the time of the House legally in view of His Excellency's instructions that the debate on any demand cannot last beyond two days, you were pleased to put the question to the House and to extend the time. While on the 6th, you were pleased to give a different ruling when a similar point was raised by my friend Diwan Chaman Lall, that no extension could be given the Premier was asked to resume his seat, although his speech was unfinished. I want to know as to which of these two rulings is to be considered as correct.

Mr. Speaker : I will give a considered ruling after going into the matter.²

¹Vol. XV, pages 381-82.

²Vide Honourable Speaker's remarks at page 1203 *infra*.

ASSEMBLY RULES COMMITTEE.

Mr. Speaker : Honourable members, I would invite your attention to one or two facts. On the 12th April last at Lahore, with the approval of the House, I appointed a committee to draft rules for regulating subject to the provisions of the Government of India Act, its procedure and the conduct of its business. The following members were then approved by the House :—

Mian Abdul Aziz.
 Mir Maqbool Mahmood.
 Khan Sahib Chaudhri Riasat Ali.
 Raja Ghazanfar Ali Khan.
 Rai Bahadur Mr. Mukand Lal Puri.
 Lala Duni Chand.
 Diwan Chaman Lall.
 Sardar Sampuran Singh.

In addition to these the following were *ex-officio* members :—

Deputy Speaker,
 Advocate-General, and
 Myself.

Several meetings of that committee have been held and they have drafted a certain number of rules. But I have noticed that certain rules are perhaps proposed to be made on party lines and when there is a tie, I am expected to give my casting vote. That makes my position extremely awkward. Ultimately when these rules are considered by this House, a tie might take place and I might be expected to vote. Perhaps I might change my mind by that time and may not consider my previous vote to have been given rightly. That is a very awkward position. Therefore I would request the honourable members to allow me not to sit and preside over that committee. I suggest in my place the name of the Honourable Mr. Manohar Lal.

Dr. Gopi Chand Bhargava : May I make one submission? What I feel is this that the Speaker is a non-party man and it is for the Speaker to use his discretion and give his rulings in such matters where parties are divided. If you add to the committee a definite party man in your place, would it not be taken as a favour to a party which would secure a majority for that particular party.

Mr. Speaker : Honourable members may suggest the name of some body else who knows something about the rules and procedure.

12 noon.

Dr. Gopi Chand Bhargava : I do not think there can be any better fitted man than yourself, you being in this position a non-party man.

Premier : May I point out in reference to what my honourable friend on the opposite side said. Nomination of members to this committee was not on party lines. If it had been on party lines, the honourable member may rest assured, that there would have been a considerably larger number of members from this side on that committee. You must remember that we wanted a fully representative committee and not a committee of majority

[Premier.]

of our party to frame these rules of procedure. I also assure the honourable members opposite that it would not be wise to do this work without an impartial committee. After all, these rules will come before the House and if we want to deal with these rules on party lines, there is nothing to stop us from amending them here. Therefore, I hope your sound suggestion will be accepted by the members.

Dr. Gopi Chand Bhargava : I made my remarks on the assumption that the division in the committee was on party lines as was said by you.

Mr. Speaker : Not always. Only in the case of certain rules.

Dr. Gopi Chand Bhargava : That is why you want another gentleman and therefore I submit that there can be no better fitted person than yourself.

Diwan Chaman Lal : There is one point which is intimately connected with this problem. May I know whether you have made up your mind definitely not to serve on this committee? If you have not definitely made up your mind, I would like to support my honourable friend, Dr. Gopi Chand Bhargava's request that you should continue sitting as the Chairman of this committee, because, I understand, the work left is very little. I think we will be able to finish our labours within the next few days after we start sitting. So, if you have not definitely made up your mind I would request you to continue as the Chairman of this committee.

Raja Ghazanfar Ali Khan : As a member of this committee, I would submit before you that there has been not a single occasion when any vote was cast on party lines. As a matter of fact not a single occasion can be pointed out when our party gave any definite instructions. I can assure you that we have been working quite independently and honestly in the best interest of the committee. I assure you that we will not work on party lines at all.

Mr. Speaker : I think the honourable member has misunderstood me. I never meant and never said that either the Opposition party or the Ministerial party give any directions to the members of the committee. In the committee itself, I observed, rightly or wrongly, that sometimes there were two parties, and when there was a tie I was expected to give my casting vote and that made my position awkward. Ultimately when these rules are considered by this House, a tie may take place again and then I will be placed in a still further awkward position. I am thankful to the members of the Opposition, Dr. Gopi Chand Bhargava as well as Diwan Chaman Lal for their confidence in me. I am a servant of the House and as such I dare not refuse whatever the House may order me to do. But I would again request that I may be excused and the Honourable Mr. Manohar Lal, or if the honourable members suggest the name of anybody else, who knows something about the rules, may be taken in my place. That is my humble request and I hope my honourable friends will accede to it.

Premier : I understand what you wish to convey to us is whether the voting was on party lines or not on party lines, you were sometimes placed in an awkward position when there was a tie and therefore, you want

to be relieved of the duties of the Chairman so far as that committee is concerned. I think there was nothing in the suggestion, which has brought forth a protest from my honourable friend opposite. If there is some one else more suitable than the Honourable Mr. Manohar Lal, so far as the rules and procedure are concerned, we shall be glad to consider his name. The Honourable Mr. Manohar Lal is one of those people who have studied the question of procedure and parliamentary practice and he will be very suitable to take your place on this committee.

Mr. Speaker : If I were ill or otherwise unable to preside over the committee, the House shall have to nominate someone else in my place.

Lala Duni Chand : In this case you are indispensable.

Mr. Speaker : I again appeal to the Honourable Leader of the Opposition and Diwan Chaman Lal to relieve me of the duties of the Chairman of the committee.

Dr. Gopi Chand Bhargava : I only made that suggestion from the constitutional point of view. I never wanted to enter into a protest against what you desire. My point was that you enjoy a favourable position. It is true that you may be put in an awkward position also. Supposing though there is no chance—there was a tie in this House then also you will be put in an awkward position.

Mr. Speaker : I shall perform that duty boldly. (*Cheers*).

Dr. Gopi Chand Bhargava : There are, I think, precedents and conventions according to which the Chair is expected to cast its vote. We also think that if you are not in a position to preside over the committee you can depute your deputy in your place.

Mr. Speaker : Probably the honourable members are not aware that my health is not quite good and that that also is a matter for consideration. Taking all these things together, you will allow me, I hope, to nominate somebody else in my place.

Dr. Gopi Chand Bhargava : You can nominate your nominee yourself.

Mr. Speaker : I have suggested the name of the Honourable Mr. Manohar Lal as he was the Deputy President of the Council and so far as I know, knows the rules and practice better than most of us. In my opinion he is the most suitable person, in my absence, to act as the Chairman of the committee.

Dr. Gopi Chand Bhargava : I have not the least objection to it.

Mr. Speaker : So, the Honourable Mr. Manohar Lal will take my place.

Premier : May I make one suggestion, through you? It is necessary that we should get through these rules as quickly as possible. I will request the members of the committee that they should sit from day to day immediately after the Assembly session is over and finish the work as quickly as possible. If any member finds that it is not possible for him to attend regularly, I should be grateful, if he will, in the interest of the House, say so and ask for somebody else to be taken in his place. I noticed that the attendance was meagre during the previous sittings.

Mian Abdul Aziz : The date for the next meeting has already been fixed. (*Voices* : Not fixed but proposed). Anyhow, in continuation of this session it would be difficult. Let it be some days after the adjournment of the Assembly.

Premier : The session would very likely finish on the 20th, and there will be a 6 days' interval.

Mr. Speaker : I may add for the information of the honourable members of the committee that the committee is expected to sit from day to day till its labours are finished.

Diwan Chaman Lal : Before you proceed to the next subject I want to say one word. There may be some misunderstanding in regard to the statement made by the Honourable Premier about the attendance on this committee. May I inform members, through you, that as far as we are concerned, we have been attending every session of this committee, from the beginning right up to the end ?

Premier : I am not referring to the members on the opposite side. I am referring to other members of the committee.

Mr. Speaker : I endorse the statement made by Diwan Chaman Lal as perfectly correct.

COMMITTEE TO CONSIDER THE DUTIES OF MARSHAL.

Mr. Speaker : I promised the other day that I would appoint a small committee to consider the duties of the marshal and place the report of that committee before the House. In pursuance of that promise I propose to appoint a committee of five gentlemen, namely, (1) Dr. Gopi Chand Bhargava, (2) Dr. Saif-ud-Din Kitchlew, (3) the Honourable Mr. Manohar Lal and the Leader of the House. The Deputy Speaker will represent me. They will consider the matter in due course and place their report before the House for its approval and consideration.

DEMANDS FOR GRANTS.

EDUCATION.

Finance Minister (The Honourable Mr. Manohar Lal) : I beg to move :

That a sum not exceeding Rs. 1,52,69,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (Excluding European and Anglo-Indian).

Mr. Speaker : Demand moved :

That a sum not exceeding Rs. 1,52,69,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (Excluding European and Anglo-Indian).

Raja Ghazanfar Ali Khan : Sir, may I make a submission before you in relation to procedure. If you will kindly see amendment No. 1 and amendment No. 11, you will find that they cover almost all the points referred to in other cuts. Therefore if you kindly allow us to discuss item No. 1 and then item No. 11, I think it will facilitate the discussion, and all members will have an opportunity to speak.

Mr. Speaker : Not only nos. 1 and 11 but items nos. 20, 28, 35, 37, 48, 56, 61 and 63 also relate to more or less to the same subject and cover the same ground. Therefore, I have no objection for these items to be discussed together.

Premier : I believe what my honourable friend, Raja Ghazanfar Ali Khan, meant was that we should follow the same procedure as was followed in the case of General Administration and Police Grants, *i.e.*, to select one or two cuts and allow the House to go over the whole field.

Mr. Speaker : Provided members can make their speeches relevant.

Premier : Therefore items (1) and (11) which cover the same ground may be taken up together.

Lala Bhim Sen Sachar : And votes taken together ?

Premier : Yes, that might be so.

System of University Education.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
Mr. Speaker, I beg to move—

That the item of Rs. 2,79,000 on account of Grants to University be reduced by
Rs. 100.

At least, Mr. Speaker, we have muddled through a series of controversial issues raised during the budget discussion on the previous demands, with victories and triumphs and jubilations on the other side and with defeats and disappointments on this side of the House and we have come to a stage when, without treachery to our respective political creeds, we may conveniently shed off and forget our political leanings, idiosyncracies and predilections and put our heads together to consider a matter which knows no politics. Education, I submit, knows no politics and no individual or party be the party Unionist or non-Unionist or anti-Unionist. I dare say whichever individual or party has the audacity to introduce political controversy into the sacred temple of education (*hear, hear*) will be betraying the interests of the coming generations of the Punjab. Now a stage has been reached, a platform has been reached where all sections of the House might unite to devise a system of education, a national system of education, for the effective removal of illiteracy from this land of five rivers. Education has always been an important subject, but it is doubly important at this juncture in our political life, when with the introduction of the new constitution and consequent on the enfranchisement of a vast number of people of the Punjab, it is our duty, it is our inescapable moral obligation, to educate our masters outside, just as the House of Commons did in the year 1831 after the passage of the Reforms Act. Now to come to the real topic, Mr. Speaker, I think it would be rank ingratitude on my part if I do not preface my speech on the cut motion before the House by paying a tribute to the Punjab University, my *alma mater*, at whose breast I have had the honour, the pride and glory to suck milk for a number of years together—the Punjab University which has for the last 55 years been striving to spread education in this province, striving to raise the cultural, the mental, and the moral level of the Punjabis. I am not here, it is not for me, to cavil at the University, to carp at it, to malign it or to pillory it. But, I would like to

[S. Hari Singh.]

draw the attention of the honourable members of this House to the views, the recommendations and the criticism of eminent educational authorities from the Sadler Commission on to Hartog and Anderson Committees, so that with the suggestions made by those eminent authorities on education we might evolve a programme to reform, to re-orientate, to revitalise and to re-invigorate the foundations of the University system of education, so that our solitary University may with a new life and new spirit be able to cope with the new and growing needs of our province—needs, social, economic, educational and political—so that our University might become the befitting embodiment of Punjabi emotions, Punjabi sentiments, character and genius. We are in duty bound to see that the system of education in this province in the interests of our youth, in the interest of the coming generations, is reconstructed with an eye on the morrow and practical needs and requirements of the Punjab, the dynamic Punjab, in view.

What is my ideal of a University? I would like my *alma mater*, the Punjab University, to bring about a harmonious blending of various cultures of various communities, Hindus, Muslims, Sikhs, Anglo-Indians, and Christians, if you like, the harmonious blending of various cultures of the different communities residing in this province, like the rainbow colours, peaceable and peaceful, each lending its peculiar charm and beauty to the whole. In the second place I would like our University to foster and promote the spirit of nationalism and to emphasise the unity of various creeds and races inhabiting this vast land, to release forces and to create an ideology so that in the years to come we may overcome the centrifugal tendencies which have been from time immemorial the bane of Indian politics and which may once again assert themselves under Federal India of to-morrow. In the third place I would like my *alma mater*, the Punjab University, to help our youth not only to outgrow the medieval communalism, sectionalism, sectarianism and all 'isms' of that sort, but I would also like the University to teach and train our youth to outstrip that militant, aggressive nationalism which is the bane of world politics to-day, and has well nigh brought us on the brink of a most terrible cataclysm, while the memories of the last conflagration are still fresh in our minds. Further I would like the University to create in our youth an international outlook, an international outlook which is co-operative, anti-war and peace-loving in character. In the fourth place, I would have my University to cater to the social and economic needs of the new Punjab, to work in such a manner as to offer solution to the various problems that may confront the Punjab. In the fifth place, I would have the University to create a treasure house of knowledge and literature in the vernacular of the people of the Punjab (*hear, hear*).

Lastly I would like the Punjab University to become a true university, a university among the universities of the world (*hear, hear*).

Now let me have a glance at the history of university education in India, or for that matter in the Punjab. It was in the year 1857, the year of the dreadful mutiny in India, that our first universities were founded, the presidency universities of Calcutta, Madras and Bombay. In pursuance of Sir Charles Wood's despatch these universities were founded on the model of the London university which at that time was an examining university. Later on in the year 1882, the Punjab University was founded on the same

model, that is to say it was created as an examining and affiliating university. Although the London University, on whose model these universities were founded in India, was reformed a few years later, our universities continued as they were founded even when the University Act of 1904 was passed, and the Universities under that Act were given the opportunities of becoming teaching universities. The Punjab University did not avail of the opportunity offered to it. Up till the year 1919 it was a teaching institution only in two respects, as regards the Oriental College and the Law College. In the year 1919, no doubt the university appointed some professors, readers and lecturers in certain faculties and began to co-ordinate higher studies, the Honours School and post-graduate studies in the colleges at Lahore. The Sadler Commission which was appointed in the year 1917, and which submitted its report to the Government of India in the year 1919, made a number of far-reaching recommendations for radical reform in the university system of India, but the Punjab University did not pay any heed to those recommendations, dominated as it was by vested interests which had long been identified with the old system. This report of the Sadler Commission popularly known as the Calcutta University Commission, was the beginning, or shall I say, the signal for universal attacks on the university system of education in India. From that time eminent educationists began to criticise the university system of education ruthlessly; trenchant criticism was directed upon our university system from the platforms of educational conferences held under the auspices of Government Education Departments, and from the forum of inter-university conferences held at Simla and Delhi and from various convocation addresses delivered by authorities on educational matters—authorities whose authority we cannot question, till, Mr. Speaker, in the Punjab, there was appointed the University Commission but its recommendations too were shelved. The late Dr. A. C. Woolner in his address at the University Conference in the year 1934 at Delhi said with regard to the subject of reforming universities: "The reform is overdue and there is dissatisfaction with the present system which the universities cannot ignore".

Everybody would agree that the university system requires radical reform. There is no question about it. But we have to see how to reform it. My humble submission is that in the first place in order to reform the university system of education we must begin with the reform of the university itself. We must reform the constitution of the university, the senate and the syndicate and place its constitution on a wider and more democratic basis. A static body with a conception of its functions which were laid down in old Acts can no longer meet the requirements of a dynamic population.

Page 19 of "Education in India in the year 1934-35" contains the following. The Educational Commissioner writes in the report referring to its attitude of universities to reform:—

"This attitude is exemplified by the reluctance of the Punjab University to implement the findings of the recent committee. The Punjab report is quite frank."

And an extract is taken by the Educational Commissioner from the Punjab report. The extract says:—

"What the province really needs is higher and far more efficient system of secondary education but this reform is still being resisted by the University so largely constituted by those interested in sectarian and communal collegiate institutions who fear that their influence and importance will decline if the present system is altered in any respect."

[S. Hari Singh.]

If the university stands in our way, we must reform it. We must change its constitution so that it may not stand in our way and in the way of progress of the Punjab. My second submission is a most important submission and it relates to the medium of instruction. Mr. Speaker, it is a monstrous monstrosity that in India the medium of instruction is a language which is neither the language of the teacher nor of the taught (*hear, hear*). In no other country in the world, foreign language is made the medium of instruction. It is a dangerous experiment which India has tried at a heavy cost to the student community. If our University has to become an outlet of our culture we must start with making our own tongue the medium of instruction in all stages of education, secondary and university, which alone can be the vehicle for the expression of our deepest thoughts and the stirrings of our soul and of our noblest emotions and sentiments. Sadler Commission's Report, Volume V, Part II, page 29, says in regard to the medium of instruction :—

“ The use of the mother tongue in India as an instrument of mental training has long been neglected in the school system. That neglect is in part due, we believe (though only in part) to the premature introduction of English as the chief medium. There is much evidence in support of Sir Harcourt Butler's view that the boys who are taught through the medium of the vernacular until the highest stages of the high school are reached show markedly greater intelligence than those whose earlier education has been more largely conducted through the medium of English.”

The Saddler Commission recommended at the time that a beginning might be made with making the mother tongue as the medium of instruction in the matriculation. Had that recommendation been put into practice at that time, we might have expected that by easy and natural transition the medium of instruction in our university would have become the vernacular by now. Sceptics, those who might say that vocabulary in our vernaculars is not large and adequate enough for us to adopt vernaculars as the media of instruction in higher stages of education, may be referred to the Osmania University at Hyderabad where the highest research and instruction work is being carried on in Urdu. My third submission is this. I beg to submit that our university like other universities in India is a huge factory for manufacturing graduates. Look at the year 1934-35. The Education Report of that year says: the number of B.A.'s passed out of the University is 1,635. (*A voice*: Whose report?) Education Report of the Punjab. It is a Government publication. M.A.'s 211, LL.B.'s 327. On reading these figures, one is tempted to exclaim: Whither this army? In order to make the University able to perform its functions as a teaching university, I would have it relieved from the encumbrance of secondary education. I would have a Secondary Education Board created in order to control and prescribe courses for secondary education and to frame syllabus and to conduct examinations and further I might suggest that the courses of secondary education may well extend up to the 11th or 12th year. Only those boys should go up for university education who could be reasonably expected to benefit by that training and instruction. The rest should be shunted off to vocational and technical training. Thus freed, the Punjab University can devote itself to its real university work in a real university atmosphere with the number of students decreased. With the quantity less and with the quality improved, the University will be able to stiffen its standards and raise them. My next submission regarding the University reform is that the

University should specialize in research. This province of ours is a province of the peasant, is a province of the soldier and may I say that it is a province of potential industrialists. In order that the University may serve the economic and other needs of the province, it should specialize in agrarian studies, in military studies and in industrial studies. I would also like the University to include some more subjects in its curricula. It should include music, sociology, psychology and particularly educational psychology which is a most important subject, public affairs, international relations, aeronautics, etc., in its curriculum.

My next point is in regard to the advancement of education in our province. My words are addressed both to the Government and the University. In England, and I suppose, in other civilised countries, it is the duty of the State to see that those scholars who can benefit by a certain standard of education are not to be debarred from profiting by that standard of education merely because of their inability to shoulder the financial burden imposed by that education. I would refer the honourable members of this House to Fisher's Education Act of 1918. In England according to Fisher's Education Act of 1918 it is laid down that—

“Children and young persons should not be debarred by inability to pay fees from receiving benefits of any form of education by which they are capable of profiting.”

I would like to read out to the Honourable Minister of Education and the honourable members of this House certain statistics regarding the scholarships awarded by the government and by other institutions. In the year 1934-35, so says the University Bureau Report, the number of students receiving scholarships was 50,638 including 12,232 girls. University, etc., grant stipends to 58,000 students and the report says that these statistics do not include those in receipt of other than treasury and university grants. While on this point I would specially press the claim of depressed class boys. At the present time the depressed class boys no doubt enjoy half-fee concession in the middle departments of secondary schools...

Mr. Speaker : Will the honourable member please speak to the motion ?

Sardar Hari Singh : I am talking of the secondary system of education.

Mr. Speaker : Secondary system is not controlled by the University.

Sardar Hari Singh : I am submitting that the depressed class boys should be given concession in the high classes for which the syllabus is prescribed by the University.

Point No. 8 is specially addressed to the University Governing Body. In all affiliated colleges at Lahore and perhaps in other places, according to my experience, sufficient accommodation is not provided for the students who are studying in their classes. So those students have to put up in boarding houses which are privately managed but are recognised by the university.

I would request the University to make it a condition—a mandatory condition—that no college should allow its students to live in hostels which are not directly under their management. If they are going to admit students

[S. Hari Singh.]

from rural areas, they must make arrangements for their boarding and lodging under their own control. In these so-called recognised hostels, the students are exposed to undesirable influences.

My point No. 9 is an important point. I would draw the attention of all educationists, the honourable members of this House, the ministry of education in particular to the children who are in the parlance of educational psychology known as "C" children. "C" children are children who are mentally defective, mentally backward, mentally deficient—so deficient that they cannot follow the education imparted to ordinary normal children. These "C" children are subnormal in their mental faculties. I dare say that the stagnation, leakage and wastage in the primary stages of which the provincial and Indian educational reports complain year after year is to some extent due to the enrolment of these boys in those schools.

Rai Bahadur Mr. Mukand Lal Puri : Why ?

Sardar Hari Singh : Why ? Due to the admission of mentally deficient and subnormal children for whom there is no special arrangement. In other countries, e.g., America, England, and other European countries, there are separate special schools for making such subnormal and mentally deficient children useful citizens by imparting them education and instruction through special methods.

In regard to history books. There is no gainsaying the fact that there are certain chapters of our history which on the impressionable young student create undesirable impressions. There are certain portions of our history which might poison the minds of our students. There are no doubt facts but facts will also have to be expunged if they lead to communal bitterness (*hear, hear*). There is a demand—a most pertinent demand on behalf of the women of the Punjab—that home science should be made compulsory in schools and colleges, that home science should be an integral part of the curricula at the F.A. and B.A. stage. I would specially press this on the attention of the ministry of education. There is an Intermediate Girls College at Amritsar which is an important commercial centre and next to Lahore in importance. I would request that that college may be raised to the degree stage. With these words I wind up my remarks on this cut motion (*Cheers*).

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 2,79,000 on account of Grants to University be reduced by Rs. 100.

Mrs. J. A. Shah Nawaz : On a point of information, Sir. Do we understand that we are going to take up cut No. 1 now and discuss the others later on or that cuts Nos. 1 and 11 would be taken up together ?

Sardar Hari Singh : I think it would be most convenient if you divide this subject into three parts,—University education, secondary education and primary education.

Minister for Education : I would make a submission. The best procedure would be to take up cuts Nos. 1 and 11 and have a general discussion on the educational policy and not discuss those cuts which raise specific issues, for instance, you have cut No. 2 on which some one wishes to

speak of the Rupa College. We would leave them for the present and raise a general discussion.

Mr. Speaker : As items Nos. 1 and 11 have a lot in common, they may be discussed together, but, if necessary, they will be put to the vote of the House separately.

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Mailsi, Muhammadan, Rural) : Sir, the general feeling outside the House is, and it is shared by many of us, that we are not deriving the benefit or getting the proper return for the money that we spend on our education, whether through the University or through our Education Department. The intellect that is acquired by the youth of this province through our educational institutions is often misguided and misdirected to an injurious path from the national point of view. The poison of communalism is found more among our educated population than it exists among the simple public living in villages who are so far deprived of this blessing. (*Hear, hear*).

Dr. Sir Gokul Chand Narang : Then close down our schools.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I am not going to follow the suggestion of my friend, Dr. Sir Gokul Chand Narang, who prompts me to say as he prompts others, who sit with him on the other side. I have known him too well to be caught in his net.

The two great modern poets of India have expressed their feelings on this subject. I would quote first that great philosopher of the East—Dr. Sir Muhammad Iqbal who says—

خوش تو ہیں ہم بھی جوانوں کی ترقی سے مگر
لب خندان سے نکل جاتی ہے فریاد بھی ساتھ
ہم سمجھتے تھے کہ لائیکٹی فراغت تعلیم
کیا خبر تھی کہ چلا آئیگا اعداد بھی ساتھ
مگر میں پڑ پڑ کے شیریں تو ہوئی جلوہ نما
لیکے آئی ہے مگر تیشہ فرہاد بھی ساتھ

Translated into English it would run like this—

“ We are pleased with the intellectual progress that our youngmen are making, but this feeling of pleasure is often mixed with pain and grief. We were under the impression that the net result of education is national prosperity and peace of mind, but unexpectedly we find that it is accompanied by dissatisfaction and lack of faith in each other. If I were to quote a simile I would cite the story of Parwez, King of Persia, who succeeded in winning the hand of young and beautiful Shirin not knowing that his beautiful spouse was accompanied by the fatal axe of her former lover Farhad.”

Then Akbar Allahabadi in whose humour and satire we generally find the bitter but true realities of our present society has expressed his view on this subject. He says—

تعلیم کا شور ایسا تہذیب کا غل ایسا
برکت جو نہیں ہوتی سسٹم کی خرابی ہے

[K. B. Ahmad Yar Khan Daulatana.]

Translated into English it would run like this—

"Education is the cry of the day, and culture the order of the times. Both of these bear no fruit; the secret of their failure lies in the defect of the system in imparting these."

My own feeling about this subject is that all our efforts to prepare the ground for the crop of nationalism will be a waste of energy as long as the entire field is overshadowed by the tree of communalism, and the pruning scissors of impartiality, justice and toleration used by our sagacious Premier in lopping and cutting the overgrowth of this tree will not yield the desired results unless we check its growth permanently and deprive it of its nourishment, so that it dries up and dies a natural death (*hear, hear*).

Dr. Sir Gokul Chand Narang : By abolishing communal electorates.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Dr. Sahib has just suggested the abolishing of communal electorates. "How bold is the thief who carries a lamp with him." I will come to that at the end of my speech. I am glad he has given me an opportunity of replying to him on this subject.

Mr. Speaker : Can he give an opportunity, while I am in this Chair? (*Laughter*).

Khan Bahadur Mian Ahmad Yar Khan Daulatana : When I come to that subject, I hope the Chair will allow me to speak on it and will appreciate what I say. I have been a student of History in my own humble way and have been in close touch with the politics of this province for the last seventeen years and my diagnosis of this disease is this, that the tree of communalism is provided with the soil on which it grows by the inaccurate History text-books that are taught in our schools. (*A voice*: That is one factor). It is watered by the denominational institutions: it receives oxygen from the irresponsible Press and the sunshine on which it flourishes is provided by the fanatic religious preachers and the selfish communal leaders. (*Hear, hear*). This is my diagnosis.

It is not in my jurisdiction and province at the present moment to discuss all the elements that nourish this tree. I will only make casual remarks about the fanatic religious preachers and selfish communal leaders and I feel that it is impossible for us to get rid of them unless we get a Mustafa Kamal or a Hitler even at the cost of making my friend from Sialkot a "Political Orphan" (*A voice*: Including yourself). We cannot do away with the fanatic religious preachers and selfish communal leaders with the limitations and obstacles placed in the way of popular Ministers in this country. About the Press, it is rather a ticklish question. I must say a sentence about the Press.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P.M. Mr. Speaker in the Chair.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Sir, before we adjourned for lunch, I was discussing the elements that are responsible for the nourishment of the communal spirit that has over-shadowed the entire ideal and sentiment of our national activities and I said that these elements

are denominational institutions, the Press, the fanatical religious and communal leaders. I think it will not be irrelevant for me if I were to suggest remedies in my own humble way about all of them. But before I pass on to the undesirable text-books on history that are taught to us in schools I would make a few remarks about the Press and the denominational institutions. Newspapers can do great good to promote the cause of better communal relations in this country, but unfortunately they have not been doing their duty and as a rule sacrificed the interests of the motherland at the altar of their circulations and I feel that even at the present they have succeeded in hood-winking and misleading the All-India National Congress.

Sardar Sohan Singh Josh : Ah !

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Personally I welcome the acceptance of offices by the Congress and no one is more pleased than myself, because that will afford us an opportunity to run a healthy race with them (*hear, hear*) and the public will be able to decide—.

Sardar Hari Singh : And accept Rs. 500 as salary.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : About us on merits and I can assure my friend that we shall not occupy these benches a minute after we find that this is not our proper place. Why I said that the Press has hood-winked the Congress is this, I may be entirely wrong, but as I have been connected with the Press, my feeling is that the entire Press did not believe that acceptance of office was in the best interest of India but they felt that if the Congress did not accept office, it was bound to resort to unconstitutional activities and if they did not support them they would lose their circulation and if they supported the Congress the Press Act would adversely affect their pocket in other ways.

Sardar Sohan Singh Josh (Urdu) : On a point of order, is the honourable member speaking to the point ?

Mr. Speaker : Will the honourable member please speak to the motion ?

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I will leave the Press, as it is, because my friends do not wish me to say anything about it.

Dr. Sir Gokul Chand Narang : It is the Speaker who does not want you to speak about it.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : The Speaker has interrupted me at the request of some of the members. A word about the denominational institutions and that is this. In my humble opinion, there is no justification for denominational institutions at the present moment. They have outlived their utility, if there was any at all (*hear, hear*).

Sardar Hari Singh : And so has communal award and communal representation.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : It might have been necessary to have the denominational institutions when people had to be attracted towards education by artificial means, but they are now definitely an unmixed evil. They involve unnecessary wastage of our public funds and also feed communalism and fan the fire of communal hatred.

[K. B. Ahmad Yar Khan Daulatana.]

Coming to the subject of history text-books I have already quoted the opinion of Dr. Sir Muhammad Iqbal and Akbar Allahabadi. Before I proceed I wish to quote one or two passages from the speech of Sir Akbar Hyderi which was delivered by him in Hyderabad and which was reproduced in the *Eastern Times* of the 7th July, 1936. The speech is reported as follows: Analysing the causes of communal antagonism that prevails in many parts of India, Sir Akbar Hyderi said—

“ This was mainly attributable to the way in which history text-books had been written and taught. History should be regarded as an organic and evolutionary process in which the different races or dynasties succeeded each other almost inevitably owing to the operation of social, economic and political causes and where each in its own special way contributed to the cultural development of the country as a whole.

He wished that historians, instead of dwelling on wars and persecutions due to religious bigotry, would lay special emphasis on those events and actions which promoted social harmony and co-operation. He instanced examples like grants made by Tippu Sultan to Hindu temples and his request to Brahmins for prayers for his success or grants that Aurangzeb gave the Benares temples.”

I have also in my possession the opinion that has been expressed by two great English writers Dr. Johnson and William Wordsworth on this subject. Dr. Johnson says,

“ We must consider how very little history is—I mean real, authentic history. That certain kings reigned and certain battles were fought, we can depend upon as true; but all the colouring, all the philosophy of history is conjecture.”

In the life of a nation ideas are not the only thing of value, sentiment also is of great value and the way to foster sentiment in a people and to develop it in the young is to have a very carefully recorded and accurate past. Wordsworth says—

“ I should dread to disfigure the beautiful ideal of memories of illustrious persons with incongruous features and to sully the imaginative purity of our classical works with the gross and trivial recollections.”

Ten years ago I brought this to the notice of our provincial Government. It was on the 10th of March, 1927, that while discussing the grant to the University a similar cut as is before us to-day—

“ There is one thing which I want to bring to the notice of the Honourable Minister for Education and that is the courses that are being taught in the University, especially the courses of Indian history. I am a student of Indian history and I find that the courses that are taught in our present schools are the worst available. There are many untruths in the prescribed books on Indian history and we find all these mis-statements in an exaggerated form in the text-books taught in our schools. Everybody has got friends and enemies and histories are written in different ways.

داستانِ عہدِ گل را بشنو از مرغِ چمن
ز اہمها آشفته تر گفتند این افسانہ را

“ If you wish to hear the story of the spring, hear the song of the spring birds. Crows who are unacquainted with days of blossom have their own tale to tell.”

It was again when I moved my University resolution about the appointment of a committee to suggest reforms in our University in December, 1931, when I said—

“ There is one thing about which I should accuse the present University for not having done its duty. I think and I believe that the text-books on Indian history read by our students are not ideal text-books containing real history. We all know that Indian history as outlined in books available at present contains a greater

number of lies than the history of any other country in the world. (My honourable friend, Pandit Nanak Chand asked "for example.") I do not like to give examples because I would be bringing in things which I wish to avoid. I think the communal child in this province has been given birth to and mothered by the present text-books, nursed by the press and eventually fathered by certain communal leaders whose leadership, importance and indeed, whose very existence depends on the bitterness among various communities. I have been a student of Indian history and without discussing the question on the floor of the House I may say that I am convinced that there are several stories that we read in our books on Indian History which are absolutely fake. The impression that is left in the mind of a non-Muslim student after reading the history of Moghul reign according to Shibli is this."

Mr. Speaker : The honourable member is reading his speech.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I am quoting.

Mr. Speaker : I think I am right in saying that the honourable member is reading his speech. It may be a previous speech, yet he is reading his speech which he is not in order to do.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : What I wanted to say was that it was once in 1927 that I brought this question to the notice of the Government and it was again in 1931 that while moving my resolution for the appointment of an enquiry committee about the University affairs, I again brought this to the notice of the Government. I am not going to read anything further. The impression in the mind of a Hindu student after reading the Muslim History will be nothing more than this—

تمہیں نے دیکھ ساری داستان میں یاد ہے (تنا
کہ عالمگیر ہندو کش تھا ظالم تھا ستمگر تھا۔

"In the whole story of their greatness you are only concerned with this that Alamgir murdered Hindus was cruel and author of crimes."

Again, on the 25th November, 1932, I moved a resolution. May I read that resolution, Sir? It was—

"This Council recommends to Government:—

- (i) to appoint a competent officer on special duty to get the courses of study in the schools and colleges of the province scrutinized with a view to expunge such of them from the curricula as in his opinion promote communal hatred; and
- (ii) that steps be taken to get revised the books on Indian history, particularly its Muslim period and get re-written such portions as are found historically incorrect."

I was given a very sympathetic reply by my honourable friend, Sir Feroze Khan Noon, the then Minister for Education and I thought that a special officer would be appointed. After one year, when we were discussing the next budget, on my enquiry, I was disagreeably surprised to find that an officer was appointed and that he submitted his report saying that there was no need for any revision. The strange thing was that I the mover of the resolution was not consulted by that special officer. He never took me into confidence and before having my views the officer submitted his report that there was no need of revision. I do not know whether he consulted anybody else or not.

Now, Sir, my own view on this subject is that even if some of our ancestors and past kings had been fanatics and oppressed religious communities, I would rather like the students to remain ignorant of it. What is the use of knowing a historical fact, which will only make our present and future

[K. B. Ahmad Yar Khan Daulatana.]¹

generations nurse communal hatred among themselves? (*Sardar Mula Singh*: Is there no time limit?) (*Voices*: No. no.) Sir, the irony is that even these alleged misdeeds which we are taught to abhor are more often fictions than facts. I may give you several, nay, numerous instances of these monstrous untruths, that have been thrust down our throats by means of those inaccurate history text-books. But, before I come to this, I would like to emphasise that the University and the present cabinet will be doing a distinct service to the cause of nationalism, if they made a provision for the purpose of producing text-books in general and those of History in particular which have a tendency to promote communal goodwill and love instead of communal ill-will and hatred. I find that points of orders about time limit have begun to be raised. (*Voices*: Ruled out of order).

There are so many historical lies in our history text-books that I find it very difficult to select a few out of them to excite the indignation of the House. I can satisfy any honourable member of this House or any member of the Education Department or the Punjab University, that the facts, mentioned in our history text-books about Ibn-i-Qasim, Razia Sultana and other kings who reigned before Moghuls, are mostly incorrect. I can prove this by means of contemporary history. I have selected three instances to mention. One about Akbar, the other about Jahangir and the third about Aurengzeb. Sir, my own complaint is that even in the history of Akbar justice has not been done to that great monarch. I will give you one fact about which I find no mention in the text-books that are taught in our schools and that is this that Akbar sent non-Muslim Governors to his home provinces in Kabul and Kandhar. In this century it is difficult for any Indian even in these days to become a Governor for more than four months and that too in very special cases. Among the history text-books that are taught to the matriculation students is one by Messrs. Ishwar Das Kahan Chand. In that book on page 189 you will find this passage—

"He began to like the beautiful maid who was witty withal. When the Emperor (the Emperor here means Akbar) came to know of this he married the girl to one Ali Kuli Khan (later on called Sher Afghan, because he killed a tiger) and sent him away as Governor of Burdwan. But Jahangir remembered all this. Within two years of his accession he got Sher Afghan killed and Mihr-un-Nisa transported to Lahore. She did not like the Emperor in the beginning, and he also began to disregard her. But within a few years she became more docile. So they were married. Henceforth she became the ruling beauty of the Harem."

This is the passage that is taught to us in the history text-books prescribed for our schools and against this you have a book written by Mr. Beni Prasad, who is a professor of the Allahabad University. This book was published some years ago and this is the passage found there. On page 176 of his book—*History of Jahangir*—you find:

"Sher Afghan's widow and daughter, named Ladili Begam were sent to court where Itimad-ud-Din Daulah held high Office. Mehr-un-Nisa was soon after appointed a Lady-in-Waiting to the Sultan Salima Begam. In March 1611, Jahangir, happened to see her at the vernal fancy bazar, fell in love with her and married her towards the close of May.

Such is the real story of the celebrated and momentous marriage. The version that Jahangir fell in love with her during the lifetime of Akbar that the latter refused to gratify his wishes and induced Mirza Ghiyas to marry her to Sher Afghan, that the disappointed lover immediately on his accession to power, basely contrived the death of his more successful rival, that the high-souled Miherunnisa indignantly rejected the overtures of her husband's murderer for years, but that she yielded at last—all this finds absolutely no support in contemporary authorities."

This was written by a Professor of History of the Allahabad University five years ago. But the scandalous passages are still found in the text-books prescribed by this University and written by the Registrar of the University who does not know what he is writing and what he is talking and the pity is that it is written by the Registrar of our University, who should have read the book written by Mr. Beni Prasad—

چون کفر از کعبه بر خیزد کجا ماند مسلمانان

“If in the holy precincts of the Kaba people indulge in idolatry, then woe befall those who profess faith outside.”

It is imperative and is the duty of those concerned to appoint—when any important office of the University is to be filled in future—a recognized historian preferably an Indian even if he is to be imported from outside. Now, Sir, I would come to the much maligned King Aurangzeb.

Minister for Education : I may make a statement which would save the time of the House. If the intention of the honourable member is to impress upon the Government the necessity of an enquiry, I may say that the Government sometime back appointed a committee and the committee has gone into this matter and its report has been submitted to the Government.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I was going to say that it is criminal neglect on the part of all concerned to allow such passages to remain in our text-books, when five years ago another book was written by a Professor of History of another University. I am accusing the past Government for this neglect. (*Interruption*). The present Government has been in office only for three months and cannot be expected to do miracles in such a short period. Now I come to Aurangzeb. It is said that it is common belief that he forcibly converted Hindus to Islam. There are hundreds of passages to this effect in our text-books and these writers have not taken the trouble to consult contemporary histories available. But I would only appeal to your common sense. Ambala and Meerut divisions adjoin Delhi. If Aurangzeb indulged in forcible conversion, the effect of that would not have been seen in Muzaffargarh or Campbellpur but should have been felt in the Ambala and Meerut divisions. We find that up to this day the majority of the property in those divisions is held by the Hindus and the majority of the population is also non-Muslim.

I am against forcible conversions. My own feeling is that Aurangzeb was a stern disciplinarian. He removed every undesirable element from his way, whether he was a Hindu or a Muhammadan, his father or his brother and it is absolutely mischievous misrepresentation of facts to say that he was anti-Hindu. If you study his life you will find that his whole life was spent in destroying the great Muslim power in the south. (*Pandit Shri Ram Sharma :* He destroyed his own kingdom also). He did not. I am sorry my friend does not know. If you read the history you will find that the greatest achievement of Aurangzeb was to destroy the most important Muslim power in the south. Had he not done so the Muslim position in India would have been different from what it is to-day. About a year ago one of my honourable friends, who is not here now, when talking to me said, Aurangzeb was a great enemy of the Sikhs. At that time I had not

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read about that period of his reign. But now I have got a book in my possession. In that I find that the relations between Aurangzeb and Guru Gobind Singh were at one time very friendly and affectionate. It is on page 258 of the book called Aurangzeb and his time written by Zahir-ud-Din Faruqi, B.A. (Alig.), Bar.-at-Law. I should like the historians of our Education Department and the University if there are any—but I am afraid there are none—to read this book. I should like to quote a few verses from the writings of Guru Gobind Singh Ji which will startle many in this House. Guru Gobind Singh, Sir, was a Persian scholar and wrote poetry in Persian. He wrote a poem known as Zafarnama and addressed it to Aurangzeb. This poem was published by a gentleman of Nabha State, called Hakim Arshi in 1936. The following verses from that Zafarnama will open a new chapter of research for the historians who have so far only talked of the fights between Aurangzeb and the Sikh Guru. Guru Gobind Singh wrote—

خوشا شاه شاهان زورنگ زيب
 كه چالاك دست است و چابك رقيب
 منم كشته ام كوهيان پرفتن
 كه آن بت پرستند و من بت شکن

“August is the name of Aurangzeb the King of Kings whose hand is quick in despatching his enemies and whose steed speeds fast to vanquish his foes.

I am the same one who has put an end to those who took shelter behind the mountain and nurtured the seed of disorder for their minds were tainted with the worship of idols and mine aflame with the fervour of breaking them.”

(A voice : Why not read further on ?)

چو دست از رده حياقير در گسست
 حقل است بردن به شمشير دست

I may remind the Honourable member that this was not composed by Guru Gobind Singh. It was composed by Sheikh Sa'adi many centuries before Guru Gobind Singh was born.

Sardar Lal Singh : It may have been composed by Sheikh Sa'adi but it is interpolated by Guru Gobind Singh.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : My friends are not aware of it. If you read the whole poem you will find that if he had written this verse of Sa'adi to Aurangzeb it was to impress upon him the necessity of dealing with the “Sant Hai Maqhur” with sword. The whole poem is written in a spirit so as to excite the wrath of Aurangzeb against the Hindus who were idol worshippers and to advise him to change his policy of toleration against them. Shivaji has been made a Hindu hero. What did he do? He only fought for his masters, the Kings of Deccan, against the King of Delhi and fulfilled the duty of defending his Kings and his motherland against the aggressive invasion of the Emperor of Delhi. If we have to record the stories of our past, let us record the glories of our past. The glories of the mighty services rendered to India by the renowned Kings of the ancient India and the mediæval Muslim India. So long as our history

books live we cannot think of killing the demons of communal hatred and racial prejudices and we cannot shake off the inferiority complex. From the days of the great push by the Arians of the Central Asia Plateau down to the very era in which we live we have nothing so recorded that may give us the impression that the Indians have ever been or can ever be capable of being national minded. Here are the aggressors from the foreign Central Asian Plateau and taking possession of the fertile plains of Saraswati and Jamna pushing the old inhabitants down towards the south, branding them as slaves, shudras and untouchables. There are Budhists and Jains trampling the Vedas under their feet and killing the ancient Hindus of the Sanatana Dharma and then we see Rajputs fighting against Rajputs. It is the result of my study that the 75 per cent. so-called facts about these incidents are utterly false. I will now quote from a historian who writes—

“ One hundred and forty-six lifeless logs of wood that could neither struggle nor refuse each measuring an ordinary man's size would require much more than 324 sq. ft. to accommodate them in an absolutely jammed up condition.”

This is what we find in our history books regarding the Black Hole—324 square feet in which 320 people were kept prisoners by a Muslim king. I can go on giving examples for two days. I have every hope that our present Government which is a responsible Government and which is more anxious than anybody else to bring about communal harmony in this province, would consider this question more seriously than was the case with their predecessors. I would in the end only say this much that it may not be possible for us to eradicate from the foundation the high walls that separate us from each other on account of different cultures, surely we can lower those walls which have been built up by these historical inaccuracies irresponsible Press, denominational institutions, fanatic preachers and selfish leaders who have been encouraged by the authorities in the past, so that we can see each other more distinctly and say ‘how do you do’ directly instead of talking through a mischievous exchange which is fitted with the television of unreality, division and exaggeration.

In the end I have to reply to my friend Sir Gokul Chand Narang who should have been the last person to put this question to me that one of the causes of our communal discord is communal electorate.

Chaudhri Krishna Gopal Dutt : Sir, is it all relevant to the subject under discussion? The motion is of course relevant but the question of communal electorate is not relevant to the question.

Mr. Speaker : I have, more than once, remarked from this Chair that an able speaker can make any irrelevant thing relevant.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Sir, I stated that there were four elements which were responsible for keeping alive the fire of communalism and I am grateful to my honourable friend Dr. Sir Gokul Chand Narang for reminding me that there was a fifth one and that was communal electorate.

Mr. Speaker : The honourable member need not enter into that controversy.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Sometime we were discussing the communal formula among the Hindus, Muslims, Sikhs—

Mr. Speaker: The honourable member should not refer to it.

Dr. Sir, Gokul Chand Narang : Personally I do not mind, let him say anything he likes. I will not resent it.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I think it should not be difficult to detect a blush on the face of those who are responsible for torpedoing the communal formula of the Punjab and wrecking the successful result of the efforts of our leaders at the eleventh hour when almost all the members of the previous Council had agreed to a permanent communal settlement.

Lala Bhim Sen Sachar (North-Western Towns, General, Urban) r Sir, I think this is the first time that we have heard some very refreshing phrases from the lips of the members both on this and that side of the House. Some very interesting words have been used : even the word "scandalous" has been applied in describing certain events and some of the fiercest criticisms have been levelled against the apathy of the last Government towards the educational system that prevails in this province. It is really very pleasing to hear that there is one subject at least on which, as the honourable mover of the cut said, we are expected to feel together and speak together about the grievances of the people of the province. I think, I am on perfectly safe ground when I say that the present system of education is so hopelessly defective, is so hopelessly rotten and is so hopelessly out of tune with the real needs of the province that not a minute should be lost in completely overhauling it.

When I say that this system of education is unsatisfactory there must be some reasons for my characterising it as such. Why do I characterise it as unsatisfactory? We call a person unsatisfactory when he does not come up to our expectations. Similarly when we say that this system of education that prevails in this land of the five rivers is defective or unsatisfactory it only means that it does not fulfil our expectation. Why is it that this deity of learning and knowledge which is the giver of choicest blessings should withhold those blessings from these unfortunate people of this land? Why is it that we do not get from this deity what is our due? After all, what is the minimum that we expect from this education? I speak in the language of a plain man. I do not refer to the various reports that my honourable friend the mover of the cut has so ably and lucidly placed before you. I shall not burden the House with quotations from here and there and figures taken from this book and that. I shall try to face the situation as we find it. I shall talk in the language of a plain man who feels that the present system of education has hopelessly broken down and that immediate steps should be taken to relieve the distress in which the people of the province find themselves with respect to this. (*Hear. hear.*)

What do we expect from this education? This education is expected to give us health, wealth and character. Shall I talk of health? Shall I show you the models of health that this education is producing in this province? Shall I take the greatest product of the Punjab University, a first class first of the M.A. degree Examination and make a present of that noble young man to you with withered cheeks, sunken eyes, broken back, panting for breath, a mere bundle of bones? That is the picture that I draw of the general product of our University. Judged by this test of health, the

system of education in our province stands condemned. (*Hear, hear*). There are, I am sure, many honourable friends in this House who would fain renounce their degrees of Masters of Arts, if only they could get back their rosy cheeks, if they could stand erect and like the peasant in the field, they could bear the hardships and privations of life. But, alas, for those friends the past is gone, they have been sacrificed at the altar of the present system of education. Therefore my first submission is that we must so shape our system of education that it takes account of the physical health of the students. The system of education which does not make military training compulsory for every boy in this province is not the system of education that this province requires. (*Cheers*).

We hear that the police has to be maintained in order to keep us in check, to protect us against breaking our heads or fracturing of limbs. What else can we expect in this province where people are not able to defend themselves? If I had a say in this matter, I would sacrifice lakhs if only the province can keep its fair name and dignity thereby. We do not want the police to protect us if we only have the physical strength that is our due.

Then coming to the question of wealth, how much of wealth has this system of education enabled us to earn? It is well known to honourable members that the present system of education has not generally enabled the sons of the Punjab to earn even a bare living. There are many honourable members in this House who are aware of the sad plight of the youth, of the flower of this province. I am also one of those unfortunate people who have almost daily to come across young men with applications in their hands for jobs on Rs. 80 and Rs. 40—the flowers of the University, M.A. first class first, with 15 or 16 years of education behind them, with the wealth of their parents wasted at the altar of this deity in the hope that they will be able to earn a living and be a source of sustenance for the poor old parents. There is not a man in this unfortunate land of ours who can earn a living for himself as of right. It is only the lucky few who get some opportunities of making a living for themselves. I am sure it will not be considered an exaggerated statement or an irresponsible remark on my part when I say that this system of education generally speaking does not enable young men to earn a living for themselves.

That is not all. Look at the tragedy of this system of education. If it does not enable young men to earn their living it may result in consequences which are fraught with danger. Remember it is unemployment that constitutes the real danger to the peace of the province which is so much near the heart of the people. I want the Government of the day to take a very serious note of that. It is no use saying, 'There is so much of unemployment, where are the means and the resources to come from?'

Permit me to make a reference to a simple illustration. Take the instance of a home where the total income is only Rs. 100 per mensem. The young sweet boy of the family is laid up with typhoid and the best medical advice is suggested, which would cost about Rs. 75. If the medical aid alone would consume away Rs. 75, would Rs. 25 be sufficient for the parents? I put it to you: will those parents say, "Oh no, we will not give this medical aid to this boy because we cannot afford to forego the luxuries that we must have?" Do you think those parents who love the child so dearly would prefer to have their own luxuries to sacrificing them for the sake of the child?

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If in this family there are children who are dying of starvation, should the parents say we must have our so many thousands first? This is the sort of family life that is sought to be produced in this province. What shall I say of character and of this education which was intended to give character? What is the general standard of character of these blooming young graduates coming out of the university? I am one of those who will not conceal our shame merely because of the world. I would talk of it in the spirit of a friendly critic so that we may know our defects and improve them. It is in this spirit that I talk of character. What is the character, generally speaking, which this education gives to our young children? If character consists in putting on finest European dress only, if character consists in making scoffing references to your elders, if character consists in belittling everything that is yours, if character demands that every other woman in this world should not be regarded as your sister and daughter, then it is no character. What do we find to-day? Men and women imbued with western spirit considering themselves as men with polished manners! I had to hang my head in shame when an officer of the Indian Educational Service, remarked yesterday in a public debate, that young men with fine dresses and with apparent polished manners go about purusing some of their sisters on the Mall. Is that not a sorry state of things? Is this the sort of education that we want to give to our youth and if our youths are not free from this taint, is it not the fault of our education? Surely it is the fault of education. You say that you produce scientists, mathematicians and other people but what are their achievements? I do not put myself in the balance against my friend who has spoken before me. I may be permitted to say—

نہنگ را ڈہدا و شیر نہ مارا تو کیا مارا
 بڑے موڈی کو مارا نفس امارہ کو گر مارا

Where is that education that provides our young men and women with the stamina to resist the temptations when they come in their way? These young men are addicted to cinema lives, youngmen revelling in novels of the lowest type, youngmen with whom spirit is but a word in the dictionary. If this is the system of education, surely there is need and, I should say, urgent need to put our heads together to devise ways and means of reforming it. Who amongst us is there who can say that this system of education produces even a small measure of faith. We have no faith in the country in which we live. There is no faith even in Him who is the producer of everything in this world. Where are those people who have faith and where is the faith that education produces? If this education were really producing faith and if we were really full of that faith, do you think there will not be young men who would come out in numbers to revolt against the present circumstances which are going about? There is no faith. I do not wish to take the time of the House any further. Shall I say that we are determined to set this thing right? We have been assured by the speaker who preceded me that efforts will be made to set it right. But shall I not say a word about the causes which had been referred to by my learned predecessor? While giving these causes and the reasons which are responsible for this communal bickering and communal hatred in the province, he has narrated certain facts and

he has tried to give the reasons and the causes for them. We on this side are people who will not leave any stone unturned for creating circumstances which would rid this province of the standing shame of communalism and communal hatred. I am sure every section of the House here is one with me in this expression of the hope that communalism should be turned out of this province lock, stock and barrel (*hear, hear*).

But, Sir, the way to turn out communalism is the one on which there will unfortunately again be a difference of opinion. This present system of education is largely responsible, I hold with my learned friend, who has preceded me, for producing and nourishing this cleavage between the two great communities in this province. And why? Who was responsible for this? How was this state of affairs brought about? The learned speaker over there had stated that the past Government was responsible for all this. I am glad he feels the boldness to ascribe the blame to quarters where we have laid it for years. I am glad he has now opened his lips, but shall I say one thing, shall I say that he wanted to relieve himself of the responsibility for bringing about this state of things in the province? Can my friends opposite, can most of those friends who are sitting on those benches, really be relieved of the responsibility for creating that state of affairs in the province? For the last seventeen years, according to the statement of my learned friend over there, he has been in touch with the politics of the province and what have been those politics? The politics of the foreign exploiter on the one side and the politics of the peoples' representatives on the other. That state of things has been brought about by the benign Government of the time and permit me to say, the present Government shall never be able to claim the privilege of eradicating this curse from the province unless it takes courage in both its hands and proposes a radical solution. It is they, my friends opposite, who were defending here the past Government. It is not we who did that.

It was stated: We have been in office only for four months. Give us at least five months more to bear the fruit. I may be pardoned for saying, and repeating my apology to my friend—

بہر زنگے کہ خواہی جاسمہ می پوش
من انداز قدرت را می شناسم

We know the Roman hand and we know the persons who were responsible for running the past administration and we know the exact part which is now being played to eradicate the evil, but they need to propose very radical and distinct programmes before this curse can be taken out of the province. No amount of conferences, permit me to convey it to the Honourable Premier, no amount of conferences, no amount of whitewashing or patch-work will eradicate the evil root and branch. You have to take radical measures. We heard the other day a very refreshing announcement on the part of the Education Minister when he said that he was one of those who would like to close down the denominational institutions. Denominational institutions may be blamed by those who honestly believe that they are responsible for spreading communalism and even by those who have a purpose in blaming them. But when we discuss these denominational institutions, let us not forget the part they have played in spreading education in the

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province. Even the other day the Honourable Minister for Education refused to extend primary education or a little bit of this education or a little bit of that education on the ground of financial stringency, and if to-day the denominational institutions are to be replaced, is Government in a position to replace all the denominational institutions ?

Minister for Education : I did not say that I feel inclined to close down the denominational institutions. My words were : I look with very grave concern on these institutions because of their atmosphere.

Lala Bhim Sen Sachar : I am obliged to the Honourable Minister for Education for correcting me, but the point remains that he is one of those who look askance on these denominational institutions. Denominational institutions are bad, they are very bad, according to him and according to many more who think with him, but permit me to ask one pertinent question and it is this : Are they worse than the Government institutions in these days ?

Minister for Education : I am prepared to admit that this atmosphere exists even in Government institutions and I am out to reform them all.

Lala Bhim Sen Sachar : I am obliged for the definite admission, but I would ask his pardon for not feeling content with his reply, because I hold that the Government institutions to-day are worse than the denominational institutions. There is not a denominational institution in the province which would shut its doors against any student on the ground that he belongs to a particular community, but it is a shame on the Government institutions which would not permit inside their portals Hindus beyond a certain number and Muslims beyond a certain number or Sikhs beyond a certain number. This is what it comes to when you say that in the Medical College only so many Muslims will enter, in the Government College only so many Muslims will be taken, or so many Muslims will go because they are not Hindus or so many Hindus will go because they are not Muslims. And then you come forward and assure this House that you want to remove this communalism from this province.

Minister for Education : Does my honourable friend know that in the denominational institutions there is only a sprinkling of the other communities. Can he say that the doors are not shut ?

Lala Bhim Sen Sachar : Yes, it is a fact, but it is not the fault of the denominational institutions. I am not one of those who hold a brief for denominational institutions, but I want to tell you that these denominational institutions have served a purpose. If these denominational institutions had not been there, this godless education that is being given would have disturbed the equilibrium worse still, we are Godless enough already. There is nothing of the spirit left in us. Some good part has surely been played by these institutions after all. A mere statement is not enough. When an announcement comes from a particular quarter that this communalism should go and I repeat it to a person telling him look here, the statement has been made that this communalism should go and he inquires the source of that statement and I inform him and he whispers in my ear you should be very cautious, you have to be very careful about the statement of a person who can go to the extent of promoting a Muslim Insurance Co., in the province.

If communalism can go to that extent, if we can go about advertising Muslim Insurance Company consisting entirely of Muslim directorate and one of the honourable members is so intimately and closely in touch with that concern, being one of the promoters of the company,—we have to consider many times before we can think of removing communalism. My submission is that we have to make very radical changes.

Minister for Education : Permit me to make a personal—

Mr. Speaker : I do not think it is parliamentary. If a speaker quotes wrong figures or facts, it is open to any honourable member to correct them immediately or wait till the end of the speech ; but to reply piecemeal to every part of the argument advanced or the speech made by a member is not right.

Minister for Education : I am rising to a personal explanation and the honourable member has given way. Since my honourable friend has referred to the Insurance Company, I may point out that I waited for 25 years to know whether other institutions would allow muslims to take their proper share. If he would have looked into the directorate of the other companies and their staff, he will find that I am justified in doing that and I am not ashamed of it.

Lala Bhim Sen Sachar : I may be permitted to say that I did not make a pointed reference to the Honourable Minister.

Minister for Education : He distinctly pointed to me. He said that if a suggestion comes from a man who has promoted a Muslim Insurance Company and so on. The suggestion came from me and I am prepared to close that Insurance Company, if you are prepared to make room for some Muslims.

Mr. Speaker : The honourable member should not have been personal.

Lala Bhim Sen Sachar : I am very sorry, if I have exceeded the limit of decency in debate. I apologise if I should not have gone to that extent, but what I was saying was and I did not at all take a personal view and did not bring in the personal element of the gentlemen into consideration. I was only referring to a public activity in saying that we have to be very careful and cautious in taking the words of that gentleman. That is all what I was trying to say and the position that I wanted this House to appreciate is this that this system of education will never be improved, the cherished desire of our Premier will never be realised, it will never even be possible to eradicate communalism from the province, unless we are visionaries, which my friend on the opposite benches (Minister for Finance) would not like us to be, unless we can fly on the wings of imagination, unless we can take ourselves out of the slough of the present and rise above those people who just now rule over us and control our destinies. What I was trying to make out was that we should not shift the blame from ourselves, but as a matter of fact, should be prepared to concede and to take a proper share of the blame. It does not look very well on the part of some of the members on those benches who have had the opportunity of controlling the policy and the destinies of this province in the past now to come forward and say that the state of affairs is due to something else that it is due to the clash and conflict that is essential between the people of the province and those who for the time being happen to hold the reins of the province in their hands. I want to conclude

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my speech with the remarks that if we want peace and harmony, good will and love to be promoted in this province, if we want that our educational system should be improved, we shall have to act like very bold people. There will have to be taken very radical measures. Communalism shall have to go from everywhere (*hear, hear*), whether it is in educational institutions whether it is in services or whether it is in the military or police (*hear, hear*). Unless you come forward with boldness in both your hands and convince the people that you want communalism to be eradicated, things will never be set right.

Mrs. J. A. Shah Nawaz (Outer Lahore, Muhammadan Women Urban): Mr. Speaker, before I begin my speech I hope you will be kind enough to allow me to say one word to my friends on the opposite benches. I would very much like to take this opportunity of congratulating them with all my heart on the wise decision that has been arrived at yesterday by the Working Committee of the Congress, (*hear, hear*). A very well-known Irish statesman said to me one day in 1935: "Go and tell my Indian friends that as long as we stood outside the constitutional sphere, we could get nothing but as soon as we entered the constitutional sphere what is it that we have not managed to secure"? Now that all the Indians are going to join hands to work the new constitution and try to get the best out of it, I hope that the day will soon come when India will take her rightful place with the other Dominions in the British comity of nations (*hear, hear*). Mr. Speaker, this morning my learned friend Sardar Hari Singh told us a great deal about the defects of the present University education. Let me remind him of one thing that under the new constitution any university that has to do with more than one province or with Indian States, the control of that University has to be in the hands of the Central Government. He reviewed the position of the Punjab University, the progress it has achieved during the last 30 or 40 years, but he quite forgot to mention this aspect of the question. I would like to request my honourable friend on the opposite benches to take this into consideration and join hands with us in requesting the Government of India to hand over the control of the Punjab University to the Local Government.

Sardar Hari Singh: I think there are only two universities, the University of Benares and the University of Aligarh whose control is vested in the Government of India. The control of all other universities is vested in the provincial governments.

Minister for Education: May I inform the honourable lady member that the control of the University is with the Punjab Government but some difficulty is being experienced as regards further legislation.

Mrs. J. A. Shah Nawaz: Under the present constitution, as I said, any university, that has to do with more than one province or Indian State, the control of that university, in certain respects, is vested in the Central Government. I mean with regard to legislation of course. As far as the Punjab University is concerned, as you are all aware, the Frontier Province is also linked with this province. Therefore, the request that I have to make is this that the members of our Cabinet should approach the Government of India with a request to hand over the full control of the University

to us, even if we have to do away with the co-operation of the Frontier Province.

My honourable friend did not tell us anything about the Anderson Committee's report. I was hoping that he would say something about the report of that committee. As he is aware the recommendations of that committee have been before the Punjab Government for some time and we hope that Government will take early steps to act upon the Report of that committee. There are some of us on this side and some I believe on the other side as well, who do not quite agree with the recommendations of that committee, but I am sure that most of the members are anxious that with a few changes here and there the Report should be accepted as soon as possible. As you are aware, the committee has recommended 15 years' course for a degree—5 years for primary, 4 years for secondary, 3 years for higher secondary, that is preparatory to college education and 3 years for the degree. Personally I think that this recommendation is a very sound one. I hope that the Honourable Minister of Education will very soon take steps to act upon this recommendation of the Committee.

My honourable friend, Sardar Hari Singh also told us this morning about the large number of stipends and scholarships that are awarded to boys in English universities for secondary education. I am at one with him in all that he said. As most of the members are aware, a large number of scholarships and stipends are given on behalf of Government, local bodies and by various private institutions and individuals in foreign countries. It is essential that steps should be taken to organise the same system in our country.

Then, he referred to the question of the medium of instruction. That question, as all honourable members here are aware, is a question which is very ticklish. Personally I am one of those persons who believe that the medium of instruction for the whole of India—ought to be Hindustani with two scripts, Persian and Hindi. That I know can only be an ideal for the present and will take a very long time to materialise. At the same time I request the honourable members to bear this in mind that this is an All-India question and not a provincial one only.

Then my honourable friend, who spoke just before me, told us of the rotten system of education under which we have been working for so many years. He said that it is a system which is not suitable for our country. I agree with him, but I would not condemn the present system wholesale, as he has done, because after all he himself is the product of that system and along with him many great leaders like Mahatama Gandhi, Pandit Moti Lal Nehru and Mr. C. R. Das are also products of the present system of university education. But he was quite right when he said that the physique of our students, whether in schools, or in colleges, is not what it should be. It is essential that steps should be taken to provide compulsory medical inspection of schools everywhere in our province. In most of the western countries, the members are aware, medical inspection of schools is compulsory. There it is the duty of the State to see that children should be under the eyes of well qualified medical practitioners from the day they enter schools, and that small defects of eyes, ears and teeth should be taken care of as soon as they begin to appear. A couple of years ago, when the Simla

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Municipality sanctioned a sum of money for medical inspection of schools, I happened to be present in one institution when such an inspection was taking place. We were surprised to find that 75 to 80 per cent. of the children were suffering from tiny ailments of the eyes which could be easily cured during childhood; whereas if they were not taken care of many of those children would have had serious trouble later on and some of them would have lost sight altogether. I would request the Honourable Minister of Education to bear this in mind and see to it that medical inspection—and that also compulsory—should be provided for all the schools as soon as finances permit.

My honourable friend also spoke of military training. I agree with him. A couple of years ago it so happened that our leader, Mrs. Sarojini Naidu was speaking in the evening and I was addressing a meeting early the next morning and both of us were surprised to find that we had said the same thing to our audience that for at least a couple of years to come sons of Indian mothers whether they have one or seven must all be sent to the army. I believe that for learning discipline and for the development of physique military training is required for our next generation. In this connection we hope that there would be a rapid Indianisation of the Army so that young boys of almost every race and creed will have ample opportunities of improving their physique and learning the necessary discipline.

My honourable friend opposite also spoke of increasing the wealth of the nation. I quite agree with him that it is the duty of the Government, through schools and colleges, to try to improve the economic condition of the people by importing such instruction which would qualify the individual to earn his or her own living. I do not agree with persons who suggest lowering the standard of living and going back to cottage and cart. Why not have as your ideal the standard that the people are enjoying in the United States of America where every labourer possesses a car? Why not try to raise the standard of living by increasing the purchasing power of the millions in India? If that could be made possible both in India and China, where would the question of over-production be? In 1935 I had the honour of being present in the International Labour Conference. The Director in his yearly Report had pointed out that if means could be found to provide the necessary purchasing power for the millions both in India and China through some system of exchange the question of over-production would be solved. All the grain which was being used as coal in Canada and thrown into the sea in Chilly could then be utilised for the hungry millions of these countries.

I agree with our Honourable Premier that we should try to find new sources of revenue; at the same time trying to cut our coat according to the material available—economy on one side and new avenues of income on the other, so that the purchasing power of the people should increase and our poor labourer should be able to have a higher standard of living than we see at present. Now I come to the third point of my honourable colleague. He talked of having seen some young girls only yesterday who were dressed very beautifully, who had no aim in life—I think that is what he meant—but to be society butterflies. Whatever it was, let me ask him one question as to who is responsible for this.

Begum Rashida Latif: The fault in this matter does not lie with ladies, it lies with men.

Lala Bhim Sen Sachar : On a point of personal explanation. My sister has attributed to me—

Chaudhri Krishna Gopal Dutt : On a point of order. Is the use of the word 'sister' on the floor of this House parliamentary ?

Mr. Speaker : The honourable members may address as 'my friend,' 'my learned or honourable friend,' 'learned gentleman' 'learned representative' of such and such constituency, 'my sister,' 'noble lady' and so on. This is not unparliamentary.

Lala Bhim Sen Sachar: What I said was not that I had the misfortune of staring at certain girls or seeing them or watching them in their beautiful colour dresses. I did not say anything of the kind. What I said was this, that yesterday in a public debate a high officer in the Educational Service had said that young men dressing themselves up in beautiful dresses have the shame-facedness of pursuing their sisters on the Mall.

Mrs. J. A. Shah Nawaz : What I wanted to say was that as far as that question was concerned, I believe that it is not the system of education which is to blame, but it is the up-bringing in the home, what we call in Hindustani "tarbiat". Mr. Speaker, almost every day one comes across an article in the Press or some reference in a book or one hears of platform speakers talking of the evils of western liberty and freedom and of the western educational system. I remember when I first went to Europe for a couple of months, when I also like some of my honourable colleagues, had the opportunity of seeing the life of the western people only in hotels, in cinemas, or in public places, I also used to think on similar lines. I thank God for the opportunities that were provided for me in connection with the various conferences that I had to attend of going into and seeing the real home life of the western people. I realised then how those nations had become so great. I have gone into homes where the lady of the house had six children ; I have gone into homes of what you would call deputy commissioners here ; I have seen in such homes that in spite of the six children and the huge establishment, the lady of the house, having had all the opportunities of getting the best of the western education, has not has more than one or two help-mates. She had to see to the kitchen, she had to take care of the children and then she had to receive her guests, several of them coming sometimes from distant countries and had to perform many duties, as a mother as a house-wife and as a social worker in different spheres of life. That is the example of western education that I have seen. I have also gone into the homes of ladies who live in large towns with many cinemas and one of the house-wife told me one day that it was nearly two years since she had been to a picture, she could not spare the time as she had her hands full at home. Therefore, I would request my honourable colleagues here that whenever they have to listen to any such speech or they read any such article, they should help us by refuting these charges because they are quite incorrect, just as Miss Mayo's charges with regard to the life in our country are baseless. Ordinary travellers, who go to Europe see the life of the people only in public places, that is why they get a wrong impression of western education.

Before taking up the question of the present system of education. I would like to reply to another point of my honourable friend opposite. I

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quite agree with him that the correct building up of the character of our nation is greatly needed and it is there that the question of denominational institutions comes in. I agree with the Education Minister, and with our Chief Secretary who spoke this morning that the denominational institutions and some of our history text-books create a great deal of communal feeling in the minds of young people. But, why do we need these denominational institutions? Just because the Government of our country has forgotten that the young children have not only a body and a mind but a soul as well. I can quite understand the difficulty of the Government in providing religious instruction, but what is there to prevent them from supplying moral instruction in schools? "There are many religions but there is one morality" all over the world. I studied in an institution which made it imperative for every girl to attend a twenty minutes moral lesson in the morning and believe me, whatever I learnt in that school is imprinted with indelible ink on my mind. The Ten Commandments are the same in every religion. Why is it not possible to have a morality lesson in every school as the first thing in the morning, be it a primary or a secondary school? These moral lessons should include such things as our duty to God, duty to parents, duty to elders, duty to neighbours and so on, evils of telling lies of stealing and other things. That is an easy thing to provide and I see no reason why such morality lessons should not be imparted especially to children in primary and secondary schools. When this is done I am sure denominational institutions will not be needed.

There is one thing which I think, my honourable friend on the other side pointed out and it is this that even in sport communalism is creeping in. One hears Hindu-Muslim cricket matches; I have myself been a witness to one of them and I shall never forget the inflamed feelings of both sections on that day. I would request through you, Mr. Speaker, every one in this hall to try to see that no such match is ever arranged which brings the worst type of communal poison in our midst.

Napoleon tells us that "public instruction should be the first object of every government". One is glad to find, and I am sure you will agree with me in this, that the ministerial benches have been very wise in choosing this demand as the foremost one that should be discussed on the floor of this House. Let us take the system as it stands at present. In the first place as I said moral instruction should be provided in the primary classes. These are a few constructive proposals which I wish to place before the Education Minister. Taking up the curriculum of the primary education I would request that hand work should also form one of the chief subjects. Reading, writing and arithmetic, hand work as well as moral instruction should be included in the curriculum.

I have been to many rural schools as well as to schools in urban areas. The buildings of most of them are not in good condition and the accommodation is very limited. Many classes have to be held in the open and it is very difficult to do so during the hot summer months. The houses provided for schools and the buildings in which classes are being held, are not very well ventilated and some of the rooms are damp. I would again request that provision for better housing and suitable accommodation should

be taken into consideration. Then comes the question of equipment. Many of these primary schools have not the necessary things for the kindergarten training. It is essential that necessary equipment should be provided in the schools.

I now come to the vital question of the capacity for teaching. In almost all the European countries you will find, that kindergarten training is given by the best teachers in classes which we call *kuchi pahli* or the one before *kuchi pahli*, but here in our country a teacher, in many cases without training and a person who is not considered good enough to teach second, third or fourth primary classes, takes up the *kuchi pahli* classes. I cannot understand this mentality at all. It is the foundation that should be in the best hands. You will find in European countries that it is usually the best paid staff in whose hands the beginning of the education is placed, whereas in our country the least paid and the worst staff handles young children. In my old college, the Queen Mary College, next to the Principal the best teacher used to be the one who took up kindergarten classes, and that was one of the reasons why the average Queen Mary College student developed a greater capacity for assimilating knowledge than other girls.

It is said that "the teacher's duty must be to penetrate to whatever is vital to the pupil and develop that by the light and heat of his own intelligence." How many of the teachers of our schools possess this, I leave it to your imagination.

Then we come to the question of physical training. I am glad to find that in many of the schools, both urban as well as rural, physical training has become part of the curriculum and special instructors are being sent to the various schools to give instruction in physical training to the pupils. But there are several schools that still need this facility. I hope the Minister will be pleased to provide instructor for these schools as well.

Napoleon once asked Mme-de-Staël what he could do to make the French people happy. Mme-de-Staël's reply was full of political wisdom. She said 'instruct the mothers of the French people'. There again, I have to point out that unfortunately as far as the education of our girls is concerned, it has been more or less a neglected subject. You will find in the budget that not more than 12 to 14 per cent. of the education grant is being spent on girls' education. Unless mothers are educated I am afraid it will not be possible for us to form a brave nation. In order to have a great nation you must have brave mothers. When I went to England I was surprised to find that in a country which had two millions more women than men, not more than 10 to 15 per cent. of the girls go in for university education, and that in a country where more than 50 per cent. of the girls have to earn their own living. Compare it with our own country, what do we find? There are ten million more men than women in this country and nearly 90 per cent. girls get married and what is the education which we place before our girls? Nothing except the university education. I tried to study this question in the West and I found that the average girl here studies up to the standard of what we call English middle and within that period which would be according to Anderson Committee's Report about nine years she gets a

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good knowledge of her mother tongue, if need be she learns one of the continental languages, she knows a good deal of history, geography and general knowledge and a little of arithmetic and as soon as she finishes her school course she goes to what are known as finishing schools and home science schools or colleges. In our country, no such institutions exist. Realising this, some of the women pioneers who have been working in connection with the All-Indian Women Conference organised a fund by means of which the Home Science Training College, known as Lady Irwin College was opened in Delhi a couple of years ago. The first batch of students came out of that College about three years ago. I am glad that we women of India realised the great need of our country and were the first to take up this question in hand. We hope that all the provinces will try to find means to open such schools as soon as possible.

What are the subjects that are taught in these home science schools? I would only refer to two or three because I would not like to take up too much of the time of this House as I know that there are other important subjects which have got to be discussed. The first subject I shall refer to is diatetics. What does that word mean? It means that the girl who studies this subject will know what is the type of diet that is required for the inmates of the house, from the youngest to the oldest. The next subject is child psychology. I often used to wonder why it was that the young children brought up by western mothers had such fine manners and were so polite and well trained. I realised the truth only when I studied a book on child psychology. This subject teaches girls how from infancy children should be handled and certain defects in their natures cured during childhood. Then comes the subject of domestic economy, that is, how to run a home on say from an income of Rs. 30 to Rs. 5,000. What is the duty of a house-wife in this respect? She must know how to prepare a good house budget and how to keep a proper banking account. She must also know cleaning, washing and cooking. In this respect I speak from my own personal experience. As long as I did not send one of my girls to a home science college she was like an average girl without any knowledge of such necessary requirements, although she had passed good many examinations. All that an average college student knows is usually literature and the study of Shelly and Keats, but since my daughter went to a home science school she has become a very useful member of the house. She can now cook full meal for a luncheon or a dinner party. This is the sort of education that I want for an average girl in India. A good home science institution for training teachers should be opened by the Punjab Government and the teachers trained in that school should take charge of home science schools that ought to be opened by the Government.

Coming now to the university education, I would like to say that F.Sc. and B.Sc. in home science should be recognised by the Punjab University. These are few practical suggestions which I am placing before the House. This is so far as the girls' education is concerned. Turning to boys education, I submit that we have committed many blunders in the past. The Anderson Committee deals with this question at length and I do hope that the Committee's recommendations will be taken into consideration soon. As soon as finance permits technical institutions and vocational training centres,

should be provided for the average young men after they have finished their secondary course. One of our greatest difficulties to-day is the army of intellectuals for whom there is no employment to be found anywhere. Let me remind the Punjab Government of their duty to provide such vocational training centres as soon as possible. Only the other day two men came from my village and they asked me whether I could suggest any institution where they could send their young boys for vocational training. The boys had passed the primary examination and their parents were anxious that the boys should get the necessary instruction and training for some profession to become apprentices and so forth. I could not think of any Government institution where the boys could be sent. Both boys and girls ought to be trained to live in harmony with their environment. We can also help our children at a very early age to choose their vocation in life.

Now, I come to the question of our duty towards our nation to try to inculcate the spirit of social service and self-sacrifice in the minds of young and old. We must create an Indian culture out of the combination of all the communal cultures that are at present in the safe custody of the various communities. (*Hear, hear and cheers.*) Personally I believe that what the world needs to-day is a new culture, a culture which is not wholly materialistic in outlook, a culture which is a combination of the spiritualism of the East and the materialism of the West. I think that we Indians have a very fine opportunity of providing that new culture for the whole world. We should try to combine the East and the West without losing our national charm and grace in our modes of living, in our modes of thought, in our modes of education and in our modes of culture, in fact, in every walk of life. Let us get the best out of the East and the West.

The spirit of social service should be inculcated through moral instruction and through good text-books in the schools. One finds that the selfless idea of social service is not present in the minds of the average man or woman of our country. I am not talking of sacrifice for the country, I mean social service in every walk of life. I would request the Honourable Minister to see that suitable text-books are provided for the inculcation of the spirit of social service in the minds of our children from their childhood.

I, now, come to the question of free and compulsory education. We know that the finances of our province do not permit us to introduce that immediately but it should be taken in hand as soon as possible. Aristotle tells us "that all who have meditated on the art of governing mankind have been convinced that the fate of the empires depends upon the education of its youth." We hear that "the success of the American Republic was due mainly to the means which they found in trying to take up the question of compulsory and free education at a very early stage". Therefore, Sir, this is a question with which we should be dealing as early as we possibly can. Carlyle says, "That one man should die ignorant who had the capacity for knowledge, this I call a tragedy." (*Cheers.*)

Sardar Rur Singh (Ferozepore East, Sikh, Rural) (*Punjab*): Sir, the problem of education is an important one. Many speakers, who have preceded me, have expressed their views on this problem in the form of long lectures. I am not a lecturer, nor do I believe that anything can be

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achieved by mere lectures, for lectures seldom result in action and my motto is to be always up and doing.

The Education Department should always keep this fact in view that he who works more ought to get a larger share of education. Obviously the bulk of the Government revenue is contributed by the industrious peasants and labourers ; it is therefore, imperative that an efficient system of education should be provided for them.

Allow me to suggest the various avenues through which education can be imparted. The first and foremost source of instruction is the child's parents. Next in importance come the newspapers, books, various societies, etc. Environment itself is a great educating factor. Now, I want to ask, how can you expect the children to be capable and efficient, if your methods of education are hopelessly defective and the parents of those children are miserably illiterate themselves ? There is but one remedy, namely to make education compulsory for all. As the first teachers of a child are its parents, therefore, every woman must be well-educated, and no mother should be deprived of the benefits of education.

My next submission is that the peasants and labourers ought to be given their due share in the matter of education. It is indeed a strange phenomenon that the overworked peasantry and the working classes who pay about 70 or 80 per cent. of the State revenue, are precisely the persons who are in great misery and distress. The state of their education or rather the lack of it, is such that hardly one per cent. of their vast numbers have received some sort of instruction. So I will urge the Government to spend more on the education of this particular section of the community. Everybody looks at the world from a viewpoint enjoined by his conscience. My standpoint is this. The peasant and the labourer constitute, by common consent, the motive power of the world activities. But the fruits of their labour go to those who own and control the means of production, and who possess wealth and power. So long as the hard-working peasantry is not educated, so long as the labourers remain untutored, you cannot achieve anything, howsoever new and brave be the schemes that you put forward. The poverty stricken labouring classes in spite of their working hard day and night, in the scorching heat and biting cold, cannot provide for themselves even the barest necessities of life. They cannot afford to bear the educational expenses of their children. It appears that God has created these poor labourers to serve the rich so that the latter may be able to lead an easy life. The labourers prepare all sorts of delicious foods for the rich, but as regards themselves, they cannot get even the coarsest meals. So far as my diagnosis goes, their illiteracy is responsible for their miseries. My submission is that those who hold the reins of Government, *i.e.*, the ministry, should try to ameliorate the condition of the poor who pay the largest quota of land revenue. I may point out that these poor people are compelled to grease the palms of Government officials. They are much oppressed by them. If they lodge a complaint against them, nobody pays any heed to it. The Government officials always treat them coldly because they are illiterate and impecunious. Nowadays they are under the iron rule of ' might is right.'

It is a thousand pities that those who possess the real 'might' are being victimised because of their illiteracy. My appeal is 'Banish illiteracy from amongst them and they will learn to stand on their own legs.'

I wish to bring another point to the notice of the honourable members. Here on the floor of this House, some honourable members have laid great stress on the necessity of higher education. I am sorry to point out that lakhs of rupees are disbursed on higher education while primary education goes neglected for lack of funds. My respectful submission is that unless we make primary education compulsory, higher education is meaningless. If we just give a serious thought to the matter we will find that so long as one is not able to grasp things intelligently, which is impossible without undergoing primary education, one cannot derive any benefit from higher education. I request Government that instead of opening high or middle schools or establishing libraries at various places, they should set up a net work of primary schools in rural areas for the removal of illiteracy. It is declared from house tops that our standard of living is low and therefore, it should be raised. I ask, how can the standard of living of these poor people be raised, who cannot get two square meals a day and do not possess sufficient means to provide themselves with the barest necessities of life? If Government are sincere in their professions *viz.* that of raising the standard of living of the poor, they should spread primary education among the masses as extensively as possible.

The real object of education is to improve the health, wealth, brain powers, character, etc., of the people. In my opinion the dissemination of primary education among the illiterate masses is the only means of attaining these objects. It is useless to press for the advancement of higher education. The text books prescribed for higher studies are responsible for spreading misunderstanding among us. They do not contain teachings that can create harmony and concord among us, but on the other hand are rather full of the praises of the British. My submission is that so long as we do not realise the urgent necessity of spreading primary education, we cannot hope to make any progress. With these words I bring my speech to a close.

Shaikh Karamat Ali (Nankana Sahib, Muhammadan, Rural): Sir, after the eloquent and most illuminating speech delivered by my colleague Mrs. Shah Nawaz, I do not see there is anything left, which may be urged in refutation of the points raised by the Opposition. What surprises me most, is that much digression is indulged in on the floor of this House and I have noticed that in our discussions we do not confine ourselves to the subject of our motions at all and enter into certain details which are absolutely irrelevant. My honourable friend opposite, Mr. Bhim Sen Sachar confused the functions of the University with those of the service securing agency of some private firm. The aim of a university is to enable its students to enter some vocational institution or to equip youngmen to find out ways or means to make their living merely on the score of the education received in the University.

Lala Bhim Sen Sachar: I did not say that.

Shaikh Karamat Ali : Yes, you did say that on their getting out, students cannot get anything in the market, nor does the University help them. That does not mean that the University undertakes to provide them service ; the function of [the University is to train minds but not to supply jobs. That is not the function of the University. I want to explain that the University is not an institution meant for all and sundry. Education for the sake of education is meant only for those who can afford it, while higher education is meant for those who seek it with a view to enter into certain vocations in life by means of which they can earn their livelihood or to enable themselves to sit in an examination which will serve some purpose.

Communalism was another point which he intimately associated with the education of the University or colleges as I can properly call it. I would like to remind the honourable member that in this unfortunate province it is not the colleges or schools where communalism takes root. It is not the system of education which is the cause of this poison, but it is the tradition of one's home and environments which is responsible. Communalism is imbibed by us from the very lap of our mothers, when we are mere sucklings. It is really unfortunate that our very homes have become the nurseries of communalism. I am referring to the ordinary ways in which Hindu children begin to think and behave differently from those of the Muslim children and *vice versa*. It is unfortunate that from their very young age, not actually in a conscious manner but by tradition and by habits, they imbibe the spirit of communalism.

After explaining briefly that communalism is not the result of the University or College education, I now proceed to discuss a very pertinent point raised by Sardar Hari Singh, the mover of the cut motion, that the medium of instruction must be one of the vernaculars of the country. I believe that as an ideal, this is one of the most laudable suggestions, but we have got to see to the practical side of this question. We have to see how far it would be practicable for us to adopt one of the vernaculars as the medium of imparting instruction to the young ones at this stage. If I mistake not, as long as the language of a country remains English, as long as we have to carry on the work in all the offices in English and as also all correspondence in firms is carried on in that language, I do not for a moment believe that the medium of instruction can be anything else but English. I do not say that the vernaculars should not be encouraged as an ideal which one must strive for, but the question is how far it is practicable at this stage to introduce them in the colleges and the University, in view of the reason given above.

The second point in this connection which I want to urge and which I consider to be of very great importance is that the vernaculars are very poor so far as scientific phraseology and terms are concerned. The technical expressions which are generally found in the various sciences, it is very hard for one to find equivalent expressions in our own vernaculars. A reference was made by the honourable mover to an effort which is being made in the Hyderabad State by the Usmania University for imparting instruction to its students in the vernacular. That is all very well. It is a very big experiment

that is being tried by that State, and we have yet to see its results. Undoubtedly much labour and money have been spent on that undertaking and an experiment is being tried on a gigantic scale but I believe here in this province we do not have that much revenue or resources to enable us to try the same experiment with any appreciable success. We have yet to see how far we can succeed in making Urdu, Hindi or any other vernacular as a useful and practicable medium of instruction. But I can assure this honourable House that even the Hyderabad State has not succeeded in compiling a complete glossary of all these terms and expressions which are needed to convey the exact meaning of the scientific terms. (*A voice*: Why not make a beginning here too?) I have just explained to my friends in the House that even for a beginning to be made it is highly necessary that we should be in a position to find exact terms in our own vernacular which may be equivalent to what is already found in the scientific books dealing with those subjects, but as long as there is nothing of that sort, I do not see how we can safely venture to make a beginning even.

One other matter, which ought not to be lost sight of in this connection is, that if we want to receive from the western education all the blessings which all these scientific experiments and scientific researches can give and so far have been conferred on the world at large, I do not see how we can possibly detach ourselves from this medium of expression and hold that any such instruction should be imparted in any language other than English. Not only from this point of view I urge that English is highly desirable, but from the point of view of cheapness and economy too. I believe that the English as medium of instruction is more suitable. I may not be misunderstood to mean that I am in any way against encouraging the vernaculars. I certainly do not want that they should be neglected as they are being done now. A very good model in this respect may be quoted. In the Aligarh University Urdu is one of the compulsory subjects in all the classes. Adoption of a similar step in the Punjab will not be out of place. The importance that ought to be given to the vernacular is not being given at present, for I remember that the vernaculars—Hindi, Punjabi and Urdu in colleges at present only take a secondary place—they are only optional but not compulsory, but I personally believe that it will serve a very good purpose if more attention is given to this question and vernacular is made compulsory in the colleges. This experiment is successfully being tried in residential universities like Aligarh and Benares.

Then there was the point raised by an honourable member opposite that our universities only serve as huge factories for manufacturing graduates. I personally believe that the university curriculum stands in immediate need of drastic reforms. The number of subjects prescribed for various examinations is too large and the combination of subjects allows very little choice. This naturally results in taking up unwanted and unnecessary subjects by the students. The student is not only thereby forced to waste time and energy, but his trend of healthy specialisation is also retarded.

The number of subjects prescribed for various examinations should be reduced and a wider range of choice should be allowed in the combination of subjects. Moreover the study of modern and useful subjects such as economics, psychology, politics and physical sciences should be encouraged.

[Sh. Karamat Ali.]

Another point was raised by my friend, Sardar Hari Singh, the mover of this cut motion, that the University at present has not moved an inch further from the place where it started when originally it started as an examining body. I do concede that point. I personally believe that a university which has not so far taken upon itself the task of teaching and also supervision of the students is not serving the real purpose for which universities are established.

We have in this country, I mean, in India, two residential universities—one at Aligarh and the other at Benares. I personally believe that both these universities are trying to inculcate moral education in a very effective manner and also looking after the character of the students and that is because of the supervising character of the universities.

It has been said that the education as imparted in the colleges is very expensive. When my friend remarked that the students' physique is poor and a lot of money is being spent on turning out graduates he meant to say that the education is expensive. On that point I must certainly discredit the view that has been put forward. Why? The fees paid for tuition are a very small proportion of the whole amount that is being spent on the maintenance of the students in the colleges at various centres. That by no means would mean a strong argument that education is very dear. But what of course has been the cause of this trouble is that the students at various centres have actually indulged in very high living. The fopish tendencies of the student class and the high cost of living in centres like Lahore are responsible for the high expense that the parents have to bear. It is in places like Lahore and Delhi that the students become a source of burden to their parents, but with regard to other centres outside Lahore and Delhi this trouble is not found.

The only solution that I would suggest by way of seeing that the burden of the parents is actually lightened is, that by legislation and if possible under our provincial autonomy, universities at various other centres be opened in the province. When I make this recommendation, I am absolutely conscious of the fact that the revenues of the State do not permit of any such extravagant extension to be made or even considered, but in order that the University should become an effective organ imparting education, the principle of multiple universities may be introduced in the province; I would, therefore, request the Honourable Minister for Education to give his attention more to this aspect of the question.

I find that there is another point raised by the honourable mover, which I consider, is of very great importance and that is the question of examinations. I believe that the system of examinations is really very defective and before I actually touch the defects I must point out to the honourable members of this House that the management of this side of the University has shown marked improvement since its consolidation by Mr. S. P. Singha, the Controller of Examinations (who is also a member of this House). But with regard to the real difficulty that these examinations are mere tests of memory, when they should be real tests of knowledge and intelligence, no real solution has so far been suggested. I believe that the examination

method is very defective and this basic defect in the examination system has to be looked into in detail for necessary improvements.

If I were to put forward any practical suggestions as to how this can be done, then I would say that the tests in various subjects during the course of examinations should be not merely tests of memory but should be those of intelligence and sound knowledge and that questions of general nature dealing with the separate subjects, should, therefore, be asked.

Then there is a further point which has to be brought to the notice of this honourable House and that is, what is the aim of University education? My friend opposite said that our universities do not turn out good citizens. It is not the fault of the universities if we are not having good citizens turned out by them, citizens having character. The system of education, as far as I understand it is not responsible for this drawback but it is due to several other causes, for instance, environment, traditions, association, breeding and the personal capacity of the student himself, for receiving what he cares to choose from the university and college education. Education, however, undertakes to build one's character and further teaches the social formula of "live and let live."

Mr. Speaker : Under our rules we cannot continue discussion on any demand for grant after 4-30 P.M. This is my answer to Lala Deshbandhu Gupta's question, which he raised this morning asking whether my ruling, given on the 6th instant, was correct. I gave no ruling. The House wanted to hear the Minister and I did not object. However, the rule on the point is so clear and distinct that I have to close the debate at the fixed hour.

The Assembly then adjourned till 11 A.M. on Friday, 9th July, 1937.

1947

Received of the Treasurer of the
University of California
the sum of \$100.00
for the year 1947

Witness my hand and the seal of the
University of California
this 15th day of June 1947

CHANCELLOR



UNIVERSITY OF CALIFORNIA
1947

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 9th July, 1937.

*The Assembly met at the Assembly Chamber, Simla at 11 A.M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

ELECTRIC SUPPLY FOR THE RESIDENTS OF TOP KHANA BAZAR,
LAHORE CANTONMENT.

***91. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the residents of Top Khana Bazar, Lahore Cantonment, submitted applications to the Cantonment Board for supply of electricity from Uhl River Hydro-Electric Supply mains ;
- (b) whether it is also a fact that other areas in Lahore Cantonment and round about those areas are getting their energy from the above-mentioned source ;
- (c) whether the Government is contemplating to accede to the request mentioned in (a) above : if so, when ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No. Saddar Bazar, Lahore Cantonment, only is being supplied at present.

(c) Yes ; arrangements for giving supply in Royal Artillery Bazar (Top Khana Bazar) have not so far been made as the necessary permission for giving supply in that area has not yet been accorded by the military authorities.

BHAKRA DAM SCHEME.

***92. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state whether the Bhakra Dam Scheme intended to irrigate the lands in Rohtak and Hissar districts is still under consideration and if so, when it is expected to be undertaken ?

The Honourable Dr. Sir Sundar Singh Majithia : The reply to the first part of the question is in the affirmative.

With regard to the second part, it is difficult to say when the scheme could be undertaken as this depends upon satisfactory agreement, with the owners of the land required for the reservoir and with other interested parties. Government will be prepared to consider the undertaking of the scheme if and when a satisfactory agreement has been come to.

SODHI ARJAN SINGH OF JARANWALA MUNICIPALITY.

***93. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether Sodhi Arjan Singh's name was removed on 8th February, 1936, from the list of the members of the Jaranwala Municipal Committee ;
- (b) whether it is a fact that no bye-election was ordered to fill the place vacated by him till December, 1936 ;
- (c) whether it is a fact that Sodhi Arjan Singh has now been disqualified to stand as a candidate for the municipal committee for five years ;
- (d) the reasons for taking this step after one year ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) There was no bye-election for the vacancy caused by the removal of Sardar Arjan Singh.

(c) Yes.

(d) Under sub-section (2) of section 16 of the Punjab Municipal Act, 1911, every member removed under sub-section (i) thereof, must be disqualified for a period not exceeding five years. The period of disqualification was not fixed at the time owing to an oversight. When this omission was brought to light the period of disqualification was fixed at five years.

Dr. Gopi Chand Bhargava : Will the Honourable Minister be pleased to state whether Sodhi Arjan Singh took active part in the reception of Babu Rajendra Prasad when he went on his Quetta relief visit in 1935 ?

Minister : I have already said that orders for his removal were passed by the last Government.

Dr. Gopi Chand Bhargava : Is it a fact that he took an active part in the reception and the Deputy Commissioner took exception to it ?

Minister : I have no knowledge or record of any social function.

Dr. Gopi Chand Bhargava : Is it not a fact that there was a dispute between the President and the Secretary ?

Minister : Not to my knowledge.

Dr. Gopi Chand Bhargava : Is it a fact that the Deputy Commissioner of that place sided with the Secretary and recommended the removal of this man from Presidentship ?

Minister : There were grave charges against this man. I am not aware whether there was any dispute between him and the Secretary.

Dr. Gopi Chand Bhargava : Did he make any representation in reply to the charges made against him ?

Minister : As I have already said the matter was gone through by the last Government.

MURDER OF ONE MANU LAL AT PALWAL.

***94. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) the result of investigation made by police so far in a case of murder, accompanied by robbery of one Manu Lal at Palwal (Gurgaon) ;
- (b) whether Government is aware that the elder brother of the said Manu Lal is receiving threatening anonymous letters ; if so, what action has been taken by the police to protect the life and property of the man ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The investigation is not yet complete. A special officer has been deputed to conduct it under the personal supervision of the Superintendent of Police.

(b) Yes. Arrangements have been made to keep the persons suspected of writing these letters under suitable supervision, as well as those suspected in the murder case.

 DEHATI SILSILA-I-HISAB, HISSA CHAHARUM.

***95. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the attention of the Government has been drawn to questions nos. 15 and 21 of Exercise no. 2 and question no. 8 of Exercise on pages 13, 14 and 256, respectively, of the text book "*Dehati Silsila-i-Hisab, Hissa Chaharum*" ;
- (b) whether this text book was passed and recommended by the Text Book Committee for use for the fourth primary class throughout the province ;
- (c) if not, why not ?

The Honourable Mian Abdul Haye : (a) No. Not until the honourable member drew our attention to these questions.

(b) Yes.

(c) Does not arise.

 MUNICIPAL COMMITTEE, PALWAL AND ITS PRESIDENT.

***96. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there exists a party faction in the Municipal Committee, Palwal (Gurgaon) ;
- (b) whether it is a fact that the President of the Municipal Committee, Palwal, made a report to the police against the Vice-President Pandit Hira Lal stating therein that the latter had stolen a sum of Rs. 18-1-9 from the cash box of an octroi moharrir ;
- (c) the result of investigation by the police in the first instance ;

[Pt. Shri Ram Sharma.]

- (d) whether it is a fact that police after investigation in the first instance reported that the complaint was false and was based on party faction ;
- (e) whether it is a fact that the President again approached the authorities with a request for another police investigation in this matter ;
- (f) the result of the investigation made for the second time ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Yes. A case was registered in Police Station, Palwal, on the 12th March, 1937.

(c) and (d). The first investigation officer was of opinion that the case was false, but no final decision was arrived at as the investigation was not complete.

(e) No. Investigation has been continuous.

(f) The final result is that the case is being filed as untraced.

WATER FOR REWARI WATER WORKS.

***97. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that water made available from the Rewari water works is unfit for human consumption ;
- (b) whether it is a fact that this water was examined and analysed by an expert ; if so, the result of his analysis ;
- (c) what action, if any, the Government proposes to take in the interest of the health of people of Rewari in this respect ?

The Honourable Mian Abdul Haye : (a) The supply of water from the water works head Rewari is chlorinated and so long as the chlorination is properly done, the water is fit for human consumption.

(b) Yes. Nine samples of water from different sources were sent for analysis. Two of the samples show evidence of contamination.

(c) The local body is responsible for excluding water from contaminated sources from the water works supply. A further investigation will now be made to ascertain whether the water is being properly chlorinated and the Committee will be informed that if they wish expert advice for eliminating contamination this will be given them.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Minister be pleased to state whether the Government is prepared to examine the water again, and how long it will take to do so ?

Minister : We have made the offer. Now it is for the local body concerned to move quickly in the matter.

A STUDY OF THE WORKING OF THE DEBT CONCILIATION BOARD IN
JHANG DISTRICT.

*98. **Lala Duni Chand** : Will the Honourable the Premier be pleased to state—

- (a) whether a booklet named 'A study of the working of the Debt Conciliation Board in Jhang district' published under the authority of the District Hindu Sahayak Sabha, Jhang, and circulated among the members of the Assembly, has come to his notice ;
- (b) whether it is a fact that definite and specific allegations have been made in that booklet against all the three members, one Hindu and two Muslims, of the Debt Conciliation Board ;
- (c) whether it is a fact that many concrete instances, each supported by particulars, have been cited in that booklet as to the ways and methods of Debt Conciliation Board ; if so, what action is intended to be taken in the matter ?

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

(c) Yes. Government have already made inquiries in connection with several complaints of the same kind as those in the booklet. The result of these inquiries satisfies them that the allegations are not well founded.

Lala Duni Chand : Have the three members of the Debt Conciliation Board taken any steps to vindicate themselves against serious allegations made against them ?

Premier : Yes, they have also submitted a very explicit and luminous reply to these allegations.

Lala Duni Chand : Will the Government direct these members of the Conciliation Board to take steps to vindicate themselves against these allegations in a court of law or otherwise ?

Premier : I have already said that the allegations are not well founded.

Lala Duni Chand : Assuming that they are not well founded, then it amounts to defamation and it is all the more necessary for them to vindicate themselves in a court of law and get those people, who have attacked them, convicted.

Premier : Now the honourable member assumes that they are not well founded and that it is for them to go to a court of law and vindicate themselves.

Lala Duni Chand : I grant that they are absolutely correct. Will the Government take proper steps ?

Premier : In regard to what ?

Lala Duni Chand : In regard to the attacks made upon the members of the Conciliation Board.

Premier : I have already stated that these attacks were unjustified.

Lala Bhim Sen Sachar : May I request the Honourable Premier to inform the House about the nature of the enquiry, whether it was a public enquiry or an official one ?

Premier : Not a public enquiry.

Lala Bhim Sen Sachar : Were the members of the Hindu Sahayak Sabha given an opportunity of proving the allegations, which were contained in the booklet, to the investigating officer ?

Premier : I am not aware.

Lala Bhim Sen Sachar : If they were not given an opportunity of proving the allegations, will the Government please give them an opportunity of proving those allegations now ?

Premier : They can go to a court of law.

Lala Bhim Sen Sachar : Will Government consider the desirability of making a report of the investigating officer available to the Hindu Sahayak Sabha with a view to enable them to combat it ?

Premier : The Government, as my honourable friend Dr. Sir Gokul Chand Narang suggested, may prosecute that gentleman who has published that pamphlet. Then they will have an opportunity of vindicating themselves.

Lala Duni Chand : Is it true that majority of charges are based upon judicial records prepared by those gentlemen themselves ?

Premier : I am afraid, I have nothing to add to what I have already said.

Lala Bhim Sen Sachar : Will Government consider it advisable to give these members an opportunity of meeting it with a view to avoid any unpleasant happening and for having a face to face talk ?

Premier : It is not a question of a face to face talk. As I have already said, I have taken steps towards their prosecution. They will have ample opportunity of proving their allegations in a court of law.

Lala Bhim Sen Sachar : Will it not be possible, in view of the seriousness of the matter, to hold a public enquiry into this affair before entrusting the matter to a court of law ?

Syed Mubarak Ali Shah : Will the Honourable Premier please state whether it is a fact that a sub-committee of the Jhang Bar Association consisting of—

- (1) Pandit Moti Ram Sharma, the leading civil lawyer of the place,
- (2) Diwan Sawan Mal, a prominent civil lawyer of the place,
- (3) Mr. Mehr Chand, another civil lawyer,
- (4) Mr. S. S. Taneja, Bar-at-Law,
- (5) Lala Lal Chand Khanna, and
- (6) Chaudhri Raja Ram,

was appointed " within less than two months of the setting up of the Debt Conciliation Board at Jhang " to enquire into and report on the working of the said Board, and publish its report accordingly ?

Is it also a fact that the last three named gentlemen, possessing landed property in Jhang rural areas were also the aspirants for membership of the Board ?

Premier : I believe that a report was received but I cannot remember whether the signatories to that report were all the gentlemen named by my honourable friend.

Syed Mubarak Ali Shah : Is it also a fact that with the establishment of the said Board, a great decrease has taken place in the number of civil suits in the Jhang district ?

Premier : That is certain.

Syed Mubarak Ali Shah : Is it also a fact that owing to less civil work, the income of civil lawyers at Jhang has been very badly affected ?

Premier : I should think so.

Syed Mubarak Ali Shah : Is it a fact that under section 24 of the Punjab Relief of Indebtedness Act, nobody can appear on behalf of a party except with the permission of the Board.

Premier : I believe that the honourable member's assumption is correct.

Syed Mubarak Ali Shah : Is it also a fact that the Jhang District Hindu Sahayak Sabha, which has published the present report, has recently been formed and Pandit Moti Ram Sharma, President of the above sub-committee, is its President and the same Lala Lal Chand Khanna, one of the members of the sub-committee, is its honorary secretary ?

Premier : As no names are mentioned in the report, I am afraid I cannot say whether what the honourable member says is correct.

Syed Mubarak Ali Shah : Is it a fact that the said gentlemen objected to the appointment of Rai Bahadur Girdhari Lal as he did not belong to any rural area ?

Premier : I cannot give an answer off-hand.

Syed Mubarak Ali Shah : Is it also a fact that Rai Bahadur Girdhari Lal fell ill and his son, Lala Brij Lal, officiated in his place for sometime and was subsequently confirmed as a member of the Board ?

Premier : Yes.

Lala Duni Chand : Have the Government given any undertaking to anybody to the effect that these gentlemen will be replaced by others on account of the serious allegations made against them ?

Premier : How does that question arise ?

Lala Duni Chand : The question is directed towards proving the improper conduct on the part of these three gentlemen.

Premier : Government has no intention of changing the personnel of the Board.

Lala Duni Chand : If Government itself is satisfied as regards the seriousness of the allegations—

Mr. Speaker : The Honourable Premier has already said that Government has no intention of changing the personnel of the Board.

Syed Afzaal Ali Hasnie : Will the Honourable Premier be pleased to state if he is aware that the Chairman and the Secretary of the District

[S. Afzaal Ali Hasnie.]

Hindu Sahayak Sabha, Jhang, are both lawyers by profession and that these gentlemen are again the chairman and secretary respectively of the District Bar Association, Jhang?

Premier : I am afraid I cannot answer that question because no names are mentioned in that leaflet.

Lala Bhim Sen Sachar : In view of the fact that the conduct of the members of the Board will be a matter directly in issue if the case goes to a court of law, will it not be desirable to remove them from the membership of the Board during the period that the case is pending in the court?

Premier : Certainly not.

PERSONS EXPELLED FROM THE PUNJAB SINCE APRIL, 1937.

Khawaja Ghulam Hussain : On behalf of Diwan Chaman Lal, I put question No. *99.

Khan Muhammad Yusaf Khan : On a point of order. Questions on behalf of absent members cannot be asked unless and until the questions of the members who are present are first disposed of.

Mr. Speaker : That is not the practice of this House.

Khan Muhammad Yusaf Khan : But it is parliamentary practice.

Mr. Speaker : Yes.

*99. (Diwan Chaman Lal) : Will the Honourable the Premier be pleased to state—

- (a) the numbers and names of persons, if any, expelled from the Punjab since April 1st, 1937 ;
- (b) will he also kindly state the reasons in each case for such expulsion and the authority under which such action was taken and whether a judicial enquiry was held in each case before action was taken ?

The Honourable Major Sir Sikander Hyat-Khan : (a) One. It is not in the public interest to give the name.

(b) Maintenance of public safety or peace [section 3, Criminal Law (Amendment) Act, 1935]. No judicial enquiry was necessary.

Lala Duni Chand : Is it true that one Sardar Bhagwan Singh has recently been arrested and externed? If so, will the Honourable Premier be pleased to state the reasons for taking this action?

Premier : I am afraid I cannot see how that arises out of this question.

Lala Duni Chand : I leave it to the Honourable Speaker whether this supplementary question does or does not arise. The question I put was, is the Honourable Premier aware of the fact that Sardar Bhagwan Singh has been recently arrested and externed and if so will he be pleased to state the reasons for that step?

Mr. Speaker : How does that question arise?

Lala Duni Chand : The original question relates to all those persons, who have been arrested, interned and externed since April 1st, 1937.

Premier : No, no. It refers to the persons, if any, expelled from the Punjab since April 1st, 1937, and I have replied that the number is one.

Lala Duni Chand : Sardar Bhagwan Singh has been expelled from the Punjab.

Premier : The honourable member is assuming something which is not true.

Lala Duni Chand : Is it not a fact that Sardar Bhagwan Singh has been expelled or arrested ?

Premier : How does it arise out of this question ?

Lala Duni Chand : I have already submitted to the Honourable Speaker that the question relates to the number of persons who have been expelled since April, 1937. Now this man has been expelled from the Punjab about a week or ten days ago.

Premier : No, Sir.

Sardar Sohan Singh Josh : Is Mr. Massani of Bombay included in the number one given by the Honourable Premier ?

Premier : I do not think it is in the public interest to answer that question ; but the gentleman named is not included.

Sardar Sohan Singh Josh : Does this number also include Mr. Ghate of Madras ?

Premier : I do not propose to answer that question.

Lala Deshbandhu Gupta : May we know the name of that one person ?

Premier : It is not in the public interest to answer that question.

Lala Duni Chand : Has the Honourable Premier got any idea as to who this Bhagwan Singh is about whom I am putting the question ?

(No answer.)

Pandit Shri Ram Sharma : Was some notice served on Sardar Bhagwan Singh to the effect that he should go out of the Punjab ?

Premier : Notice was served on him.

Lala Deshbandhu Gupta : Has it been since withdrawn ?

Premier : I understand he has been convicted by a court of law. I saw this in the papers this morning.

Pandit Shri Ram Sharma : Did that notice mention the period before the expiry of which he should have gone out of the Punjab ?

(No answer.)

Lala Duni Chand : Is it true that Bhagwan Singh has been convicted for disobeying the externment order of which the Honourable Premier is not aware ?

Premier : I saw in the papers that he has been convicted. Probably the official information will come to me in due course if that news is correct.

UNAUTHORISED METHODS EMPLOYED TO WRING OUT CONFESSIONS.

***100. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state whether his attention has been drawn to the remarks made on several occasions by the Honourable Chief Justice of the High Court of Judicature at Lahore deploring the unauthorised methods employed by persons in authority in obtaining confessions in criminal cases ; if so, what steps have been taken or are intended to be taken to put an end to such methods ?

The Honourable Major Sir Sikander Hyat-Khan : It is not clear to what particular cases the honourable member refers, but all judgments containing strictures on the police are carefully studied by Government. The honourable member must, I think, be aware that every effort is made by Government and the superior officers of the police to ensure that abuses of this kind are drastically punished, whenever cases are proved.

WORKERS IN CERTAIN FACTORIES IN THE PUNJAB.

***101. Diwan Chaman Lall :** Will the Honourable Minister for Development be pleased to state—

- (a) the number of factories in the Punjab town by town and the number of males, females and children employed in each such factory as wage-earners ; and also the number of Factory Inspectors appointed district by district ;
- (b) whether it is a fact that certain factories in Amritsar and Gurdaspur districts have been regularly contravening the provisions of the Factories Act relating to hours of work ;
- (c) whether Government intends to take steps to remedy this state of affairs ; if so, what ?

The Honourable Chaudhri Sir Chhotu Ram : (a) A statement is laid on the table.

(b) No.

(c) Does not arise.

UNEMPLOYMENT IN THE PROVINCE.

***102. Khawaja Ghulam Hussain :** Will the Honourable Minister for Development be pleased to state—

- (a) whether Government have prepared statistics showing the number of unemployed persons in the Punjab, who are educated up to the Matriculation standard or upwards ;
- (b) the efforts, if any, so far made by Government to collect annually the number of unemployed in the Punjab ;
- (c) whether Government now proposes to find out the number of unemployed persons in the province ; if not, why not ;
- (d) whether Government has any scheme under contemplation for the relief of unemployment ; and if so, whether it will lay that scheme in its broad outlines on the table of the House ?

The Honourable Chaudhri Sir Chhotu Ram : (a) and (b) An Employment Bureau has been established in the office of the Director of Industries, Punjab, for the dual purpose of—

- (i) recording statistics of unemployment among all classes of graduates and the products of intermediate colleges, secondary schools and industrial and technical schools and institutes, and
- (ii) helping to bring together the employer and the unemployed.

The Bureau started working on 1st August, 1936. The existence of the Bureau has been brought to the notice of the general public by means of press notes published on two occasions, viz., in July, 1936 and January, 1937. The registration of names of the unemployed with the Bureau is voluntary. Response from the unemployed for the registration of their names has not, however, been very encouraging; in all nearly 1,000 educated unemployed and men with technical qualifications have so far got themselves enrolled on the registers of the Bureau.

(c) The Bureau is functioning, and it is open to the unemployed to get themselves registered on its rolls.

(d) Several requests have been received by the Bureau from private and Government employers, and names of qualified unemployed persons on the registers have been forwarded to them for consideration, but usually without success. The Punjab Government have brought the Bureau specially to the notice of all heads of departments in the Punjab, while the owners of registered factories have been addressed individually by the Director of Industries.

The Punjab Government has had and has under its active consideration several measures to provide additional avenues of employment, e.g., by means of—

- (i) extension of the facilities for industrial and technical education,
- (ii) revision of the schemes of studies of industrial schools with a view to make them of greater practical utility. The object of the revised scheme is to enable the pupils to produce articles of daily utility which are at present imported from elsewhere,
- (iii) provision of marketing facilities for manufacturers. Special marketing organizations have been set up for cotton handloom weavers and printers. Marketing facilities will further be provided for the woollen goods produced by cottage workers and small scale factory owners, and
- (iv) provision of industrial intelligence and assistance in other forms to industrialists and prospective manufacturers, e.g., financial aid and help in securing concessions.

The Punjab Government are alive to the necessity of relieving unemployment among the educated classes and have accordingly decided to appoint a committee to go into the problem of unemployment.

PROVINCIALISING OF MUKTSAR-MALOUT ROAD.

*103. **Pir Akbar Ali :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the Ferozepore District Board authorities were recently informed by the Government that the question of provincialising the Muktsar-Malout road was under its consideration; if so, whether a final decision has so far been reached in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : There is a proposal to provincialise the Muktsar-Malout road, but no decision on the subject has yet been arrived at by Government.

Sardar Sahib Sardar Gurbachan Singh : Will the Honourable Minister be pleased to consider the provincialisation of district board roads of other districts ?

Minister : How does it arise out of this question ?

POLICE EXCESSES.

***104. Khawaja Ghulam Hussain :** Will the Honourable the Premier be pleased to state whether the attention of the Government has been drawn to the judgment of Division Bench consisting of the Honourable the Chief Justice and Mr. Justice Munroe of the Lahore High Court in a murder appeal *Shoran versus Crown* published in a local newspaper, dated the May 13th, 1937, in which their Lordships have condemned in unequivocal terms the method used by police in wringing confession out of villagers through lambardars and have suggested to the Government to take most serious steps to see that this procedure is stopped immediately ; if so, what action is proposed to be taken in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : Government have noticed an extract of the judgment published in the "Statesman" of the 13th May, 1937. The matter is being inquired into. I should like to add that it was the police who in this case found out that the confession was not true and their action was commended by the Honourable Judges. The insinuation in the question against the police is, therefore, unjust and baseless.

Diwan Chaman Lall : Is it a fact that condemnation of the police in such cases—not particularly in this case, but in similar cases—has actually been made by the Chief Justice ?

Premier : I do not think it arises out of this question, but I dare say that the High Court have passed strictures in certain cases. I have already said that we would look into those cases.

Sardar Sohan Singh Josh : Is it a fact that in the Doaba Manko case too confessions were painfully extorted ?

Premier : I am afraid I can say nothing off-hand.

WOOD CUTTING ON THE SHIVALAK HILLS.

***105. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the proprietors of 72 villages lying along the foot of the Shivalak Hills between Chandigarh and Ruper in the Ambala district are not allowed to cut wood even from their own holdings without obtaining sanction beforehand of the Forest Department ; if so, what action Government propose to remove the disability ?

The Honourable Dr. Sir Sundar Singh Majithia : There are 34 and not 72 villages to which the provisions of the Punjab Land Preservation (Chos) Act, 1900, were extended. Under section 4 of the Act the cutting of trees and the collection or removal of timber for sale as a means of profit,

income or livelihood has been prohibited but not when this is done for a *bona fide* domestic or agricultural purpose provided the formal permission of the Deputy Commissioner is obtained.

Government do not propose to take any action, because the prohibition is in the interest of the inhabitants of the villages concerned and is necessary for the protection of the area from deforestation and damage by chos.

Lala Duni Chand : Is it a fact that the working of this Chos Act is leading to great harassment of the people of these villages ?

Minister : I am not aware of it.

GUJJARS OF HOSHIARPUR DISTRICT.

***106. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Gujjars of Hoshiarpur district have been recently removed from the list of agricultural tribes within the meaning of the Punjab Land Alienation Act; if so, the reason for this action;
- (b) what steps Government propose to take in the matter of restoring them to their former status?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Does not arise.

LICENSES TO TAXIS ON THE KALKA-SIMLA ROAD.

***107. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that this year a much smaller number of taxis have been granted licences on the Kalka-Simla road than was the case last year;
- (b) whether it is a fact that the hire charged for taxis between Kalka and Simla this year is higher than in previous years; if so, the reasons for the same;
- (c) what steps the Government propose to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) The rates are always subject to fluctuations, according to the amount of traffic offering itself in any given week of the season. So far as Government are aware the average rates charged this year are not higher than they were in 1936.

(c) Does not arise.

Syed Amjad Ali Shah : Would it not be advisable to fix rates?

Minister : I do not think this is possible.

QUACK MEDICINES.

***108. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the advertisement of quack medicines through newspapers, hand-bills and posters is being extensively carried on and the sale of such medicines has become a regular trade in the province ;
- (b) whether the Government propose to take any steps in the matter ; if so, what ?

The Honourable Mian Abdul Haye : (a) Government are aware that there is a regular trade in quack medicines being carried on in the province.

(b) Government have no proposals under consideration to check their sale. Quack medicines are mostly of indigenous origin and in the absence of a public opinion against their sale any action proposed by the Government is likely to be interpreted as interference in the rights of indigenous systems of medicines, as most of the medicines are alleged to be prepared from the formulas derived from those sources. Government would be prepared to consider the restriction of their sale, but in any case legitimate interests of indigenous system of medicine will have to be safeguarded.

Diwan Chaman Lall : Is it a fact that the Honourable Minister is confusing the word indigenous with the word quack ?

Minister : No. The word quack has in this question been used in connection with indigenous medicines.

Dr. Gopi Chand Bhargava : May I know whether patent medicines whose prescription is not known or is not given on the label of the bottle are also counted as quack medicines ?

Minister : No.

Diwan Chaman Lall : Is it a fact that there exist quack medicines (apart from other medicines recognised under any particular system of medicine) and whether they are injurious to the health and well-being of the people of this province.

Minister : Not necessarily.

Diwan Chaman Lall : Did the Honourable Minister himself use any quack medicine and can he say from personal experience that they are not necessarily injurious ?

Minister : I say it from commonsense.

Diwan Chaman Lall : Does common sense say that quack medicines are not injurious ?

Pandit Shri Ram Sharma (Urdu) : Is it a fact that sanads for vaidas and hakims are available in the market and can be purchased ?

Minister : That does not arise out of this question.

QUACKS.

***109. Lala Duni Chand :** Will the Honourable Minister for Education please state—

- (a) whether it has been brought to his notice that there are a large number of unqualified persons who pose as allopaths, homeopaths, v aids and hakims and practise medicine as well as surgery in the province ;
- (b) whether Government has ever collected information as regards the number of persons who have been killed or otherwise harmed by them ;
- (c) the number of persons, if any, prosecuted during the year 1936, for false impersonation as qualified v aids, hakims and doctors ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) No.

(c) As there is no Registration Act for v aids and hakims, no person can be prosecuted for false impersonation as such. Two persons were, however, prosecuted during the year 1936, for false impersonation as registered medical practitioners.

CONCESSIONS IN WATER-RATES FOR GROWING FODDER CROPS.

***110. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether concessions in water-rates are being given for growing various fodder crops by canal authorities in the interests of animal husbandry ; if so, the number of such concessions during the last year ?

The Honourable Dr. Sir Sundar Singh Majithia : The concession lies in the low rate for *abiana* and in the large variety of crops classed as fodder, list attached herewith. The last part of the question does not arise.

It is not however clear from the question what particular information the honourable member wants. If he will give me a definite question, endeavour would be made to give him the wanted information.

List of Fodder Crops.

1. Jowar (Great millet).
2. Kangni (Italian millet).
3. Lucerne or Alf Alfa.
4. Grass.
5. Chari.
6. Moth.
7. Guar.
8. Sawank.
9. Rawans.
10. Madal.
11. Turnips.
12. Senji.
13. Mains.
14. Shaftal.
15. Methra.

[Minister for Revenue.]

16. Sarson and Tars Mira when sown with Senji and cut green for fodder.
17. Fields containing admixture of wheat or Kasni which does not appreciably enhance the value of the fodder crop.
18. Oats grown in declared paddock areas.
19. Maize grown for fodder sown in March and April.
20. Charal, a kind of pea.
21. Berseem.

HILL TORRENTS IN THE AMBALA DISTRICT.

***111. Lala Duni Chand :** Will the Honourable Minister for Revenue please state—

(a) whether it is a fact that in Ambala district, Sirsa and other hill streams play havoc with the agricultural land ; if so, whether Government propose to take any steps to stop or minimise the inroads of hill torrents on the neighbouring villages and lands ;

(b) whether the Government is prepared to compensate those persons whose lands have been submerged or otherwise adversely affected by hill torrents in the Ambala district ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member's attention is invited to the reply given to question No. *5835,¹ asked by Chaudhri Allah Dad Khan in the October 1936 session of the Punjab Legislative Council. In addition to the sum of Rs. 2,500 mentioned therein, Rs. 1,000 were spent during 1936-37 and Rs. 1,100 have been provided for the same purpose in the budget estimate of the current financial year.

(b) No.

Lala Duni Chand : Is the present Government prepared to take a different attitude with regard to this matter from the attitude taken up by the last Government ?

Minister : I am not clear as to what the honourable member means. If he raises a question of policy, I should like to have notice of the question.

Lala Duni Chand : Do those people who are affected by hill torrents find any place in the scheme of distribution of squares of land ?

Minister : I think I have already given a reply to that question, that is, that such people are ordinarily given lands in the new colonies, each case being considered on its merits.

Lala Duni Chand : I am not aware of any answer given by the Revenue Minister. I should like the Revenue Minister to give an answer on the floor of the House.

Minister : The honourable member can look up the answer himself.

Lala Duni Chand : I appeal to you, Mr. Speaker. Is it for me to find out the answer or for the Honourable Minister to give the answer in the House ?

Mr. Speaker : When reference is made to an answer already given, the honourable member may find out the answer.

CASE AGAINST KHASLAT HUSSAIN, SUB-INSPECTOR OF POLICE, POLICE STATION HATHIN, DISTRICT GURGAON.

***112. Lala Duni Chand :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that in consequence of complaints of corruption having been made against one Khaslat Husain, Sub-Inspector of Police of Police Station Hathin, district Gurgaon, he was prosecuted for taking bribe at the instance of one Ram Saran in the court of Mian Lal Singh, District Magistrate, Gurgaon ;

(b) whether it is a fact that the case was hushed up ;

(c) the circumstances which led to the dropping of the case ?

The Honourable Major Sir Sikander Hyat-Khan : (a) A complaint under sections 347 and 384, Indian Penal Code (extortion and wrongful confinement for the purpose of extortion) was filed in the court of the District Magistrate, Gurgaon, on the 14th May, 1936, by one Ram Saran Das Mahajan against the assistant sub-inspector named and two other persons.

(b) and (c) On the 13th January, 1937, the complainant presented an application in court that he did not desire to produce any evidence in support of his complaint. The accused were accordingly discharged by the District Magistrate under section 253, Criminal Procedure Code. There was no question of any hushing up.

Lala Duni Chand : Is it true that pressure was brought to bear upon this man to withdraw the complaint ?

Premier : No.

INTERMEDIATE COLLEGE AT RUPAR, DISTRICT AMBALA.

***113. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that Pandit Ganga Ram Sharma of Rupar, Ambala district, has been approaching the Punjab University since 1929 for permission to establish an Intermediate Arts College at Rupar and has been expressing his willingness to comply with all the conditions the fulfilment of which is necessary before the affiliation is granted ;

(b) whether it is a fact that he had actually started an Intermediate Arts College and it was not affiliated ;

(c) whether it is a fact that he offered to deposit the required amount with the University to meet the deficit expected to be incurred in running the college ;

(d) whether it is also a fact that he is prepared to hand over the management of the college to a legally constituted committee to be approved of by the University ;

- (e) whether it is a fact that within a radius of twenty miles or so, there are ten high schools which can feed the college ;
- (f) whether it is a fact that at present there is no Government or private college in Ambala district ; if so, whether the Government is likely to start one shortly ;
- (g) if the replies to (a) to (e) be in the affirmative and that to (f) in the negative, what steps Government propose to take in the matter ?

The Honourable Mian Abdul Haye : (a) Yes. Pandit Ganga Ram Sharma of Rupar, Ambala district, has been approaching the Punjab University since 1929 for permission to establish an Intermediate Arts College at Rupar. In 1931 an enquiry committee was appointed which recommended affiliation on fulfilment of certain conditions. The Syndicate on 15th February, 1931, decided that when the applicant fulfilled the conditions it would be prepared to recommend affiliation to the Senate. He not only failed to fulfill these conditions, but expressed his inability to do so as is evident from the following report of the Syndicate's Committee on his application for affiliation made in 1934 which was accepted by the Syndicate —

“ As directed we have met Pandit Ganga Ram and his friends, and have fully discussed the whole matter with him. On being asked if he was prepared to carry out the old conditions laid down by the Syndicate in 1931, he replied in the negative.

He now seeks affiliation on the basis of the rental income of certain properties situated in Bombay, of which the details are shown by him in the annexed statement.

He has frankly stated that he is not in a position to arrange for any cash donation at present. The properties are heavily encumbered both on account of unpaid purchase money of sites and loans received for buildings thereon. While no proof is forthcoming to verify the alleged annual rental income, no allowance has been made for repairs and vacancies.

On this material, we have no option but to recommend that the application be refused.”

(b) Yes, he, on his own authority, opened the First Year Class without fulfilling the conditions or obtaining affiliation. The Syndicate on 27th November, 1931, had to take unusual measures for the relief of students who had been wrongly attracted to an unauthorised institution, by permitting the students who had joined the 1st year class of the College at Rupar to migrate to other colleges and to condone their deficiency.

(c) and (d). He did not offer to deposit the amount with the University. In view of his previous behaviour the Syndicate was not prepared to consider seriously his other paper proposals, and the University did not favour the idea of a college at a small station like Rupar to be opened by a private individual. Since then two applications for the opening of an Intermediate College at Ambala have been received and are under consideration.

(e) No. There are six high schools only.

(f) (i) Yes. (ii) No.

(g) Financial considerations prevent Government from opening a college in the Ambala district. Moreover applications from private persons for opening an Intermediate College at Ambala are at present pending with the University.

Lala Duni Chand : Is it true that Pandit Ganga Ram Sharma was required to deposit a sum of Rs. 50,000 with the University before affiliation could be granted ?

Minister : I am not aware of that.

Lala Duni Chand : Is it a fact that the University rules do not require the deposit of any specific sum but that the endowed property should be sufficient to meet any deficit that may arise ?

Minister : The honourable member is correct.

Lala Duni Chand : I understand that two applications have been made by certain gentlemen in the Ambala district to start private colleges. Will they be considered favourably ?

Minister : They are at present pending with the University. It is for the University to consider them, and I should think they will be considered favourably.

Lala Duni Chand : Is it a fact that these applications have been made by highly placed men who command financial resources ?

Minister : If the honourable member is giving me information, I am prepared to accept it.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that Pandit Ganga Ram Sharma was prepared to deposit Rs. 30,000 ?

Minister : What was wanted was ready cash.

Pandit Shri Ram Sharma (Urdu) : Did not the Pandit show his willingness to deposit money when the University called on him to do so ?

Minister : I do not think so.

Pandit Shri Ram Sharma (Urdu) : Did not the Pandit accept all the conditions imposed by the University ?

Minister : He failed to comply with those conditions.

Lala Duni Chand : Is it a fact that Pandit Ganga Ram Sharma was prepared to guarantee through a bank to meet any deficit that may arise ?

Minister : The University was not prepared to accept his paper proposals. The property that he offered was heavily encumbered.

Lala Duni Chand : Did he offer his security in the form of bank deposits guaranteeing payment of a certain sum to meet the expenses of the college ?

Minister : He had no ready money.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that in 1980 the University agreed to open a college at Rupar ?

Minister : Yes, on certain conditions.

Pandit Shri Ram Sharma (Urdu) : How is it, then, that the University did not think it fit to open a college there ?

Minister : The decision rests with the University. They have not finally decided the question.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that the report of Lala Sain Dass and Mr. Shafi Ahmad in this regard was accepted by the University ?

Minister : That does not arise.

PANCHAYATS IN MONTGOMERY DISTRICT.

***114. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of panchayats in the Montgomery district, if any ;
- (b) whether Government intends appointing a panchayat officer for that district ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Five¹.

(b) The matter is under consideration.

CASES UNDER SECTION 498, I. P. C.

***115. Mian Sultan Mahmud Hotiana :** Will the Honourable the Premier be pleased to state—

- (a) the number of cases filed under section 498, Indian Penal Code, in the courts of the province within the last four years, that is, from 1933 to 1936, and the number of women returned to their husbands after the disposal of such cases ;
- (b) the number of women traced and untraced in the above cases so far ;
- (c) what Government proposes to do in the cases of women so far untraced ?

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

HAZRAT FARID GANJSHAKAR FAIR AT PAKPATTAN.

***116. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister for Public Works be pleased to state—

- (a) how many first class passes for the entry to *khata* of Hazrat Farid Ganjshakar Sahib were distributed to the local officers for their guests, in addition to their official badges on the occasion of the last Bahishti fair at Pakpattan, district Montgomery ;
- (b) whether it is a fact that no passes were allowed to the guests of non-officials of the locality ;

¹ From the latest Panchayat returns.

- (c) whether Government controls the admission of pilgrims into the shrine area during the period of the said fair ;
- (d) if the answer to (b) and (c) be in the affirmative, what procedure the Government intends to adopt for distribution of passes in future ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Eighty-five first class passes were distributed to the local officers of the district for themselves and their guests ;

(b) Two hundred first class passes were issued to Diwan Ghulam Qutub-ud-din for distribution to non-officials. Seventy-five passes were issued to non-officials by the Sub-Divisional Officer, Pakpattan ;

(c) The holders of the passes are admitted first after which the gates are thrown open to the general public. Adequate police arrangements are made to ensure orderly entry, but no control is exercised over the number of pilgrims and others admitted.

(d) The present system of distribution of passes is working quite satisfactorily.

SHEEP AND GOATS OWNED BY NON-ZAMINDARS.

***117. Sardar Lal Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) the number of sheep, goats and cattle in the province owned and bred by persons having no grazing fields of their own ;
- (b) whether the Government exercises any control on the growth in numbers and movements of such flocks of sheep and droves of cattle ;
- (c) the grazing grounds on which these animals, specially the sheep and goats graze ;
- (d) whether it is not a fact that these roving uncontrolled flocks and herds live mainly by poaching on growing crops of agriculturists at night and are a constant source of worry and loss to them ;
- (e) whether such breeders pay any direct tax computed by the size of their flocks and herds ;
- (f) whether the Government propose to devise some remedy to prevent this enormous loss of agricultural produce due to the uncontrolled breeding of sheep and cattle ?

The Honourable Chaudhri Sir Chhotu Ram : (a), (e) and (d). Government have no information.

(b) No.

(e) No. In the Kangra district, however, there is a tax on cattle including sheep and goats, which was imposed in 1915-16 to prevent excessive grazing in the forests of that district.

(f) Does not arise.

JHATKA MEAT.

***118. Sardar Lal Singh :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that in the police lines at Lyallpur, Sikh employees are not allowed to use *jhatka* meat ; if so, why ;
- (b) whether it is a fact that on this matter being brought to his notice the Inspector-General of Police declined to take any action in the matter ;
- (c) what Government proposes to do in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is invited to the answer given by the Honourable Sir Donald Boyd on the 9th November, 1936, to question *6079.¹

Sardar Lal Singh : May I ask the Honourable Premier whether the Sikh member of the Cabinet has been consulted in regard to this matter ?

Premier : How does that question arise at this moment ?

Sardar Lal Singh : Will the Honourable Premier answer my question whether—

Mr. Speaker : Consultations among the Cabinet members cannot be divulged on the floor of this House.

Sardar Lal Singh : May I ask whether the Honourable Premier made any attempt to understand this question from any Sikh gentleman? (*After a pause.*) The Honourable Premier does not answer my question.

Mr. Speaker : It is open to the Ministers not to answer certain questions.

Sardar Lal Singh : May I draw the attention of Mr. Speaker to part (c) of my question No. 118 ? Will the Honourable Premier say something in regard to that part of the question ?

Premier : I have nothing to add to my answer except perhaps a Persian saying. (*Voices : What is that saying?*)

POLITICAL PRISONERS AND INTERNEES.

***119. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of political prisoners of Punjabi origin imprisoned in jails in various parts of India, not having been convicted by courts of law ;
- (b) the number of those confined within local limits of towns or villages in the Punjab under the Criminal Law Amendment Act or under any other law and how many of them receive maintenance allowances and at what rates ;

¹Vol. XXIX, pages 366-67.

(c) whether it is not a fact that many of these internees were earning their living in places other than those where they are now confined; if so, the reasons why some of them are not receiving any maintenance allowance in places where they are unable to earn any living;

(d) whether Government has under consideration the question of the release of the prisoners and internees mentioned above?

The Honourable Major Sir Sikander Hyat-Khan : (a) The information so far as it relates to other provinces is not available.

(b) The number of persons at present restricted to their towns and villages under the Punjab Criminal Law (Amendment) Act, 1935, is 15. None receives maintenance allowances.

(c) The area of restriction is always such that a restricted person can earn his living within it.

(d) No, but the cases of persons dealt with under the Punjab Criminal Law (Amendment) Act, 1935, are periodically examined by Government to consider the question of their release.

Lala Duni Chand : Is there any change with regard to the policy pursued by this Government as distinguished from the policy of the previous Government?

Mr. Speaker : Questions relating to policy are out of order.

PUNITIVE POLICE POST AT VILLAGE SABRAI IN LAHORE
DISTRICT.

***120. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

(a) whether it is a fact that mounted additional police force was quartered in village Sabrai, police station Patti, district Lahore, in 1921 for a period of 2 years and Rs. 19,308-13-7 were imposed upon and recovered from the inhabitants as the cost of the police post;

(b) the details item by item of the annual estimated as well as actual cost of the said police post with the date of its arrival in and the date of its withdrawal from the village;

(c) whether it is a fact that after the withdrawal of the said mounted police force from the punitive police post the horses and the other furniture purchased by the Government were taken to the district police headquarters;

(d) whether it is a fact that one Sardar Sundar Singh and other residents of village Sabrai submitted an application to the Honourable Premier on the 30th April, 1937, claiming therein a refund on account of the prices of the horses mentioned above, and, if so, the decision so far arrived at by the Government about their claim?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b). The post remained in existence from the 7th September, 1921 till the 6th September, 1930. The principal figures have been given in the reply to question No. 80¹, put by the honourable member for Lahore city (General Constituency). The honourable member will see from the figures given there that several thousands of rupees out of the calculated cost of this post were waived. This was in November, 1931.

(c) It was the intention of Government that the sale-proceeds (if any) of the horses and saddlery belonging to the post should be refunded to the villagers. Inquiries are being made as to what action was taken in this connection.

(d) Yes. As indicated above, the question is under examination.

Lala Duni Chand : Instances after instances have been given in course of the session that the Government is withholding—

Premier : Is that a supplementary question ?

Lala Duni Chand : Instances after instances have been given in course of the session that the Government is withholding the payment of those sums which do not belong to the Government. Will the Honourable Premier be pleased to give satisfactory reply to this ?

Premier : I doubt very much if that supplementary question arises out of this, but if honourable members opposite like to indulge in digging up old graves, I cannot help them. This matter relates to the year 1921.

Lala Duni Chand : There is no question of digging up a grave. It is a question of refunding moneys to those people to whom those moneys belong.

Premier : The moneys were refunded in cases where the Government thought it necessary to do so.

Diwan Chaman Lal : Is there any difference between digging up old graves and new graves (*laughter*) ?

Premier : So far as I am concerned there is none, but there are no new graves.

Lala Duni Chand : Should I understand that it is quite honest on the part of the Government to keep those moneys which do not belong to the Government ?

Lala Bhim Sen Sachar : Since the only graves available are old graves, will not the Government be well advised to undertake the task of digging them again ?

Premier : My honourable friend Dr. Sart Ram Seth says that we are going from place to place digging up graves everywhere.

Lala Deshbandhu Gupta : Has that part of the work been allotted to us ?

PERSONAL EXPLANATION.

Lala Bhim Sen Sachar (North-Western Towns, General, Urban): May I just crave your indulgence for the purpose of making a personal explanation? I have been told that a certain statement of mine, in my speech yesterday on the floor of this House has caused annoyance and mental pain to an honourable member of this House. Since, in spite of the fact that the giving of the annoyance or mental pain was in no way present to my mind, the honourable member has, as a matter of fact, felt hurt, it is due from me, as a gentleman to make suitable amends. (*Hear, hear.*) I, therefore, repeat on the floor of this House what I told the honourable member in private that I never intended to hurt him, that I meant to give him no offence and that he should be so good as to forget the reference. I shall have no objection if the reference complained of is expunged from my speech.

Minister for Education (The Honourable Mian Abdul Haye): I have no hesitation in accepting the explanation of my honourable friend. From what he said yesterday on the floor of this House it was but natural for me to take exception to his remarks. Now that he has very kindly made a request that this portion be expunged, I am perfectly satisfied and I thank my honourable friend.

Lala Bhim Sen Sachar: I am obliged to my friend for the kind response that he has made to my request.

DEMANDS FOR GRANTS.

EDUCATION.

Mr. Speaker: The Assembly will now resume discussion on the demand for grant for Education.

Lala Duni Chand: Sir, I want to make a suggestion. Instead of a few members making long speeches, I suggest that a larger number of members should make shorter speeches. The advantage will be that the Education Minister will be able to get more ideas and more suggestions from the different members.

System of University Education.

Shaikh Karamat Ali (Nankana Sahib, Muhammadan, Rural): I was discussing yesterday that the honourable members of the Opposition, who spoke, went so far as to say that the present system of university education is directly responsible for the intellectual, moral and physical inferiority of the young men of the province. I believe that this statement is quite unwarranted. However it was up to them to have shown by statistical remarks or by figures that the university has fallen short of the standard or the ideal they placed before it, but without doing it I believe their criticism is neither just nor charitable.

Proceeding further, if the same statement were to be examined in the light of the criticism of the remarks made by one of the most eminent

Englishmen, Cardinal Newman, I believe that their statement is nothing more than a piece of mere exaggeration. He says: that the highest aim of the university ought to be to bring the youth of the country in contact with the best knowledge and experience of age. If that be so, I am in a position to put this question to my honourable friends, is it or is it not a fact that the University of the Punjab is making a genuine and earnest effort to see that really the most talented, highly skilful and most experienced teachers and professors should be brought on the staff of the University as well as of the colleges under its control? If the answer to the above be in the affirmative, then I would submit that the criticism was uncalled for. All that they can say is that the university education is inadequate and not that it is inefficient or that it produces intellectually or morally inferior beings.

I am so pleased to find and really I am grateful to my friend who has made amends to-day on the floor of this House for that uncalled for incident. I am not going to refer to it.

Lala Bhim Sen Sachar : You have not referred to it at all.

Shaikh Karamat Ali : I am sorry. I had it in my mind that we should be very careful in our discussion. The aim of discussion is not to bring in personalities as much as to bring points which can possibly create good, healthy and sound public opinion.

Proceeding further, I want to discuss the last but the most important point which I believe has been urged on the floor of this House. My honourable friend, Mr. Bhim Sen Sachar on the Opposition side was again pleased to remark yesterday that the Unionist Government might as well plead its inability inasmuch as it has not been able to formulate any programme during the last four months and that it is nothing more than a pretext to urge that the present Government came into existence only a couple of months ago, and that they cannot imagine that we shall be doing anything material.

Lala Bhim Sen Sachar : On a point of personal explanation. I did not say that it was a mere pretext and that they did not wish to do anything. All that I said was that the present Government or at least many members of the present Government had the fullest opportunity of giving effect to their ideas even before this, if they wanted to, because they as the most favourite party had the ear of the Government for the time being.

Shaikh Karamat Ali : Sir, with all that, it is really very kind of my friend to talk in that strain, but I believe that this has been a general complaint on the part of the Opposition, that they believe that the Unionist Government has so far done nothing beyond mere verbal assurances and that the Government could show a desire to do some work of reform. But I again must plead that every reform, as you know, is not a matter of a miracle, it is not a matter of our conjuring up new apparitions of perfections within so short a time, but it must require some time to be able to introduce anything substantial or solid. It is not only that the Government in charge of the affairs will like to do something which will

be useful for the country but that it would require time before the evils of several years, gone into the body fabric of various departments, can be eradicated.

Now it has been urged several times that the Unionist Government have failed to make a change in the working of the various departments even on the introduction of Reforms. May I ask the honourable members how without telling anything substantial and without giving any constructive suggestions they can expect anything from the Government which took charge of the affairs of the province only three months ago? Do they believe that we are capable of working miracles, or do they actually know or believe that the Unionist Government is a Government of magicians or conjurers, that they can by the very touch of their wand transform everything and solve the problems which really require mature consideration, to be raised into something sublime or ideal? No, the answer is an emphatic no. It is certainly a matter of evolution and gradual growth. It means development of certain schemes before they can be brought into practice. I can assure the learned friends on the opposite benches that the Unionist Government will certainly come to that standard of efficiency which is required of any national Government. I would at the same time submit that it is rather absurd and futile to expect from a babe just born that he should not only walk and run but also be able to deliver speeches. If that is in any way possible, then it may be reasonable for anybody to say that the Unionist Government have failed to do something which was required of them. With these few remarks I would submit that I oppose the motion as it has been tabled. There is certainly no reason for the opposition to say that the Unionist Government have failed to come up to the expectations of the country.

Syed Amjad Ali Shah : Would it not be better to have a time limit fixed for speeches? There are many members who would like to take part in the discussion.

Raja Ghazanfar Ali Khan : I would support the suggestion made by the honourable gentleman. The time limit of speeches may kindly be fixed at 15 or 10 minutes each.

Mr. Speaker : Should there be any time limit? (*Voices : No.*) As the change is not acceptable to the whole House, I am afraid I cannot fix any limit.

Minister for Education : I would like to make one suggestion. Whether the House agrees to limit the duration of speeches or not, I would require an hour to reply and I may be permitted to rise in my seat at 4-30 P. M.

Lala Deshbandhu Gupta (South Eastern Towns, General, Urban) : We have been discussing this important question for some hours and so many speakers have spoken from both sides.

Mr. Speaker : There is no time limit, but I would request honourable members to take as much time as may be absolutely necessary.

Lala Deshbandhu Gupta : There is some difficulty about it, but I shall try to be as brief as I can. Because I have taken no part in the

budget debates so far I would naturally require more time. Let me at the very outset make it clear that we on this side of the House are quite alive to the serious imperfections of the constitution and the handicaps which stand in the way of chalking out of a bold programme or deciding on a bold line of action even in the matter of education. We are also aware that the Unionist Government or for the matter of that any other Government in any other province, is yet an infant Government, since it took charge only recently and miracles cannot be expected of it over night. I would not, therefore, be uncharitable to the members of the Government in my criticism of their educational policy which is indicated in the budget which is before the House. But I must say to my friends over there that our chief complaint against this part of the budget is that the Government has not shown any imagination and appreciation of the real problems and the educational needs of the province. This is the main point of my grievance, this is the main charge which I make against the Government and against my honourable friend the Minister for Education. When we read through the pages of the budget, concerning the Education Department what do we find? We find that no new head has been added to the old budget. It only shows that those who are at the helm of affairs have not given any serious thought to the requirements of the province so far as this important subject is concerned. In all the free countries of the world with which we are so very fond of comparing ourselves, we find that they aim at mass education. In their budget there is a provision for adult education, a provision for universal education.

Shaikh Faiz Muhammad : University education ?

Lala Deshbandhu Gupta : I am not discussing university education alone, I am discussing the entire educational policy of the Government.

Mir Maqbool Mahmood : Is the honourable member in order to discuss on this cut, the entire policy of the Government and not to confine himself to university education ?

Mr. Speaker : It was decided yesterday that amendment No. 1, relating to the system of university education, and the motion about the general policy of Government in matters educational, may be discussed together, but if necessary they will be voted upon separately.

Lala Deshbandhu Gupta : I would request the honourable members on the other side to give me a patient hearing ; I would try to avoid all repetition.

Mr. Speaker : The honourable member will please leave that to the Chair and proceed with his speech.

Lala Deshbandhu Gupta : I was requesting through you. My first point, or my first disappointment with the budget so far as it concerns the Department of Education is that there is no provision whatsoever for either adult education or even any elaborate scheme or provision for either technical, business or vocational education, although so far as the percentage of literate persons is concerned, our country stands at the lowest.

rung of the ladder and our province perhaps is the most backward even in India. You will find that in India the percentage of educated people is not more than 9·5 of the entire population. Not only that, as a matter of fact, we have to admit this to our shame, that we are not able even to keep pace with the increase of population and the percentage of educated persons is really decreasing with the advance of time. More so, Sir, our province has got the least number of educated persons and the percentage in our case is perhaps not more than 6·5 per cent. So, the percentage of educated persons in our province is perhaps the lowest in our own country and is decidedly and surely below the average percentage for the whole country. If we compare it with certain advanced Indian States, like Baroda, Travancore and Cochin, we will find the figure to be still below. It was high time that the Unionist Government should have taken note of it. In England, a country which has been ruling over this unfortunate country of ours for the last 150 years, although the percentage of literate people is above 90 commissions are appointed to suggest the best methods for spreading universal and adult education. They have not only made provision for adult education, they have been making serious efforts to tackle that problem. But what do we find here, in our province, where the percentage of the literate is as low as 6·5? There is no provision whatsoever for adult education in the budget. If we look to other countries I think my friends over there, will be staggered to see their figures; in Japan the number of elementary schools alone is 25,697 and the number of students attending these schools is 10,714,196. This shows that even in a country like Japan, where the percentage of educated people is about 88, so much care is being taken by the Government for providing elementary education to their people.

The second point to which I want to draw the pointed attention of the Government benches is that they have not at all tackled the question of giving vocational or business education to the people of our province. Here again there is no provision, whatsoever, for that in the budget. But what do we find in Japan? The number of business schools is 1,024 and the number of students availing of these schools is 298,893. In Japan, the Government have not even overlooked the claims of the blind, the dumb and the deaf. Even for their education they have a provision. There exist to-day 48 schools for the blind and 78 schools for the deaf and dumb people; this is how the problem of education is tackled by other countries. If you go to Russia you will hear a still different tale. In Russia in 5 years' time they have almost changed the whole complexion of the country. You will find that in that country over 88 per cent. children of the school-going age are attending schools and there are about 57,000 schools provided for elementary education and adult education. Apart from that there are 22,000 reading rooms provided in rural areas for the people, to enable them to learn something about the world. But what do we see in our province? I would not, as I have said already, accuse the present Government for the sins of their predecessors. But I certainly expect the Government to try to keep pace with the times and make a serious effort to remove the appalling illiteracy. They should realise that there is a colossal want of education in our province. If they fail to appreciate that, which they have done so far, I think they have no future in the province. My own

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view is that during the last 150 years the greatest tyranny which the British have practised over our country is that they have kept us shrouded in ignorance. They have tried to keep all light away from us, which they should have provided us by giving us education and by carrying the torch of education to all the villages and towns. If the present Government of ours also follow that policy and do not make a serious effort to remove and wipe out the demon of illiteracy from our province, then I say that the Government would seriously fail in their attempt to be called a national Government. I would be personally satisfied if the Government do not do anything else, but in 5 years' life, of which, I think, the Government opposite feel assured, succeed in removing illiteracy. The Congress Governments in other provinces may not have that assurance, and it may be that the life of those Governments, may be very short — but so far as the Unionist Government is concerned, I think they have already taken an assurance from the powers that be, that they will enjoy their full span of life. If even after getting that assurance they do not set themselves to draw up a regular plan and a five years' programme of education for the whole province and guarantee to the public that there will be no illiteracy in the province after 5 years, will it not be deplorable? Is it too much to expect of them to make some such serious effort in this direction? I know that the one big answer which is always given from the benches opposite, will be 'where is the money to come from?' That is one big excuse which is always sought to be given in reply to every criticism which is made from the benches on this side. I know as I have already said that there are difficulties. I know there are serious handicaps. But I do not really think that these handicaps are so formidable, and so serious that we cannot overcome them. There are two ways of achieving our object. The first is, that we should make sure whether the money that we are spending on education is well spent, whether out of this money we cannot spend something more usefully or whether the province cannot be made to benefit to a larger degree from this very money that is being spent on education? I think there is much to be desired. If the Honourable Minister for Education or the brains which have so far been forging repressive laws to keep the country in bondage, are made to work and draw up schemes and find out ways and means for carrying the message of education to every nook and corner of the province, I think, they will at least be able to suggest ways and means for providing education to a much larger number of people.

Then, Sir, I might suggest to the Honourable Finance Minister that there are other sources of income also open to him which can be tapped. I think it is high time that he should look up into the methods of working employed in other countries of the world. Let me ask him whether it is open to the Government or not to start sweep stakes and collect funds for the purpose of education. Go to Ireland. What do we find there? In Ireland you will be pleased to know that a large number of hospitals are run by the income got through the Irish Sweep Stakes.

It is to our regret that a large portion of that income is contributed by our countrymen. I know some people have been raising money for

dubious purposes, by organising lotteries with the help of one Indian State or another. I ask, is it not open to us to make the best of it, and start sweepstakes for raising funds for these beneficent purposes ?

Minister for Education : Tainted money.

Lala Deshbandhu Gupta : Tainted money ? I say the object is so sacred, the object which we have in view is so pious that for that purpose we can even beg, borrow or steal. (*Hear, hear and applause.*) Tainted money ? It is easy for the Honourable Minister who is sitting in his comfortable chair to say so. He has not given thought to and does not care to see the appalling distress of our countrymen due to want of education.

Minister for Education : You still speak of moral education.

Lala Deshbandhu Gupta : I am really surprised that in these days of enlightenment the Honourable Education Minister has the boldness to make a statement of that nature and call it tainted money, while such lotteries, and big sweep stakes are being patronised by the highest in authority in free countries like Ireland. Is it tainted, because we want to use it for a useful purpose ? It becomes tainted perhaps because ours is a slave country, and because we are given to contribute to other countries and are not to utilise or spend money for the benefit of our own brethren. I will not quarrel with him if this is tainted money. Let me make another suggestion to my honourable friends over there. Is it not open to them, I ask, to contribute 10 or 15 per cent. of the high salaries that they are drawing and thereby raise a fund for adult education ? (*Hear, hear and applause.*) This is a concrete suggestion. I am pleased that the Honourable Minister puts his moral standard very high, let him accept this suggestion. Here is another practical suggestion, is it not open to him, I ask, to raise funds by making an appeal to his brethren in the province as is done in America and England and in other countries and make the rich people contribute something for the education of the province ? I am really surprised that no such attempt has been made. There is no mention whatsoever in our budget for income from contributions for this laudable object. It is an open secret that a section of the people of this country has been paying very heavily for getting titles from the Government. Let me therefore make another suggestion. Make all the members of the Unionist Party or for the matter of that, all other loyalists of the province, Rai Sahibs or Khan Sahibs or Khan Bahadurs and make all these people pay generously to the education fund of the province. Let there be a provision for contributions. That is all what I say. Let there be an appeal issued by the Premier, for raising funds for the education of the province. See what is done in England and America. You will find that millions and billions of pounds and dollars are contributed every year by the charitably disposed people of those countries to the education fund. Why should it be not done here as well ? The big zamindars who hold squares and squares of productive land in our province, who have got immense wealth and who do not know really how to spend that wealth, could they not be persuaded by the charming personality of our Premier or by the occupants of the benches opposite to make contributions to the educational fund of the province and start some big educational scheme on the basis of such

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contributions? I say that if they make an effort, a serious effort, an honest effort, in that direction, their labours would not be wasted and they will find ready support from this side of the House in those efforts of theirs.

The second thing that is necessary in order to make education cheaper or to increase the resources at the disposal of the ministers over there, is to tackle the question of the cost of education which has been increasing in our province for the last so many years. What do we find in the Government institutions? I think the Government institutions in our province and perhaps in all the provinces are most to blame in this respect. If we go to the Government College, what do we find? We find that even a student reading in the intermediate class has got to spend about Rs. 100 a month on his maintenance. If that is the standard of expenditure in the Government institutions, is it not high time that we make a serious effort to reduce this bill of education in the Government institutions? The Honourable Minister for Education waxed eloquent the other day when he said that the denominational institutions are a source of communal trouble and communal estrangement. I certainly agree with him that these institutions also like many other factors have got their responsibility in the matter and have played no small part so far as that charge is concerned. But certainly there is another side of the question also and I must say that so far as the question of expenses of the students is concerned you will perhaps find that in the denominational institutions they are far less. I ask the Honourable Minister sitting over there in all seriousness whether it is not possible for him by making a serious effort to change the outlook of these institutions and to reduce the average expenditure of a student say by at least Rs. 10 a month. If you work this up, how much does it come to? I think the number of students, the college going students in the Punjab, is a little over 10,000 or perhaps more. This means that if we can reduce the expenditure by Rs. 10 a month per student, we will be saving to the province a lakh of rupees a month. Would not these parents who are concerned, then come forward to contribute to the education fund something if an effort is made?

Minister for Education: That money is not going to come into my coffers.

Lala Deshbandhu Gupta: It can. You have only to inspire the confidence of the people. I do not believe in high taxation. We must make it possible for the people to get education at cheaper price. You will see, if this method is adopted, money will come voluntarily to your coffers. (*Hear, hear.*) If money can go to the coffers of America and England and other foreign countries in millions and billions, why could it not come to our Government which claims to be a national government or at any rate professes to be a national government? (*Hear, hear.*) I think there should be no difficulty about it. Only the necessary will is needed, honesty of purpose is needed, determination is needed, imagination is needed and last but not least a real comprehension of the requirements of the province is needed.

Chaudhri Krishna Gopal Dutt : People do not trust them.

Lala Deshbandhu Gupta : They should behave in a national manner and try to prove to the people that theirs is a national government.

(At this stage the Assembly adjourned for lunch.)

The Assembly re-assembled at 2-30 P.M. Mr. Speaker in the Chair.

Lala Deshbandhu Gupta : Sir, during the short time at my disposal I have tried to make certain concrete and practical suggestions to the other side of the House. I wonder if the suggestions will meet with their careful consideration or even a cursory consideration. But if it is a question of making constructive suggestions alone I think, I can go on making many more suggestions to the Government, but the real question is whether the Government will go through those suggestions and apply their mind to them. I feel that there are many branches of administration where an axe can be applied. I feel in all sincerity, that the Criminal Investigation Department must change its policy now. There are so many Criminal Investigation Department constables even to-day running after national workers.

Mr. Speaker : The honourable member is not in order.

Lala Deshbandhu Gupta : Sir, I am only suggesting ways and means by which the Government can find money. I think I am perfectly within my right to make a suggestion of that sort. Coming to hospitals—

Mr. Speaker : The honourable member cannot discuss the question of hospitals.

Lala Deshbandhu Gupta : I am only making a suggestion to Government. I know suggestions of that nature are not well received by those who are not prepared to incur the displeasure of even considering suggestions of that nature. I further feel that money is not the only consideration. It is not the only thing that should cause anxiety to those who have got a policy of education before them. There are also many other factors to be considered. The Hartogg Committee did consider this question and what did they say? They said:—

“ The expansion and improvement of education do not depend merely on money. Money is no doubt essential, but even more essential is a well-directed policy carried out by effective and competent agencies, determined to eliminate waste of all kinds. We were asked to report on the organisation of education. At almost every point that organisation needs reconsideration and strengthening; and the relations of the bodies responsible for the organisation of education need readjustment.”

I make a present of this, Sir, to the Honourable the Minister for Education. If he were to look into the huge waste which can be checked by a properly directed policy I can tell him that there are many things which can be easily done without even further taxing the people of this province. To make one concrete suggestion, I ask him whether he has ever considered that the teachers of our schools in the province are amongst the least worked men. Whether he has ever considered that these teachers, if they are made

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to work for 8 hours a day they can do at least 30 per cent. more work and to that extent the province can benefit more from their work. Has he ever considered that there are 1,900 teachers in the province only in Government schools who receive Rs. 21 lakhs as pay. There are two thousands such teachers receiving 8½ lakhs as their pay in private schools. In the first place look at the disparity. The staff of the schools run by the Government is very highly paid. But I say, do not cut their pay, keep that high standard if that pleases you. You can keep that standard by all means ; but I ask in the interest of the nation as to why they should not be made to work at least for two or three hours more for helping the cause of adult education. Is it not possible? Is there any country in the world where the teachers are not made to work for adult education in their off hours. Is there any country where night schools are not run and the teachers are not asked to work extra for a few hours to spread adult education. I ask why there is no such indication in our budget --

Minister for Education : It is being tried in Jullundur.

Lala Deshbandhu Gupta : My friend, the Honourable Minister for Education, assures me that it is being tried in Jullundur. I ask him, how long will that experiment take? Is it not worth while to try it in every district of the province? Why not take courage in both hands and lay down a well planned policy of education for the province? All the teachers can be made to work in their off hours. Again, what is the state of affairs regarding unemployment in the province? Are the Honourable the Education Minister and the Honourable the Finance Minister aware that there were two thousand applicants for 11 vacancies of constables in the Punjab? Only the other day 11 persons were taken as constables out of two thousand applicants, one of whom was also a graduate. I say, is it not possible for the Government to bring about a scheme of national service and make it obligatory on those who want to take Government service to serve free for at least 6 months as teachers and help in spreading adult education? Is it too much to expect that? It is a practical suggestion. If you go to any factory or big firm to-day you will find that there are large number of people kept on the waiting list of the clerical staff, who work for six months or more without any pay. If that is so, is it not possible for these people also who want assured careers and fat salaries, to work free for the uplift of the nation for some time and help in removing the ignorance and illiteracy of the province. I go further and say, what is the state of the lawyers in our province? Is it not a fact that at least 60 per cent. of the lawyers waste away most of their time in the bar room sitting idle as they have no work to do? In the evenings they generally go and play bridge and do things like that. They do not contribute in the least to the national wealth of the country. I say, why should they not be asked, to contribute to the national service, something by way of service in their off hours? If the Government has got the will, if they have got the imagination, they can certainly act on these suggestions. I repeat that if they have got the necessary will and determination, ways and means can be found out to tide over our difficulties.

Then Sir, may I ask the Education Minister whether he has taken the trouble of studying the history of the progress of education in other countries? Has it ever occurred to him that the talkies and movie pictures which are becoming a regular source in this country can be put to some useful purpose? Is he aware that even in England these are being used as instruments of education? In Russia there are as many as 18,800 such pictures which are regularly being displayed in schools, clubs, and other public institutions. Has it ever occurred to the Education Minister that similar advantage may be taken of this scientific invention in this province also? (*Mian Abdul Aziz*: The pictures there are not like those in India.) Yes, that is what I am saying. It is for the Government which calls itself 'national' to give serious thought to these points. I am sure there is ample literature available on this subject. The Government benches accuse the Opposition for lack of constructive suggestions. But I feel it does not require much thought on the part of the Government. If they only look with open eyes at the progressive countries of the world they will soon find out as to where we lag behind. I can understand if the Unionist Government have not the courage of the Congress in fighting for the constitutional rights of the country either within the Cabinet or outside, I can sympathise with them for that, but so far as the question of the spread of education is concerned, I really cannot understand why they should not be as courageous as anybody else. Why should they not have the same will or desire to spread education throughout the province. Unless like the despotic governments they feel that the educated voter will not be to their advantage hereafter, there is no reason why they should feel shy and not tackle this problem with the seriousness and care that it deserves.

The next question I want to raise is the one of sending students abroad for study. I do not find in the budget any provision for the purpose. I wish that the Education Minister and other Ministers who always want suggestions, take a trip to Japan every year and see how things are going on there and how independent nations fashion their destinies. (*Interruption.*) I am not making these suggestions in joke. I do so in all seriousness. The Honourable Minister for Agriculture may scoff at it. But if he cares to inquire he will find that even the military authorities in India have laid it down that their officers should spend their holidays in Japan with a view to study things there. Even if the Honourable Minister wants to go at Government expense, I think Government will not mind it. Their party is always ready to oblige them and in this respect even the Opposition will not mind a little more expense if they go there with a view to study and obtain more knowledge to be utilized for the benefit of our province.

Coming next to the question of progress of education in our province, I ask, is our Education Minister aware that there has been retrogression in this province so far as the number of recognised schools and the number of school-going children are concerned? Is he aware of the fact that in the year 1927 there were as many as 18,860 recognised institutions in this province and in 1934 they came down to 11,664, a drop of about 2,000 recognised institutions? There is also an almost proportionate drop in the number of students attending these recognised institutions. Does it do us any credit? I do not hold the present Government responsible for the sins of its predecessors, but I only want to draw the attention of

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the Honourable Minister to this state of affairs. Not only that. If we go deep down into the matter we find that in the whole province there are only 160,000 students in the fourth primary class. It will also be noticed that out of 8 students who join the school in the first class only one reaches the fourth class. Is that not a matter for serious thought? I am afraid the time at my disposal will not permit me to dilate further on these points. I will take only two or three minutes more. If we are really serious about spreading education in our province, we must reduce the cost of buildings, the cost of extraneous things which really have got nothing to do with education. Secondly we must make education profitable for students. We must overhaul the whole system of education. The present day education is of no good to the students. People are now beginning to realise that education is a losing proposition. Even if their children become graduates of the University they are not sure to earn Rs. 25 a month. If the Government were to tackle the problem of education in the right spirit and with earnestness, the time will not be far off when we will come in line with other countries or at least with the advanced provinces of our country.

I have only one word more to say. So far as the Opposition is concerned it is one with the Government in the matter of spreading useful education to the people. The real problem before us is how to wrest power from the unwilling hands of the British and how to put that power to the benefit of our country. If the Government really mean business, if they are really anxious to be proud of some achievement on the expiry of their term of office, they must apply their minds to these problems and try to collaborate their efforts with those of the Opposition. The Opposition will not be found wanting in help in this respect. It is no use flattering ourselves that we have got a national government and provincial autonomy.

I say there is no autonomy. Let us not deceive ourselves. The temple of autonomy is neither theirs nor ours. It requires much more sacrifice before we can really achieve that end. Our Premier has got the name of Premier but he is really not a Premier of a free country. He has not got those wide powers and wide resources at his disposal. He has not got all that a free nation has. We have got to collaborate our efforts to achieve that object. I say it can only be done if the Government benches are broad minded, are in a reasonable mood and do not behave like their predecessors. They should act on the suggestions of the Opposition; they should show the courtesy which the Opposition deserve and I repeat that if they only make an honest effort, they will not find the Opposition wanting in giving the necessary co-operation to them.

Mr. Speaker : How many times is the honourable member going to repeat the same argument?

Lala Deshbandhu Gupta : I have one word to say and that is about the political policy of the Government. (*Voices from Government benches : Political policy, Oh!*) You will see that I have given notice of a cut motion for stopping the grant to the Baden-Powell organisation in the province. If the members on the Government benches feel alike on the question of national honour I do think that in a matter like this it should need no argument to convince them that the organisation of which Lord Baden Powell

is the patron does not deserve any support from a national government or from any self-respecting government when Lord Baden Powell has uttered such insulting remarks about the Indian nation. I, therefore, hope that the Government will stop that grant. With these words, Sir, I resume my seat and I support the cut motion that is before the House.

Tikka Jagjit Singh Bedi (Montgomery East, Sikh, Rural) : Mr. Speaker, let me at the outset express my gratitude to you for affording me an opportunity of expressing my views before the House. I have been trying for the last few days to catch your eye, but unfortunately I have been unsuccessful and it was only to-day that by sheer perseverance and successive efforts, I succeeded in the end (*Hear, hear*).

Mr. Speaker : I am aware that most of the honourable members wish to speak on almost every motion, According to parliamentary practice the front-benchers have a prior right to catch my eye, if they rise. The back benchers must come last of all unless the leader or whip of every party arranges the order in which the members of his party may be called by the Chair. Take the case of the House of Commons which has got more than 600 members. If every member were to stand up and seek permission of the Chair to speak on every motion, it shall be simply impossible to finish the business of the House. We have got 175 members. If every one of them were to speak on every motion, it shall be impossible to finish the business of the House. I think I should call the front-benchers first and back-benchers after them, or follow the order communicated to me by the whips of various parties.

Khan Bahadur Captain Malik Muzaffar Khan (*Urdu*) : In my opinion a time limit should be fixed. It will be very convenient for us all.

Mr. Speaker : Under the rules I have no power to do so.

Khan Bahadur Captain Malik Muzaffar Khan (*Urdu*) : Some members keep on speaking for hours while others do not get a minute to express themselves.

Mr. Speaker : It is no use arguing in that strain.

Tikka Jagjit Singh Bedi : I thank the Chair for explaining the conditions. A few days ago my honourable friend Pandit Shri Ram Sharma in the Opposition most humorously remarked that if the Opposition even proposed to turn out the *Shaitan* from the province, the ministerial benches would certainly oppose it on the ground that the presence of the *Shaitan* is very conducive for the welfare and betterment of the province, but I assure him that we agree with him as far as the defects of the education system are concerned (*Hear, hear*). I am sure most of us on this side will join with him in demanding the reformation of this educational system as it is prevalent these days. Much has been said about the vocational training, the industrial training and compulsory and free education. All of them are very useful things and they should be introduced as soon as possible. I have with very great interest listened to the speech of Sardar Hari Singh. I must say it was a very philosophical and historical sermon and I have, at the same time, heard the speeches of different other speakers and I feel that they were so exhaustive that there is hardly anything new left for me to make mention of. But at the same time I do feel that there are a couple

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of points which certainly deserve consideration. My first point is that the present system of university education is very expensive. Take the case of a student who comes from a village of a certain district to Lahore. He is usually of the age of fifteen or sixteen years. When he comes to Lahore, he has got nobody to look after him. He feels that one of his preliminary duties to the university is to dress immaculately. He also considers that it is also part of the curriculum of the university to go to pictures and to know something about the actors and actresses on the screen. He forgets that

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his most important duty towards his country as well as to his parents is to work hard at his books. But the reason for this is that there is no one to look after him and to control him. I would put forward a constructive suggestion and that is this that like the other universities, I mean the English universities, the professors and the tutors should have direct control and should be in direct touch with the student as they have at Cambridge or at Oxford. Every student there is looked after by two experienced professors, one looks after his studies, the other looks after him generally. Not only that, there are proctors going about in the streets in the universities who look after the general behaviour of the students. If a certain student is seen there misbehaving, he is called by the proctors and is punished, but I am sorry to say that there is no such restriction on the students at Lahore or in other universities, as far as I am aware of, in India. (*A voice*: That system has only recently been introduced.)

Then I will come to my second point. When after spending about Rs. 10,000 or Rs. 15,000 a boy gets his degree, what does he know? He has just a superficial knowledge of English, a little bit of Urdu or Persian or some other language like this, and he knows very little about History and so on. There are very few who are lucky to get into service. The others go and seek other professions in the outside world, and these things are not of much use to them in real life. I would, therefore, suggest that university education, though it may seem queer, should be restricted and before a boy is allowed into the university there should be a certain higher standard of examination which should be fixed, not only that but there should be a board of educationalists as well as of doctors and other business magnates to see whether the boy is really fit for higher education because higher education means a lot of expense not only for the parents but for the State as well. In Germany before the War there were 14,000 students in the universities and after the War suddenly there was a craze for university education and the number rose to 60,000. I have been reading the reports and I find that the university authorities have been disillusioned there and they wish to reduce the number to 6,000 only. In Germany they have such restrictive conditions. They have a board of educationalists as well as of doctors and high business magnates. I would submit that a board like this in the Punjab would certainly serve a useful purpose. The other students after getting their primary education should take up other professions. That means that they will start earning money in their young age and they will be a help to the parents as well as to the State.

Mr. Deshbandhu Gupta suggested to you now that the Education Minister should go to Japan to get some experience of the educational system there. I most strongly support that idea, but I would suggest that it should not be the Education Minister only but some of the members from this House as well (*hear, hear*).

I am aware that there are a lot of difficulties in the way of improvement for instance, the financial difficulties. I know it takes time to do these things but there should be a will, and I find from the statement of the Education Minister which he made the other day in the House that there is a will, and I am sure he is going to put his ideas into practice.

With these remarks I resume my seat.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I envy my honourable friend, Sir Gokul Chand, whose voice can successfully compete with the voice of a railway engine. I do not desire to take up much of the time of the House in regard to this particular speech of mine. I thank you for giving me an opportunity to say a word or two. I know that there is a large number of members desirous of saying something important on this particular subject and, therefore, I shall take your advice and be as brief as possible. I am, Mr. Speaker, in company with probably every number of this House at a disadvantage, a very serious disadvantage. The usual custom, I take it, in the House of Commons, in the matter of supply, is that the Honourable Minister in charge lays down his policy and thereafter a debate takes place. We on this side of the House are completely in the dark as to what the policy of my honourable friend opposite is. Not one single word, Mr. Speaker, has been uttered up to date excepting in the matter of a question raised on the floor of the House according to which it is possible for the Opposition to understand as to what the policy of my learned friend over there is. If I may be permitted to say so, even the reports of the Education Department are not made available to members of this House. I have to extend my gratefulness to the Director of Public Instruction for the courtesy he has shown me by lending me his own copy of the report. All that we have is a statement of figures in the budget but not one word in relation to policy, unless the very brilliant and able speech, which Begum Shah Nawaz delivered yesterday and for which we on the opposition benches congratulate her is to be taken as the policy of the Government and if it is it must be taken as a vote of censure upon the Government (*hear, hear from the Opposition benches*), because her speech was nothing more than a recital of the needs that my honourable friends should have fulfilled in the matter of education and which they have failed to do up to date. But, I know, Mr. Speaker, my learned friend over there will tell me and tell this House that in the matter of policy they have been in office only a few months, and therefore, we cannot expect them to show their hand in the matter of policy. Let me remind my honourable friend that when the Russian Revolution broke out in the year 1917, within four days of Lenin taking power in his hands, Lunacharsky produced a detailed statement of policy which remains to this day. (*Hear, hear from Opposition benches*). He did not wait then for four months to produce a statement of policy in relation to the educational administration of his country. He will forgive me when I say this, because I am now going to congratulate him about one thing which he said and to which I have to draw attention and

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this was in relation to the policy of his Government in regard to denominational institutions. We on this side of the House congratulate him for that statement, and we hope that before he lays down his office, he will have put into actual practice these sentiments which he expressed on the floor of the House. Why is it necessary that we should have a detailed policy presented to us? It is most essential to get at the child if we want to solve the problem of the educated. The child is the seed of national strength in this province, the child is the proper person to get hold of, if you want to solve your communal problem and if you do not have a policy in relation to the child, you will never be able to solve your cultural and educational problems in this province. What are the problems, Mr. Speaker, in this province? With a population of 23½ million people, we are told by the department that the total percentage of the population which is of school going age is 5·40 per cent. and that there has been an increase of ·02 per cent. according to the reports given to us in the number of children of school going age, but in reality, there has been a retrogression. How serious that retrogression is will be manifest if we look at the actual fact. Let us look at the truth. In the year 1931-32 the total number receiving education was 1,338,000. In the year 1935-36 the total number was 1,270,000 which is a drop of nearly 50,000 in the actual number. We have got a population of less than 6 per cent. literate. Now the demand that has been made in regard to the adult education is of a fruitless nature and we find a retrogression in the matter of adult education—where the numbers have dropped by 1,200 or thereabout and the total number of adults receiving education is, I believe, somewhere about 4,000 odd. When more than 94 per cent. of the population of this province is illiterate I ask my learned friend whether he has thought this problem out. If so, what is his policy in regard to this particular problem? Let us look at the question of finance. In the year 1932 the expenditure was 154 lakhs; in 1937 we get a budget of the same amount, 154 lakhs. We are back again to the year 1932. We are not progressing, we are going backward not only in the matter of numbers but in the matter of finances also and equally in the matter of policy governing the educational institutions in this province. This is a most serious state of affairs. We find from the report that has been presented by the Government that the wastage is enormous. One in every eight children who join school in the first class end up in the 4th class, that is 7 children disappear within the four years of the school going age and in reality in a population of 23½ millions only about 160,000 children ever reach the standard of literacy. This is a deplorable fact, it is a fact which must be faced by this Government, if this Government mean to govern and if they mean business by the people of the Punjab. It is the first thing that they must come forward and face. In England, far from there being a wastage of this kind, quite recently the latest report shows that they have got a million and three quarters new places for children. In England there is not a child of school going age that has not now an opportunity of going to school and obtaining the best kind of education which the schools can give. These schools of England to-day are some of the best type of schools in the world barring those in Russia. What is wanted is not merely a plan; what is wanted is a policy of the type which would ensure education not for the selected classes, not for the privileged classes, not for the few as was done by the British Government during the last hundred

years of rule in the Punjab, but a policy which will guarantee education to the masses and afford an opportunity to every child to get education and obtain the best that the world can give him. That policy can only come, if my honourable friend the Minister for Education looks upon his province not with the eyes of a capitalist, not with the eyes again of merely an administrator, not with the eye of a man who is merely a member of the Unionist Party, but if he looks upon the province as a national concern and a national asset and a trust that has been placed under his charge. Only thus will he be able to discharge that trust with the efficiency that is demanded of his department. May I ask my honourable friend whether it is not a fact that within the years 1929—33, I do not know if he knows this fact, but he can quite easily verify it from documents and from books that are available in his office, that within the period 1929—33 in Russia 30 million people were made literate—made literate in a period of four years. If Russia can do this in a period of 4 years, what is there to prevent my learned friend doing the same thing in the Punjab within 5 years. (*Rai Bahadur Mr. Mukand Lal Puri*: Private property). My learned friend says 'private property.' What 'private property' has got to do with that, I do not know. If my learned friend is thinking about the disadvantages of possessing private property, I am at one with him. What is needed is this. Those who hold private property, those who have got the wherewithal, they must be called upon to pay for the purpose of educating the people of this province. (*Hear, hear from the Opposition Benches.*) I hope my honourable friend over there, who is lauding the holding of private property, in his own particular way, will be the first to come forward and support this proposition. There are two problems to be faced. One is the question of policy and the other problem to be faced is the question of finance. A little while ago, this morning my honourable friend, the Education Minister, was very morally indignant about the suggestion made by my honourable friend Lala Deshbandhu Gupta, when he suggested the starting of lotteries in order to raise money for the purpose of education. I do not find anything to be morally indignant about a proposition of this nature. When this method has been tried it has succeeded. But I do not want him to waste his moral indignation over a proposition of this nature. I want him to sit down and scientifically consider the problem from the point of view which can yield practical results. Let us see the problem from that particular point of view. The first great need is not the old need of the British Government in India, which for the period of 100 years in the Punjab was able to educate less than 6 per cent. of the population of the Punjab. Why did they do this? Why did they not bring in compulsory education for the masses? The reason was that the needs of the British Government in this province were minima needs. They required just enough clerks, enough lawyers, enough doctors in order to keep the system going. They did not consider the real needs of the people of this province. (*Hear, hear from the Opposition benches.*)

Through you, Mr. Speaker, I address the honourable members opposite. They allege that they are the trustees and the national trustees of this province of the Punjab. It is for them, therefore, to discard old ideas and so work their policy that it will result in mass education, for the people of this province. But mass education is a problem which is to be considered most carefully. What we are witnessing to-day is an education which gives a

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vener. It does not provide necessary culture on the one side and vocational training on the other. What is needed for the Punjab, which is an agricultural province, is this, that every school must be attached either to a factory or to a farm. I understand that the Education Department have made an experiment and that they are running a series of farms—a few hundred farms may be attached to various schools. Some of them, I think, are profitable farms. I suggest that one of the main necessities of life in the province—if you want to get rid of unemployment and ignorance in this province—is that every school must be attached to a farm in order that children may be taught the actual things that interest them in after life, through which they may be able to gain a decent living. This divorcing of education from technology, this divorcing of education from the actual needs, practical needs of every day life, is one of the banes of the capitalistic system, because the system cares not for human beings, it only cares for itself. It is, therefore, necessary that my learned friend should take a lesson from other countries, which can teach him in regard to the question of universalising polytechnical education, if I may use that expression. What is necessary is to bring education into line with life and life again into line with the economic situation that confronts people when they grow up and want to enter into different walks of life. Therefore, my honourable friend has got, first of all, to consider this problem—namely, the matter of policy.

The second point that I referred to was the question of finance. My learned friend is quite welcome to the suggestion that I am going to make. Often Government ask us—give us concrete constructive proposals. Let me see now how the Government will take the suggestion that I am going to place before them on behalf of the Opposition. It is possible to create 20,000 new school units in this province. The expenditure has been worked out by experts at the rate of Rs. 1,500 per unit per year; 20,000 units for a population of 1,000 children brought in from various villages round about into one particular centre and that centre creates as a unit. The expenditure for running that particular unit, both for boys and girls, on decent modern lines in our province, will be about Rs. 1,500 a month. My learned friend need not turn round and ask me if we create 20,000 units and each unit to control a thousand children or even grown ups, where is this money to come from at the rate of Rs. 1,500 per unit? First remember that 20,000 units at a thousand per unit will give education to 20 million people in this province, with the result that within a period of 4 to 5 years there will not be a single individual who is left unable to read and write. Where will the money come from? My honourable friends, who are in charge of revenue and agriculture, are not there on those benches at the present moment. May I ask my honourable friend opposite whether it is difficult for him to place this proposition before his colleagues that for each particular unit an area of not more than 20 to 30 acres be allotted free of land revenue and free of all charges, communally run by the village, producing a particular income? Let us take the income as to how it will arise. An area of 20 acres under cotton, irrigated, would give my honourable friend probably 240 maunds of cotton—240 maunds of cotton at 12 maunds an acre in a good soil. My honourable friend, Professor W. Roberts, is listening very carefully. He is an expert in this matter. He will contradict me if I am wrong, that in his

estate he gets 12 maunds on good land. My honourable friend nods in agreement with me. Twenty acres would yield 240 maunds. Even at the lowest price of Rs. 7 per maund, (*Interruption*). The lowest price I said and my honourable friends who are zamindars know perfectly well. (*Voices : No. no, Rs. 4 per maund*). Mr. Speaker, how necessary it is that our friends over there should get educated and how necessary it is that they should be able to know their own facts and figures ! (*Laughter and cheers*.) I assert this that year before last the price of cotton went up to Rs. 10 per maund and last year it sold at Rs. 7 per maund. It sold at a better price this year. I am, therefore, taking the lowest price of Rs. 7 per maund. (*A voice : Some times at Rs. 4.*) My learned friend says 'sometimes Rs. 4.' Sometimes Rs. 26 also. I am taking Rs. 7 as the minimum price. Rupees 7 a maund, Mr. Speaker, will give you the actual expenses required for one unit for a thousand persons to be educated. My learned friend cannot say that he has not got the land, he cannot say that the Government have no farms available or land available, and that, therefore, it is impossible for them to nationalise this particular unit of land for the purpose of education. He need not wait for a lottery. Let my honourable friend Lala Deshbandhu Gupta start his lottery if he so chooses. Let my honourable friend not waste a single minute in anxiety, in moral indignation over the question of lotteries. He has got a feasible proposition. If he does not follow that particular proposition, I am prepared to make an offer to him. Let him go out into the villages and towns of the Punjab. I speak of personal experience of the villages and towns in the Punjab and I can guarantee it to him that if he goes out with a begger's bowl in his hand, he will collect enough money, voluntarily from the people, for the purpose of educating the people of this province. (*"Hear, hear" from the Opposition benches.*) My learned friends opposite have been put there to govern. They have not been put there to sit in those particular seats and look dignified. Their object is to govern. Let them not sit with silence written on their faces. (*Minister for Education : Not to govern but to serve.*) My honourable friend says, 'not to govern but to serve.' I am very grateful but I will remind him that real service must be free of charge. (*"Hear, hear" from the Opposition benches.*) Therefore, I did not use the word 'service.' I said, 'govern.' I want my honourable friends to govern. Let them govern, but let them not sit there and wait for us to give ideas regarding how they should govern. They have the ideas and they have only to utilise them, in the words of my honourable friend, in the service of people of the Punjab. (*Cheers from the Opposition benches.*)

Professor W. Roberts (European) : Sir, I wish to say a few words on the question of language. This matter has been referred to by the honourable member who first opened this debate, Sardar Hari Singh, and has been referred to by members on his side more than once. It seems to me that this is going to be one of the biggest difficulties before the Punjab can be well knit together to be a nation. If I ask one of my Sikh friends as to what he considers should be the language of the Punjab, he will probably say Punjabi. If I ask one of my honourable friends on the front benches, he will probably tell me Hindi and here on this side my honourable friends may say Urdu, and we have two if not three scripts. Now I maintain that to load the youth of the province with so many vernacular languages and so many

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scripts is a great handicap for them in future and a very great handicap for this province. I claim to speak on this matter with a certain amount of sympathy. My own first language was not English. I am a Welshman, belonging to a small nation of only 30 lakhs of people and I did not know any English at all till I was 7 years old. The same question of giving Welsh language an opportunity of being taught in schools in Wales was a live question in my own country and I have every sympathy with members of this House who claim a right to speak in their own language. I felt a glow in my heart the other day when my honourable friend, Pir Akbar Ali, mentioned that it was his birth right to be allowed to speak in his own language and if I were a Punjabi I would most certainly fight for this right (*hear, hear*). Now having secured the right, however, we must think of the future, not only of yourselves, of your children, but your grand children and great grandchildren. You must see that this province is not handicapped excessively by having too many vernaculars and too many scripts. I, therefore, beg to offer the advice that you should aim at one common script and that script, I suggest, should be the Roman. (*Hear, hear.*) My honourable friend, Mrs. Shah Nawaz, suggested two scripts. I do not think any country can afford to have two different scripts.

Mrs. J. A. Shah Nawaz : On a point of personal explanation. I said that I was one of those persons who believed that the solution of the difficulty of one language for the whole of India lay in having Hindustani as the language, not to have two scripts. I said it is an all-India question and we were not in a position to discuss it on the floor of this House.

Professor W. Roberts : I myself took the liberty of discussing it and I am glad that everybody is listening to me patiently. I am giving the best advice as I see it and as I consider the great future that lies before this province that they can do away with the fetters that are holding it down now. (*Hear, hear.*) I think myself, therefore, that for a vernacular language you should adopt Roman script. It may take a hundred years more for the Punjab to get a common language.

Then on the question of English language, here again this province produces men who are not compelled to earn their living within its own borders. I have myself fairly big interest in Baluchistan, Sind and other places and wherever I go I find Punjabis. They are spread all over the northern India. This province is, therefore, in a sense imperialist in the sense that it is not content to remain in the Punjab only. It is imperialist as far as India is concerned and I myself am an unrepentent imperialist although born in a small nation and although we had to fight for our language. Yet I speak for you as an un-repentent imperialist. Now this question of English language, if you want to cut yourself off from other provinces and from having a great influence on the other provinces of India, if you want to cut off yourselves from trade, and trade of the world and from taking your rightful place in India, then let us ignore the English language and carry on. But gentlemen, I speak to you from a profound conviction that the more prominence you give to English as your second language, the quicker and the more certain will be your progress towards self-government and towards the proper influence which you should wield in the counsels of India. (*Applause.*)

Sardar Mula Singh (Hoshiarpur West, General Reserved, *Rural*) (*Punjab*): Sir, I would first of all like to thank you for permitting me to make a speech. I am the first member representing the depressed classes, who is now attempting to lay before you certain very deplorable facts. Many speeches have been made regarding the Punjab University, and many have been delivered in favour of or against the educational policy of the government. But in my opinion so far no attention has been paid to the depressed classes or harijans and not a word has been said in their favour.

I would like to submit that the literates amongst the harijans can be counted on one's fingers. Everyone has come here to feather his own nest and no one cares for others. They make boastful speeches every day and I say that the old proverb "جدي لآئو اُسدي بهتيس" is fully applicable here, i.e., the front benchers only catch the eye of the Speaker and the back benchers are denied the right of making speeches.

Mr. Speaker : Order, order.

Sardar Mula Singh : The depressed classes are so backward educationally that hardly one per cent. literates are found amongst them. Those who have received some education and have passed their high school examination, find themselves in pecuniary difficulties in so far as the question of admission to colleges is concerned. I mean to say that they cannot seek admission to a college for want of money. Generally Rs. 150 or Rs. 200 are required for this purpose. In fact the University pays very little attention to the education of harijans. It was recently announced that the harijan students would be charged half rate of fees. But nothing has been done to enforce this decision and the result is that the harijans cannot seek admission to colleges. When this is the state of affairs, how can it be expected that harijans would go up for higher education? It is an admitted fact that when they cannot receive higher education, they cannot look for advancement in life. Every one is anxious to promote the cause of his own community and his own party. In spite of the fact that there are eight representatives of the depressed classes in this Assembly, nobody cares for them and I have no hope that they will be able to do anything for them even in future (*Cheers from the Opposition benches*).

The Government have prepared no programme for bettering the condition of the harijans. Many of my friends have remarked that Sardar Gopal Singh would be appointed a parliamentary secretary. Even if he is appointed as such, I do not think that my community as a whole would be a bit the gainer. I make bold to say that even if anyone of them is appointed a Minister, I do not think that my community would stand to gain in any way. Look at the miserable condition of the depressed classes and harijans. They cannot keep their body and soul together. They have no bread, no clothes and no education. If by chance anyone of them manages to receive education and passes his intermediate examination, he fails to get service under Government. Even the educated harijans are passing their days without work. They have no means of livelihood. Their parents have spent whatever they possessed and now they have nothing more to spend. I humbly request the Government that something should be done to provide work for harijans. Some solid programme should be prepared for their uplift. I say that whenever Government start a new industrial

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school even then the students of the other communities come to occupy all the seats in that institution, and the poor harijans get no share.

The Premier : Others usurp your rights.

Sardar Mula Singh : I would suggest that if the Government have really a mind to ameliorate their condition they should earmark an adequate sum of money with a view to impart education to the harijans (*Cheers*). If the Government want to do justice to them they should at least reserve some stipends for them and should give them representation in every branch of administration (*Cheers*). No B.A., B.T., M.A., B.T., or LL.B. is to be found amongst them. If two or three of them have passed the examinations, it carries no importance. If in a population of 35 or 40 lakhs five or ten educated people are to be found, that is a most negligible number.

In my opinion it is the duty of the Government to pay special heed to harijans. They should start schools for them. They should remit their fees and should give them books free of charge. Even in the matter of board and lodging they should be charged nothing (*cheers*). The Government should make an attempt to raise their standard of life and give to qualified harijans proper representation in services. (*Cheers*).

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : Mr. Speaker, as has been rightly remarked in the speeches of some members on both sides of the House on essentials of educational reform there are no two opinions in this House. The position of the Government has more than once been declared on this issue, firstly in the declaration which the Honourable the Premier made on the 1st of April and later in the brilliant and eloquent speeches which the Honourable the Education Minister made at Amritsar and elsewhere. The position of the Government is clear. They regard the necessity of overhauling the educational system in the province. Everyone, I am sure, on this point will stand with equal force and emphasise that we want to introduce compulsory free education in the province as soon as possible, and if possible within five years. The policy of the Government is to encourage technical education and to develop and strengthen the avenues of secondary education. The need of reform of university education is also recognised. But with regard to all these matters, as my honourable friend Diwan Chaman Lall, pointed out there is the question of finance. In dealing with a problem of such magnitude and importance we cannot treat the question in a tinkering spirit of a caravan that has come to stay on these benches for a few days, leaving the province in a state of insolvency. This problem, however, has to be tackled in a statesmanlike spirit, and that being the position you cannot launch such an important scheme unless you consider all the *pros and cons* of a clear cut policy apart from the question of finance which is involved.

The first step to be taken would be to organise a committee to suggest retrenchment and new sources of revenue. That, Sir, this Government has done. And the moment the report of the committee is available I hope—and I would particularly impress on the honourable Minister for Education—that as soon as funds are available, they should take up these two items. The

first charge on their future constructive programme should be in the matter of the instruction of the people of the Punjab; and secondly the relief to the poorer classes, and especially the peasants. It has been suggested that these reforms should be initiated forthwith and that within the three months that this Government has been in office, they should have launched like Lenin and should have given effect to the utopian ideas. With regard to that I would confine myself to three specific replies. Firstly, I would invite my honourable friends opposite, through you, to the very pertinent remark made by Mr. Asaf Ali on behalf of the Congress. I am happy to find that the resolution about acceptance of office has played an important part in changing that outlook which we have been advocating in this province. This is what it says—

But here first of all we must warn the people not to expect the creation of a new heaven and a new earth over-night. Even when a sovereign State like Russia puts its hands to a dynamic programme the development of means takes time.

While making this submission I would make it clear that we on this side of the House would do all we can to spread education, but not to bring leninism or stalinism in this province. We want education, we want progress and not demolition of the whole structure and tradition of this province. We would avoid murders and not instigate or abet them.

Diwan Chaman Lal : Who said murder ?

The Honourable Mr. Manohar Lal : Stalin ordered murders.

Diwan Chaman Lal : You are also committing murders. Every Government commits political murders.

Mir Maqbool Mahmood : I was submitting that so far as the introduction of compulsory free education in the province is concerned, there are no two opinions, but I would also appeal to the Honourable Minister that we have a right to expect of him that the rate of progress in the matter of extension of primary education should be accelerated. We have a right to expect the national Government to show to the province that we have extended education at a far greater pace than it was possible in the past. (*An honourable member :* Where is the indication?). My honourable friend asks, where is the indication? It is indicated in the budget by a provision of a lakh of rupees more than in the previous years, and had it not been for the hailstorms, more money could have been provided for the purpose. When the labours of the sources of revenue committee and the retrenchment committee result in substantial revenues to the province I would appeal with all the emphasis at my command that this money should be utilised for the two purposes I have already indicated, namely spread of education and relief to the poor peasantry of the province.

Now, my honourable friend, Deshbandhu Gupta, levelled a charge against the Unionist Government that it has not so used its power in encouraging elementary education by forcing teachers to work eight hours a day or even more, by giving half salaries to a certain class of people. I submit that this question should be considered from more than one point of view. If my friend suggests eight hours work a day I would remind him of the appeal made by the Honourable Leader of the Opposition that in factories the period of work should be limited to 40 hours a week. He also suggested that the people who are unemployed should be asked to serve in

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schools without salary for certain months. We on this side will not advocate regular Government begar. While I am one with the opposition in asking for the expansion of education, I will not be a party to bring about a state of Government begar into schools of the province.

When my honourable friend, Sardar Hari Singh, pointed out that there were two universities under the Federal Government, namely the Benares University and the Aligarh University whereas we could not boast of more than one university, I am in full sympathy with him. But unfortunately for us the constitutional pandits of Gorton Castle and Whitehall have said that under item 33 of the Federal List, corporations, whether trading or not which have objects of serving more than one unit comes under federal subject, and because the University is a corporation, therefore it comes under that interpretation. I do not accept that definition, but such matters cannot be settled by mere speeches. I hope that both sides of the House will lend all their support to the Government to see that if this defect can be removed under the rule-making power, well and good, otherwise they should introduce necessary legislation to give effect to the demand of the province and that we shall not accept any diminution or defraction in the quantum of provincial autonomy given to us.

Now I shall confine myself to a few suggestions which have not so far been definitely tackled. I would take first the question of university education. I claim that with the best will available, with the best legislation and material it is impossible for any university to discharge its purpose when it has got to manage with such a congestion of students as we have in the Punjab. In 1917 we had as many as 6,500 students in our University and now we have 20,000 students. It has been calculated that on an average we have one teacher for every 35 or 40 students. The congestion in the Punjab University must be removed. Without doing that we cannot ensure for our students that attention which is necessary for any educational development. To achieve this I have got three specific suggestions to make. Firstly, we should have another university. I hope the Honourable Minister with his legal and broad-minded national outlook ably assisted by a sympathetic Director of Public Instruction, will look into this question, not in a parochial way but in a broad and statesmanlike way. I would submit that as soon as possible the question of mofusil universities, for which Amritsar provides a promising centre should be examined. (*Hear, hear*). The second suggestion is—(*An honourable member*: Communal universities.) I am sure that when the time comes my honourable friend will find that we stand for broadening national education, but on the basis of equality to all communities and not ignoring the rights of the backward communities such as the depressed classes and others. (*Hear, hear*). My second suggestion is that we should seriously consider methods by which in the secondary schools and primary schools there should be deflection of those people who want education merely for the purpose of service. Time has come when in our secondary schools we should create clear cut division, one for those who want to go to university and the other for those who want to enter service. In this connection I should like to invite the attention of the Education Minister to Madras and Calcutta where they have not only started local and mofusil universities but also started the system of deflection, particularly, in Calcutta,

in the secondary stages of education. The third suggestion is, and this suggestion I find was made by Hakim Ahmad Shujaa, the Assistant Secretary of our Assembly before the University Commission, that most people go in for education to find clerical employment. It is the experience of those connected with these clerks that if they take to commercial education there would be a better demand for them and they would prove more useful. That being the position Government should lay down a policy just as the Civil Service Commissioners have done, that for clerical posts it will not take matriculates or graduates, but people who have passed clerical examinations.

My next subject is university reform. Time has come when we should overhaul our system and our conception of university education. I do not advocate as one of my honourable friends did, that our Punjab University should become a unitary teaching university. That question was considered by the Anderson Committee and for very cogent reasons they had to reject it. What the Punjab needs is a sort of a combination of unitary and multiple system of university. We have to evolve a scheme under which we may have constituent colleges to which the university should allocate some of their special chairs, professors and lecturers, so that we may evolve an Oxford or a Cambridge, a system of collegiate education by which students of various colleges can have specialised tuition. I wish at this stage to make one specific suggestion with regard to vernacular. It has been suggested

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by certain speakers here and on the other side, and I am sorry to find that my honourable friend, Shaikh Karamat Ali, from this side went so far as to say that Indian vernaculars would not convey all those ideas which are necessary to be conveyed in higher education through languages other than vernacular. I am one of those who yield to none in appreciating international culture and I say it is the right, no less than duty, of every country and educational system to conserve the best of its own culture and to assimilate all the best it can get of other countries. It does not mean we should give away what we have in our own vernacular and I go so far as to declare that real education is essentially a language work and language is synonymous with thought. You deprive us forthwith of the best thoughts in our cultural conception, in our behaviour, history and heritage. If you give secondary place, in the medium of instruction, to our own vernacular, I say with all the emphasis at my command to the Honourable Minister for Education that he should boldly tackle the question of applying vernacular as the medium of instruction in the schools and colleges of the Punjab. (*Hear, hear*). I would simultaneously support the idea of my honourable friend Mr. Roberts that English should be taken as a second language which would help us to keep in touch with the world outside.

I come next to the question of university education. It has been more than once suggested by my honourable friends that the present system of university education is encouraging unemployment in the province. My difficulty is not so much of unemployment because unemployed people can be employed, but unfortunately the system of education which we are getting is creating unemployable young men and that is the problem and the danger of the Punjab. People who would not apply their hands to manual labour have not the calibre to take higher educational work. That

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being the position, I request the educational authorities to look to that problem. In this connection I wish particularly to invite the attention of the Honourable Minister for Education to the question of female education and I would particularly impress this question on the Honourable Premier. It has been rightly said that the Indian culture is the hope of everybody and in every part of the world where I have had the privilege to go and in books written about India, due importance is given to the sacred tradition and culture of Indian home. I am ashamed to say, and I say with regret, that unfortunately the dualism and the difference between the educational system of boys and girls is such that we are to-day having a very serious worry in the average Indian home. There are very few Indian homes where the husband and wife are living like two companions but in a majority of cases they are having constant struggle for tolerance and patience. The ideal Indian home is going and it is the duty of the reformer, non-official as well as official, to look to this matter for which a double effort is needed. On the one side we have to see that girls' education is extended simultaneously with boys' education. On the other side we have to see that we do not, by enforcing the same habit of cramming, force them into a place where they come as very bad creations of human nature, with crooked figures, with lost eye-sight and with a figure which will not inspire in them an aesthetic respect which is the weakness of human nature. I think it is the right and duty of every government and official and non-official social worker to see on one side that we give health and education to our boys and say on the other side that we retain the cultural side as well as the aesthetic side of our girls.

Chaudhri Krishna Gopal Dutt : What about co-education ?

Mir Maqbool Mahmood : I fear that the opinion of the country is not in favour of co-education. I am sorry to have to say that, though our girls on the whole can always be trusted in any company of men, we have not as yet developed in our boys the sense of respect for girls. I include my community as well in this respect. The question of co-education will be dealt with when that stage is reached when girls will be respected by the boys. In this connection I would particularly impress on the Honourable Minister for Education the need for a girls' Degree College at Amritsar at once. Poor girls who at a great sacrifice passed the F. A. standard, have now come out of that college and now find no place where they can prosecute further studies with a view to attaining the Degree standard. They are sitting at home without any opportunity of getting more education. Finally I wish to invite the attention of the Honourable Minister for Education to the need of immediate reform in the governance of the university. This question has more than once been tackled and I wish only to emphasise two or three points which will not take long. My first submission is that there should be immediately a differentiation and demarcation of the vocational, academic and non-academic side of the University. We should not leave academic side in the hands of a particular class of people who are not educationists. The time has come when this particular type of party voting should be taken away from the university and academic side should be placed in academic hands. I am ashamed and I am very much hurt to find a statement made in a responsible Report of the Anderson Committee that

in the selection of examiners the different duties of university examiners are to be distributed not by merit but by arrangement. I submit in a university whose main function is examination at the moment and where the main function is being discharged on that basis, surely it is a matter which should not be allowed to go on very long and it does not require amendment of legislation to bring reform therein.

Mr. Speaker : Will the honourable member please wind up now ?

Mir Maqbool Mahmood : My third submission would be that all classes should have their share in the representation of the university. I am sorry to find my honourable friend Lala Bhim Sen Sachar, who is not here, saying that it would not be fair to introduce communal element at the time of admission in colleges and schools. I may tell him that communal element means protecting the backward people. How are you going to give protection to them? Even in Europe special facilities are given to backward students. Even a percentage of grants from municipal and other bodies is given to backward classes and minorities. One word more and I have done. It is with regard to admissions in institutions. I do not advocate that that stage has come when they should be abolished much as some of us would like to see them abolished. One thing that I would advocate and press on the Honourable Minister for Education is that it is here in the colleges that we evolve a spirit of citizenship which has to last hereafter. It should be made a condition at the time of sanctioning a grant to an institution that it should take a certain percentage of students of other communities so that by the rubbing of shoulders the Hindu, Muhammadan and Sikh students may evolve a new idea of citizenship which we want for the future of the Punjab. I am sorry to find to-day that in the Islamia College, D. A.-V. College, and Sanatan Dharam College—which are all situated at Lahore—there is a negligible number of students of other communities. These colleges may be doing excellent work but it would be greater still if it is arranged that the best Muhammadan sportsman and speakers join the D. A.-V. College and some intelligent and brilliant Hindu students come to Islamia College so that Muslim students of that college may learn to live like brothers with the Hindu students and *vice versa*. Before I wind up, I wish to point out that in view of the short time at my disposal, I have not referred to the many good points which have been started by the education authorities, by the university and the government in the past. There is only one point that I wish to take up and I then finish. That was referred to by my honourable friend Diwan Chaman Lall when he was advocating the creation of 20 thousand units with 20 acres of land allotted to each particular unit which is to control one thousand children. The scheme is perfect and it is very well in the beginning. But, as has been suggested by my respected friend, it is more like the suppositions of *Sheikh Chibi* than my honourable friend Diwan Chaman Lall. (*Laughter*). If he would analyse he would find that his scheme would involve four lakhs of acres when we work at twenty acres per unit. My honourable friend said that all these farms should be irrigated and be under cotton. Then he would possibly need agricultural experts to run those farms. Then there would be the question of seeds and raising money. Then there would be the question of land revenue and payment of interest on the capital required. All these things will have to be looked into. It would have been in the fitness.

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of things that we should have asked Government that they should consider the possibility of having a special elementary test. I would be prepared to give my support to it and I hope my friends would also support a proposition of that nature.

Shrimati Raghbir Kaur (Amritsar, Sikh, Women) (*Punjabi*): Sir, numerous eminent members have given expression to their views on the subject of education. I also wish to say something in this connection. Generally speaking the world is at present divided into two sections. The first section includes the capitalists whose children are provided with all sorts of luxuries and who can afford to have higher education imparted to them. Under the second category come the poor peasants and labourers whose children are neither adequately fed nor clad. I wonder how these famished children can receive their education? It is with great difficulty that poor peasants and labourers, who are groaning under the heavy burden of debts and Government dues, can keep their body and soul together. They have no money to educate their children. I request that in order to impart education to the children of the poor, the Government should take steps to introduce the system of free education.

As regards female education, my submission is that women should be educated up to the middle standard. But at the same time I may point out that the courses of study should not contain praises of aliens nor should they give lessons in the art of flattering the foreigners. The object of education should be to inculcate amongst the masses lofty ideals of bringing prosperity to the country. We should teach our children to be brave and patriotic. We should not sing lullabies of slavery to them, or teach them songs praising an alien nation which has reduced our country to poverty. I request the Honourable Minister for Education to pay special attention to female education.

I may be permitted just to describe the sad plight of the poor. The children of the poverty stricken masses go about begging from door to door. Their women have to break stones in order to earn a living. I have personally seen eight years old girls employed for breaking stones. May I inform the honourable members why these innocent girls of tender age are put to hard labour? They are required to contribute to the finances which are insufficient to support the family in spite of the earnings of men. I submit that if these girls are educated they can earn their livelihood in several decent ways. Well-to-do people being in possession of immense wealth can afford to send their children to foreign countries to receive degrees of Bachelor or Master of Arts. I again appeal to the Honourable Minister's sense of justice to give his special attention to the education of the children of the poor, because it is my firm belief that it is only the children of the poor who after receiving education, can work for the emancipation of their motherland. The children of the rich, even though highly educated, sing only the praises of the aliens who have rendered us penniless.

My honourable sister has remarked that woman in England do great things. But my experience is quite the reverse. I have never seen them doing anything except moving about with dogs by their side or wearing fashionable dresses. (*Laughter*). I would ask my honourable sister to

think awhile of those sisters of ours who break stones and whose hands ache with boils formed as a result of stone breaking. I shall narrate a case which I personally witnessed. A woman in rags approached me and said that she had four children and earned only two annas after a full day's hard labour. Her body was reduced to a skeleton. Just consider whether it is possible for these women to receive education. They have to work hard to make both ends meet and very little time is left at their disposal after work. There is no denying the fact that women belonging to rich families can receive higher education because they have ample leisure at their disposal. But the women belonging to the labour class have to do a lot of work. They cook meals, look after their children and above all work hard for a livelihood. I submit that female education is the primary need of the hour and it is Government and Government alone that can solve this problem. I hope the Honourable Minister will do his best in this connection. With these words I close my speech.

Begum Rashida Latif (Inner Lahore, Muslim Women) (*Urdu*): Sir, I have thrice got up to make a speech but—

Mr. Speaker: May I request the honourable lady member to speak to the motion?

Begum Rashida Latif (*Urdu*): I simply wanted to draw your attention to the fact that the rights of women are being trampled under foot outside the Assembly Chamber and here too they are not allowed to speak and are left in the back ground.

Mr. Speaker: Order, order.

Begum Rashida Latif (*Urdu*): Sir, the total demand for Education as given on page 307 of the Budget Estimates amounts to Rs. 1,54,52,200. If you glance through the budget you will find that hardly 15 per cent. of this huge expenditure has been earmarked for female education. The total income of the province as given in the Budget Estimates for the financial year 1937-38 amounts to about Rs. 11 crores, and it is considered and understood and said that, since the whole of this income has been realised from men, and since it represents their earnings and is the result of their labour, it will, therefore, be spent on men alone. It is absolutely wrong and if anybody thinks so he is completely wide of the mark and is doing the gravest injustice to himself and women-kind in general.

The administration of the house-hold kingdom rests on the shoulders of both men and women. Woman works inside and man works outside the house. The duties of both are not identical. To think that man has more important duties to perform is not correct. As a matter of fact the responsibility of women are far greater than those of men. Man performs his duties at stated hours of the day but the woman is engaged throughout the day, attending to one thing at one time and to another thing at another time. Her household duties are too numerous to afford her time for rest or amusement. Man is at perfect liberty to go any where he likes but it is very difficult for a woman to leave her house. The cultivator works the whole day long in his fields and in the evening when he comes back he amuses himself by indulging in gossip with his friends and in the night he sleeps the sleep of the just. Professional men living in cities or office hands, after finishing their day's work come back to their houses, where they are provided with

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refreshments by their women folk and they go out for a walk in public gardens or amuse themselves by going to cinemas. On the other hand a woman, whether she belongs to a city or a village spends the greater part of the night in looking after her children and ministering to their creature comforts. Under these circumstances can anybody with any sense of justice say that this whole amount of 11 crores represents the earnings of men alone and that women have not contributed their share towards making up the sum.

Only a few days ago, Diwan Chaman Lal took the Government to task for reserving only 20 lakhs for beneficent objects. He characterised this sum as much too small as compared with the magnitude of the work to be done and pointedly drew the attention of the House to the inadequacy of this sum. What am I to say now? I would rather not say anything, but I cannot help giving expression to my innermost feelings. Just look at the expenditure side of the budget. You will hardly find anything allotted for bettering the lot of the women of this country. As compared with the share of men the share of women is as a drop to the ocean, or a particle of sand to a desert or a mole hill to a mountain.

I am well aware of the fact that the expenditure on female education is increasing every year and that this year too the grant for female education has been increased. As I have already remarked only Rs. 21,000 are being spent on female education and the total amount spent under this head including the construction and repair of school buildings hardly exceeds one lakh. If this is the way in which and the rate at which you propose to undertake the stupendous task of imparting education to females, I am afraid, that it will take you several centuries to complete your task. The foundation of home rule should be laid on female education and improvement of the lot of the fair sex. An administration based on such foundation will be as firm as a rock. It will not be like the hollow tree which is uprooted by a strong wind.

No country can progress unless the women of that country are educated and it does not seem justifiable that such huge sums should be earmarked for the instruction of males and such a paltry sum should be expended on female education. Our country is nearing the verge of ruin because half of its population has been subjected to tyrannical laws. Men have relegated to the back ground the divine injunctions and have adopted customary law as the law of the land, in order to deprive women of their rights. It is for this reason that women do not enjoy the divine right of inheritance and are leading miserable lives. I will spare no pains to bring to the notice of this House, the oppressive and tyrannical treatment to which women in general and the Punjab women in particular are being subjected. Ever since I came to Simla, I have been receiving, daily, letters from women belonging to all parts of the country, and each letter carries a tale of woe, and I, as their representative, am simply overwhelmed with grief at the sad plight of my sisters. The agonies of grief that I am suffering on their account may well be described in the following verse:—

مرا درد بیست اندر دل اگر گویم زبان سوزد
دیگر دم در کشم ترسم که مغز استخوان سوزد

It is a pity that a female child is considered inauspicious from its very birth and the birth of a daughter is considered to be the greatest calamity that can befall the parents. That is why little care is taken in the matter of their upbringing and a good many of them are deliberately killed. Even the mother of a female child, fearing that her daughter may be destined to be united to a hard hearted brute of a man, does not lavish the love and the care upon the child that is its due.

Mr. Speaker : I request the honourable lady member, to speak to the motion.

Begum Rashida Latif : May I respectfully point out that other members of the Assembly too are generally irrelevant. Sometime they are here and the next moment they switch themselves on to England. I am still talking of things that are happening in India.

The number of female births in the province is equivalent to the number of males but in the census of 1931 it was found that the number of males exceeded the number of females by 2,631,581. This bears an eloquent testimony to the harsh treatment meted out to females.

Now I will submit a few proposals in connection with the demand under consideration and I would request you kindly to earmark a larger sum of money in the budget for female education.

You do not require highly educated teachers for the villages. You have to raise the standard of living in villages and this object can only be achieved by giving the village girls education in domestic sciences. You must give to village girls such instruction as would make them good housewives and wise mothers.

I can say on the strength of my personal experience as a teacher extending over a period of 20 years that the so-called primary education for girls is quite insufficient. They should be educated up to the middle standard, at least. In the middle classes girls are taught useful sciences and especially hygiene; and all these sciences tend to improve their mental and moral standard. In addition to these, girl students are taught home nursing and first aid, which enables them to look after patients. Besides these, they are taught domestic sciences, e.g., sewing, cooking, washing and ironing of clothes. In short they are taught everything that is necessary for running a household efficiently. After passing her middle school examination, a girl becomes competent to take charge of household affairs. I would, therefore, propose that in each town of each tehsil of a district two vernacular middle schools should be opened.

I have been intimately connected with the Education Department all my life, and it grieves me to find that while in some districts there are high schools for girls, there are not even primary schools for girls in many districts of the province.

I addressed a letter to Mrs. Thomas, Deputy Directress and in reply she says that the establishment of vernacular middle schools in each tahsil of the province is essential. I will read out an extract from her letter :—

Extra Assistant Inspectresses.

At present there are 18. As soon as possible there should be one to each district. Until this has become a fact inspectresses cannot give the existing schools sufficient help and supervision neither can they encourage the opening of new schools. Two more intermediate colleges are needed. One more in the Western Circle and one in Eastern Circle.

[Begum Rashida Latif.]

Local Body Budgets.

A definite and adequate percentage of local body income for education should be set apart for girls schools. At present girls schools tend to get what can be spared from boys schools.

The extract which I have read out just now clearly portrays the minimum needs of the Education Department, so far as female education is concerned. It also shows that they are sparing no pains to impart female education on the largest possible scale. Besides that the inspectresses of schools are of the opinion that these high schools for girls, which are located in hired buildings—

Shrimati Raghbir Kaur : May I enquire if you have confidence in the present Government ?

Begum Rashida Latif : Yes, I have every confidence in the present Government.

I was saying that these girls schools, which are located in hired buildings are not spacious. The Government is paying adequate rent for these buildings, but for want of accommodation the number of girl students admitted to such schools is very meagre. I would, therefore, suggest that Government should take immediate steps for the construction of high school buildings of their own, with commodious boarding houses attached to the same, so that a large number of students may be admitted to the schools and the boarding houses.

Now, I will read out a letter from the Principal, Lahore College for Women, which proves that girls from all parts of the province apply for admission to the college, but for want of accommodation they cannot be admitted and are thus unable to receive higher education. Under these circumstances it is the duty of Government to see that a spacious building with a boarding house attached to the same is built at their earliest convenience. Here is the letter I have received from the Principal, Lahore College for Women.

1. No. of students studying in the college 210.
2. No. of students who applied and were not admitted for
want of accommodation 115
30 Boarders.

The figure for boarders refused accommodation would be much larger than it is, if it were not that I very strongly discourage applications for admission to the boarding house. It is well-known now that it is almost as difficult to get into the boarding house here as it is to get an Oxford Scholarship. Another great difficulty in college is our lack of an adequate assembly room. We cannot get nearly all our students into the library in any comfort, and that makes it impossible for me or for any visiting lecturer to address the whole college at once.

Better accommodation for boarders who have no privacy and no room to keep their own possession is also urgently needed and I should very much like to have more accommodation for staff.

I have received and am daily receiving letters from all parts of the province, but the women of Lahore are particularly pressing me to ventilate their grievances in the Assembly. Their first request is that a sufficient number of high schools may be opened in Lahore. Besides that a zenana library with a big hall attached to the same may be built for the use of women, where they could meet to exchange views or hold meetings.

Some time ago the Lahore Municipal Committee in a fit of generosity reserved three plots of park-land in the gardens round the city of Lahore. These plots are hedged round with evergreens and are open to the gaze of passers by as well as of the house-holders nearby. Besides that it is highly undesirable that women should hold open air meetings or deliver lectures in the streets. The plots of land reserved for women in Lahore are not fit for the use of purdah women.

I wish I could describe the condition of women living inside the city of Lahore. An outsider, who comes to Lahore for the first time is vastly impressed by the palatial buildings on the Mall, *e.g.*, the High Court, the Government House, the Punjab University and the Government College, but he cannot realise the miserable plight of women inside the city living in dark, narrow airless houses. The Punjabi saying—

باهر میان ہفت ہزاری اندر بیوی کرمان دی ماری

aptly describes the condition of Lahore.

Sir, the voice of protest I have raised to-day in the Assembly is not the voice of one weak woman. It is the voice of hundreds of thousands of women rolled into one.

Mr. Speaker : Will the honourable member please wind up her speech ?

Begum Rashida Latif : Sir, I have not yet touched the fringe of the subject, which I want to discuss and you want me to stop. The women of the province had previously no representative in the Assembly. Now that we have been fortunate enough to be given representation in the Assembly we propose to fight for our rights and we will compel you to accede to our demands.

I do not propose to plead the cause of Lahore at greater length because I am a resident of Lahore myself. I am speaking of Lahore as the capital of the province, with its palatial buildings and spacious suburbs, whose population is equal to the population of a tahsil or even of a district. The educational arrangements for girls are not adequate even in Lahore, not to speak of its suburbs. Take the case of Baghbanpura. It is a suburb of Lahore with a population of many thousands, and yet there are no adequate arrangements for imparting education to females. It is undoubtedly true that the rich possess facilities, educational or otherwise everywhere, and they can make suitable educational arrangements for their daughters, but you cannot expect poor people to send their near and dear ones for receiving instruction at Lahore. It is, therefore, imperative that a high school for girls should be opened at Baghbanpura. High schools for girls should also be opened in all districts where at present there are no high schools and the girls receiving education there should not be charged any tuition fees.

I would go a step further and suggest that special scholarships should be given to girls receiving education in village schools at the following rates—

| | | | | |
|------------------------------|----|----|----|--------|
| Second Primary Class | .. | .. | .. | As. 8. |
| Third to Fifth Primary Class | .. | .. | .. | Re. 1. |
| Middle Classes | .. | .. | .. | Rs. 2. |

[Begum Rashida Latif.]

I am fully conscious of the fact that if this proposal is carried into effect, it will mean a heavy burden on the educational budget, but when compared with the charges of other departments it is, but a drop in the ocean. When the Government is spending lakhs of rupees on their move to Simla and money is being spent like water (*voices of hear, hear from Congress benches*), one should ponder over the fact that one owes a duty to the poorer classes also. The new expenditure suggested by me ought to be included in the budget. It is absolutely essential for the well-being of society.

Just consider for a while the condition of the zamindar. He works the whole day long in his fields, exposing his naked back to the fierce rays of the sun. His children go about bare-footed in the scorching heat of the sun. His wife goes about shoeless and if by good fortune she manages to get hold of a pair of shoes, she does not put them on, lest they should wear off, and is so careful about them that when walking about she folds them in her *doputta* and puts them on her head. She works from morning till late in the night and after working so hard and for such long hours, all she gets for her meals is stale maize or millet bread with *lassi*. Besides this the zamindar is heavily in debt. Under these circumstances, how can you expect the zamindars to send their children and especially their daughters to school and provide them with books, etc. ? I, therefore, appeal to all the zamindar members of the Assembly, who call themselves ruralities and are never tired of talking about their sympathy for the zamindars, to support my proposition.

This is the first year of Home Rule and this is the first budget of an autonomous government. There is nothing to prevent you from spending money on female education. You are not obliged to obtain the sanction of any higher authority for this expenditure. There is no law or enactment which stands in your way. You can spend any amount on female education.

If you pay adequate attention to the spread of female education in the province the country is sure to progress on healthy lines and in a few years' time a great change would come over the whole province. And your work will go down in history with such captions as : "Progress in the Punjab and its reasons," "An end to the ignorance of Punjabi women", "A new vista of life opened for women of the Punjab", "The members of the Assembly just after taking over the reins of government in their hands diagonosed the ills from which the country is suffering. They have come to realise that all the calamities, all the evils and all this backwardness of the people are the result of ignorance. That is why they have prescribed education as the panacea for all evils, and this prescription has succeeded so much so that the whole country is now well and happy."

Sir, my simple-minded sisters are under the impression that we as their representatives are in a position to compel the Government to accede to the demands of women. But the facts are just otherwise. We are not even allowed to give expression to our thoughts. Everything is in the hands of men. They frame and pass the budget themselves. All the members of the Assembly call themselves protagonists of female education, but all this is mere lip sympathy, unless they give a practical proof of it. Let me point out that this money does not come out of the pockets of any one class or community. This is the property of the whole province and we, women, are equally entitled to it with men.

The time at my disposal is very short. I am, therefore, obliged to leave everything to the good sense of the House. I cannot, however, refrain from saying this that our demands must be accepted lest we should be compelled to resort to

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(laughter). Before closing my speech I should again like to point out that my feeble voice is not the voice of one woman. If you disregard my voice now, you will find that when the next session of the Assembly is held at Lahore, thousands of women will besiege the Assembly hall clamouring for their rights.

My last submission, before I resume my seat, is this. Just give a moment's thought to those poor women who are undergoing imprisonment in the jails of the province. Woman is said to belong to the fair sex, but even the fair sex possesses a very gentle heart. She does not harm anybody deliberately. She resorts to force when her miseries become intolerable and it is then that she commits a crime. I would, therefore, request that one of the lady members of this House may be permitted to visit female jails, so that we may be able to see for ourselves as to how our unfortunate sisters are faring in jail.

I would again appeal to the House through you, Sir, that even-handed justice should be meted out to women and their rights and privileges must be protected :

وند ست نام فرخ نوشیر وان بعدل

گرچه بسے گذشت کہ نوشیر وان نماند

Minister for Education (Honourable Mian Abdul Haye): I do not know if honourable members are prepared to sit after half past five to-day. If the time at my disposal is very short I shall have to skip over many a point.

In the first place I have to offer my thanks and congratulations to all honourable members who have spoken to-day and yesterday without exception (*hear, hear*), even including my honourable friend Lala Bhimsen Sachar who made a very good gesture this morning. Without giving details I may be permitted to answer a question of my honourable friend, Diwan Chaman Lall. He asked me what my policy was. I make bold to say that my policy is to place myself at the disposal of the people of the Punjab, unreservedly (*hear, hear*) for such service that I can render. My educational policy will be the policy which will be dictated by the people of the Punjab and it shall not be thrust from my side against their wish. This is in a nutshell my policy. I am entirely in your hands. I had this in my mind, when within a week of the assumption of office I suggested publicly that Government intend to nationalise the system of education, to nationalise the educational institutions, to change the mentality of the teacher. I am not going to dilate on that point because honourable members from all sides of this House have given their blessings to this suggestion of mine. But I want to make one thing particularly clear, and that is that we are not against denominational institutions as such, that we recognise the good work that they have done in the past, but we cannot afford to go on as we have been

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going on and all that I indicate is that I am in search of a system of education. I am in search of institutions, I am in search of teachers, who will teach the students to love and not to hate (*hear, hear*). If we succeed in eradicating communalism, leave alone nationalism, we shall have achieved a miracle. If this is done, more than half of the task of the Punjab Government is done, the millenium will be in sight. But if this is not achieved nothing can be achieved. Without this I shall be only tinkering with your so-called problems.

Another suggestion was made by the honourable members, Diwan Chaman Lall and Lala Deshbandhu Gupta. We want more money, we want more funds. It was suggested that Government should beg, borrow or steal. If I beg I have to beg of you. I am willing to borrow and I feel inclined to borrow from the richest organisation, i.e., the Indian National Congress. But I cannot afford to steal in spite of the fact that we have been called robbers in this House. When the question of begging comes, I make a definite proposal. Are we prepared to establish a national fund for educational purpose here to-day? (*Voices: Yes*). I offer to contribute 10 per cent. of my salary for all time to come (*loud applause*). I am prepared to go with a begger's bowl in my hands if need be.

Dr. Gopi Chand Bhargava : But you have to get the sanction of the Honourable the Finance Minister.

Minister for Education : If you will help us in the matter of the establishment of national fund for education, some of our difficulties will be solved.

Coming now to another matter, my honourable friend, Sardar Hari Singh, made a reference to the reformation of the university. He said that the university must be democratised. May I remind my honourable friend that Government moved in this matter several years ago and a committee was appointed which was presided over by Sir George Anderson. On that Committee sat Alama Yusuf Ali, Mr. Seshadiri and Dr. Woolner. I did not allow the grass to grow under my feet. Within half an hour of the assumption of office, I asked for a copy of Anderson report. I did so because I knew that the matter was allowed to hang fire and on account of the extraordinary delay, an idea had gained ground in certain quarters that the Anderson Committee's report was dead and had been buried. It is not dead; we are at present considering it and before long we will formulate our opinion. We have already taken action on some of the recommendations made by the Committee. But there are certain matters that require legislation. In this connection certain difficulties have been pointed out by the honourable Mir Maqbool Mahmood. I would not discuss the legal points, but I would inform this honourable House that steps are being taken to remove the obstacles that lie in our way (*hear, hear*). We want to retain the power to legislate for our University. We are not willing to abdicate in favour of any other legislature. While speaking on the subject of the reform of the university, I may be permitted to say that the most important thing to which we stand committed is the encouragement of girls' education (*hear, hear*). Before we assumed office, the amount spent on

girls' education was less than 15 per cent. of the total expenditure on education. A new policy has now been adopted. Eighty per cent. of the new expenditure has been allotted for girls' education. Out of money which will be available in future considerable portion will be spent on girls' education. Here I may indicate what we have already done and what we propose to do in the immediate future. I believe with Napoleon that "one good mother is worth hundred school teachers." We have at present one degree college at Lahore and it was represented to us that the building of that college was not suitable. Immediate steps are being taken to give them a good building. As soon as I get away from the work of this Assembly. I will proceed to Lahore and decide this question. We have got at present two intermediate colleges: one at Lyallpur and the other at Amritsar. Steps are being taken to raise the intermediate college at Amritsar to a degree college (*hear, hear*). We are opening a new high school for girls at Gujrat. We are opening two anglo-vernacular middle schools for girls and two vernacular middle schools for girls in the rural areas (*Voices*: In which district?) That has not yet been decided. I may be permitted to say that we are seriously contemplating in the immediate future the opening of a new type of normal school for women teachers entirely for the benefit of rural areas (*hear, hear*) with special reference to domestic science. We are expecting a grant from a certain quarter. As soon as the grant is made available we will go ahead. We are encouraging the wives of the teachers to get themselves trained (*hear, hear*). Difficulties are experienced in the matter of rural schools. Women teachers mainly come from the urban area and they are unwilling to go to the villages. We have decided to encourage the training of the wives of teachers. Already a unit of 19 has received training and joined their husbands (*hear, hear*). We are increasing our present inspectorate for girls schools from 3 to 4 and the ultimate object is to raise it to 5 so that there will be one inspectress for each division.

As regards the point raised by one of my honourable friends regarding general literacy, I may be permitted to point out that in the matter of general literacy, the position of the Government is in the first instance to consolidate the progress that we have made and to eliminate wastage. We are also in search of a system and in this connection I may be permitted to make an announcement on behalf of Government. This is with respect to adult education and general literacy.

5 P.M.

We have an experiment in being, the aim of which is to tackle general literacy, for all, from a different angle. The method is sponsored by Dr. Lanback, an American missionary expert, who has been very successful in other parts of the world, *i.e.*, Phillipines, etc. I have given my full support to the experiment which is working under a committee of co-ordination at Moga. The scheme is being tentatively tried in a few places such as Moga, Ghakhar, Lala Musa, Hoshiarpur and Kharar. Material is being collected, charts prepared, vocabularies of the people drawn up. By October we hope to know if the scheme of work is likely to suit the Punjab, and if it is, we can proceed slowly to test it on a still wider scale. It will not be costly. Details of the methods are unnecessary here but I am convinced that the psychology of it is sound and will appeal. It is quite unlike the old adult

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school which we had tried and which has not succeeded ; and it holds out a hope of really tackling illiteracy more successfully than in the past. ”

As regards technical and vocational education, I would not waste the time of this House by enumerating that we have already got various colleges and other institutions such as medical, veterinary, engineering, law, agricultural and industrial institutions. For agriculture we have also schools which have not more than 200 farms and gardens attached to them and there we teach rural science only. Before we can go further in the direction of vocational training we have to consider the re-organisation of the system and the prospects of employment for such of the trained youths. A report of two experts who visited the Punjab, Wood and Abbott, is now with the Government of India and should be of valuable assistance and guidance for our future planning. (*Hear, hear.*)

My honourable friend, Lala Deshbandhu Gupta, made reference to cinemas. (*Lala Deshbandhu Gupta* : I referred to pictures). May I inform him that since 1929 the text book committee has been supplying free cinemas to lakhs of school children in the Punjab. The films are of the best type available from the west. This step has not been taken by any other province in India.

Next I come to the question of education of depressed classes. Our policy in this respect is to help the backward and depressed classes and communities. I may be permitted to state what we are doing at present in this direction. One honourable member when he spoke took exception to a certain percentage being reserved for certain communities. I deem it my duty to announce to this House that the policy of Government would be to help the backward communities and depressed classes by all available methods. (*Cheers.*) As regards the depressed classes the Principal, Central Training College, is required to keep up a proper number of admissions of students for the backward classes. In normal schools we have ordered that at least 5 per cent. of seats should be reserved for depressed classes and they are also awarded stipends. (*Hear, hear.*) Honourable members are aware that separate schools have been opened in some places for depressed classes, but the policy of the present Government is not to open separate schools for them, but to make them sit side by side with boys of other communities in all institutions. (*Hear, hear.*) In this connection I may hold out a warning to the institutions in the Punjab that if the Punjab Government comes to know that a certain school does not encourage depressed classes and has got any prejudice against their admission Government will not encourage that institution. (*Hear, hear.*) The depressed classes are our brethren and they are in no way inferior to us. We should not therefore allow the state of affairs to come into existence in this province which prevail somewhere in southern India. The Punjab Government feels very strongly on this point and is determined to do all it can for the uplift of the depressed classes.

The policy of Government as regards the encouragement given to depressed classes was initiated as far back as 1929. I may here refer to the Resolution of the Punjab Government No. 20181-G., dated 19th November, 1929. The Punjab Government appointed a special officer, Rai Bahadur Ramchandra, who enquired into this matter and made recommendations, which have been given effect to by Government. The depressed classes

at present enjoy all the facilities which are available for the zamindars. They enjoy total remission of fees at the primary stage, they are allowed one half fee concession, at the middle stage both in vernacular and anglo-vernacular middle classes and Government is now considering the question of allowing them similar concession for the high classes. Further they are given a number of scholarships, four-yearly scholarships of Rs. 10 per mensem at the college stage and free tuition, and thirty high school scholarships of Rs. 6 per mensem. In the middle stage all local bodies are invited to provide close scholarships as in the case of zamindars and the Government have offered to contribute their share in this respect.

Besides these general and close scholarships, the depressed class students are allowed certain scholarships from the Silver Jubilee Fund. There are two high school scholarships for girls at Rs. 8 per mensem, five high school scholarships for boys at Rs. 6 per mensem and two scholarships at the college stage for boys at Rs. 20 per mensem *plus* free tuition and two stipends of Rs. 20 per mensem for students in the Central Training College. (*Hear, hear*).

Now I may be permitted to reply to the speech of my honourable friend Khan Bahadur Mian Ahmad Yar Khan Daulatana. He raised a very important point (and this is his pet subject).^{*} He has been working in this direction for several years. His point relates to the revision of history text books with a view to eliminate those portions which widen the gulf between various communities. The Government appointed a committee consisting of three senior officers of the Education Department. The report of that committee is now in the hands of the Punjab Government. It was only yesterday that we got it.

Mian Abdul Aziz : Who were those three senior officers ?

Minister for Education : They were Mr. Rangi Ram, Chaudhri Muhammad Hussain and Sardar Bhagat Singh. Unfortunately Chaudhri Muhammad Hussain died and Mr. Rangi Ram retired. We however replaced them by other gentlemen including one Mr. Shauq, Inspector of Vernacular Education. They have very carefully gone through the text books and I indicate to the honourable members the thoroughness and the independence with which they have gone through these books and suggested that certain portions be expunged. I know the case of one text book. The author of that book is a very senior officer of the Education Department. Even in that case they have recommended that certain portions be expunged (*Hear, hear*). The Government will now carefully consider that report and pass orders without further delay. I am of the opinion that not only in the matter of history text books but in the matter of other books also, it may be necessary to revise them.

I may be permitted to make a brief reference to the speech of my honourable friend Lala Bhim Sen Sachar. He spoke of the unsatisfactory condition of the physique of our students. I only want to say that he has exaggerated matters. The things are not so bad as he considers them to be. Even to-day honourable members should realise that in the matter of athletics, we are leading the whole world (*Hear, hear*) (*Voices : Oh !*) Yes. The present drill instructors are being replaced by more efficient physical

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instructors and very useful work is being done at Lahore under Mr. Hogg. (Voices : What about military training ?) I hope that military training is not proposed to be given to enable our people to fight more efficiently in these communal riots. As soon as the first condition is fulfilled, the Punjab Government will also see to that.

Chaudhri Krishna Gopal Dutt : Which first condition ?

Premier : Communal harmony.

Minister for Education : Eradicating communal bitterness. I was deeply grieved to hear my honourable friend Lala Bhim Sen Sachar when he referred to another matter. I would not have touched on that point on the floor of this House. My honourable friend Mr. Deshbandhu Gupta has raised that issue. He has invited the attention of the Government to the speech made by Lord Baden Powell. I am at one with Mr. Gupta in protesting against it (*Hear, hear from Opposition benches*) but what Lord Baden Powell said was that the Indian youth was lacking in character. I would only speak of it in whisper. I was surprised to find Lala Bhim Sen Sachar saying the same thing on the floor of this House. I do not agree with him (*Hear, hear from Government benches*). He said that we have no character. He brought out this thing very prominently. (Voices : He was quoting a Government official.) He said from this system of education that we do not get wealth, we do not get health, and we do not get character.

Chaudhri Krishna Gopal Dutt : He referred to the character of students in the college. That is absolutely different from attacking a national character.

Premier : This is also attacking national character.

Minister for Education : I disagree with Lord Baden Powell and I deem it my duty to disagree with my honourable friend Lala Bhim Sen Sachar.

Dr. Gopi Chand Bhargava : Stop grants to both.

Lala Deshbandhu Gupta : Stop the grant to Baden Powell Scout Organisation.

Minister for Education : Very useful work is being done by the Boy Scout Organisation but so far as the honour of the nation is concerned I have moved in the right direction. I have entered my emphatic protest. It was not my intention to speak of this and parade my services, but since this point has been raised on the floor of this House, I deemed it my duty to say something on the subject. (*Hear, hear.*)

A word about the free primary compulsory education. One of the honourable members laid some stress upon the fact that we must have less costly buildings. If the honourable member has been reading the newspapers, I may remind him that I stated this in a public meeting in April shortly before assuming office.

Lala Deshbandhu Gupta : Have you translated it into action ?

Minister for Education : Certainly. As regards the assurance that I am true to my word and am prepared to translate my words into action,

I may tell the honourable member without giving out any secret that in the matter of one institution I sent back the plan and the estimate to the department concerned requesting it to revise it and make it less costly (*hear, hear*) and to my utter regret the papers have come back with the reply that the cost stated was the minimum.

I am not going to accept that position and I am going to summon the officers concerned to discuss it with me (*A voice* : Probably that is according to the Government standards). We are against those standards. We realise that ours is a poor country and that we must have less ambitious schemes so far as the buildings are concerned. I would not talk of shady trees and I would not talk of *chhappars* at present, but I would certainly assure this honourable House that the policy of Government will be not to spend more money on buildings and to have money for better purposes. (*A voice* : I would call a private contractor and find out how much the building would cost.)

Premier : Why have pucca buildings for primary schools? Why not have the classes under *chhappars*? (*Cheers*)

Minister for Education : In the matter of compulsion, I may point out to the honourable members that in the first instance it is open to a local body to ask for introduction of compulsion. The difficulty is that the local body concerned after introducing compulsion is not willing to enforce compulsion. (*A voice* : Change legislation.) That is exactly what the Government proposes to do (*hear, hear*). We will not leave it to the members of a local body to sleep over the matter. We realise their difficulties. If they have the requisite courage they would overcome those difficulties, but the fact remains that in deference to the wishes of their electorate they are not prepared to encourage prosecutions and where prosecutions are made little or no punishment is awarded, with the result that money is wasted.

The honourable members would realise that from the first infant class as we go to the second class there is a leakage of 50 per cent., and as we go higher up it is 75 per cent. and in the Kangra district it is perhaps cent per cent. The intention of the Government is to extend the period of primary education which I regret to say was reduced in 1918 just at the time when the Compulsory Act was passed. I am going to rectify that mistake and to extend it to at least five years (*cheers*). I am prepared to consider a further extension if there is public opinion in support of it (*cheers*). But in the matter of compulsion the intention of the Government is to amend the present Act and to give the Government the power to enforce compulsion. I will take the blame on my shoulders from the shoulders of the members of the local bodies. (*Voices* : We are prepared to take it ourselves.) What I propose to do is to have one complete Act giving all conceivable powers to the Punjab Government. Of course, I am not going to enforce the whole of it the very first day but power shall be vested in the Government to enforce such portions of that Act from time to time and in such areas or towns as they deem fit to include. I am going to include in the new Act the power to enforce compulsion even in the case of girls.

Honourable members are aware that in the old Legislative Council a lady member (Shrimati Lekhwati Jain) introduced a Bill of that nature

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which was however thrown out. I am not satisfied that the time has come when we should enforce compulsion in the matter of girls' education. If the public opinion reacts in that direction, I shall not be slow to move but for the present I want powers to be given to the Punjab Government; so that there may be no necessity for amending that Act for another generation.

Mian Abdul Aziz : On a point of order, Sir : I have tabled a resolution which has been admitted requesting the Government to overhaul the whole system of education. Will the Honourable Minister for Education kindly take steps and consider the request in that resolution, a copy of which can be had from the office ?

Minister for Education : I shall see to it.

Premier : If the honourable member writes to the Honourable Minister, due consideration will be given.

Mian Abdul Aziz : Very well, Sir, I will write to him.

Minister for Education : I am grateful to the Honourable Premier.

Mr. Speaker : The question is—

That the item of Rs. 2,79,000 on account of Grants to the University be reduced by Rs. 100.

The motion was lost.

Mr. Speaker : The question is—

That a sum not exceeding Rs. 1,52,69,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (excluding European and Anglo-Indian).

The motion was carried.

The Assembly then adjourned till 11 A. M. on Monday, 12th July 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 12th July, 1937.

*The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

ADDITIONAL POLICE POST AT VILLAGE SURSINGH, TAHSIL KASUR.

***361. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that an additional police post was quartered at village Sursingh, tahsil Kasur, district Lahore, between 1914 and 1930 which remained there for 7 years and 3 months ;
- (b) if the answer to (a) above be in the affirmative, whether he is prepared to lay on the table a statement showing (i) the detailed accounts of estimated as well as actual costs of the punitive police post for each year ; (ii) the arrears of costs of the punitive police post due from the village residents on the 31st March, 1937 ;
- (c) whether it is a fact that Sardar Thakar Singh, Chanchal Singh and the other residents of the aforesaid village submitted an application to the Honourable Premier, Government Punjab, on the 8th April, 1937, claiming a refund of a certain sum said to have been realized from them in excess of the actual costs of the punitive police post by Government ;
- (d) if the answer to (c) above be in the affirmative, whether he is prepared to lay on the table their original application and also state the decision, if any, Government have arrived at in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Additional police were located in this village on three different occasions between the years mentioned—

- (i) From the 15th December, 1915 to the 14th December, 1917 (two years).
- (ii) From the 15th September, 1924 to the 14th September, 1928 (four years).
- (iii) From the 1st November, 1929 to the 1st January, 1931 (The post was originally sanctioned for two years, but the term was afterwards reduced).

[Premier.]

(b) Regarding the first post (1915—17) the honourable member is asked to refer to the reply given to question No. *70¹. The average cost of the second post (1924—28) was Rs. 29,026-5-8. That of the last post (1929—31) was originally calculated at Rs. 8,095, but this figure was reduced to Rs. 7,619 as explained in the reply given to question *5571², put by Chaudhri Afzal Haq in the last budget session in the old Council. As was explained at that time the cost of this post, even after excluding charges on account of superintendence, armament, interest, etc., which can never be precisely estimated, was slightly in excess of the figures originally calculated. On the other hand, it was found in 1934, when recoveries were proceeding, that the post of 1924—28 had proved considerably less expensive than had been expected. The Deputy Commissioner accordingly recommended that a certain part of the sum due should be waived. In accordance with this recommendation a sum of Rs. 476 was first remitted, and subsequently the outstanding balance amounting to Rs. 7,444-4-6.

(c) Yes.

(d) A copy of the application is laid on the table. As has been explained above, there are no longer any outstandings in regard to the Sursingh posts.

Sardar Hari Singh : Is the Honourable Premier aware that on account of his voice being very inaudible, it has not been possible to follow his reply ?

Premier : I am very sorry, but he will be able to see the answer when it is printed.

Dr. Gopi Chand Bhargava : May I know whether the arrears of the cost of the punitive police due from March, 1937 have been realized or not ? I am referring to question (b) (ii).

Premier : It has already been answered.

Application of Chanchal Singh, Thakar Singh, etc., village Sursingh, dated the 8th April, 1937, to the Hon'ble Chief Minister, Government, Punjab, Lahore.

We the undersigned residents of village Sur Singh, tahsil Kasur, district Lahore, beg to state as follows :—

- (1) Between 1914 and 1930 additional police post was quartered in our village three times. The first punitive police post which was located in our village between 1914 and 1917 consisted of mounted police force and we had to pay Rs. 14,685-9-2 as cost of this police force. Cost of this police force also included the purchasing prices of the horses which on its withdrawal were taken to the police headquarters, Lahore, along with other furniture of the police post, though Government had no right over them as these were purchased at the costs of the village residents.
- (2) Again in 1924 punitive police post was quartered in our village for second time which remained here for four years. The village residents had to pay Rs. 28,425 as its costs.

¹Page 412 ante.

²Vol. XXVIII, pages 757-58.

(3) For the third time punitive police post was located in our village in October or November, 1929, which remained up to the 31st December, 1930. For the costs of this police force Rs. 7,319 were due from us but in 1933 we were asked to pay Rs. 2,600 which were recovered in December, 1933 and January, 1934. We were informed by the responsible Government Officers that under orders of Mr. Asquith, the then Deputy Commissioner, Lahore, enquiry was made as the result of which it had been found that more money than the actual costs of the police force which remained stationed in our punitive police post, during the previous years had been realized from us which has been deducted from the tax due for the years 1929 and 1930.

(4) Now again we have come to know that we are going to be taxed for the full cost of the punitive police post for the year 1929 and 1930 and the concession granted by Mr. Asquith, Deputy Commissioner, is being forfeited by the Government.

Under these circumstances we would request you to make enquiry in our case and do justice to us as had been done to the residents of villages Makhi Khurd and Makhi Kalan, in 1926 and Asal Rattoki and Cheeman (Kasur) in 1936 in similar cases. In these villages punitive police posts were quartered but instead of recovering calculated costs of the punitive police post, the Government decided to realise from them the actual costs of the police force as a result of which they were saved from paying several hundred rupees in excess.

(5) We beg to attach herewith a statement showing the actual costs of the police force that remained present in our village from 1914 to 1930. Its perusal will show that instead of demanding any sum from the village residents Government have realized Rs. 3,417 from them in excess of the actual cost even after deducting the punitive police post tax arrears of 1929 and 1930.

We would request you to make enquiry in our case and order the Lahore district revenue authorities to suspend the recovery of the punitive police post tax arrears during the pendency of the case.

Recovery and costs account of the Punitive Police Post, Sursingh, regarding the refund claimed by the village residents.

| <i>Recovery and details of Refund claimed.</i> | <i>Costs.</i> | |
|--|---------------|---|
| | <i>Ra.</i> | <i>Ra.</i> |
| 1. Recovery 1924—27 .. | 7,262 | From 1924-27 as shown in the charge sheet attached. 5,672 |
| | 7,004 | 5,672 |
| | 7,079 | 5,672 |
| | 7,079 | 5,672 |
| 2. Refund claimed on account of the prices of the horses 1914—17. | 2,200 | 1929-30 7,319 |
| 3. Recovery in 1933 and 1934 .. | 2,300 | |
| 4. Refund claimed on account of the furniture purchased from 1914 to 1930 which was taken to the police headquarters after withdrawal of the punitive police post. | 500 | |
| Total .. | 33,424 | Total .. 30,007 |

Balance due from the Government Rs. 3,417.

[Premier.]

*Charge sheet of the Additional Police Post Costs at village Sursingh,
Lahore, from 1924 to 1927.*

| Serial No. | | 1924. | 1925. | 1926. | 1927. |
|------------|--|-------|-------|-------|-------|
| | | 3 | 4 | 5 | 6 |
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | Rs. | Rs. | Rs. | Rs. |
| 1 | Pay of Sub-Inspector, Police .. | 960 | 960 | 960 | 960 |
| 2 | Pay of 1 Head Constable .. | 360 | 360 | 360 | 360 |
| 3 | Pay of ten Constables | 2,040 | 2,040 | 2,040 | 2,040 |
| 4 | Pension charges | 712 | 712 | 712 | 712 |
| 5 | Contingency | 250 | 100 | 100 | 100 |
| 6 | Uniform Allowance of Sub-Inspector, Police. | 25 | 25 | 25 | 25 |
| 7 | Uniform Allowance of Head Constable and Constables. | 165 | 165 | 165 | 165 |
| 8 | House Rent | 300 | 300 | 300 | 300 |
| 9 | Equipment charges | 60 | 60 | 60 | 60 |
| | Total .. | 4,872 | 4,722 | 4,722 | 4,722 |

NOTES.—1. The pay of the sub-inspector, head constable and constable have been counted at the rate of Rs. 80, 30 and 17, per month.

2. During this period only one head constable remained present in the punitive police post though sometimes the number of constables was reduced to 6 or 7 but in this charge sheet the expenditure of 10 constables has been shown. (The maximum average number).

3. Contingency charges in 1925, 1926 and 1927 have been shown less than 1924 as no furniture was purchased during these years in plenty.

COMPLAINT AGAINST FORCED LABOUR.

*362. **Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether Imam Din and several other Muslim water-carriers of village Lulliani, district Lahore, submitted an application on the 20th May, 1937, to the Deputy Commissioner, Lahore, complaining against the forced labour system practised by the local police ;

(b) if the answer to (a) above be in the affirmative, whether he is prepared to lay on the table their original application and also state whether any inquiry was made by the Government in the matter ; if so, (1) who conducted the inquiry, (2) how many of the complainants appeared before the investigating officer, and (3) what was the result of the inquiry ?

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

(b) A copy is laid on the table. Inquiries were made on the spot by a Deputy Superintendent of Police from all the persons whose thumb-impressions appeared on the application. They stated that they had no complaints and that their thumb-impressions had been obtained by fraud.

Diwan Chaman Lall : Are there any standing instructions in regard to this matter?

Premier : Yes.

Diwan Chaman Lall : Are there any penalties prescribed for forced labour, if it is levied?

Premier : I cannot give you any reply off-hand, but I believe there are penalties for disobeying instructions and orders of the Government.

Diwan Chaman Lall : Is the Honourable Premier satisfied that the statement referred to by him was not obtained by undue influence?

Premier : I have to rely on my gazetted officers.

Diwan Chaman Lall : Is the Honourable Member's previous experience such as to justify him in believing that they may have been obtained by undue influence?

Premier : I do not think so, so far at any rate as gazetted officers are concerned.

Dr. Gopi Chand Bhargava : Will the Premier be pleased to state whether he is prepared to make an inquiry through a magistrate instead of a gazetted officer of police, because the complaint was against the police?

Premier : I am afraid I cannot possibly accept the honourable gentleman's suggestion because I must rely on my gazetted officers.

Application of Imam Din, son of Shadi, Din, son of Nawab, and others, dated the 20th May, 1937, to the Deputy Commissioner, Lahore.

We the undersigned Muslim water-carriers of village Lulliani, District Lahore, beg to state as follows:—

(1) We are very much tired of the forced labour system at the hands of the local Police. Every water-carrier is called upon to supply water to the Police staff free of costs turn by turn. One who does not agree to supply water himself at his turn, he is obliged to pay Rs. 2 as compensation to his colleague who takes the responsibility to work in his place at the Thana. This system has been in existence for the last 6 years. We are put to great inconvenience and uneasiness by the Police staff. Rs. 2 have been recently paid by Imam Din (2 weeks ago).

(2) Hence we would request you to make inquiry in this case and thereby put an end to this evil system of forced labour. We would also request you to get the amount refunded paid on this account within the last 12 months.

FACILITIES FOR VISITORS TO KASUR JAIL.

*363. **Dr. Sant Ram Seth:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Sardar Sajjan Singh, Margindpuri, Sardar Naranjan Singh, Municipal Commissioner, Sursingh, and other respectable persons of tahsil Kasur and Chunián submitted

[Dr. Sant Ram Seth.]

an application on the 1st June, 1927, to the Honourable Premier complaining against the restrictions imposed upon persons who go to interview their relations in Kasur Jail ;

- (b) if the answer to (a) be in the affirmative, whether he is prepared to lay on the table their original application and state whether any inquiry was made by the Government in the matter ; if so, the result of the same ?

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

(b) A copy of the application is laid on the table. It has lately been arranged, as a matter of administrative convenience, that persons attending the jail in order to interview prisoners should wait in the shelter of a tree near the married warders' quarters, rather than on the roadside. Estimates for a proper waiting shed are being prepared, to be constructed when funds allow.

Application of Sajjan Singh and others, dated the 1st June, 1937, to the Honourable Premier, Government Punjab, Simla.

We the undersigned who have come to hold interviews with our relatives under-trial prisoners or convicts in Kasur Jail beg to state as follows :—

- (1) Since 1st February 1930, i.e., when the new Jail of Kasur was built the relatives and friends of the jail convicts or under-trial prisoners who come to see them were allowed to sit under the shades of the trees on the roadside, leading to the jail gate. No doubt they were kept at a distance of 20 yards from the jail gate.
- (2) For the last two months a new system has been introduced and the jail authorities have passed orders to the effect that no one who comes to see his relatives in the jail, be allowed to sit under the shade of the trees. There are no other trees in the jail vicinity except those on the road hence the public is put to great inconvenience and uneasiness. Now the jail authorities have gone so far that they do not allow the public to sit under the shade of the trees which are at a distance of 300/400 yards. There is no other arrangement for the protection of the public from the scorching heat of the sun near the jail. The orders of the jail authorities regarding the prohibition of sitting under the shades of the trees on the road is illegal and unjustified. Either it must be withdrawn or a shed be erected within the jail premises.

CROWN LAND SITUATED ON NALA DHUNDI.

***364. Khan Bahadur Sardar Muhammad Hassan Khan, Gurchani :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that tracts of land situated on Nala Dhundi in tahsil Rajanpur, district Dera Ghazi Khan, are to be distributed on lease by Government ; if so, on what conditions ;
- (b) whether it is a fact that Government intend to prefer the inhabitants of other districts in giving these lands on lease to those of this (Dera Ghazi Khan) district ;
- (c) whether it is also a fact that hundreds of *abadkars* of other districts in the Punjab have reached Rajanpur and have applied for the land in Nala Dhundi being given to them on lease ; if so, the reasons for this ;
- (d) whether Government intends to consider the claim of the inhabitants of Dera Ghazi Khan district at the time of distribution of the land in question in preference to others ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, the matter is under consideration.

(b) No, provided good tenants are available locally.

(c) Government have no information, but a large number of applications have been received from other districts in the Panjab and there is no bar to them.

(d) Certainly.

CATTLE TAX IN DHUNDI.

***365. Khan Bahadur Sardar Muhammad Hassan Khan Gurchani :** Will the Honourable Minister for Revenue be pleased to state, whether it is a fact that a tax known as "Tirni" has been imposed by Government on cattle and other animals of the inhabitants of Dhundi, tahsil Rajanpur, district Dera Ghazi Khan, for the last two or three years; if so, the reasons which have led the Government to impose this tax?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. Grazing fees are being charged in the Dhundi estate. The levy of such fees was approved by Government in 1921 and these are being charged in the interest of the estate.

RECRUITMENT OF POLICE FORCE IN DERA GHAZI KHAN DISTRICT.

***366. Khan Bahadur Sardar Muhammad Hassan Khan Gurchani :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that police officers posted to Dera Ghazi Khan district are generally deputed to bring recruits from other districts for the inferior rank of the police force in that district, and are paid travelling allowance, etc.;

(b) whether it is also a fact that Rs. 4 are paid as local allowance to the police constables recruited from other districts for the police force in Dera Ghazi Khan;

(c) whether it is a fact that suitable candidates are available in large numbers in Dera Ghazi Khan district for employment as police constables in the said district, if so, the reasons why this unnecessary expenditure is incurred by Government?

The Honourable Major Sir Sikander Hyat-Khan : (a) No. During the summer of 1934 a head constable was twice deputed to obtain recruits from outside districts, and his travelling allowance was paid by Government. There has been no occasion since to send out a recruiting officer, as a sufficient number of recruits from outside districts have presented themselves in Dera Ghazi Khan.

(b) Yes.

(c) No. It is by no means easy to obtain men of the right stamp from among the local people.

EDUCATIONAL AND OTHER FACILITIES FOR GURCHANI AND KAIBRANI ILAQAS.

***367. Khan Bahadur Sardar Muhammad Hassan Khan Gurchani :** Will the Honourable Minister for Education be pleased to state

[K. B. Md. Hassan Khan.]

whether it is a fact that facilities for receiving education have recently been provided to Leghari and Buzdar tribes in the Dera Ghazi Khan district; if so, whether and when it is intended to make the same facilities available to people residing in other parts such as Gurchani, and Kaisrani tribes in the said district?

The Honourable Mian Abdul Haye: I regret that the answer to the question is not ready.

REPRESENTATION OF MUSLIMS ON LAHORE IMPROVEMENT TRUST.

***368. Maulvi Mazhar Ali Azhar:** Will the Honourable Minister for Public Works be pleased to state the representation allowed to Muslims on the Lahore Improvement Trust, and the reasons for fixing that representation for them?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: Two Muslim members were appointed to the Lahore Improvement Trust, excluding the Chairman who is a Government servant and Bai Bahadur Diwan Amar Nath Nanda, a retired Superintending Engineer, Public Health Circle, who was included in the personnel of the Trust for his technical knowledge, there was one member each from the Hindu, Sikh and European communities on the Trust. In fixing this representation due regard has been paid to the share to which each community is entitled. Owing to the supersession of the Municipal Committee three seats on the Trust, including the two held by Muslims, are now vacant and will be filled shortly.

MEETINGS HELD BY LAHORE IMPROVEMENT TRUST.

***369. Maulvi Mazhar Ali Azhar:** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of meetings held by the Lahore Improvement Trust in 1985, 1986 and in 1987, respectively;
- (b) the number of meetings which were called, but which were not held, and the reasons why such meetings could not be held?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: (a)—

| Year. | Number of meetings held. | REMARKS. |
|--------------|--------------------------|--|
| 1985 | None | The Trust was created from the 2nd January 1986. |
| 1986 | 10 | |
| 1987 | 9 | |

- (b) Only one meeting in 1987 could not be held for want of quorum.

TALBANA.

***370. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in revenue cases *talbana* is levied *per capita* according to the number of respondents and no maximum amount is fixed as in civil cases ;
- (b) whether it is a fact that in revenue cases, especially those relating to partition the applicants have sometimes to pay hundreds of rupees as *talbana* fees ;
- (c) whether it is a fact that zamindars are experiencing great difficulty on account of unlimited *talbana* charges ;
- (d) whether the Government proposes to take any action in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) No. If in partition cases the number of share-holders is very large the revenue officers have instructions to follow the procedure laid down in sections 20 (3) and 22 of the Land Revenue Act for the service of summons in order to save unnecessary expense to the parties.

(c) Government have no information.

(d) A copy of this question and the reply will be sent to the Financial Commissioners for such action as may be necessary.

PETITION-WRITERS OF GURDASPUR.

***371. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the petition-writers of Gurdaspur petitioned to the authorities last year for not charging them any rent for sitting in the court compound for writing petitions ; if so, what action has been taken on that petition ;
- (b) whether it is a fact that the license fee of petition-writers was enhanced some time ago and they are now made to pay a much increased amount ;
- (c) whether the Government has considered the advisability of granting the request of the petition-writers ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) *First part.*—Yes.

Second part.—It was rejected.

(b) On the presumption that by “license-fee” the honourable member means “ground-rent” the reply is No.

(c) *First part.*—No.

Second part.—Does not arise.

ADDRESS TO PANDIT JAWAHAR LAL NEHRU BY MUNICIPAL COMMITTEE,
BHIWANI.

***372. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that the Sub-Inspector of Police, Bhiwani, and other officials stationed there brought pressure to bear on Municipal Committee, Bhiwani, to dissuade that local body from presenting the proposed address to Pandit Jawahar Lal Nehru, President, Indian National Congress, on his visit to that place in January last; if so, what action is proposed to be taken in the matter?

The Honourable Major Sir Sikander Hyat-Khan : I have already stated in reply to question No. *187¹ that the allegations against the Sub-Inspector of Police are incorrect. As regards other officials, if the honourable member would specify them by name or their designation, I will endeavour to obtain the information.

Dr. Gopi Chand Bhargava : Will the Honourable Premier be pleased to state the source of enquiry?

Premier : Through local officers.

Dr. Gopi Chand Bhargava : Police officers?

Premier : No, district authorities.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier be pleased to state whether the sub-inspector of police, Bhiwani, sent for the members of the Municipal Committee and brought pressure to bear on them to dissuade them from presenting an address to Pandit Jawahar Lal Nehru?

Premier : How does that arise?

Pandit Shri Ram Sharma (Urdu) : What I mean to ask is this: was undue pressure brought to bear on them or not?

Premier : I have nothing to add to my answer.

Pandit Shri Ram Sharma (Urdu) : Did the official during the enquiry from the members of the Municipal Committee ask whether undue pressure was brought to bear on them or not? (*After a pause.*) Is there no answer to my question?

Diwan Chaman Lall : May I ask the Honourable Premier whether it is a fact that the members of the Municipal Committee were called at the police Thana by the police or not?

Premier : With regard to what?

Diwan Chaman Lall : With regard to the pressure being put upon them not to present an address to Pandit Jawahar Lal Nehru?

Premier : I have definitely said "No."

Diwan Chaman Lall : May I ask whether it is a fact that the members of the Municipal Committee were consulted by the official who made the enquiry or not?

Premier : They must have been consulted, otherwise it would have been difficult to conduct the enquiry.

Diwan Chaman Lall : May I ask the Honourable Premier for a fact whether they were consulted or not consulted and what was the actual state of affairs ?

Premier : I am afraid I cannot give a reply off-hand.

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier be pleased to state why this differential treatment has been accorded to my question which was of the same nature as that of the honourable Diwan Chaman Lall ? Does it make a difference whether a member speaks in English or Urdu ?

Premier : It may be the method in which a question is put.

Pandit Sri Ram Sharma (Urdu) : Is it a fact that on the day when the question of presenting an address to Pandit Jawahar Lal Nehru was discussed, the President as well as the Vice-President were absent, and that the Junior Vice-President disallowed this question ? If so, was he empowered to do so ?

(No answer.)

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier be pleased to state whether the inquiry was conducted openly ?

EMPLOYMENT OF CHAUKIDARS BY BHIWANI PEOPLE.

***373. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that the police authorities are pressing the people of Bhiwani city to employ chaukidars to keep watch in the bazars at their own cost ; if so, why ?

The Honourable Major Sir Sikander Hyat-Khan : This question is identical with No. *188¹ to which a reply was given in the House on the 29th June.

ADDITIONAL POLICE POST AT VILLAGE VEHGAL, TAHSIL KASUR.

***374. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that an additional police post was sanctioned to be quartered at village Vehgal, tahsil Kasur, district Lahore, for the period of 3 years and Rs. 6,005-8-0 per annum were imposed upon the inhabitants and recovered from them as costs of the aforesaid police post, —vide Punjab Government notification No. 3075, dated the 28th April, 1922 ;
- (b) If so, the sanctioned strength of the police force for each year, the strength of the police force which was sent to this police post and remained there during each year, the details of the estimated costs of the police force for each year, and the details of the actual costs of the police force for each year ;
- (c) whether it is a fact that this police force was located at Lulliani for some period and that its cost was charged from the residents of Vehgal ;

[Dr. Gopi Chand Bhargava.]

- (d) if so, the period for which it was located there ;
- (e) whether a refund has been claimed for the amount charged in excess from the residents ;
- (f) if so, whether and when Government proposes to pay back this money ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b)

It is correct that an additional police post was located at Vehgal for a period of three years from the 9th May, 1922. The essential figures regarding the strength and cost of the post have been given in reply to the honourable member's unstarred question 80¹. As has been explained in the replies to other questions, it is never possible to state the "actual cost" of a body of additional police with complete accuracy, as the bill must include certain items which are not capable of being calculated with precision.

(c) and (d) It was decided to fix the headquarters of this body of additional police at Lulliani, about three miles away from Vehgal, rather than in the village itself. This arrangement continued throughout the period of the post's existence, except for about two months at the end of 1924.

(e) and (f). An application for a refund by one Mall Singh and certain other persons claiming to be residents of Vehgal was received in May 1936. Considering the fact that the recoveries were completed more than ten years ago, Government are not prepared to re-open the matter or to make further inquiries.

PUNITIVE POLICE POST AT VILLAGE VEHGAL, TAHSIL KASUR.

***375. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any additional police force was quartered at village Vehgal, tahsil Kasur, district Lahore, in 1922, for a period of 3 years ;
- (b) if the answer to (a) be in the affirmative, whether he will lay on the table a statement showing (i) the sanctioned strength of the police force for this punitive police post for each year, (ii) the strength of the police force which actually remained stationed in the village post, (iii) item by item the details of the estimated as well as the actual costs of the police force for each year, (iv) the name of the house-owner who provided house for quartering the police force in the village, the monthly rent settled with him and the total rent paid to him each year, (v) the amount realized each year as the costs of punitive police post from the inhabitants ;
- (c) whether police force of this police post was shifted to police station Lulliani in 1922 ; if so, for what period it remained quartered there and what were the actual costs of the police force for this period ;
- (d) whether Sardar Mall Singh and other inhabitants of the aforesaid village submitted an application to the Honourable

Premier, Government Punjab on the 5th May, 1937, claiming therein a refund of Rs. 16,808-8-0 said to have been realized in excess of the actual costs of the punitive police force ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : This has been answered in the reply to the preceding question.

MEETINGS OF THE CABINET OF PUNJAB MINISTERS.

***376. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether it is a fact that meetings of the Cabinet of Punjab Ministers are generally presided over by His Excellency the Governor ?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is drawn to the answer given to question No. *337.¹

Pandit Shri Ram Sharma (Urdu) : Will the Honourable Premier be pleased to state whether he has ever presided over any meeting of the Cabinet ?

INTERVIEWS WITH THE POLITICAL PRISONERS.

***377. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the Punjab Jails Department maintains a list of persons who are not allowed to interview political prisoners or under-trials in the jails ;
- (b) whether it is a fact that the said list includes the names of certain honourable members of this House ;
- (c) whether it is a fact that Master Kabul Singh, M.L.A., was recently refused permission to interview certain under-trials in Hoshiarpur sub-jail on the ground that his name was included in the black list ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Jail Superintendents have special instructions as to the admission into their jails of persons suspected of holding subversive views, but there is no absolute ban on the admission of any persons or set of persons, in all circumstances.

(b) Does not arise.

(c) Master Kabul Singh was recently refused permission to interview certain prisoners in the Hoshiarpur subsidiary jail, but not on the ground that his name was included in any list.

Sardar Hari Singh : What is the criterion of interviews with political prisoners on political grounds ?

Premier : I am afraid I am not prepared to answer that question.

Chaudhri Krishna Gopal Dutt : Is it a fact that my name also is included in that black list ?

Premier : Not to my knowledge.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that my name is also included in the black list at Rohtak ?

Sardar Hari Singh : Is the Honourable Premier aware that in other countries under the Parliamentary system of Government all the members of legislature have a right to visit jails ?

Premier : If the honourable member can quote some authority, I can probably express my opinion on that point.

Chaudhri Kartar Singh (Urdu) : Is the Government aware of the fact that all the members of the United Provinces Assembly have been appointed jail visitors in their respective constituencies ?

Premier : I am not aware of the practice in the United Provinces.

Sardar Hari Singh : Is the Honourable Premier aware that dangerous men in other provinces of India are to be incharge of law and order ?

Premier : What does the honourable member mean by " dangerous men " ?

Sardar Sohan Singh Josh (Urdu) : Is it a fact that the Superintendent of Jails himself told Master Kabul Singh that his name was in the black list ?

Premier : I am not aware of any such fact.

Master Kabul Singh (Urdu) : Will the Honourable Premier kindly enquire into the matter ?

Premier : I have definitely stated that that was not the reason.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that members of the United Provinces Assembly have been appointed jail visitors in their respective constituencies ? If so, is the Punjab Government also prepared to do likewise here ?

Mr. Speaker : That is a request for action.

LANGUAGE OF THE ASSEMBLY.

***378. Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

(a) whether in pursuance of his remarks in reply to the point raised by Lala Duni Chand on the question of language of the Assembly during the first session of this House¹ any steps have been taken to approach the Parliament through the Government of India with a view to getting the Act amended ;

(b) if answer to (a) above be in the negative, reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is invited to the reply given to question No. *2291.²

¹Page 48 ante.

²Page 833 ante.

SHEIKH RAHMAT ILLAHI AND MUNICIPAL COMMITTEE, RUPAR.

***379. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Pandit Ganga Ram Sharma and Lala Nauhriya Mal, Municipal Commissioners, Municipal Committee, Rupar, were appointed to inquire into the allegations made by Baboo Maqsum Ali Khan against Sheikh Rahmat Illahi and that on a report being made against the said Sheikh Rahmat Illahi by both of these Municipal Commissioners the local Government compelled him to resign from the Municipal Committee, Rupar ;
- (b) whether it is a fact that the said Sheikh Rahmat Illahi (who is still the Vice-President of the Municipal Committee, Rupar) on the complaint of Pandit Ganga Ram Sharma some years back, i.e., 1930-31, was called for in the court of 1st class Magistrate, Rupar and that on an inquiry into the allegations, that he had not paid octroi duty to the Municipal Committee, Rupar, was fined Rs. 30 by the magistrate, and that the conviction was upheld by the Honourable Chief Justice of the High Court of Judicature at Lahore ;
- (c) if so, the steps Government proposes to take in this matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. Sheikh Rahmat Illahi was actually asked to resign as a result of the convictions mentioned in part (b) of the question.

(b) Yes.

(c) The previous Government dealt with this matter in 1933 and the present Government do not propose to reopen it.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that Sheikh Rahmat Illahi has again been returned unopposed ?

Minister : I am not aware of it.

Pandit Shri Ram Sharma (Urdu) : Will the Government be prepared to publish the name of Sheikh Rahmat Illahi in the *Gazette* ?

Minister : It is to be decided when the matter comes up.

Pandit Shri Ram Sharma (Urdu) : Does this re-election remove all other previous disqualifications of the member concerned.

DEPARTMENTAL EXAMINATION IN IRRIGATION DEPARTMENT.

***380. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether there are any rules framed by the Irrigation Department which provide that it is optional for the assistant clerks in the Irrigation Department to sit for departmental examination for higher grades ;
- (b) if so, whether it is a fact that those who appear in the examination and fail are forced to pass the examination; if so, the reasons for the same ;

[Pandit Shri Ram Sharma.]

- (c) whether it is a fact that the Executive Engineer, Rohtak division, has recently remarked in the case of a few unsuccessful clerks that their services might be dispensed with, in case they do not pass that examination; if so, on what grounds these remarks have been made?

The Honourable Dr. Sir Sundar Singh Majithia: (a) Yes, but no assistant clerk can rise to the next grade of accounts clerk unless he passes it.

(b) No.

(c) No. The Superintending Engineer issued such an order in the case of one clerk under a misapprehension. Instructions have now been issued by the Chief Engineer to cancel the order.

PROVINCIAL SERVICES AND THE DISTRICT OF MIANWALI.

***331. Khan Bahadur Captain Malik Muzaffar Khan:** Will the Honourable Premier be pleased to state—

- (a) the number of gazetted posts held by the residents of the Mianwali district in the Provincial Civil Service (Executive Branch), Provincial Civil Service Medical Branch, and in the Provincial service;
- (b) whether the numbers represent the proper proportion of the district community-wise in those cadres of the provincial services;
- (c) if the reply to (b) is in the negative, what steps the Government intend to take in the future?

The Honourable Major Sir Sikander Hyat-Khan: (a) This information is procurable from the History of Services of Gazetted Officers, a copy of which is available in the Assembly Library.

(b) and (c) In accepting candidates for appointment to the various provincial services, Government take the following factors into consideration:—

- (i) their merits;
- (ii) the religion they profess; and
- (iii) whether they are agriculturists or non-agriculturists.

They cannot undertake to consider any other factor.

REPRESENTATION IN SERVICES AND THE RESIDENTS OF MIANWALI DISTRICT.

***332. Khan Bahadur Captain Malik Muzaffar Khan:** Will the Honourable Minister for Education be pleased to state whether it is a fact that the residents of Mianwali district have been allowed meagre representation in the services under the control of the Education and Medical Departments; if so, what action is proposed to be taken in the matter?

The Honourable Mian Abdul Haye: The honourable member is referred to the departmental lists which are placed in the Assembly Library. The Government policy was stated by the Honourable Finance Member in

the Council Debate of 19th July, 1927. This is still the policy of Government and Government continue to carry out the requirements of the formula contained in the said statement of policy. I may add that recruitment to these services is not made on a district basis.

REMOVAL OF ILLITERACY FROM MIANWALI DISTRICT.

***383. Khan Bahadur Captain Malik Muzaffar Khan:** Will the Honourable Minister for Education be pleased to state what steps, if any, are intended to be taken to remove illiteracy from educationally backward district of Mianwali?

The Honourable Mian Abdul Haya: The Government is already thinking of intensifying the campaign for the removal of illiteracy among the masses and in any measures that are taken the Mianwali district along with the rest of the Punjab is bound to be benefited. Even at present the Mianwali district is being treated liberally in the matter of ordinary and special grants for education.

ELECTRIC SCHEMES.

***384. Sardar Sahib Sardar Gurbachan Singh:** Will the Honourable Minister for Finance please explain the nature of, and give detailed information about, the two major electric schemes of considerable magnitude mentioned by him in his Budget speech?

The Honourable Mr. Manohar Lal: The two schemes are—

- (a) A main line extension to Delhi, for the purpose of giving Delhi a bulk supply and giving energy to various other places on the way; and
- (b) The doubling of the line between Lahore and Lyallpur, and the supply of energy to various places on the way including Daska, Sialkot, Wazirabad, Gujranwala, Sangla Hill, and Chak Jhumra and possibly Chiniot, either by branch lines or direct.

Details are not yet available.

Sardar Sahib Sardar Gurbachan Singh: Is it a fact that the doubling of the line to Lyallpur and other places was considered by the Finance Sub-committee of the old Legislative Council and was rejected?

Minister: The consideration of these two schemes is at such a preliminary stage yet that no definite or useful information can be given to the House regarding them at this stage.

Sardar Sahib Sardar Gurbachan Singh: Is it not a fact that Finance Sub-Committee of the old Legislative Council rejected these two schemes on the ground that rural extension scheme should be taken up first?

Minister: The reconsideration of these schemes or the second scheme to which the honourable member refers does not in any way exclude the consideration of the rural schemes.

Sardar Sahib Sardar Gurbachan Singh : What I mean is that the money should be spent on the rural extension scheme instead of this scheme.

Minister : That is only a suggestion of the honourable member and it will be kept in view.

Sardar Sahib Sardar Gurbachan Singh : That is not my suggestion, but it was the considered opinion of the Finance Sub-committee of the old Legislative Council.

Syed Amjad Ali Shah : If the Electric Supply Company of Delhi is taking the electric supply from the Mandi scheme, would that not take more or less all the energy which is surplus now ?

Minister : I do not think that is correct, as I said the consideration of the scheme for the supply of bulk energy to Delhi is very much at a preliminary stage at present.

Diwan Chaman Lall : May I know whether the Honourable Minister is prepared to agree that before action is taken by the Government this House will be consulted in regard to this particular matter ?

Mr. Speaker : That is a request for action.

Diwan Chaman Lall : All that I want to ask the Honourable Minister in regard to this matter is, whether the Government has made up its mind that it will consult the House before it takes this particular action.

Minister : That will depend upon the Government's decision as to what the schemes are likely to involve. If they involve very heavy expenditure, possibly capital expenditure, Government will have to come up before the House.

Diwan Chaman Lall : May I ask the Honourable Minister, since the question is not clear—the question is not a question of expenditure but of policy—

Mr. Speaker : No question about policy should be asked.

Diwan Chaman Lall : May I ask the Honourable Minister whether the Government have decided that they will consult this House before they allow energy to be diverted to Delhi ?

(No answer.)

Sardar Sahib Sardar Gurbachan Singh : Has the Honourable Minister seen in the papers that the Delhi Municipality is bringing out an electric scheme for Delhi and rural areas ?

Minister : I have not seen this.

Sardar Sahib Sardar Gurbachan Singh : I will show it to him, and will send him a cutting from the paper.

Minister : I shall be delighted.

Sardar Sahib Sardar Gurbachan Singh : In view of that, does not the Government consider that there is no use their supplying hydro-electric energy to Delhi, if they are having electricity of their own ?

Minister : The honourable member says "in view of that." That I take refers to something that he has seen somewhere in the papers.

Diwan Chaman Lall : Is the honourable Minister aware that a committee was appointed by the Government of India to go into this matter and that that committee has recently submitted its report ?

Mr. Speaker : That is a central subject.

Diwan Chaman Lall : Has it no reference to the Mandi scheme ?

Mr. Speaker : That is a central subject and if the report of that committee has been communicated to this Government, then it is a different thing.

Diwan Chaman Lall : May I enquire whether the attention of the Government of the Punjab has been drawn to this particular fact ?

Minister : I may assure the honourable member that if the Government of India on that report comes to the conclusion that they do not want the energy, that will conclude the issue.

Diwan Chaman Lall : If they come to the conclusion that they do require it, what then ?

Minister : When we know all these facts including this fact that the Government of India is of that opinion, then we shall take the matter into consideration. We are at present at a preliminary stage. If the Government then comes to a decision that this is a sound proposition to extend the supply to Delhi, we shall do so.

RURAL EXTENSION OF HYDRO-ELECTRIC SCHEME.

***385. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number and the names of the rural extension schemes in respect of the Hydro-Electric, prepared by Mr. Thick since his appointment ;
- (b) the number of schemes out of these which have been completed and are working ;
- (c) the different stages which the rural extension schemes not yet completed have so far reached ;
- (d) the action Government proposes to take to expedite the completion of schemes mentioned in (c) ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) There are no less than fourteen such schemes ; their names and details are given in a list laid on the table—

- (b) Five are working fully and one partially.
- (c) Reference may be made to the list laid on the table.
- (d) Each scheme is dealt with on its merits, and Government do not propose to take any special measures to exceed the normal rate of construction.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that the Honourable Minister in this very House has been saying that he is considering to help the rural extension schemes ?

Minister : My honourable friend is interested in Alawalpur extension and I think that is under consideration.

Sardar Sahib Sardar Gurbachan Singh : Not at all. As far as I am concerned, I am concerned with all rural schemes and not particularly the one mentioned by the Honourable Minister.

Minister : I will do my best to encourage those schemes.

List of the rural extension schemes which have not yet been completed.

The following are some of the projects, which have been prepared by Mr. Thiek since his appointment as Projects Engineer in the Electricity Branch, and which are already used to supply rural loads or can be so used in case demands for supply should rise from villages passed en route by the 11 K. V. lines concerned :—

| Project. | REMARKS. |
|---|---|
| 1 | 2 |
| (1) Phillou r-G o r a y a-Phagwara Project. | Included provision for serving the villages of Goraya and Boparai. Arrangements are in hand for supplying power in the villages of Ata and Dalewal by means of subsidiary Minor Projects. Other villages have not yet asked for supply. |
| (2) Qadian .. | Designed to cater for Qadian and the surrounding rural area. Now also supplies the villages of Fateh Nangal, Zafarwal, Deriwala and Khunda all of which have been added under subsidiary Minor Projects. The Qadian Project also now supplies power to the scheme mentioned in (8) below. |
| (3) Jhuggian-cum-Bhat-tianwala. | Rural Scheme. Not financially justified and therefore abandoned. |
| (4) Shahdara-Sharakpur | Rural-cum-urban scheme. See remarks against (3) above. |
| (5) Kasur-Khem Karan | See remarks against (4) above. |
| (6) Dharamsala .. | Urban-cum-rural scheme. The 11 K. V. line from Kangra passes Chetroo village where power may be demanded for industrial purposes. |
| (7) Mohlan-Mananwala.. | This rural scheme was abandoned by Government because the sub-soil water was found to be unsuitable for agricultural purposes and, lacking the prospective pumping load, the scheme could not be justified. |
| (8) The Revised Gurdaspur Experimental Lift Irrigation Project. | This consists of three tube-wells. The wells are served from the Dhariwal-Qadian 11 K. V. line referred to in (2) above. |
| (9) The Jullundur Suburban (West) Kartarpur-cum Kapur th a l a Project. | This includes a provision for giving supply in Maksudpur village. Rural loads appeared subsequently at Chak Hussaina and Saora Nussi and have been supplied by means of subsidiary Minor Projects. |
| (9A) The Jullundur Suburban West (First Extension) Project. | This has just been approved. It is an extension of item 9 and provides for supplying energy to 9 suburban basties situated to the south-west of Jullundur city. Some agricultural pumping loads are also expected to materialize. |

| Project. | REMARKS. |
|---|--|
| 1 | 2 |
| (10) The Jullundur Sub-urban (East Project.) | The scheme is under construction and is now partially complete; supply to the North-Western Railway Station at Jullundur Cantonment was started recently. Provision has been made for supplying the villages of Dakoha and Dirrang. The scheme can be extended further eastwards if a demand for supply arises in any of the villages on this side of Jullundur. |
| (11) The Phillaur West Rural Project. | This is receiving Government's consideration at present. The scheme embraces supply to Rurka Kalan, Nurmahal, Bilga, Bundala, Jandiala, Pasla, Pharwala, Dalewal and Muthiada Kalan. It can be widely extended to serve other villages if demands require it. |
| (12) The Jullundur North Rural Project. | This scheme embraces supply to Jhandu Singha, Adampur, Alawalpur, Dhogri and Khurdpur. No decision will be arrived at until September or October when a conference will be held under the auspices of the Financial Commissioner, Development, to consider the possible effect on the water-table of further pumping. This project is subsidiary to those mentioned in items (9) and (9A). |
| (13) The Jullundur South Rural-cum-Nakodar Project. | This is also a subsidiary to the projects mentioned in items (9) and (9-A). It is at present under preparation. The estimates have been completed and the report is now being drafted in the Chief Engineer's office. It provides for supply being given to Nakodar town and to 12 villages situated along the Jullundur-Nakodar road. |
| (14) The Lahore East Rural Project. | This is a rural project for which the estimates are now under preparation. It provides for the supply of electricity in Jalko, Attari, Manbials and 25 villages and hamlets situated eastwards of Lahore. |

SIKH RELIGIOUS HOLIDAYS IN CO-OPERATIVE BANKS.

***386. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Development be pleased to state :—

- (a) whether it is a fact that in the co-operative banks religious holidays of Muhammadans and Hindus are observed, while the Sikhs are not allowed their religious holidays ;
- (b) if the answer to above be in the affirmative, the action Government proposes to take to move the co-operative societies to redress the grievances of the Sikhs ?

The Honourable Chaudhri Sir Chhotu Ram : (a) and (b) Government has no control over these banks in a matter of this kind as they are independent institutions.

DISTRICT BOARD ROAD LEADING FROM GUJRAT TO SIALKOT.

***387. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Public Works be pleased to state :—

- (a) whether it is a fact that the District Board road leading from Gujrat to Sialkot, particularly its first three miles from Gujrat side, is in a thoroughly dilapidated condition ;

[Dr. Sh. Muhammad Alam.]

- (b) whether it is a fact that several accidents have recently occurred on the road ;
- (c) the number of years for which this road has not been repaired ;
- (d) the amount sanctioned for annual repairs of this road by the District Board of Gujrat ;
- (e) the action Government proposes to take in moving the District Board concerned to put the road in order ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The road in the first two miles is not in a dilapidated condition now. It has been repaired recently, some of the bridges replaced and culverts provided. Mile three is worn out and is to be renewed shortly.

(b) No. Not to the knowledge of Government.

(c) None.

(d) The District Board, Gujrat, spent the following amounts on repairs to the road during the last five years :—

| | Rs. | | | |
|---------|-----|----|----|--------|
| 1982-83 | .. | .. | .. | 6,151 |
| 1983-84 | .. | .. | .. | 8,956 |
| 1984-85 | .. | .. | .. | 8,913 |
| 1985-86 | .. | .. | .. | 15,012 |
| 1986-87 | .. | .. | .. | 12,962 |

and hope to spend a sum of Rs. 22,800 during the current year.

(e) No action is necessary on the part of the Government.

SUGARCANE AND PADDY CROPS.

***388. Chaudhri Ali Akbar :** Will the Honourable Minister for Revenue be pleased to state :—

- (a) the water rate charged on sugarcane and paddy crops during the years 1921 and 1922 in the province ;
- (b) the present water rate on the crops mentioned above in the province ;
- (c) their market price during the years 1921 and 1922 in the province ;
- (d) the present market price of gur and paddy in the province ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Sugarcane Rs. 7/8/0 to 12.

Paddy Rs. 4 to 7/8/0.

The rates differ in various zones.

(b) Sugarcane Rs. 6/8/0 to 11.

Paddy Rs. 4/4/0/ to 6/8/0.

(c) and (d) It is not possible to give a correct mean price for the province—the figures below compare prices in Lahore —

Gur, 1921 Rs. 6/13/0, 1922, Rs. 6/8/0, June, 1987, Rs. 4/7/0.

Paddy 1921 Rs. 4/12/0, 1922, Rs. 3/8/0, June 1987, Rs. 2/8/0.

Chaudhri Ali Akbar (Urdu): May I enquire whether the statement of the Honourable Revenue Minister will help to effect reduction in *abiana*?

Minister: It is a question of opinion.

MAINTENANCE CHARGES OF UPPER BARI DOAB CANAL.

***389. Chaudhri Ali Akbar:** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total estimate of expenditure on maintenance of the Upper Bari Doab Canal for ten years from 1910 to 1920 and for ten years from 1926 to 1936, separately;
- (b) the amount of money out of the estimates for these two periods that was spent on the establishment, on the maintenance of the canal and on new works connected with the said canal, separately?

The Honourable Dr. Sir Sundar Singh Majithia: (a) and (b).

| Year. | Total estimate of expenditure on maintenance of Upper Bari Doab Canal. | Amount spent on establishment out of the sum shown in column 2. | Amount spent on maintenance of the canal out of the sum shown in column 2. | Amount spent on new works (i.e., extensions and improvements) out of the sum shown in column 2. |
|---------|--|---|--|---|
| 1 | 2 | 3 | 4 | 5 |
| | Rs. | Rs. | Rs. | Rs. |
| 1910-11 | 13,95,924 | 5,77,077 | 6,04,614 | 1,77,156 |
| 1911-12 | 17,11,520 | 6,61,069 | 7,74,490 | 2,29,460 |
| 1912-13 | 17,95,667 | 7,54,217 | 6,28,094 | 3,67,194 |
| 1913-14 | 15,40,023 | 7,54,820 | 5,10,572 | 2,25,536 |
| 1914-15 | 14,61,553 | 7,27,864 | 5,40,811 | 1,50,369 |
| 1915-16 | 13,72,565 | 7,15,320 | 5,36,636 | 1,02,058 |
| 1916-17 | 14,19,126 | 8,20,883 | 4,63,600 | 1,06,841 |
| 1917-18 | 13,34,133 | 7,44,939 | 5,02,573 | 69,860 |
| 1918-19 | 13,22,309 | 7,27,848 | 4,92,824 | 90,768 |
| 1919-20 | 15,25,178 | 8,01,658 | 6,50,118 | 47,933 |
| 1926-27 | 20,36,948 | 9,74,399 | 8,95,760 | 1,52,441 |
| 1927-28 | 19,91,932 | 8,66,720 | 10,00,669 | 1,12,170 |
| 1928-29 | 20,57,056 | 9,09,387 | 9,72,246 | 1,53,511 |
| 1929-30 | 18,54,213 | 8,93,361 | 7,93,769 | 1,48,862 |
| 1930-31 | 17,67,475 | 9,15,645 | 7,19,830 | 1,18,935 |
| 1931-32 | 15,68,281 | 8,40,697 | 6,27,392 | 87,963 |
| 1932-33 | 13,79,347 | 7,48,139 | 5,21,384 | 96,920 |
| 1933-34 | 14,19,827 | 7,69,952 | 5,53,684 | 81,060 |
| 1934-35 | 15,00,460 | 8,07,041 | 5,75,164 | 1,02,196 |
| 1935-36 | 17,14,031 | 8,92,903 | 7,05,001 | 98,547 |

DISPENSARY AT CHINTPURNI, DISTRICT KANGRA.

*390. **Chaudhri Kartar Singh** : Will the Honourable Minister for Education be pleased to state —

- (a) whether he is aware of the fact that the dispensary at Chintpurni in the Kangra district has been closed ;
- (b) whether it is a fact that there is no other dispensary in that area within a radius of ten miles ;
- (c) whether he is aware of the fact that thrice in the year big *melas* are held there ;
- (d) whether he is aware of the fact that there is an ancient temple and a large number of pilgrims visit Chintpurni throughout the year ; if so, the reasons for closing the above-mentioned dispensary ?

The Honourable Mian Abdul Haye : (a) The dispensary at Chintpurni in the Hoshiarpur district (and not in the Kangra district as mentioned by the honourable member) was closed with effect from the 1st April, 1937. It has, however, been decided by the District Board, Hoshiarpur, to have a seasonal dispensary there for six months every year.

(b) Yes.

(c) Yes ; the seasonal dispensary has been provided to cover the period of the big *melas* referred to by the honourable member.

(d) Yes. Owing to financial stringency the District Board, Hoshiarpur, which was maintaining the dispensary, decided to close it.

Chaudhri Kartar Singh (Urdu) : I had asked information about the Hoshiarpur district but here it has been misprinted as Kangra district.

Sardar Hari Singh : How long has the dispensary been in existence ?

Minister : I will not be able to tell the honourable member.

Chaudhri Kartar Singh (Urdu) : Will the Government try to set up a permanent dispensary there ?

Minister : That is for the district boards to consider and we are prepared to encourage them.

Sardar Hari Singh : Will he urge on the district board ?

Minister : The matter has already come to the notice of the district board and they have granted 50 per cent. of the relief.

SHORT NOTICE QUESTION AND ANSWER.

LAHORE SETTLEMENT.

Chaudhri Krishna Gopal Dutt : Will the Honourable Minister for Revenue be pleased to state —

- (a) whether it is a fact that in the periodical settlement operations of the Lahore district which are now in progress, the settlement officer has proposed an all-round increase of 25 per cent. in land revenue ;
- (b) whether the above proposal has been made by the said settlement officer with the approval of Government ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government have received no such proposal.

(b) Does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

POLLING STATIONS FOR PANSERA AND DOSANI VILLAGES.

126. Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state —

- (a) whether it is a fact that Pansera and Dasari are two villages in the Jagadhri tahsil ;
- (b) whether it is a fact that these two villages are situated about two or three miles from Abdullahpur which was a polling station in Rural General Constituency on the 18th and 20th January for election to the Punjab Legislative Assembly ;
- (c) whether it is a fact that the voters of the above two villages had to go to Buria at a distance of about seven miles to record their votes on 23rd January, 1937 ; if so, the reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, but the name of the second village is Dosani ;

(b) Yes ;

(c) Buria is only four or five miles from Abdullahpur. Administrative reasons such as those of geography and the number of voters in the area made it desirable for the whole of the general voters of the Pansara zail (except two villages), in which the two villages named are situated, to poll at Buria.

HARSH TREATMENT BY POLICE IN VILLAGE RURKA KALAN.

127. Shrimati Raghbir Kaur : Will the Honourable Premier be pleased to state whether it is a fact that in the course of an investigation recently held by police certain peasants of village Rurka, Chak No. 98, district Lyallpur, both men and women were subjected to a great deal of harsh treatment by the police and mass beating was also resorted to ; if so, what action has been taken against the police officer responsible for the beating ?

The Honourable Major Sir Sikander Hyat-Khan : Government have received a report regarding the investigation to which the question appears to refer, and are satisfied that there is no truth whatever in the suggestion that the police acted improperly. I may add that the village in question, Chak No. 98.G. B.—Rurka, has an unenviable reputation for lawlessness.

TRANSFER OF COLONY GRANTS IN THE NILI BAR FROM AGRICULTURISTS TO NON-AGRICULTURISTS.

128. Khan Sahib Mian Nur Ahmad Khan : Will the Honourable Minister for Revenue be pleased to state —

- (a) whether it is a fact that the colony grants awarded from time to time to members of notified agricultural tribes of the districts of Mutlan, Montgomery and others in the Nili Bar colony have been transferred by sale to non-agriculturists ;

[K. S. Mian Nur Ahmad Khan.]

- (b) if the answer to (a) above be in the affirmative, the number of such transfers in the Nili Bar colony during the last five years ;
- (c) what action the Government propose to take to prevent the recurrence of such cases in future ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, in a few cases permission has been granted to tenants, commonly known as compensatory grantees, who were granted land in lieu of land acquired from them for the Sutlej Valley Project. These tenants are not required to reside in the colony and permission has been granted only to tenants who were either unsatisfactory colonists or in arrears with Government dues.

(b) The exact number is not known, but the area involved is not more than 500 acres.

(c) No action is called for.

REPRESENTATION OF MUSLIMS IN CERTAIN LOCAL BODIES IN
AMBALA DIVISION.

129. Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the system of joint electorates obtains in certain local bodies in the Ambala division in which the Muslims are in minority and that the system results in meagre representation of the Muslims in these local bodies ; if so, what action is proposed to be taken to redress the grievances of these Muslims in this respect ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Government are not aware that any injustice to Muhammadans has resulted from the system of joint electorates in local bodies in the Ambala division. If the honourable member will specify the local bodies to which he refers enquiries will be made.

MUSLIM STORE-KEEPER OF SIMLA MUNICIPALITY.

130. Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to state whether it is a fact that a Muslim store-keeper, who put in 30 years' service with Simla municipal committee and in whose accounts no shortage was found on inquiry, is under suspension for the last two years ; if so, the reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Enquiry against the store-keeper who is under suspension since December, 1935, is not yet complete and it is premature to say that no shortage was found. The municipal committee has been asked to see that no further delay is incurred.

COMMUNAL REPRESENTATION IN SERVICES, SIMLA MUNICIPAL COMMITTEE.

131. Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to lay on the table the report, if ready, of the sub-committee appointed some time ago to fix the share of each community, on the basis of population, in the service of the municipal committee, Simla ? If no such report has yet been made, when is it expected to be ready?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The sub-committee has not yet submitted its report. The report will be ready in the course of the next few months.

COMMUNAL REPRESENTATION IN MUNICIPAL COMMITTEE,
SIMLA.

132. Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to lay on the table a statement showing the number of posts in the Simla municipal committee (clerical and technical) held by the Muslims in 1931 and 1937, explaining the cause of reduction of the Muslims in municipal service ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A statement showing the required information is enclosed. There has been no reduction in the number of Muslims.

[Minister for Public Works.]

Statement showing the number of posts in the Simla Municipality (clerical) held by the Muslims

| Serial No. | Departments. | ON 1ST APRIL, 1931. | | | | | | | | |
|------------|---|------------------------------|------------------|---------|---|------------------|---------|-----------------------|------------------|---------|
| | | Clerical only (ministerial). | | | Non-ministerial including administrative, technical, etc. | | | Inferior, peons, etc. | | |
| | | Number of posts. | Held by Muslims. | Others. | Number of posts. | Held by Muslims. | Others. | Number of posts. | Held by Muslims. | Others. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 1 | General Department, Secretary's Office .. | 19 | 9 | 10 | 1 | .. | 1 | 12 | 1 | 11 |
| 2 | Ootroi Department | 20 | 5 | 15 | 3 | 1 | 2 | 16 | 1 | 15 |
| 3 | Tax Department .. | 11 | 3 | 8 | 5 | .. | 5 | 6 | .. | 6 |
| 4 | Forest Department | 2 | .. | 2 | 4 | 2 | 2 | 14 | .. | 14 |
| 5 | Fire Brigade .. | 3 | 2 | 1 | 5 | .. | 5 | 39 | .. | 39 |
| 6 | Education (Teachers, etc.) .. | 33 | 12 | 21 | .. | .. | .. | 5 | 2 | 3 |
| 7 | Hospital and Dispensaries .. | 2 | 1 | 1 | 30 | 8 | 22 | 58 | 2 | 56 |
| 8 | Health Department | 2 | 1 | 1 | 22 | 8 | 14 | 359 | 12 | 347 |
| 9 | Water and Drainage Works .. | 6 | 2 | 4 | 41 | 6 | 35 | *20 | .. | 20 |
| 10 | Public Works Department .. | 4 | 1 | 3 | 9 | 5 | 4 | *2 | .. | 2 |
| 11 | Electricity Department .. | 35 | 9 | 26 | 51 | 10 | 41 | *20 | 1 | 19 |
| | Total .. | 137 | 45 | 92 | 171 | 40 | 131 | 551 | 19 | 532 |

*Figures of the temporary staff (labour, etc.), as on 1st April, 1931, are not included

Abstract—1931.—Number of posts 859 (ex-
Held by Muslims ..
Others ..

Abstract—1937.—Number of posts 1,468
Held by Muslims ..
Others ..

cal, technical, administrative and inferior, including permanent and temporary in 1931 and 1937.

| ON 1ST JUNE, 1937. | | | | | | | | | REMARKS. |
|------------------------------|------------------|---------|---|------------------|---------|-----------------------|------------------|---------|----------|
| Clerical only (ministerial). | | | Non-ministerial including technical, administrative, etc. | | | Inferior, peons, etc. | | | |
| Number of posts. | Held by Muslims. | Others. | Number of posts. | Held by Muslims. | Others. | Number of posts. | Held by Muslims. | Others. | |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 26 | 8 | 18 | 1 | .. | 1 | 14 | 3 | 11 | |
| 21 | 6 | 15 | 3 | 1 | 2 | 17 | 2 | 15 | |
| 12 | 4 | 8 | 5 | .. | 5 | 7 | .. | 7 | |
| 2 | .. | 2 | 5 | 2 | 3 | 17 | .. | 17 | |
| 3 | 2 | 1 | 6 | 1 | 5 | 38 | .. | 33 | |
| 65 | 16 | 49 | 2 | .. | 2 | 13 | 3 | 10 | |
| 2 | 1 | 1 | 40 | 7 | 33 | 65 | 2 | 63 | |
| 3 | 1 | 2 | 30 | 10 | 20 | 388 | 24 | 364 | |
| 6 | 3 | 3 | 36 | 5 | 31 | 196 | 49 | 147 | |
| 6 | .. | 6 | 11 | 3 | 8 | 159 | 39 | 120 | |
| 48 | 11 | 35 | 196 | 41 | 155 | 27 | 3 | 24 | |
| 192 | 52 | 140 | 335 | 70 | 265 | 941 | 125 | 816 | |

in these figures as the same are not available.

cluding temporary staff)—

.. 104
 755

(including temporary staff)—

.. 247
 1,221

DISMISSAL OF THREE DRIVERS OF MUNICIPAL COMMITTEE, SIMLA.

133. Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the municipal committee, Simla, has recently dismissed three drivers of the Gumma pumping station without framing any charge against them and without making any regular inquiry ; if so, the reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No. The three drivers were not dismissed but were discharged and given one month's wages in lieu of notice under section 45 (1) of the Punjab Municipal Act.

 APPOINTMENT OF EXECUTIVE OFFICERS AND IMPROVEMENT
IN THE CONDITION OF MUNICIPAL COMMITTEES.

134. Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to state whether there has been any improvement in the financial and in the general condition of the municipal committees with Executive Officers since the appointment of such officers to these committees ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : At many places where Executive Officers have been appointed there has been an all-round improvement in the financial and general conditions of the municipalities. The extent of improvement is shown in the Government Reviews contained in the annual Municipal Administration Reports.

 HONORARY MAGISTRATES, ETC., IN AMABALA DIVISION.

135. Khawaja Ghulam Samad : Will the Honourable Premier be pleased to state—

- (a) the number of honorary magistrates, benches of honorary magistrates, and honorary sub-judges in the Ambala division ;
- (b) the places to which these officers belong and where these benches are located ;
- (c) the names of these officers and their educational qualifications ;
- (d) the number of cases that came up before them for disposal during the last five years and the number among them which were disposed of by them and the number of cases left pending by them at the end of each year with a classification of such cases (both criminal and civil) with the decision in each case ;
- (e) the number of appeals and revisions filed against the orders of such officers with the result in each case ;
- (f) the amount of expenditure incurred by each such bench with respect to the salary of the staff, supply of stationery, forms, and the income derived by such benches in the shape of fine ;
- (g) the number of decrees executed, the amount of decrees for realization and the amount realized in execution of decrees with percentage of such realization ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (c). The honourable member will find this information on pages 6—9 of last January's issue of the Half-yearly Civil List (Part II). The educational qualifications of the honorary magistrates and judges are not given, but I may mention that before appointing any person as an honorary magistrate or subordinate judge, and before renewing the powers of any of the existing ones, Government invariably satisfy themselves that the gentleman concerned is at least able to read and write the vernacular fluently.

(d) — (g). This information could not be collected without an expenditure of time and labour out of all proportion to the results to be obtained.

VEGETABLE GHEE.

136. Chaudhri Krishna Gopal Dutt : Will the Honourable Minister for Education be pleased to state—

(a) whether the Government are aware that hydrogenated vegetable oils are manufactured and imported into the province and are sold under the name of vegetable or *banaspati ghee*.

(b) whether the Government are aware that these oils are mostly used to adulterate genuine ghee and are seldom marketed as hydrogenated oils, especially by the retailers ;

(c) whether in food value, particularly in vitamin contents, they have been unanimously pronounced as inferior to genuine ghee ;

(d) if the answers to (a) and (b) above be in the affirmative, what steps Government propose to stop this fraud on the public ?

The Honourable Mian Abdul Haye : (a) Yes ;

(b) Government have no definite information although the presumption may be true in certain instances ;

(c) Yes ;

(d) A reference is invited to sections 13—15 of the Punjab Pure Food Act, 1929, and rules 24—29 of the Punjab Pure Food Rules, 1930, which provide for stopping fraud in connection with articles of food.

REDUCTION IN THE GRADES OF SALARY OF THE TEACHERS IN THE EMPLOY OF THE DISTRICT BOARD, JULLUNDUR.

137. Sardar Uttam Singh Dugal : Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that grades of salary of the teachers in the employ of the District Board, Jullundur, have been reduced ; if so, reasons for the same ;

(b) whether the grades of salaries of all services under the said district board have been reduced ;

(c) whether there are any services in the said district board in whose case cut has been restored ;

(d) if the answers to (a) and (b) above be in the affirmative, reasons for this anomaly ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The grades of salary of all kinds of teachers working in District Board, Jullundur, have been reduced, as the board was spending 50 per cent. of its net income on education at the expense of other departments.

(b) No.

(c) Yes, other than education.

(d) The Commissioner, Jullundur division, while passing the district board budget for 1936-37 advised the district board to reduce its expenditure on education as it was spending more than 50 per cent. of its net income on education.

GRADES OF PAY OF DISTRICT BOARD TEACHERS IN JULLUNDUR.

138. Sardar Uttam Singh Dugal : Will the Honourable Minister for Public Works be pleased to state—

(a) whether the grades of pay of all district board teachers in Jullundur district have been revised ; if so, the percentage of reduction, if any, made in various grades ;

(b) whether it is a fact that a part of the pay after revision has been termed as personal pay ; if so, the reasons for the same ; and whether it is in accordance with the rules ;

(c) whether the district board intends to abolish that personal pay at any time in future ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The grades of pay of all district board teachers have been revised after reducing their present salaries by a percentage ranging from 5 per cent. to 25 per cent. approximately according to their salaries.

(b) Yes. In order to put the present incumbents in the new revised fixed grades some personal pay has been added to their salaries to equalize the percentage of cut applied on them.

(c) The district board intends to abolish the personal pay only when the teacher concerned is promoted to the next higher grade.

RETRENCHMENT OF POSTS OF TEACHERS IN JULLUNDUR DISTRICT BOARD SCHOOLS.

139. Sardar Uttam Singh Dugal : Will the Honourable Minister for Public Works be pleased to state—

(a) whether any posts of teachers were retrenched in the Jullundur District Board schools in November, 1936 ;

(b) whether any notices were served on the teachers before retrenching their posts ; if so, will he please lay their copies on the table ;

(c) if the answer to (b) above be in the affirmative, the rules under which these posts were abolished and notices served ;

- (d) whether the Government is prepared to lay on the table a statement showing the number of posts of English teachers in each school under Jullundur District Board before 1st November, 1936, and their number after retrenchment?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Posts of senior English teachers were retrenched in November, 1936, but at the same time they were offered posts in lower grades.

(b) Notices were issued to the retrenched teachers before retrenchment. A copy of such a notice is laid on the table.

(c) Notices were issued under rule 436 of the Civil Service Regulations.

(d) The required statement is laid on the table. The number of English teachers was not reduced.

Notice.

The post of Mehr Ali, Headmaster, District Board High School, Nakodar, in the grade of Rs. 150—10—200 having been retrenched with effect from the 1st November, 1936, he is hereby informed that he should let the undersigned know within three days from the date of the receipt of this notice if he is prepared to work as Headmaster, District Board High School, Nakodar, in the grade of 110—6—140 with a maximum of Rs. 140 from 1st November, 1936, without any cuts for which provision exists in the budget. In case he be not willing to remain in district board service of this district on the pay now proposed to be given to him, i.e., Rs. 140 per mensem, he should take this as three months notice. Under the rules of Civil Service Regulations termination of his services from the date of receipt of this notice three months pay under the rule is admissible to him (Shaikh Mehr Ali). If no reply is received within three days from the date of receipt of this notice, it will be considered that he (Shaikh Mehr Ali) is willing to remain in district board service on Rs. 140 per mensem in the grade of Rs. 110—6—140.

(Sd.). H. RONSON,
CHAIRMAN,

The 21st October, 1936.

District Board, Jullundur.

List of English Teachers working in District Board Schools before retrenchment and after retrenchment.

| Retrenchment was not made in posts but in pay. | | | | | |
|--|----|----|----|----|----|
| Banga | .. | .. | .. | .. | 7 |
| Nakodar | .. | .. | .. | .. | 10 |
| Kartarpur | .. | .. | .. | .. | 5 |
| Nurmahal | .. | .. | .. | .. | 5 |
| Nawashahr | .. | .. | .. | .. | 3 |
| Aur | .. | .. | .. | .. | 2 |
| Barapind | .. | .. | .. | .. | 3 |
| Shahkote | .. | .. | .. | .. | 2 |
| Pharala | .. | .. | .. | .. | 2 |
| Bilga | .. | .. | .. | .. | 2 |
| Bhogpur | .. | .. | .. | .. | 2 |
| Jamsber | .. | .. | .. | .. | 2 |
| Total | | | | | 45 |

TAQAVI LOANS ADVANCED IN HISSAR DISTRICT TO SINK WELLS

140. Chaudhri Sahib Dad Khan : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that some years ago taqavi loans were advanced to the zamindars in the Hissar district for sinking wells for irrigation purposes ;

[Ch. Sahib Dad Kan.]

- (b) if the answer to (a) above be in the affirmative, whether it is a fact that the wells were sunk under the supervision of the Department of Agriculture at a cost exceeding the taqavi loans granted as mentioned above ;
- (c) whether it is a fact that these wells have generally proved useless and in many cases have turned land into *kallar* ;
- (d) if so, whether Government propose to remit these loans ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) No well was sunk under the supervision of the Department of Agriculture.

(c) It is a fact that the water of several wells constructed with the help of taqavi has been found to be brackish. Government have no information about land being turned into *kallar* by well-water.

(d) On receipt of recommendations from the local officers, each case will be considered on the merits under the rules.

MUSTAJRI CASES IN HISSAR DISTRICT.

141. Chaudhri Sahib Dad Khan : Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of cases in which lands of agriculturists were given on *mustajri* in execution of money decrees by the Collector, Hissar, from 5th June, 1936, to 31st March, 1937 ;
- (b) in each case what was the total area owned by the agriculturist judgment-debtor and how much of it was left for his maintenance ;
- (c) whether the fact that the area left for the maintenance of the judgment-debtors was not sufficient for their wants was brought to the notice of authorities concerned ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 56.

(b) Copies of the documents which would give the required information in any particular case are obtainable on payment of the usual fees.

(c) The district authorities duly consider such points and take action, but if the person affected is not satisfied with the order he has the right of appeal to higher authorities.

SUGAR FACTORIES IN EARLY THIRTIES.

142. Chaudhri Krishna Gopal Dutt : Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that the Punjab Government (Industries Department) published a pamphlet in the early thirties, suggesting therein the setting up of sugar factories on small scale according to the open-pan system ;
- (b) the number of persons who, taking the cue from the said publication, set up small plants in the Punjab ;
- (c) the total approximate amount of capital invested in such plants ;

- (d) whether it is also a fact that most of these industrialists were encouraged in their ventures with cheap loans by the Industries Department ;
- (e) whether he is aware that practically all these persons suffered heavy losses because the open-pan system recommended by the department in their pamphlet turned out to be uneconomic and unworkable ;
- (f) the steps Government propose to take to offer relief to these industrialists in respect of the loans advanced to them by Government ?

The Honourable Chaudhri Sir Chhotu Ram : (a) No.

(b) and (c) Do not arise.

(d) No. No cheap loans were advanced for the development of the open-pan sugar industry. Loans of varying amounts from Rs. 1,000 to Rs. 5,000 were given to twelve industrialists between 1932 and 1934 on the same conditions as were applicable to loans given for the development of other industries.

(e) The answer to the first part of the question is in the affirmative and to the second part in the negative.

(f) Does not arise.

PRESIDENT AND THE VICE-PRESIDENT OF THE MUNICIPAL
COMMITTEE, PANIPAT.

143. Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he has received any representation from the citizens of Panipat complaining against the election of a dismissed employee of the municipal committee as its president and a discharged municipal secretary as its senior vice-president ;
- (b) if so, whether he will lay the same on the table of the House and also state the action, if any, taken on it ;
- (c) whether his attention has been drawn to the findings of Mr. S. K. Kirplani, late Deputy Commissioner, Karnal, against Haji Abdul Qayum, the present president-elect of the committee, wherein he has definitely laid down that the said Haji was guilty of gross misconduct possibly amounting to criminal misappropriation suppressing papers and altering the cash book ;
- (d) whether he is also aware of the fact that the said Haji had been more than once made to pay as the proprietor of the firm Abbasi Brothers heavy penalties by the municipal committee during the last two years for deliberately evading the payment of terminal tax on goods imported by his firm ;
- (e) whether it is a fact that the said Haji was a member of the municipal committee at the time referred to in (d) above ;
- (f) if the answers to (e) and (d) above be in the affirmative, what action he proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) A copy of the representation is laid on the table. As the matter was under consideration of local officers no action was taken on the representation.

(c) Yes.

(d) Yes.

(e) Yes.

(f) The case is being dealt with by the Commissioner who in exercise of his powers under section 20 of the Municipal Act has refused to approve of the election of Haji Abdul Qayum as President and has appointed the Tahsildar as President.

Representation from the citizens of Panipat, dated the 28th May, 1937, to the hon'ble, the Minister Local Self-Government Punjab, Simla.

SUBJECT:—The President of the newly constituted municipal committee, Panipat.

We, the citizens of Panipat beg to lay before you the following facts for your information and immediate action:—

(2) The new municipal committee of Panipat has been constituted under peculiar circumstances. This year the nomination of new candidates coincided with the recent firing incident. All nomination papers could not be filed in time on account of the assurance given by the Deputy Commissioner, Karnal, that election would be postponed and therefore there was no hurry. But no postponement has been ordered by the Punjab Government with the result that those candidates who expected to contest election and who did not apply in time have been debarred. Therefore 11 out of 12 members have been returned unopposed and contest has taken place only in one ward, though keen contest was expected in every ward under normal circumstances. Needless to add that there was no chance of many of them being returned in case of contest.

(3) All the newly elected Municipal Commissioners have been gazetted along with the two nominated members and every one of them excepting one has taken oath of allegiance on the 25th May, 1937. The ceremony of taking oath was followed by the election of President during which a huge crowd of citizens thronged the Municipal Hall, the secrecy of balloting was grossly violated and two members were unduly influenced to mark their ballot papers in certain manner. As a result of election Mr. Abdul Qayum, an unofficial member, has been elected by majority of votes as the president of the committee in place of the official president, the Tahsildar, Panipat, who had been invariably holding this office since 1894, though his election was strongly opposed on technical and other grounds. Mr. Amir Ahmad Ansari has been elected as senior vice-president.

The most outstanding event of the first meeting of the members has been the presentation of an address by 13 (an inauspicious number indeed) citizens of Panipat to the new committee. The address, while charging the outgoing committee of mal-administration in all respects and expecting the new committee to keep only the good of the city at heart, congratulated the new Municipal Commissioners upon their unique and grand success in being returned unopposed to the committee due to some praiseworthy understanding arrived at amongst the contesting candidates and the electorate; which is absolutely unfounded. The circumstances that led to their being returned unopposed have already been referred to in the foregoing paragraph. It is understood that the address has been engineered and prepared by Messrs. Abdul Qayum and Amir Ahmad Ansari and has been signed mostly by their henchmen. The signatories do not at all represent any important section of the public opinion of Panipat even in the slightest degree and are only 13 out of the total population of 33,000, and those too of no importance at all.

(4) Before passing any verdict over the new non-official president and vice-president, some introduction to their various past activities will undoubtedly be of great use.

(5) Mr. Abdul Qayum was the accountant of the committee in 1926 and officiated as secretary towards the end of 1926 and the beginning of 1927. He was charged of misdemeanour, gross misconduct leading to criminal misappropriation, suppressing of papers in Municipal files and of altering Municipal records and even its cash-book and resolution as a result of which he was dismissed from his post on 14th August, 1927, through resolution No. 258. Thereupon he appealed to the Deputy Commissioner, Karnal, but his dismissal was upheld, he being found guilty of the charges levelled against him. A copy of the judgment is enclosed herewith. From

time to time he has also been found guilty of smuggling goods such as a bale of cloth, motor chassis and motor accessories which he imported into the city free of terminal tax under some pretext or other. Every time his mischief was detected and he and other persons whose goods he smuggled had to pay heavy penalty to the committee for their guilt. He had been trying to cheat the committee for his own gain, for instance he tried to obtain permission for constructing a balcony in front of his shops by telling a lie that it existed before. Besides all these weaknesses he is under a heavy debt to Shaikh Mahmud Hasan, B.A., LL.B., Pandit Mannu Lal, Messrs. Chetan Lal Kharku Mal and others to the extent of over Rs. 30,000.

(6) Mr. Amir Ahmad Ansari was the former secretary of the committee from 1927 to 1936. During his term of office he was accused of misappropriation, misuse of earnest money, employing of Municipal gang for private purposes and using Municipal chairs free of any rent as a result of which he was suspended and dismissed. On appeal to the Commissioner he was re-instated according to an understanding arrived at between him and the committee. Ultimately he was found guilty of misbehaviour towards members and his services had to be dispensed with by the committee on 31st August, 1936.

(7) It may also be pointed out here that mal-administration of the out-going committee was to a great deal attributable to both of them, one of whom was also a member in the last committee while the other acted as Municipal Secretary. They are also responsible to a considerable extent for the recent disturbance of peace at Panipat.

(8) As a great gulf exists between the Hindus and Muhammadans of Panipat owing to recent troubles and as both the communities are further divided among themselves; therefore, in order to instil confidence in the new Municipal Commissioners, it was and is most urgent and proper that the Municipal head should be an impartial officer rather than a non-official member and particularly a man who neither has a fine record to his credit nor commands confidence of any appreciable section of the public. It may be added that election petitions are pending against Messrs. Abdul Qayum and Amir Ahmad Ansari who, consequently, might be removed even from the membership of the committee.

(9) In view of the present vitiated atmosphere of Panipat the new committee should never have replaced official president with a non-official one and even if it determined to do that, it should have consulted the authorities beforehand. Therefore it is requested that the election of Mr. Abdul Qayum as president be not notified because the Municipal affairs will not at all be safe in his hands as his past record clearly shows.

Thanking you in anticipation.

ELECTIONS FOR THE PANIPAT MUNICIPAL COMMITTEE.

144. Lala Deshbandhu Gupta: Will the Honourable Minister for Public Works be pleased to state :—

- (a) whether he is aware of the fact that the last date for nominations for the last municipal elections of Panipat was 31st March, 1937, on which date as well as a few days preceding it the city was practically closed owing to the firing and riots connected with the Holi festival;
- (b) whether it is a fact that the Deputy Commissioner, Karnal, was approached by a number of respectable citizens of Panipat (both Hindus and Muslims) to request that the municipal elections may be postponed, in view of the abnormal state of affairs prevalent at the time, and that he had publicly assured them that the elections would be postponed and that there was no necessity for filing any nomination papers;
- (c) whether it is also a fact that due to this as many as eleven members were declared elected unopposed out of the total number of twelve and that not less than six Muslim sitting members were also thus deprived of their right to stand as candidates;

[L. Deshbandhu Gupta.]

- (d) whether it is a fact that several election petitions have also been filed against the elections of some members so returned ;
- (e) if the answers to above be in the affirmative, what action the Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) On the evening of the 30th March, 1937, the Deputy Commissioner, Karnal, told the prospective candidates that he would move Government to cancel election proceedings which had already been held, in order to prevent the accentuation of the excitement, following the trouble at Panipat. No announcement was made that the elections would be postponed or that there was no necessity for filing any nomination papers.

(c) Eleven candidates were returned unopposed.

(d) Yes.

(e) It is not proposed to take any action in the matter.

KHUSH HAI SIYATI ON WADH WATTAR CULTIVATION.

145. Khan Sahib Mian Nur Ahmad Khan : Will the Honourable Minister for Revenue be pleased to state :—

- (a) whether it is a fact that in the Nili Bar Colony, Khush Haisiyati tax is being levied a second time in proprietary estates on the second cultivation of the same land on *wadh wattar* ;
- (b) whether it is a fact that *rabi* crops like wheat and gram sown in *wadh Wattar* cultivation require several well waterings in order to mature ; if so, the reasons why Khush Haisiyati is levied second time on crops sown on *wadh wattar* ?

The Honourable Dr. Sir Sundar Singh Majithia : It is regretted the answer to this question is not yet complete. It will be communicated to the honourable member when ready.

✓ ENGLISH TEACHERS IN THE SERVICE OF DISTRICT BOARD, JULLUNDUR.

146. Chaudhri Kartar Singh : Will the Honourable Minister for Public Works please lay on the table the following statements with respect to the English teachers in the employ of the District Board, Jullundur, showing :—

- (a) their grades, salaries and periods of service on (i) 31st March, 1936, (ii) 1st April, 1936, (iii) 1st November, 1936, (iv) 1st April, 1937 ;

- (b) the number of posts and the names of the teachers appointed to these posts on (i) 31st October, 1986, (ii) 1st November, 1986 ;
- (c) the number of posts retrenched on 1st November, 1986, and the names of teachers whose services were terminated on 1st November, 1986 ;
- (d) the number of posts created on 1st November, 1986, and the names of teachers appointed to them ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) to (d). Four statements giving the required information are laid on the table.

[Minister for Public Works.]

"A"

Statement showing grades, salaries, period of service of English teachers

| Serial No. | Name. | Designation. | Grade on 31st March, 1936. | Pay on 31st March, 1936. | Period of service on 31st March, 1936. | Grade on 1st April, 1936. |
|------------|-------------------------------|-----------------------------|----------------------------|--------------------------|--|---------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | Rs. | Rs. | Years nearly. | Rs. |
| 1 | Lala Sunder Dass .. | Headmaster, High School. | 150-10-200 | 200 | 15 | 150-10-200 |
| 2 | M. Mehr Ali .. | Ditto .. | | 200 | 14 | |
| 3 | Sardar Gurdial Singh .. | Do. .. | | 200 | 13 | |
| 4 | M. Muhammad Iqbal Hussain. | Do. .. | 110-6-140 | 200 | 13 | 110-6-140 |
| 5 | Lala Kishan Chand .. | Senior English Master. | | 140 | 14 | |
| 6 | Pandit Chajju Ram .. | Do. .. | | 134 | 31 | |
| 7 | Lala Nand Lal .. | Do. .. | | 140 | 18 | |
| 8 | Lala Mohan Lal .. | Do. .. | | 140 | 14 | |
| 9 | B. Mohan Singh .. | Do. .. | | 140 | 11 | |
| 10 | Pandit Salamat Rai .. | Do. .. | | 140 | 13 | |
| 11 | M. Abdul Qadir .. | Do. .. | | 140 | 12 | |
| 12 | Sardar Sowa Singh .. | Do. .. | | 140 | 12 | |
| 13 | M. Mohammad Iqbal .. | Do. .. | | 140 | 9 | |
| 14 | Sardar Pritam Singh .. | Do. .. | 140 | 9 | | |
| 15 | Sardar Lakha Singh .. | Do. .. | 140 | 9 | | |
| 16 | Pandit Faqir Chand .. | Do. .. | 140 | 9 | | |
| 17 | Pandit Nitya Nand .. | Do. .. | 110-5-135 | 135 | 12 | 110-5-135 |
| 18 | Lala Ram Parshad .. | Do. .. | | 135 | 12 | |
| 19 | B. Harnam Singh .. | Do. .. | | 135 | 7 | |
| 20 | Lala Ram Ditta Mal .. | Do. .. | | 135 | 14 | |
| 21 | M. Fateh Muhammad | Do. .. | 100-5-125 | 135 | 7 | 110-5-125 |
| 22 | M. Qumar-ud-Din .. | Do. .. | | 135 | 9 | |
| 23 | M. Ghulam Ahmad .. | Do. .. | | 125 | 20 | |
| 24 | Lala Benarsi Dass .. | Do. .. | 125 | 8 | | |

working in the District Board Schools of Jullundur District.

| Pay on 1st April, 1936. | Period of service on 1st April, 1936. | Grade on 1st November, 1936. | Pay on 1st November, 1936. | Period of service on 1st November, 1936. | Grade on 1st April, 1937. | Pay on 1st April, 1937. | Period of service on 1st April, 1937. |
|-------------------------|---------------------------------------|------------------------------|----------------------------|--|---------------------------|-------------------------|---------------------------------------|
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Rs. | Years nearly. | Rs. | Rs. | Years nearly. | Rs. | Rs. | Years nearly. |
| 200 less 20% out | 15 | 110-6-140 | 140 | 15½ | 135 | 135+15 P. P. | 16 |
| 200 less 20% out | 14 | | 140 | 14½ | 135 | 135+15 P. P. | 15 |
| 200 less 20% out | 18 | | 140 | 13½ | 135 | 135+5 P. P. | 14 |
| 200 less 20% out | 13 | | 140 | 13½ | 135 | 135+5 P. P. | 14 |
| 140 less 20% out | 14 | | 100 | 14½ | 100 | 100+5 P. P. | 15 |
| 134 less 20% out | 31 | | 100 | 31½ | 100 | 100 | 32 |
| 140 less 20% out | 18 | | 100 | 18½ | 110 | 110 | 19 |
| 140 less 20% out | 14 | | 100 | 14½ | 110 | 110 | 15 |
| 140 less 20% out | 11 | | 100 | 11½ | 90 | 90+15 P.P. | 12 |
| 140 less 20% out | 13 | | 100 | 13½ | 90 | 90+15 P. P. | 14 |
| 140 less 20% out | 12 | 100 | 12½ | 90 | 90+15 P. P. | 13 | |
| 140 less 20% out | 12 | 100-5-125 | 100 | 12½ | 80 | 80+25 P. P. | 13 |
| 140 less 20% out | 9 | | 100 | 9½ | 80 | 80+25 P. P. | 10 |
| 140 less 20% out | 9 | | 100 | 9½ | 80 | 80+25 P. P. | 10 |
| 140 less 20% out | 9 | | 100 | 9½ | 80 | 80+25 P. P. | 10 |
| 140 less 20% out | 9 | | 100 | 9½ | 80 | 80+25 P. P. | 10 |
| 135 less 20% out | 12 | | 100 | 12½ | 80 | 80+21 P. P. | 13 |
| 135 less 20% out | 12 | | 100 | 12½ | 70 | 70+31 P. P. | 13 |
| 135 less 20% out | 7 | | 100 | 7½ | 70 | 70+31 P. P. | 8 |
| 135 less 20% out | 14 | | 100 | 14½ | 70 | 70+31 P.P. | 15 |
| 130 less 20% out | 7 | | 100 | 7½ | 70 | 70+27 P.P. | 8 |
| 135 less 20% out | 9 | 100 | 9½ | 70 | 70+31 P.P. | 10 | |
| 125 less 20% out | 20 | 80-4-100 | 100 | 20½ | 70 | 70+24 P.P. | 21 |
| 125 less 20% out | 8 | 60-3-75 | 75 | 8½ | 70 | 70+24 P. P. | 9 |

[Minister for Public Works.]

"A."

Statement showing grades, salaries, period of service of English teachers

| Serial No. | Name. | Designation. | Grade on 31st March, 1936. | Pay on 31st March, 1936. | Period of service on 31st March, 1936. | Grade on 1st April, 1936. |
|------------|-----------------------|------------------------|----------------------------|--------------------------|--|----------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | Ra. | Rs. | Years nearly. | Rs. |
| 25 | M. Beant Singh .. | Senior English Master. | 100-5-125 | 125 | 8 | 100-5-125 |
| 26 | M. Habib Ahmad .. | Do. .. | 100-5-125 | 125 | 8 | 100-5-125 |
| 27 | M. Muhammad Yusaf Ali | Do. .. | 100-5-125 | 125 | 17 | 110-5-125 |
| 28 | Lala Kanshi Ram .. | Do. .. | 100-5-125 less 15% cut. | 90 | 1 | 110-5-125 less 15% cut. |
| 29 | Lala Des Raj .. | Junior English Master. | 60-3-75 | 75 | 17 | 60-3-75 |
| 30 | M. Mul Raj .. | Do. .. | 60-3-75 | 75 | 13 | 60-3-75 |
| 31 | Lala Gian Chand .. | Do. .. | 60-3-75 | 75 | 12 | 60-3-75 |
| 32 | Pandit Dheru Ram .. | Do. .. | 60-3-75 | 75 | 27 | 60-3-75 |
| 33 | Lala Hans Raj .. | Do. .. | 60-3-75 | 75 | 11 | 60-3-75 |
| 34 | M. Muhammad Hayas | Do. .. | 60-3-75 | 75 | 9 | 60-3-75 |
| 35 | Lala Walaiti Ram .. | Do. .. | 60-3-75 | 75 | 9 | 60-3-75 |
| 36 | B. Charan Singh .. | Do. .. | 60-3-75 | 75 | 10 | 60-3-75 |
| 37 | B. Nazir Singh .. | Do. .. | 60-3-75 | 75 | 11 | 60-3-75 |
| 38 | Lala Jagan Nath .. | Do. .. | 60-3-75 | 75 | 7 | 60-3-75 |
| 39 | Lala Ganda Ram .. | Do. .. | 55-3-70 | 58 | 10 | 55-3-70 |
| 40 | M. Imam-ud-Din .. | Do. .. | 50-3-65 | 65 | 25 | 50-3-65 |
| 41 | Lala Punjab Rai .. | Do. .. | 50-3-65 | 65 | 17 | 50-3-65 |
| 42 | B. Jaswant Singh .. | Do. .. | 50-3-65 | 65 | 14 | 50-3-65 |
| 43 | M. Abdullah .. | Do. .. | 50-3-65 | 65 | 13 | 50-3-65 |
| 44 | B. Beant Singh .. | Do. .. | 50-3-65 | 65 | 13 | 50-3-65 |
| 45 | L. Labhu Ram .. | Do. .. | 50-3-65 | 65 | 25 | 50-3-65 |
| 46 | M. Sultan Muhammad.. | Do. .. | 50-3-65 | 65 | 12 | 50-3-65 |
| 47 | B. Sant Singh .. | Do. .. | 40-2-50 | 50 | 14 | 40-2-50 |

—concluded.

working in the District Board Schools of Jullundur District—concluded.

| Pay on 1st April, 1936. | Period of service on 1st April, 1936. | Grade on 1st November, 1936. | Pay on 1st November, 1936. | Period of service on 1st November, 1936. | Grade on 1st April, 1937. | Pay on 1st April, 1937. | Period of service on 1st April, 1937. |
|-------------------------|---------------------------------------|------------------------------|----------------------------|--|---------------------------|----------------------------|---------------------------------------|
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Rs. | Years nearly. | Rs. | Rs. | Years nearly. | Rs. | Rs. | Years nearly. |
| 125 less | 8 | 60-3-75 | 75 | 8½ | 70 | 70+24 | 9 |
| 20% cut | 8 | | | 75 | 8½ | 70 |  | P. P. |
| 125 less | 8 | 80-4-100 | 100 | 8½ | 70 | 70+24 | 9 |
| 20% cut | 17 | | | 75 | 17½ | 70 |  | P. P. |
| 125 less | 17 | 60-3-75 | 75 | 17½ | 70 | 70+24 | 18 |
| 20% cut | 1 | | | 75 | 17½ | 70 |  | P.P. |
| 90 less | 1 | 60-3-75 | 75 | 17½ | 70 | 70+6 | 2 |
| 10% cut. | 17 | | | 75 | 17½ | 70 |  | P.P. |
| 75 less | 17 | 60-3-75 | 75 | 17½ | 60 | 60+4 | 18 |
| 10% cut | 13 | | | 75 | 13½ | 60 |  | P.P. |
| 75 less | 13 | 55-3-70 | 70 | 13½ | 60 | 60+4 | 14 |
| 10% cut. | 12 | | | 75 | 12½ | 60 |  | P.P. |
| 75 less | 12 | 55-3-70 | 70 | 12½ | 60 | 60+4 | 13 |
| 10% cut. | 27 | | | 75 | 27½ | 53 |  | P.P. |
| 75 less | 27 | 50-3-65 | 65 | 27½ | 53 | 53+11 | 28 |
| 10% cut. | 11 | | | 65 | 11½ | 53 |  | P.P. |
| 75 less | 11 | 50-3-65 | 65 | 11½ | 53 | 53+11 | 12 |
| 10% cut. | 9 | | | 65 | 9½ | 53 |  | P.P. |
| 75 less | 9 | 50-3-65 | 65 | 9½ | 53 | 53+11 | 10 |
| 10% cut. | 9 | | | 65 | 9½ | 53 |  | P.P. |
| 75 less | 9 | 50-3-65 | 65 | 9½ | 53 | 53+11 | 10 |
| 10% cut. | 10 | | | 65 | 10½ | 53 |  | P.P. |
| 75 less | 10 | 50-3-65 | 65 | 10½ | 53 | 53+11 | 11 |
| 10% cut. | 11 | | | 65 | 11½ | 53 |  | P. P. |
| 75 less | 11 | 50-3-65 | 65 | 11½ | 53 | 53+11 | 12 |
| 10% cut. | 7 | | | 65 | 7½ | 45 |  | P.P. |
| 75 less | 7 | 40-2-50 | 50 | 7½ | 45 | His services terminated | 11 |
| 10% cut. | 10 | | | 50 | 10½ | 45 |  | after giving 3 months' notice. |
| 58 less | 10 | 40-2-50 | 50 | 10½ | 45 | 45+5 | 11 |
| 10% cut. | 25 | | | 50 | 25½ | 45 |  | P.P. |
| 65 less | 25 | 40-2-50 | 50 | 25½ | 45 | 45+10 | 26 |
| 10% cut. | 17 | | | 50 | 17½ | 45 |  | P.P. |
| 65 less | 17 | 30-1-40 | 40 | 17½ | 45 | 45+10 | 18 |
| 10% cut. | 14 | | | 40 | 14½ | 45 |  | P.P. |
| 65 less | 14 | 30-1-40 | 40 | 14½ | 45 | 45+10 | 15 |
| 10% cut. | 13 | | | 40 | 13½ | 45 |  | P.P. |
| 65 less | 13 | 30-1-40 | 40 | 13½ | 45 | 45+10 | 14 |
| 10% cut. | 13 | | | 40 | 13½ | 45 |  | P.P. |
| 65 less | 13 | 30-1-40 | 40 | 13½ | 45 | 45+10 | 14 |
| 10% cut. | 25 | | | 40 | 25½ | 45 |  | P.P. |
| 65 less | 25 | 30-1-40 | 40 | 25½ | 45 | His services were termina- | 13 |
| 10% cut. | 12 | | | 40 | 12½ | 45 |  | ted after giving three months' notice. |
| 65 less | 12 | 30-1-40 | 40 | 12½ | 45 | 45+10 | 13 |
| 10% cut. | 14 | | | 40 | 14½ | 45 |  | P.P. |
| 65 less | 14 | 30-1-40 | 40 | 14½ | 45 | Died. | |
| 10% cut. | | | | 40 | 14½ | 45 | |

[Minister for Public Works.]

" B "

Statement showing the number of posts and the names of English Teachers appointed to these posts.

| Name of posts on 31st October, 1936. | Number of posts on 31st October, 1936. | Names of teachers appointed to these posts on 31st October, 1936. | REMARKS. |
|--------------------------------------|--|--|----------|
| 1 | 2 | 3 | 4 |
| Head Masters of High Schools. | 4 | 1. Lala Sunder Dass. 2. M. Mehr Ali. 3. Sardar Gurdial Singh. 4. M. Muhammad Iqbal Hussan. | |
| Senior English Masters | 24 | 1. Lala Kishan Chand. 2. Pandit Chajju Ram. 3. Lala Nand Lal. 4. Lala Mohan Lal. 5. B. Mohan Singh. 6. Pandit Salamat Rai. 7. M. Abdul Qadir. 8. M. Muhammad Iqbal. 9. Sardar Sewa Singh. 10. Sardar Pritam Singh. 11. Sardar Lakha Singh. 12. Pandit Faqir Chand. 13. Pandit Nitya Nand. 14. Lala Ram Parshad. 15. B. Harnam Singh. 16. Lala Ram Ditta Mal. 17. M. Fateh Muhammad. 18. M. Quamar-ud-Din. 19. M. Ghulam Ahmed. 20. Pandit Banarsi Dass. 21. Sardar Biant Singh. 22. M. Habib Ahmad. 23. M. Muhammad Yusuf Ali. 24. Lala Kanahi Ram. | |
| Junior English Masters | 19 | 1. Lala Des Raj. 2. M. Mul Raj. 3. Lala Gian Chand. 4. Pandit Dheru Ram. 5. Lala Hans Raj. 6. M. Muhammad Ilyas 7. Lala Walaiti Ram. 8. B. Charan Singh. 9. B. Nazir Singh. 10. Lala Jagan Nath. 11. Lala Ganda Ram. 12. M. Imam-ud-Din. 13. Lala Punjab Rai. 14. B. Jaswant Singh. 15. M. Abdullah. 16. B. Biant Singh. 17. Lala Lakhu Ram. 18. M. Sultan Muhammad. 19. B. Sant Singh. | |

| Name of posts on 1st November, 1936. | Number of posts on 1st November, 1936. | Names of teachers appointed to these posts on 1st November, 1936. | REMARKS. |
|--------------------------------------|--|--|--|
| 1 | 2 | 3 | 4 |
| Head Masters of High Schools. | 4 | <ol style="list-style-type: none"> 1. Lala Sunder Dass. 2. M. Mehr Ali. 3. Sardar Gurdial Singh. 4. M. Muhammad Iqbal Hussan. | |
| Senior English Masters | 18 | <ol style="list-style-type: none"> 1. Lala Kishan Chand. 2. Pandit Chajju Ram. 3. Lala Nand Lal. 4. Lala Mohan Lal. 5. B. Mohan Singh. 6. Pandit Salamat Rai. 7. M. Abdul Qadir. 8. M. Muhammad Iqbal. 9. Sardar Sewa Singh. 10. Sardar Pritam Singh. 11. Sardar Lakha Singh. 12. Pandit Faqir Chand. 13. Pandit Nitya Nand. 14. Lala Ram Parshad. 15. B. Harnam Singh. 16. Lala Ram Ditta Mal. 17. M. Fateh Muhammad. 18. M. Quamar-ud-Din. | |
| Junior English Masters | 25 | <ol style="list-style-type: none"> 1. M. Ghulam Ahmad .. 2. Pandit Banarai Dass .. 3. B. Biant Singh .. 4. M. Habib Ahmad .. 5. M. Muhammad Yusaf Ali .. 6. Lala Kanshi Ram. 7. Lala Des Raj. 8. M. Mul Raj. 9. Lala Gian Chand. 10. Pandit Dheru Ram. 11. Lala Hans Raj. 12. M. Muhammad Ilyas. 13. Lala Walaiti Ram. 14. B. Charan Singh. 15. B. Nazir Singh. 16. Lala Jagan Nath. 17. Lala Ganda Ram. 18. M. Imam-ud-Din. 19. Lala Punjab Rai. 20. B. Jaswant Singh .. 21. M. Abdullah .. 22. B. Biant Singh .. 23. Lala Lakhu Ram .. 24. M. Sultan Muhammad .. 25. B. Sant Singh .. | <p data-bbox="852 1037 1052 1192">These teachers were reverted to Junior Anglo-Vernacular grade but continued working as Senior English Teachers.</p> <p data-bbox="852 1501 1052 1638">These teachers were reverted to S. V. grade but continued working as Junior Anglo-Vernacular teachers.</p> |

[Minister for Public Works.]

" C "

Statement showing the number of posts retrenched on 1st November, 1936, and the names of teachers whose services were terminated on 1st November, 1936.

| Name of posts retrenched with effect from 1st November, 1936. | Number of posts retrenched with effect from 1st November, 1936. | Number and name of teachers whose services were terminated. | REMARKS. |
|---|---|--|----------|
| 1 | 2 | 3 | 4 |
| (1) Headmasters of High Schools in the grade of Rs. 150—10—200. ; | 4 | .. | |
| (2) Senior English Masters in the grade of Rs. 110—6—140. | 8 | .. | |
| (3) Senior English Masters in the grade of Rs. 110—5—135. | 6 | .. | |
| (4) Junior English Masters in the grade of Rs. 90—3—75. | 2 | The services of two junior English Masters, i.e., Lala Jagan Nath and Pandit Labhu Ram were terminated because they refused to work on reduced pay in the lower grades offered to them. This was done after serving them with a regular three months' notice under Article 436 of Civil Service Regulations. | |
| (5) Junior English Master in the grade of Rs. 50—3—65. | 2 | .. | |

" D "

Statement showing the number posts created on 1st November, 1936, and the names of teachers appointed to them.

| Name of posts created on 1st November, 1936. | Number of posts created on 1st November, 1936. | Names of teachers appointed to them. | REMARKS. |
|---|--|---|----------|
| 1 | 2 | 3 | 4 |
| Senior English Masters in the grade of Rs. 100—5—125. | 12 | <ol style="list-style-type: none"> 1. Lala Kishan Chand. 2. Pandit Chajju Ram. 3. Lala Nand Lal. 4. Lala Mohan Lal. 5. B. Mohan Singh. 6. Pandit Salamat Rai. 7. M. Abdul Qadir. 8. M. Muhammad Iqbal. 9. Sardar Sewa Singh. 10. Sardar Pritam Singh. 11. B. Lakha Singh. 12. Pandit Faqir Chand. | |
| Junior English Masters in the grade of Rs. 40—2—60. | 5 | <ol style="list-style-type: none"> 1. Lala Jagan Nath. 2. Lala Ganda Ram. 3. M. Imam-ud-Din. 4. Lala Punjab Rai. 5. B. Jaswant Singh. | |
| Junior English Masters in the grade of Rs. 30—1—40. | 5 | <ol style="list-style-type: none"> 1. M. Abdullah. 2. B. Biant Singh. 3. Lala Labhu Ram. 4. M. Sultan Muhammad. 5. B. Sant Singh. | |

ENGLISH TEACHERS IN THE EMPLOY OF DISTRICT BOARD, JULLUNDUR.

147. Chaudhri Kartar Singh: Will the Honourable Minister for Public Works be pleased to lay on the table a copy of the notice served on English teachers of District Board, Jullundur, terminating their services with effect from 1st November, 1936, and re-appointing them from the same date to their posts but on reduced salaries; and state

- (b) the percentage of the scale of reduction; and whether it was uniform;
- (c) the rule or rules under which the said District Board was entitled to retrench and re-employ the same teachers on the same date;
- (d) whether the teachers concerned were really employed afresh on 1st November, 1936; if so, whether he is prepared to lay on the table the copies of applications from the teachers for the posts and the appointment letters issued to them;
- (e) whether the service of all these teachers commences from 1st November, 1936, and how their old service books have been disposed of;
- (f) what other servants of the District Board were similarly treated as the English teachers;
- (g) whether it is a fact that the present salaries of the English teachers consist of two parts, namely, permanent pay and personal allowance;
- (h) steps, if any, the Government proposes to take in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: (a) A copy of the notice is laid on the table.

(b) The percentage of the scale of reduction ranged from 5 per cent. to 30 per cent. It was not uniform because the incumbents of posts in higher grades were offered posts in lower grades on the retrenchment of their posts in the higher grades.

(c) Article 436 of the Civil Service Regulations.

(d) The teachers were not employed afresh on the 1st November, 1936.

(e) The service of all these teachers does not commence from the 1st November, 1936, but will be treated as continuous.

(f) Nil.

(g) Yes. The present salaries of the English teachers consist of two parts, namely, permanent pay and personal pay (not personal allowance).

(h) The matter is under consideration of Government and further enquiries are being made.

Notice.

The post of _____ in the grade of Rs. _____ having been retrenched with effect from 1st November, 1936, *vide* District Board resolution No. 12 (Financial), dated the 12th August, 1936, he is hereby informed that he should let the undersigned know within three days from the date of receipt of this notice.

If he is prepared to work as _____ in the grade of Rs. _____
 with a _____ maximum
 minimum pay of Rs. _____ from 1st November, 1936, without any cuts,
 for which provision exists in the budget. In case he be not willing to remain in District
 Board service of this district on the pay now proposed to be given to him, i.e., Rs. _____
 per mensem, he should take this as three months' notice under the rules of Civil Service Regula-
 tions terminating his services from the date of receipt of this notice. Three months' pay under
 the rules is admissible to him (_____). If no reply is received within 3 days from
 the date of receipt of this notice, it will be considered that he (_____) is willing
 to remain in District Board service on Rs. _____ per mensem in the grade of Rs. _____.

(Sd.) H. RONSON,

The 21st October, 1936.

Chairman, District Board, Jullundur.

REPRESENTATION ALLOWED TO SCHEDULED CASTES IN THE
 POLICE DEPARTMENT.

148. Bhagat Hans Raj: Will the Honourable the Premier be pleased to state—

- whether it is open to the members of the scheduled castes to get themselves enlisted in the Police Department; if not, why not;
- if the answer to part (a) above be in the affirmative, the reasons why the representation of these classes is nil in this Department;
- what steps Government intend to take to secure a fair representation for the scheduled castes in the Police Department?

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

(b) It is not correct that these castes are entirely unrepresented in the police.

(c) The honourable member will probably have heard or read the statement made in the old Council in 1927 by the then Finance Member, Sir Geoffrey deMontmorency, explaining the general principles followed in recruiting the various services. It will be found printed at pages 873—877 of Punjab Legislative Council Debates (Volume X-B).

REPRESENTATION OF SCHEDULED CASTES IN DISTRICT BOARDS.

149. Bhagat Hans Raj: Will the Honourable Minister for Public Works be pleased to state—

- the names of the district boards in the Punjab in which representation of the scheduled castes has been allowed by way of nomination during the last year and also the number of persons belonging to these castes so nominated;
- whether it is a fact that in most of the district boards no representation has been allowed to the scheduled castes; if so, the reasons for the same;
- what action Government intend to take to secure fair representation for the scheduled castes in all the district boards in the province?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) One member of the scheduled castes was appointed as a member of the District Board, Jullundur, last year.

(b) and (c) No special representation for scheduled castes has been provided, but Government has instructed Commissioners and Deputy Commissioners to recommend members of the scheduled castes for appointment to local bodies when the opportunity arises. No further action is contemplated.

SCARCITY OF DRINKING WATER IN CERTAIN VILLAGES IN HISSAR DISTRICT.

150. Sardar Narotam Singh : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that there is scarcity of drinking water supply in about one hundred and fifty villages in Bhiwani, Sirsa, Fatehabad tahsils of the Hissar district and that for that reason, the residents of these villages are suffering innumerable hardships ;
- (b) whether it is also a fact that a scheme is under the consideration of the Government to remove this long-standing grievance of the residents of some of these villages ; if so, when it may be expected to mature ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes. It will be taken in hand as soon as funds are available.

MOTION FOR ADJOURNMENT.

PREMIER'S REMARKS RELATING TO THE SPEECH OF MINISTER FOR DEVELOPMENT.

Pandit Shri Ram Sharma (Urdu) : Sir, I wish to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the utterance on the floor of the Assembly by the Honourable Premier on the 8th July, 1937, in answer to supplementary questions to starred question No. 353¹ saying that "so far as this portion of the speech was concerned the whole Government was at one with the Honourable Minister (of Development)." The portion of the speech that advocated violence and interfered with the legitimate freedom of speech as quoted by the Honourable Premier is as follows :—

"The Punjab Government as now constituted is in substance a zamindar Government. Anybody who abuses this Government practically abuses the zamindars. If any 'nokili topiwala' comes to your village and begins to abuse Government do not listen to him at all. Tell him to desist from abusive language or go away. If he still persists in his obnoxious conduct, I am sure he will decamp, if you further tell him that you know less pleasant ways of sending him about his business."

Here he may have involuntarily accompanied his words with a physical motion of his hands suggesting a push because that is what he meant.

Mr. Speaker : May I ask the honourable member one or two small things ? The policy enunciated by the Premier is there. Does the honourable member disapprove or approve it ?

PREMIER'S REMARKS RELATING TO THE SPEECH OF MINISTER FOR
DEVELOPMENT. 1821

Pandit Shri Ram Sharma (Urdu) : Sir, in my opinion not only the policy enunciated therein but also the reply, *viz.*, 'if any *nokili topiwala* comes to your village and begins to abuse Government do not listen to him at all and if he persists kick him out' is dangerous. In my opinion this is no less than preaching violence and interference with the legitimate right of freedom of speech. This sort of propaganda in the villages will certainly cause prejudice in the minds of masses against the Congress. Hence I consider the policy of Government, their attitude towards this matter, and the language used in expressing the ideas as highly objectionable.

Mr. Speaker : The honourable member has included in his answer several things which I did not ask. I simply wanted to know whether the honourable member approves or disapproves of the policy enunciated by the Premier.

Premier : There must be some misunderstanding about the policy. The question is what policy. It might definitely give a misleading impression to the House.

Pandit Shri Ram Sharma (Urdu) : I disapprove of the policy of the Government.

Premier : My submission is that in the interest of fairplay and honesty, I must request the honourable member and other members of this House that they should not try to put into my mouth what I did not say. This is the second attempt when an adjournment motion on something which I did not say has been brought. The trouble is that what the honourable member says in his motion will go into the Press and the whole world will think that the Premier is endorsing something which I never did. Let me read out to you the answers in reply to the supplementary questions and I am sure, Sir, that if you are satisfied that the honourable member is trying to put into my mouth what I did not say, you will request the honourable member not only to withdraw the adjournment motion but also to see that in future such adjournment motions are not to be brought before this House. This is what I said—

"When the Honourable Minister warned the people against the use of abusive language for the Government, the whole Government is at one with him."

Is there anything wrong with that? I stand by that answer and stick to that answer. The whole Government is with the Honourable Minister when he warned the people against the use of abusive language against Government. I will now proceed to quote from the supplementary questions and answers—

"**Pandit Shri Ram Sharma** : Will the honourable Premier please ask the Minister for Development to demonstrate before the House the physical motion referred to in the answer."

The Speaker ruled it out of order—

Lala Duni Chand : Does the Government consider the Congressmen to be a body of responsible men or not?

[Premier.]

What I said was—

The Congressmen whose attitude and demeanour are like those of my honourable friend the Leader of the Opposition command my esteem and respect. But there are also black sheep among the Congressmen.

Pandit Shri Ram Sharma : Is the Honourable Premier sure that the making of such statements before the public does not lead to provocation in the villages ?

Mr. Speaker disallowed that question.

The next supplementary question was—

* * * * *

Dr. Gopi Chand Bhargava : Will the Honourable Premier please state whether he endorses the whole speech of the Honourable Minister for Development ?

My answer was that I was not present when the speech was made.

Those are the actual facts and if you will now read the adjournment motion in the light of these supplementary questions and answers, you will, I think, agree with me that things are being put into my mouth which I never said in this House.

Pandit Shri Ram Sharma (Urdu) : I want to know whether so far as the speech of the Honourable Minister for Development is concerned—

Mr. Speaker : I cannot allow any questions at this stage. The point is, which part of the answer of the Honourable Premier is objectionable ?

Pandit Shri Ram Sharma (Urdu) : The answer reads—

“ If any *nokili topiwala* comes to your village and begins to abuse Government do not listen to him at all. Tell him to desist from abusive language or go away. If he still persists in his obnoxious conduct I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business,” and

the Honourable Premier approves of this.

Mr. Speaker : That is a quotation from the speech of the Honourable Minister for Development.

Pandit Shri Ram Sharma : I want to say that the Government fully approves of that part of the speech which was quoted by the Honourable Premier. The Honourable Premier replied in a supplementary question—

“ When the Honourable Minister warned the people against the abuse of the Government, the whole Government is at one with him.”

Premier : I adhere to that expression of view.

Diwan Chaman Lall : Does the Honourable Premier's reply mean when he says that he is at one with the Honourable Minister in the matter of abusive language against the Government, that he is also at one with the Minister in the further statement made by the latter ?

Pandit Shri Ram Sharma : It is that statement regarding the push suggested by the Honourable Minister that has created a good deal of misunderstanding in the Press.

Mr. Speaker : We are not concerned with that. The words of the reply are—

“ Premier : When the Honourable Minister warned the people against the abuse of the Government the whole Government is at one with him.”

The honourable member can go only to that extent and not further. How can he bring in the question of the incitement or instigation to give a push and so on?

Pandit Shri Ram Sharma : It means that the Premier supports the suggestion of giving a push—

Mr. Speaker : The Honourable Premier has not endorsed that part of the speech.

Dr. Gopi Chand Bhargava : From the answer which you have just now read it is clear that the Honourable Premier endorses that part of the speech which concerns the use of abusive language against Government. It is also said in the reply—

“If he still persists in his obnoxious conduct, I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business.”

If both these things are read together we shall be justified in believing that the Government did approve of the speech relating to the method which was suggested by the Honourable Minister.

Mr. Speaker : The most relevant portion has not been touched either by Pandit Shri Ram Sharma or Dr. Gopi Chand Bhargava. I shall read it for the information of the House.

“*Dr. Gopi Chand Bhargava :* Does the Honourable Premier endorse all that he has quoted in the answer or only a portion of it?”

Premier : For the benefit of honourable members I shall read it again: ‘Anybody who abuses this Government practically abuses zamindars.’—

“*Dr. Sir Gokul Chand Narang :* Is that correct?”

Premier : In a general sense, yes. By zamindars the Honourable Minister meant the zamindars as constituting the Government. There is no difference of opinion on that point. It does not mean that non-zamindars are not respectable.

Dr. Gopi Chand Bhargava : Are all zamindars respectable?

Premier : So far as I am aware, zamindars and non-zamindars stand on the same footing. What the Honourable Minister said was, “tell him to desist from abusive language or go away.” I do not think anybody can take objection to that part of the speech.

“If he still persists in his obnoxious conduct I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business.”

Lala Bhim Sen Sachar : Do you endorse that?

Premier : I personally see little objection to that.”

(*Voices :* That is the point).

Premier : I still adhere to it.

Pandit Shri Ram Sharma (Urdu) : Sir, the position is quite clear.

Mr. Speaker : The honourable members do not agree with the policy enunciated by the Honourable Premier.

Premier : May I suggest that that is not the policy of the Government. That is my personal view and I adhere to that. If they want to move an adjournment motion against me, I am prepared to face it.

Diwan Chaman Lall : May I ask how it is possible for the Honourable Premier, as Sir Sikander Hyat-Khan, to dissociate himself from his views as Premier? If he makes that statement, he must take responsibility as a member of the Government. He cannot be in the dual capacity of Dr. Jekyll and Mr. Hyde.

Premier : As a matter of fact the Honourable Mr. Speaker did not read further. If he had very kindly read the supplementary statement further, he would have found further on a very clear answer.

Mr. Speaker : The only portion left is—

Premier : You have left out the portion which is most important from the point of view of the House and this is as follows—

“*Dr. Gopi Chand Bhargava :* Will the Honourable Premier please state whether he endorses the whole speech of the Honourable Minister for Development?”

and I definitely said—

“ I was not present when the speech was made ;”

and, therefore, I did not express my view with regard to the whole speech.

Mr. Speaker : Subsequently, when further portion was put to him, he said that there was no objection.

Premier : What, “ there was no objection ? ” I said that I do not think anybody can take objection to this part of the speech—

“ If he still persists in his obnoxious conduct I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business.”

That is done every day. If you do not desist, you will be sorry for it. Where does the question of force come in ?

Mr. Speaker : If the honourable member will refer to the top of page 3 he will see that the quotation is—

“ If he still persists in his obnoxious conduct I am sure he will decamp if you further tell him that you know less pleasant ways of sending him about his business.”

and then there is Lala Bhim Sen Sachar's question—

“ Do you endorse that ? ”

and there is the Honourable Premier's reply, “ I personally see little objection to that.”

Pandit Shri Ram Sharma (Urdu) : Sir, as far as I am concerned—

Premier : If they persist in abusive language, you should tell them that there are other ways of correcting them.

Dr. Sir Gokul Chand Narang : Accompanied by a motion of the hand. I heard those words uttered at the time.

Mr. Speaker : On receipt of the adjournment motion this morning, I asked the Secretary to get a copy of the relevant portions of the proceedings. It may be that they are yet uncorrected. (*Voices :* They have been duly corrected).

Lala Bhim Sen Sachar : I may be permitted to put in a word at this stage. In view of the questions put and the reply on behalf of the Government, it becomes very imperative to determine on the floor of this House whether Government should encourage people to take law in their own hands.

Premier : Not a bit.

Lala Bhim Sen Sachar : That is what the Honourable Minister for Development said. That is the point which is before the House but we would be willing to concede that the Honourable Premier will not corroborate this statement if put in this naked form that people should take law in their own hands.

Premier : I never did that.

Lala Bhim Sen Sachar : But the reply unfortunately was worded in such a way that one part could not be separated from the other. The reply could not be anything else in his anxiety to protect the absolutely unjustified utterance of the Minister of Development. Therefore, my submission is that that point is a very important point ; whether the Government can encourage the people taking law in their own hands.

Minister for Development : I never said that.

Pandit Shri Ram Sharma (Urdu) : I think that the Honourable Premier supports the view that he can forcibly push out the man from the village if he still persists in his obnoxious conduct.

Premier : No. Where did I endorse any such thing on behalf of the Government ? That is what I want to know.

Chaudhri Krishna Gopal Dutt : You did not disapprove of it.

Premier : There again I am being mis-interpreted.

Sardar Lal Singh : There is such a long discussion going on but we have not been supplied with the proceedings out of which this discussion has arisen.

Mr. Speaker : May I invite the attention of the honourable members to Rule 19 of the Interim Rules ? The rule says—

19. A motion expressing want of confidence in, or disapproving the policy in a particular respect of a Minister or the Ministry as a whole, may be made with the consent of the Speaker and subject to the following restrictions, namely—
 - (a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon ;
 - (b) the member asking for leave must before the commencement of the sitting of the day leave with the Secretary a written notice of the motion which he proposes to make.
- (2) If the Speaker is of opinion that the motion is in order he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places and if not less than fifty members rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days from the day on which the leave is asked, as he may appoint. If less than fifty members rise the Speaker shall inform the member that he has not the leave of the Assembly.

The question is whether the adjournment motion, which the honourable member admits is meant to express disapproval of the policy enunciated by the Premier on the floor of this House, can be moved. The rule provides a substantive motion and not an adjournment motion. An adjournment motion is not a substantive motion. Therefore, if the honourable member gives notice of a regular motion, according to Rule 19, I shall put it to the House and the motion will be allowed or disallowed according to the sense of the House.

Diwan Chaman Lall : I may be permitted to say a word with regard to Rule 19. The objection that is being raised is not an objection to policy on the part of Government but to a particular conduct on the part of Government.

Mr. Speaker : Even then the Assembly cannot discuss the conduct of a member of this House by an adjournment motion.

Diwan Chaman Lall : May I also draw your attention to the fact (it is for you to give the ruling, I cannot dictate the ruling) that in the matter of moving an adjournment motion or motion of no-confidence, it is obviously the discretion of the honourable member who moves it. The only restrictions regarding the adjournment motion are, firstly, that it must be a matter of public importance and secondly, it must be of a recent nature. Those are the two restrictions placed upon it. I do submit before you that the matter

12 noon. which is said to be raised by means of an adjournment motion by my honourable friend is a matter of public importance. It may involve a certain measure of policy as all matters involve a certain measure of policy, but essentially it is a matter of the greatest public importance and of recent origin and, therefore, amply covered by the requirements of an adjournment motion. It is not necessary that my honourable friend should be confined to moving an express motion of no confidence in the Ministry.

Mr. Speaker : It is not necessary that a motion of no-confidence should be made. Either of two motions can be made, i.e., an adjournment motion or a substantive motion. The honourable member has given notice of an adjournment motion. But my point is that an adjournment motion against a member of this House cannot be made, because it is not a substantive motion. The conduct of the Premier or of any other member of this House cannot be discussed on the floor of this House except on a substantive motion. In the case of a substantive motion 50 members have to rise. While in the case of an adjournment motion 30 only need rise. That is the only difference. If the honourable member wishes this motion to be treated as a motion disapproving the policy or conduct of the Premier I am quite ready to put it to the House.

Pandit Shri Ram Sharma (Urdu) : So far as the policy is concerned, I shall say that I do not agree with the policy that is hidden in these words. I object to the words which relate to interference with the freedom of speech.

Lala Bhim Sen Sachar : The object is that there is a certain utterance of the Premier—

Mr. Speaker : Is it approved or disapproved ?

Lala Bhim Sen Sachar : The discussion is going to be on that utterance. His conduct is not going to be discussed nor is his policy going to be under discussion.

Mr. Speaker : Suppose after the motion is discussed it is put to the vote of the House. What do the honourable members wish ? Do they want to approve or disapprove ; or criticise or praise the conduct of the Premier ? *Prima facie* the object is to criticise his conduct and policy.

Lala Bhim Sen Sachar : If my memory does not fail me, I remember you had been pleased to observe once in the last session that a motion for adjournment does not necessarily show want of confidence.

Mr. Speaker : I am of the same opinion now.

Lala Bhim Sen Sachar : So the idea is not to propose a vote of no-confidence or even to discuss the policy of the Ministry as a whole.

Chaudhri Jalal-ud-din Amber : Sir, has the ruling been given ? Are we going to discuss this *ad infinitum* ?

PREMIER'S REMARKS RELATING TO THE SPEECH OF MINISTER FOR 1927
DEVELOPMENT.

Lala Bhim Sen Sachar : I was submitting that by virtue of the position which the Premier occupies and because of a very genuine fear of his being misunderstood, it is necessary that the matter should be discussed on the floor of this House, so that the Honourable Premier will have an opportunity of making a statement on behalf of the other members also, in order to remove any possible misunderstanding that may have cropped up.

Mr. Speaker : That misunderstanding can be easily removed by a short notice question.

Premier : Had the members on this side of the House been as touchy as the honourable members on the other side, there might be a stronger reason for an adjournment motion. In reply to the statement that there are black sheep in every group, a member on the other side asked : " How many of them are there in the Unionist Government ? " But the members on this side are not so unduly sensitive as to feel upset over small things.

Dr. Gopi Chand Bhargava : The Honourable Premier was pleased to say that the reply which he gave represented his personal views and not the views of the whole Cabinet.

Mr. Speaker : The Honourable Premier discussed that aspect of the question in his private capacity.

Dr. Gopi Chand Bhargava : My submission is that the question of policy would not arise. It is a question of discussion of the reply given by him.

Mr. Speaker : As the *prima facie* object is to discuss the Premier's policy and conduct, the honourable member may move a substantive motion. (*A voice :* What is your ruling ?) The motion as it stands is an adjournment motion and not a substantive motion, to discuss the conduct of the Premier and is, therefore, out of order. (*Loud cheers.*)

DEMANDS FOR GRANTS.

AGRICULTURE.

Finance Minister (The Honourable Mr. Manohar Lal) : I beg to move—

That a sum not exceeding Rs. 34,17,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Agriculture.

Mr. Speaker : Motion moved—

That a sum not exceeding Rs. 34,17,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Agriculture.

Chaudhri Krishna Gopal Dutt : Sir, in the case of the Education grant, we discussed two cut motions together in order to discuss the general policy. I suggest that in this case also we should take up two or three items together so that we may be able to discuss the general policy of the Agriculture Department.

Mr. Speaker : There is no cut motion under which any member can discuss the policy of Government in any of its departments.

Chaudhri Krishna Gopal Dutt : Item No. 15 which stands in the name of Pandit Shri Ram Sharma relates to the reduction of the whole demand. We must first discuss the policy and then we can take up such items, as retrenchment, etc.

Mr. Speaker : The point is whether I can allow the whole demand to be taken up before its items are disposed of. In discussing the items it is open to honourable members to make the policy underlying the whole demand relevant to the discussion and discuss that policy ; but when there is no such motion on any item, what can I do ?

Chaudhri Krishna Gopal Dutt : By mutual agreement.

Mr. Speaker : I was not a party to that agreement ; but I do not think that the mutual agreement meant that the whole demand should be taken up before items were disposed of.

Chaudhri Krishna Gopal Dutt : I do not know whether the other gentlemen are going to press their motions.

Mr. Speaker : It is not a question of agreement ; it is a question of procedure and practice.

Chaudhri Krishna Gopal Dutt : That was not the case in other motions.

Mr. Speaker : Will he please refer to the other days' proceedings ? The whole demand was not allowed to be discussed before its items were finished.

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Agricultural Assistants and Mukadams.

Khan Bahadur Nawab Chaudhri Fazal Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): I beg to move—

That the item of Rs. 2,88,640 on account of Agricultural Assistants be reduced by Re. 1.

I have not stood up to make any adverse remarks against the department. On the other hand I propose to offer my meed of praise to the department for its excellent work. I thank the department most heartily for the work it has done.

There are two departments, with which the zamindars are concerned, viz., the department of irrigation and agriculture. The department of agriculture takes precedence over the irrigation department. If the working of these two departments is defective, then not only the zamindars but all the consumers are affected thereby.

As regards the department of agriculture I want to say that last year as many as 15 agricultural assistants and the same number of muqadams were appointed. In my humble opinion this equality in the number of agricultural assistants and muqadams is anything but proper. However, if these muqadams are to be treated as the munshis of agricultural assistants, the matter is quite different. In my opinion the duty of a muqadam should be to give practical demonstrations of new methods of agriculture and initiate the zamindars into the mysteries of the same. On the other hand the duty of an agricultural assistant should be to supervise the work of muqadams on the spot and give practical hints to the zamindars. The province has benefited to a very large extent for the reason that the department of agriculture has been supplying the zamindars with good qualities of seed. Before

the inauguration of this system we did not even know the advantages of good qualities of seed. The different kinds of seeds supplied by the department have resulted in an appreciable increase in the produce of the land.

There are three ways in which good qualities of seed are obtainable. Firstly, good qualities of seed may be imported from foreign countries. Secondly, good qualities of seed may be produced in Government seed farms, and thirdly, good qualities of seed may be purchased from local zamindars.

The first two methods are very expensive. If seeds are imported from outside the province, then besides the price of seed, cost of carriage of the same has to be incurred. Again the seed farms are hardly able to balance their income and expenditure and that in spite of the fact that the salaries of the agricultural assistants in charge of the farms are not paid from the funds of the farms.

If the number of muqadams is increased, they would be able to persuade the zamindars to produce good seeds of all kinds, e.g., those of wheat, cotton, sugarcane, etc., etc. This would obviate the necessity for importing seeds from foreign countries. Also the cost of carriage would be saved and the zamindars would be able to get seeds in time, and without trouble. Another method which is likely to prove beneficial to the zamindars in general is this. If a zamindar has in his possession good quality of seed, which he has to use at home it can be exchanged with the same quantity of seed of an inferior quality in the possession of other zamindars. In this way seed will be made available for poor zamindars gratis. For example if I have two hundred maunds of wheat which can be made use of as seed, I can keep only one hundred maunds for my use and the rest can be exchanged with poor zamindars who have not got good seed. This work can be only carried on by muqadams.

I submit that cotton seed is generally bought, i.e., in the first place the department buys it, then it is made over to the zamindars. Thus the zamindars have to undergo a lot of trouble because many kinds of cotton are ginned in the factories. Generally the seed of good cotton is mixed up with the seed of *desi* cotton. In view of this difficulty the department has invested a large sum of money in setting up a ginning factory where cotton seed is separated from cotton. Cotton is first imported into a mandi from outside and then the cotton seed is sent out. This process entails unnecessary expenditure. For example, if one maund of cotton is brought to a mandi; the cost of carriage for the same has to be paid in the first instance. After the cotton has been ginned, carriage fee for 26 seers will have to be paid. I submit that if the number of muqadams is increased this unnecessary expenditure would be eliminated and carriage fee for only 13 seers will have to be paid and cotton will reach the mandi.

An Honourable Member : On a point of order. Is the honourable member speaking to the motion ?

Khan Bahadur Nawab Chaudhri Fazal Ali : I submit that if the honourable member is not conversant with the working of this department, he has no business to take exception to my remarks. Had he known anything about the working of this department he would never have raised this objection.

An Honourable Member : The honourable member is speaking about seed and not about reducing the number of agricultural assistants.

Mr. Speaker : I think the honourable member is not out of order. He is arguing that the number of agricultural assistants should be reduced and that of muqadams increased.

Khan Bahadur Nawab Chaudhri Fazal Ali : Sir, I was giving reasons as to why in spite of the presence of agricultural assistants no progress has been made by the zamindars. My submission is that no progress is possible unless muqadams are present on the spot.

Some days ago an honourable member stated on the floor of this House that the average yield of cotton per acre is 12 maunds. When the zamindars challenged this statement, he said, "How very necessary it is to educate these people!" I do not want to blame him for making this statement, because he is not an expert. Two things are absolutely necessary for carrying on the work of zamindari, first, theoretical knowledge of zamindari; and secondly, practical knowledge of zamindari.

Diwan Chaman Lall : May I interrupt my honourable friend? He is misquoting me. Mr. Speaker, what I said was not that zamindars needed education, but that some of my honourable friends who interrupted me the other day, needed education and secondly I assert that the yield of an acre is 12 maunds of wheat which can be ascertained from my honourable friend opposite.

Khan Bahadur Nawab Chaudhri Fazal Ali : My friend has not yet heard me fully. I was saying that whatever he said the other day was quite right. Professor Roberts stated that the yield of his land was 12 maunds per acre. The proverb کچا رام رام کچا تین تین is fully applicable in his case. He has spent the whole of his life in agricultural pursuits. If one were to take into consideration the quality of land he has in his possession, and the way in which he manages his estate, and the amount of water he gets for irrigating his lands, one is surprised to find that his land yields only 12 maunds per acre. He ought to be able to produce much more than that. If an acre of land were to yield 12 maunds of cotton, we shall need no remissions and we will never ask you to reduce the land revenue by even a single penny, not to speak of a reduction of annas two or annas four.

Mr. Speaker : I would request the honourable member to speak to the motion.

Khan Bahadur Nawab Chaudhri Fazal Ali : I was submitting that the number of muqadams is very small. The agricultural assistants have no time to demonstrate practical methods of agriculture to the zamindars. Moreover oral instruction is not of much use. It is essential that the zamindars should be instructed in the right methods of practical agriculture. If this is done, I am sure that they will make the much needed progress in agriculture. The agricultural assistants have had no opportunity of instructing the zamindars in practical methods of agriculture and on account of lack of funds the department too has not been able to provide the necessary number of agricultural assistants for the benefit of the zamindars. Many zamindars have agricultural implements of the latest type in their possession, but they do not know how to make use of them and so they are lying

idle. If the muqadams were to live among the zamindars and instruct them in the use of those implements, I am sure that the zamindars would derive a good deal of benefit from their proper use.

The agricultural assistant is merely a touring officer. He goes on tour for a short time and returns to his headquarters. In my opinion this is not the correct procedure. His tour is practically of no use. He simply visits a place and wends his way back to his headquarters. He should stay for some time in one village. He should send for the villagers in the village chawk or at some other convenient place and instruct them in agriculture and in the use of modern implements of agriculture. Then it should be the duty of the muqadams to see that they act upon the instructions given by the agricultural assistant. The major portions of agricultural operations consist of wheat, toria and sugarcane cultivation. What I am driving at is this that they should be told of what quality a particular patch of land is. They should be told what particular crop should be sown in it. If they come to know of this fact they can sow the crops which suit particular soils. In addition to this they can sow other crops, as for example, potatoes, groundnut, etc., etc. Lack of knowledge or our ill-fate prevents us from sowing these crops. But in my opinion the responsibility for all this falls on the shoulders of agricultural assistants, for they do not instruct the zamindars in scientific methods of agriculture and practically keep them in the dark as regards these methods. I submit that in the present circumstances instead of appointing agricultural assistants more muqadams should be appointed. Their duty should be to read some magazines on agriculture and they in their turn should instruct the zamindars regarding the particular methods of agriculture which should be adopted by them, and the seeds they should sow. Moreover they should instruct them in practical work. Then and then only good crops would be produced. One should not lose sight of the fact that agriculture is necessarily a difficult profession to follow.

I submit that lessons in agriculture should not only be imparted through official agricultural charts, but the good work should be carried on through agricultural magazines as well. At this time I have in my hand a copy of "the Masheer-i-Bagbani." In this it is stated that we can produce 147 maunds of 'gur' from Coimbatore No. 313.

Mr. Speaker : The honourable member is irrelevant.

Khan Bahadur Nawab Chaudhri Fazal Ali : I was saying that production of the soil cannot be increased by giving oral instructions to the zamindars.

Mr. Speaker : I cannot allow that to be discussed.

Khan Bahadur Nawab Chaudhri Fazal Ali : They should only be instructed in up-to-date methods of agriculture, but they should also receive the benefit of practical demonstrations.

Mr. Speaker : The honourable member will please proceed with his speech.

Khan Bahadur Nawab Chaudhri Fazal Ali : I am submitting quite a new thing. If ten farms are established in a certain village one muqadam can attend to the work of each farm in one day. I think he can very easily go about ten farms in ten days and can instruct the owners thereof

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

in practical work of agriculture. The method now adopted by the department is a wrong one, and the method suggested by me is such that the zamindars can easily be instructed in practical agriculture. Many people say that they have heard of mountains, seas and islands, but as long as we do not see them with our own eyes, we cannot say definitely whether they really exist or not. Hearsay does not mean anything to me. As long as improved methods of agriculture are not adopted no progress is possible and it is the business of the muqadams to make the zamindars conversant with up-to-date methods of agriculture. If by following improved methods of agriculture my lands or those of A or B yield fifteen or twenty maunds of agricultural produce instead of seven or eight, and when this comes to the notice of other zamindars, they will be tempted to follow the same methods. Thus the work which could not be performed by inspectors would be brought to a successful end. I submit that in the first place muqadams are necessary. The inspectors can make their usual rounds afterwards. One muqadam can look after 10 farms and in the same way 50 farms can be looked after by five muqadams in one district. All these farms should be placed under the supervision of an inspector, who should spend six months in visiting those farms and for the rest of six months he can attend to some other work. In this way a good deal of progress can be made in agriculture. The agricultural assistant, while on tour can give instructions to the muqadams under him and can compare the work of one muqadam with that of another. In my opinion five muqadams and one inspector or an agricultural assistant should be appointed in each district of the province.

Mr. Speaker : The honourable member is repeating himself.

Khan Bahadur Nawab Chaudhri Fazal Ali : As I have already stated, the agricultural assistants should have plenty of spare time at their disposal during which they could talk with zamindars on agricultural subjects. Once a meeting of the zamindars was held under the presidentship of His Excellency the Governor of the Punjab, in which it was decided that such meeting of zamindars should be held annually and that in these meetings questions relating to agriculture, veterinary science and other allied subjects may be discussed. This would enable them to acquire sufficient knowledge of agriculture, veterinary science and other allied subjects and thus much of the time of the Assembly would be saved. So I submit, Sir, that before the provision of agricultural assistants, at least five or six men should be appointed as muqadams in each agricultural division. One advantage of this would be that you could compare the work of one muqadam with that of another—a process certainly conducive to greater progress. An assistant gets Rs. 100 per mensem by way of his salary and travelling allowance. So he can easily be replaced by no less than 5 muqadams.

A common grievance of the zamindars, which has just been mentioned is the inadequate supply of water for irrigation purposes. There is no doubt that we have not yet acquired the art of properly irrigating our fields. Sometimes we over-water a field and thus waste a large portion of the water supply.

A muqadam, if there is one, would distribute water in accordance with some plan and thus the zamindars would derive greater benefit from a comparatively small supply of water.

Mr. Speaker : The honourable member is not speaking to the motion.

Khan Bahadur Nawab Chaudhri Fazal Ali : Anyhow my submission is this. There is no doubt about the fact that the agricultural assistants are indispensable. My point is that they can be useful only if there are several muqadams to assist them ; otherwise their appointment will not serve any useful purpose. If funds permit, the department may appoint more agricultural assistants, but it is necessary that the number of muqadams working under them should also be considerably increased.

Mr. Speaker : Demand under consideration, motion moved, is—

That the item of Rs. 2,88,640 on account of Agricultural Assistants be reduced by Re. 1.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, I have great regard for the advice of a practical farmer like Khan Bahadur Nawab Chaudhri Fazal Ali and I can assure him that the suggestions he has made will be very carefully considered. What I have understood from his speech is that the number of agricultural assistants should be reduced because they have not got sufficient number of muqadams under them and it is a waste of public money to have an agricultural assistant who has to supervise the work of just one muqadam under him. While he was careful to admit that agricultural assistants did very useful work and that they were very much needed in order to suggest improvements in methods of agriculture and in order to see that farmers give effect to the instructions given to them by the department, he at the same time suggested that if a larger number of muqadams were to be employed they would form a cheaper agency and would be able to come into greater and closer contact with zamindars. They would also be able, he said, to spend more time with the zamindars and would thus be in a much better position than agricultural assistants to see that the instructions which have been given to zamindars have been actually given effect to. So far as the question of greater contact between the zamindars and muqadams or other agricultural officers is concerned, I am perfectly at one with my honourable friend. But I must make it clear that the number of agricultural assistants who are already in service is really not adequate for the functions which they have to discharge. The number in 1932, was 88 ; in pursuance of the recommendation of the Retrenchment Committee it was reduced to 59, and it was only last year that 15 more agricultural assistants were engaged. The five year programme in 1926 laid it down that there should be at least one extra assistant director for every district and one agricultural assistant for every tahsil. The number of tahsils in the province is 112. The number of agricultural assistants had risen only to 88 in 1931. This number on account of financial stringency had to be reduced to 59 and we have been able to add only 15 more to this number last year. Therefore if the five year programme drawn up in 1926 is a reasonable proposition, as I think it is we must raise the number of agricultural assistants to 112 instead of reducing it. But I agree that these agricultural assistants should have a larger number of muqadams working under them, and I assure the House that I will give my very carefu

[Minister for Development.]

consideration, in consultation with the Director of Agriculture, to this particular suggestion. and I feel almost sure that as time passes these agricultural assistants will come to have a larger number of muqadams working under them, so that the fullest possible advantage may accrue to farmers, and Government may be able to get 16 annas worth of work out of every agricultural assistant and every muqadam.

The motion was by leave withdrawn.

Fruit culture and Fruit Industry.

Sardar Sahib Sardar Ujjal Singh (Western Towns, Sikh, Urban) :
Sir I beg to move—

That the item of Rs. 19,97,800 on account of District Work be reduced by Rs. 100.

Sir, the object of my cut motion is to urge the Government to encourage fruit farming and fruit industry. Sir, fruit farming is perhaps the most important sideline to which a zamindar can turn his attention and energy. Fruit farming will considerably add to his income and fruit industry, if properly encouraged and developed, will to some extent, solve the problem of unemployment. It is a great pity that in this province of the Punjab, where the soil, climatic conditions and irrigation facilities are so favourable, we continue to import a very large quantity of preserved fruit and fruit juices, jams and marmalade. If I may be permitted to draw the attention of the Government to the progress made in other countries in fruit culture, I may say that in most other countries fruit industries and fruit farming within the last few years have been encouraged with state help to a very great extent. In California nearly 25 per cent. of the total cultivated area is under garden and in Italy fruits account for nearly one-third of her total exports. In Egypt where fruit industry has been only lately encouraged over 15 lakhs of rupees are provided annually in the budget for horticulture. Sir, in those countries encouragement is given to fruit farming in various ways. In Egypt I understand fruit plants are supplied free to fruit growers and in Italy land revenue is remitted for a number of years in the case of fruit growers adopting approved methods of fruit growing.

I shall be failing in my duty if I were not to appreciate the efforts made by the Agricultural Department of this province during the last few years in encouraging fruit industry and fruit farming. During the last few years by the indefatigable efforts of the fruits specialist, fruit farming has been encouraged in several districts of the province. The chief difficulties that stand in the way of development of fruit industry are the supply of good seedling, and the supply of water. In the last few years with the efforts of the Agricultural Department many fruit farms have come into existence and in various districts fruit associations have been set up. Two years ago a very laudable effort was made by the setting up of a Fruit Development Board ; and that Development Board is making tremendous efforts not only to encourage fruit growing but also marketing of fruit products. The Fruit Development Board is still in its infancy and has not been able so far to achieve any very great results but it has got a great future before it. With all the efforts of the department during the last few years in the Punjab we have not got more than 70,000 acres

under fruit gardens, i.e., 25 per cent. of the total cultivated area, when we remember that the total cultivated area of the Punjab is about 30 million acres. Sir, for the encouragement of fruit farming I would make a few respectful submissions to my honourable friend the Minister of Agriculture. As I have already stated there are two main difficulties of the fruit grower: the first is that he is not able to get seedlings of the improved variety of fruits. Unless nurseries are established by Government in various districts it will not be possible for the fruit grower to get good supply of seedling. I admit that last year perhaps with the help of a grant for rural reconstruction, the Government has been able to set up nine nurseries in various districts apart from the nursery which the Department have got at Lyallpur. But, Sir, the demand for these seedlings is very great. From my own personal experience I can say that by placing an order for 3 thousand plants I was able to get a supply of only 100 plants from Government nursery. I know that by the establishment of these nine centres in various districts the department will be able to give a better supply of seedlings in future. But, Sir, there is a very great demand for the seedlings and unless the improved varieties of various fruit plants are encouraged, there is danger that fruit gardens might deteriorate. Then, Sir, the second difficulty which a fruit grower feels is the inadequacy of the supply of canal water. In this respect I have got a great grievance against the canal authorities. During the last few years in spite of the best efforts of the fruit growers, the canal authorities have paid no attention to their requests. In fact the attitude of the Irrigation Department has been anything but sympathetic. In fact I am told that in the case of some gardens the canal supply has been withdrawn and I have yet to know whether the canal authorities have been good enough to give adequate supply of water for the various fruit gardens that have been set up during the last few years. Sir, when we remember that only 70 thousand acres in the whole of the Punjab are under fruit gardens and that out of that 70 thousand acres there is a small area which is in the canal colony, I do not understand the difficulty of the canal authorities in giving sufficient supply of water. I have been able to gather some information and that is this that in the canal colonies 1·2 acres is under gardens for 100 acres of irrigated areas. When we remember that the canal authorities remodel outlets of the zamindars periodically, there is no reason why that additional supply, which is made available by continuous remodelling of outlets, should not be made available for fruit gardens. If the irrigation authorities are slightly sympathetic towards the zamindars and are slightly sympathetic towards the fruit industry I am sure they would be able to supply canal water to the fruit grower.

Sir, the other difficulty which confronts the fruit grower is that no *kharaba* is allowed when fruit trees are damaged by any natural calamity. I must say even at the risk of repetition that Government has been very generous in giving *kharaba* on ordinary crops during the last hailstorm but unfortunately the Government has not seen its way in giving *kharaba* for fruit trees that have been damaged. I hope that the Honourable the Revenue Minister, who is not present in the House just at this moment, will be good enough to look into this question.

Secondly, I come to fruit trees. Fruit trees bear fruit only once a year whereas land revenue and water rates are charged twice a year. That is

[S. S. S. Ujjal Singh.]

another genuine grievance of the fruit growers of the province. If the Government wants to encourage fruit industry it must show extra consideration for the fruit growers. But what do we find? The benefit from fruit trees is derived only once a year while water rates and land revenue are charged twice a year. This should not be. It is stated that fruit trees cover the whole area and for the whole year. What of that? Sugarcane also covers the whole area and for the whole year; and water rates and land revenue are charged only once a year for this crop. There is no reason why in the case of fruit trees land revenue and water rates should not be charged once a year.

The third grievance is that these rates are charged at garden rates from the very commencement when the fruit trees are planted although the trees bear fruit after a period of four years and in some cases five or six years. I hope that this question, also, will receive the sympathetic consideration of Government.

I do not wish to take up the time of the House any longer. I do hope that the Honourable Minister for Development and the Honourable Minister for Revenue who are well-known for their sympathies for the zamindars (*Opposition: hear, hear*) will do something in the interests of fruit growers, not only in the interests of fruit growers but in the interests of the fruit industry of the province which will bring prosperity to the zamindars and the province in general.

Mr. Speaker: Demand under consideration, motion moved:—

That the item of Rs. 19,97,800 on account of District Work be reduced by Rs. 100.

Diwan Bahadur Raja Narendra Nath (East Punjab, Landholders) : I have nothing to say against the fruit industry as such. But with regard to fruit culture I should like to sound a note of warning. Let not the trumpet of fruit culture be blown too loudly. There is a dark side of the picture and I wish to place it before the House. I am a very old fruit grower of about 70 years' standing but my recent experience in the matter of fruit culture has been very disappointing. It is this that has led me to draw the attention of the House to certain points to which I hope the Honourable Minister for Development will devote his attention. I endorse every word of the honourable member who has preceded me. Certainly it is very unfortunate that no *khara* is allowed to fruit growers and that water rates are charged from the very commencement of the plantation of young trees irrespective of whether they are going to bear fruit or not. I think the rules relating to water rates in this respect should be amended. I also support the honourable member in the suggestion that *abiana* should not be levied twice a year, but once a year because the yield is only once a year.

There are certain matters in connection with fruit culture which need investigation. I notice that in the tracts where there is canal irrigation the climate is undergoing change. We are having more severe winters than we used to have before. We now meet oftener with frost on the ground. The minimum temperature in winter goes down to 32 F. oftener than before. Above all April and May have begun to be abnormally cold. This is having a very bad effect on the blossoms of fruit bearing trees. I

am a grower of mango trees and also other fruit trees and my experience has been that the abnormal cold of April and May withers the blossoms and therefore no fruits are borne so far as mangoes are concerned. To that abnormal cold is added unseasonal rains which wash away any flowers that may still remain on the trees. I believe that there are a number of members in this House who are interested in mango plantation and I am sure they will bear with me when I state this experience of mine. There are some fruit trees flowers of which do not wither on account of the cold of April and May such as gauva, jaman, pears, peaches and so forth. I suggest that an elaborate enquiry should be held into the meteorological conditions prevailing in the Punjab during the past 80 years. Is it true that winter has become more severe, is it true that frosts occur oftener than before, is it true that this abnormal cold weather in April and May has been very frequent during the last few years? An elaborate enquiry into these matters should be held. Some means should be devised for counteracting the effect of frosts and abnormal cold weather if these are going to become perennial in the months of April or May. We hear of electric heaters in America and California where large areas are under orchards. But electric heaters in the Punjab are out of the question. Other heaters can be devised. I have tried some of them, but I have not succeeded so far.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P.M. Mr. Speaker in the chair.

Diwan Bahadur Raja Narendra Nath : I was saying before we adjourned that electric heaters were impossible. No suitable heater has yet been devised by the Punjab Agricultural Department. I had a heater made, in consultation with the Deputy Director of Agriculture of Jullundur, but I could not make use of it because I could only utilize it if I had to resist the abnormal cold of April and May. Heaters are of no use when there is heavy rainfall. So, naturally, the experiment was not tried last year. However, I am not sure, if heaters will be useful for combating that abnormal cold which we get in April and May.

The second point to which I wish to draw the attention of the Honourable Minister of Development is that before any landowner undertakes fruit culture, he should be given full assistance in the matter of chemical examination of the soil on which he proposes to plant his trees. About thirty years ago it was generally said that oranges did not thrive on *nehri* land. My honourable friend the member for Lahore, who belongs to the *Qazilbash* family, and is not present here, knows that oranges did not flourish in the tract in which his estate is situated. When the experiment was made in the Lyallpur colony we had a copious crop of ordinary oranges and of malta oranges. Orange trees can flourish on *nehri* land and my opinion is that probably the chemical composition of the soil, about which it is said that orange trees cannot flourish over it, would show that the land is unsuitable for orange plantation. We know the history of the introduction of malta oranges in the Punjab. They were introduced by a Deputy Commissioner of Gujranwala who brought either seedlings or seeds of malta oranges from the Island of Malta and planted them in the Mahan Singh garden. They flourished very well and they are now flourishing very well

[D. B. Raja Narendra Nath.]

in the whole colony area of Lyallpur. I think probably there is a greater portion of saltpetre in the soil of the tract in which the malta orange trees do not flourish. I would say that whenever a land-owner invokes the assistance of the research department for examination of the soil, that assistance should be readily given—it is not readily given at present. I have been crying for the last eight months through the Honourable Leader of the House—in whose proximity I am sitting and have been sitting in fact for the last ten years—but I have not yet been able to get that assistance. It seems that the mills of the Research Department grind very slowly and perhaps too slowly. I think it depends upon the class of soil on which the tree is planted as to how the tree will flourish and if the land-owner is intelligent enough to go into that question, he should be given ready help.

Premier : Help but not *gratis*.

Diwan Bahadur Raja Narendra Nath : Whichever way you are prepared to give, I will take it.

The third point is that a list of those fruit trees the blossom of which is not prejudicially affected by the abnormal cold of April and May, should be made out. I can say without fear of contradiction that April and May are not so hot in Lahore as they used to be forty years ago or fifty years ago. I can go as far back as sixty years. Therefore, there are certain fruit trees for which the climate of Lahore, Amritsar and perhaps Gujranwala, Jullundur and Hoshiarpur has now become unsuitable. There should be a clear dictum from the Agricultural Department, as to what are the fruit trees for which the climate of these places has become unsuitable.

Premier : Sunspots are perhaps the cause of this change.

Diwan Bahadur Raja Narendra Nath : I do not know. When I began my speech, I said that I was not going to blow the trumpet of fruit culture. I fully endorse what my friend Sardar Sahib Sardar Ujjal Singh has said about water rates. I do not know whether the Honourable Minister will be able to give him the concession that he wants, or whether kharaba will be allowed for gardens or whether double rates will be charged or only single rates will be charged. However, that is one aspect of the difficulty. Another thing is that if you plant fruit trees, you have to wait for eight or nine years before you can see the result. In the meantime you are deprived of the ordinary crops. You may sow *senji*, *maina*, or *jawi*, but that will only enable you to pay a part of the water rate that is imposed. We may discover after eight years that the experiment has not been successful. Therefore, I would suggest that for the purposes of supplementing the income of an ordinary zamindar who cannot afford to try these experiments and who does not own large areas, other paying crops may be tried. I would, for instance, suggest chillies, coriander (*dhania*), *sounf* (Aniseed), *kabli chanas*, *petha* and so on. My honourable friend the member for Lahore who represents Baghbanpura and who is acquainted with the history and tradition of his family is not present but I can quote from memory that the *pethas* of Baghbanpura were well spoken of in the Lahore market.

Premier : But they have considerably deteriorated now (*laughter*).

Chaudhri Krishna Gopal Dutt : Not deteriorated, but they do not get the help which is due to them.

Dr. Gopi Chand Bhargava : Is it due to this that they sit on this side of the House ?

Premier : We are talking of *pethas*.

Diwan Bahadur Raja Narendra Nath : My honourable friend knows the agricultural condition in the neighbourhood of Lahore and he will bear me out that these are crops which can be tried without undergoing the risk which the plantation of fruit trees involves. However, I would not discourage fruit trees although I myself have had a very bitter and sad experience of the fruit plantation during the last five years. I would not discourage my friends from undertaking fruit culture and trying fruit plantations. I only sound a note of warning that this enterprise should be undertaken after due care and after enquiry about the condition of soil, proper consideration of the climate and of changes that have overtaken Lahore, Amritsar and other districts. I also suggest that a list be obtained of the fruit trees which can be grown easily about the blossoms being withered by the abnormal cold which it seems to me has become perennial in these four or five districts that have been receiving canal irrigation for a number of years. (*hear, hear*).

Pir Mohy-ud-Din Lal Badshah (Attock South, Muhammadan, Rural) (*Urdu*) : Sir, I strongly support the proposal put forward by my honourable friend Sardar Ujjal Singh and I entirely agree with the view that unless the zamindars improve horticulture they will no longer be able to bear the heavy burden of land revenue. But, unfortunately the path of fruit cultivators is beset with such difficulties as have reduced the benefits which they would otherwise derive from it, to only a negligible fraction. Nevertheless it is gardening alone which can offer the agriculturists a scope for participating in modern industry. But under the present circumstances the fruit growers are faced with serious difficulties, for example, the scarcity of water hinders not only the growth of gardens but also the ripening of common crops. The second difficulty is that there is a deplorable dearth of young plants in the government nurseries. On the one hand supply falls far short of the demand and on the other it is highly expensive, and as such, only big landholders, can afford to avail of it. Consequently they get all the plants reserved beforehand, and when an ordinary agriculturist goes to buy some plants he is told, to his great disappointment, that the plants, he wants have already been reserved for some one else. That is why grape plants have not been available for the last several years. People of the Punjab generally purchase the plants which are imported from Agra, but these plants do not turn out to be satisfactory and when those who are fond of gardening come to know that the plants imported from Agra have failed in some cases they jump to the conclusion that all plants supplied from Agra are unsatisfactory and, therefore, they cease to buy them in future. The result is that the cultivators instead of being encouraged to improve gardening, feel disheartened. Unless government removes these difficulties by improving their nurseries, gardens will neither improve nor yield anything to the cultivators. Another difficulty is that no sooner a garden is planted than land revenue and water rates are imposed thereon, and are charged twice a year, as is the case with other crops,

[Pir Mohy-ud-Din Lal Badsha.]

notwithstanding the fact that the cultivator has derived no benefit from it as yet because fruit trees only begin to yield fruit after some years. Some one may suggest that the cultivators can obtain some income by growing grass or some other crops in the meantime, but experience does not bear it out. If some other crop is grown in a garden neither the garden flourishes nor the crop thrives. As regards the grass that may be grown in a garden, I would say that it does not even suffice for the bullocks that are employed for cultivating the garden. Moreover, Sir, it goes without saying that common fruit is also imported from abroad into our country in addition to the one closed in tins. It is worthy of note that this imported fruit sells cheaper in Indian markets than the Indian fruit itself. How can Indian fruit industry develop in these circumstances? It is high time that facilities should be provided to fruit growers, so that the fruit industry may be rendered more profitable. In this connection it is very essential to revise the land revenue policy in order to afford some relief to the fruit growers. Unless some such concessions are given, fruit industry will never prosper in this country. Besides, the system of water supply for gardens is highly defective. If a cultivator plants a garden in one acre of land he cannot get sufficient water for that even. Young plants die for want of water. A zamindar cannot, under these circumstances, keep a nursery for his own needs. It behoves the government, therefore, to take special note of it and establish a nursery along with every agricultural farm in each district, in order to supply plants at cheaper rates. When plants imported from Agra and Nagpur can sell cheap there is no reason why those grown in this very province, should sell dear. Sir, I would like to draw the attention of the government to the fact that growing of defective plants imported from abroad costs the cultivator the same amount of labour as would be required for growing good ones, produced in our own province. The best way of avoiding this waste of energy on defective plants, is to provide good plants to the cultivators from the nurseries maintained by the State. Moreover, water supply may be increased for gardens and the assessment of land revenue may be revised where new gardens are being planted. I suggest that generally speaking the water supply of gardens may be increased and the land revenue rates of such lands may be revised where new gardens are being planted, so that the burden of land revenue on zamindars may to some extent be lightened.

Khan Bahadur Nawab Muzaffar Khan (Attock North, Muhamadan, Rural) : Sir, it has come to me as a surprise that my old friend Sardar Ujjal Singh, coming from Montgomery district as he does, should say that Government has not encouraged fruit growing. I take exception to that. I think, Sir, those who know the condition of fruit growing in this country are aware what great progress has been made in fruit industry and as a boy or child you too will remember the kinds of fruits that were grown in this country and the enormous prices one had to pay for them. I think within the last fifty years or so, the Punjab has made exceptionally good progress in fruit growing and particularly those who come from Montgomery district and even those who have not gone to Montgomery district and who have crossed that district in a railway train would bear testimony to this fact. On both sides of the railway line for miles and miles

as you go along, you see nothing but oranges and grapes. It is a great step Government has taken so far and for which we ought to be grateful. Fruit is now available even to the poorest of the country.

As regards the other point, my friend Sardar Ujjal Singh said that in Italy they do not charge any land revenue. May I remind him that so far back as 1848 in my own district, which then formed part of Hazara district, Sir James Abbott, who was then the Settlement Officer of that district, remitted all revenue during the term of one settlement on lands on which fruit was grown. This greatly encouraged fruit growing and Hazara became known as garden district. So I think Government has done enough for fruit growing, though I must agree with my friend that there is still a good deal of room for improvement.

Not so far as the Agricultural Department is concerned but as far as the Irrigation Department is concerned, I think I too have a genuine grievance. I think they have a rule that no additional water is to be given for a fruit garden unless the land exceeds a certain limit, I think probably 50 acres. You, Mr. Speaker, and other big landholders who have 50 acres to spare may take advantage of that additional water, but what about the poor landholder who has only two or three squares of land and can spare only a few kanals for fruit growing? And I appeal to the Honourable Revenue Minister, who is not present here at the moment, to reduce the limit, so that a poor zamindar who wants to grow fruit on ten acres of land or five acres of land or even on two kanals of land, should be given water at the concession rates.

As regards other suggestions made by my honourable friends, the Raja Sahib, Sardar Ujjal Singh and Pir Sahib, I am in perfect agreement with them.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban) : Sir, the honourable *ex-Revenue* Member expressed his great surprise at the remarks of my honourable friend Sardar Ujjal Singh. I am much more surprised at his making remarks against Sardar Ujjal Singh, as the honourable member has been a Revenue Member for a long period and is an experienced officer of the Government. Through you, I put it to him : " Is it or is it not a fact that excepting in the Montgomery district and a few other districts like Lahore nothing or very little has been done ? "

Khan Bahadur Nawab Muzaffar Khan : Or Lyallpur District, or Gujranwala district or.....

Mian Abdul Aziz : What difference does it make even if we take three or four districts out of the thirty districts? Is that sufficient in regard to the encouragement given by the Government? Lahore is the capital of the province and I ask how much progress has been made and what encouragement has been given in that district in this direction? Why to talk of other districts? I ask about Lahore city and its suburbs which are directly under the eyes and nose of the Government. I submit that it is not what it ought to be, it requires a good deal of encouragement from the Government. Barring one or two districts of Montgomery, etc., and those estates where grape fruit and other fruits have been grown nothing has been done. There even whatever has been done is due to the labour and experience of the European farmers. The question is, what encouragement

[Mian Abdul Aziz.]

has been given to an ordinary poor zamindar? I appeal to you and the Honourable Minister for Agriculture, who is himself very keen about these things. I want him to kindly pay a greater attention towards this in future, and see that more facilities are given to the zamindars (*hear, hear*). In order to get good fruit we are trying to import plants not only from other parts of India but also from Europe and several other parts of the world. I am sure, if the Government offers any encouragement, the people can have their own nurseries for apples, pears, etc., in various places which are suited climatically for the growth of these things. You know that Kulu started in the beginning on a very small scale. Colonel Rennie and Bannans and other Europeans started there with trees imported from England and other countries, but eventually now some of the Indian farmers are also following their footsteps in that locality. But I regret that no encouragement has been received from Government in this direction. That locality is a very good one and much can be expected of it. In some parts of the North-West Frontier, there are some fruit trees, which can easily be planted in the Punjab. But the first step must be taken by the Government by way of encouraging the people of the province to have some good nurseries at proper places. Government should offer inducement not only to certain persons, but to the public at large. Unless there are proper nurseries and proper training, these people cannot make proper grafts, etc. This is a question which requires the most careful consideration by the Government. I know persons who are running nurseries but some are cheats. Many of these private producers are not genuine nurserymen. If the Government takes some interest, but keen interest in this matter, all these difficulties can be removed. People ought to be able to have good graftings, these grafts should be looked after occasionally by experts and the people should be assured of good results. I do not want to repeat the arguments advanced by my honourable friend here who has closely studied the subject. But instead of being encouraged, as soon as one wants to plant a garden he is to face certain disadvantages and discouragement, *e.g.*, the rates of revenue and canals are raised. This shows that you cannot expect any encouragement from the Government. When you grow a garden, you do not expect any yield for the first three or four years at least. But inspite of that you have to pay higher rates for water. Again there is the question of several kinds of fruit which can be obtained and kept fresh in refrigerators. There is no encouragement in this direction as well. To relate a personal experience, some 7 or 8 years back, I asked my son to plant machinery at Lahore for cold storage purposes and he did actually install it at a very large expense of about Rs. 10,000. I wanted some help from the Government not by way of charity, I was prepared to repay the debt and I wanted to consult them, but no help was given to me, although once or twice an inspector from Lyallpur College visited the place. Nothing was ever heard of it after that. This is the sort of encouragement that was given to me. I have that machinery lying idle up to this time without any advise or help from Government on which I spent a good deal. I do not want to say anything about myself; what I want is that the Government should give encouragement to such people as are deserving of their help. These are a few of the things that I

wanted to submit and I am prepared to discuss these things with the Honourable Minister when he gets back to Lahore. I cannot say all these things here on the floor of this House, these things can only be talked privately and at leisure. These talks may require not an hour or two but a day or two. He can have his experts with him and we can then discuss and point out the drawbacks and how to improve matters.

Lieutenant Sodhi Harnam Singh : You would not get so much time.

Mian Abdul Aziz : Even one day would suffice. He can depute some inspectors and I can discuss these things with them. I may not be an expert, myself but I know something of this matter and I am sure I can draw the attention of the Honourable Minister to several things which I have come across in my experience. In Lahore there has been no considerable progress in the matter of fruit growing, while in the adjoining district of Amritsar you can see that some enterprising people have tried and grown a good deal of fruit trees, perhaps because canal water is easily available there. Many of us must have tried the pears, apricots and peaches and other fruits which have been produced there and even bananas that have been grown there. They are far superior to those which we used to see previously. If Amritsar can produce these fruits, there is no reason why Lahore should not be able to do the same (*hear, hear*). These facilities should be given to all districts (*A voice : And to Muzaffargarh district*). My honourable friend would like to have these facilities provided to the Muzaffargarh district. I want all these facilities to be provided in every district.

So, I submit that it requires very particular attention on the part of the Government to help such classes of people, who are prepared to do something. But as a matter of fact the difficulty is that we have not got sufficient water. I will tell you that the difficulty which arises sometimes, which I have noticed, is that canal water is stopped on such occasions when the fields require watering. It is called *bandi* and it is done at almost an inopportune occasion. If zamindars request the Chief Engineer or other engineers to open the canal water, nobody is going to listen to them. These are the things about which particular instructions should be issued by the Government.

I would further submit one point which is very important and which has been touched very briefly by one of my honourable friends and that is the enhancement of revenue. This should particularly be kept in view, there should be no enhancement unless there is a good income from gardening. At that time Government can take any steps. Facilities should be given to certain particular areas that unless and until there is a good yield of fruits from those areas, no revenue should be enhanced, but on the contrary I would ask the Government to reduce it to a certain extent so that it may be an encouragement for others.

In Lahore you find big shops of fruits. One always is pleased to find the way in which they are arranged. Perhaps it is considered that those are the produce of Lahore although there is not even 5 per cent. produce of Lahore. It comes from Madras, Calcutta or from other places. I am sure that if we try we shall be able to do something. We can show, not

[Mian Abdul Aziz.]

only in Lahore but other districts who will also follow, if you make improvement in Lahore—those people who visit Lahore they can see all these things with their own eyes.

I do not want to take any more time of the House. I only wanted to draw the attention of the House to one or two points, which I have done. I am sure that I will be prepared to help the Honourable Minister in this direction, if he would give an opportunity either directly or through some of his subordinates.

Professor W. Roberts (European): Sir, I want to say a few words mainly on the irrigation aspect of this question. At present the area under fruit cultivation in the Punjab is about 70 thousand acres of land or less than 1/4 of one per cent. of the total cultivated area of the whole province. The first thing I would suggest is that Government contemplate a definite programme of raising it to at least 1 per cent. of the total cultivated area and that progress should be made in a definite period of time. The department connected with fruit growing can thus arrange its programme and progress will be more steady in consequence.

The second point is with regard to irrigation. At the present moment the Irrigation Department is not giving extra water to gardens. Now every practical fruit grower knows that it is necessary to give more water for fruit gardens. The difficulty, I understand, is that they cannot distribute water from canals for small areas. Although I have not got the exact figures, yet I gather that the Irrigation Department say that they cannot give extra water for less than 50 acres of land under fruit gardens. Now what is the position? If they give extra 50 per cent. of water for those who grow 50 acres, it means that those people are getting their water for 2/3rds of the present price as they will pay the same *abiana* as they are paying now, that is, in a sense, the water has come down in value by 1/3rd. I would suggest that the Irrigation Department be compelled, if it is possible, to take a lower figure of 25 acres for extra supply. That is one thing. Secondly, those who would not get extra water for small areas, should be encouraged to grow fruits and should be given their water at 1/2 of the present *abiana*. Further they should not pay land revenue for the first 4 years, which are non-productive years in new gardens. That is one suggestion that would definitely increase fruit production among smaller zamindars. Government should thus make a direct contribution to fruit growing through the various departments concerned. When the Irrigation Department see that in small areas excluded from the extra water concessions they only collect half of the *abiana* there will be more effort by them to secure efficient distribution of extra water so as to avoid loss of revenue.

Syed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural): Mr. Speaker, we have heard speeches from the honourable members on various aspects of the question. We have heard Mian Abdul Aziz saying that practically nothing has been done by the Government to promote fruit gardening and fruit industry. On the other hand we have heard Khan Bahadur Nawab Muzaffar Khan saying to the contrary that the Punjab Government has done a lot in the way of encouraging fruit farming.

Sir, I agree with neither of my honourable friends. There is no doubt that something has been done, but not quite enough. I give a few figures of plants, which were supplied by the Government. In 1934-35, 8,144 plants and 2,877 cuttings were supplied. (*Mian Abdul Aziz*: What a big figure in the whole province!) As my honourable friend has just said the figure is very insignificant, considering the number of gardens in the Punjab, number of farmers who like to promote fruit gardening and the number of acres which are at our disposal for fruit gardening.

I would now refer to the point raised by my honourable friend, Sardar Sahib Sardar Ujjal Singh, about *kharaba*. What I think he meant was that when gardens fail to yield fruits owing to some natural calamity, only in those cases there should be remission of *kharaba*. I think he has excluded fruits like mangoes, which yield fruit one year more than the other year.

Sir, I do not think any of my honourable friends has touched the point of promoting facilities for the movement of fruits. Sir, considering that fruits are grown in the Punjab according to the acreage, as visualised by my honourable friend Professor W. Roberts, how are we going to get these fruits to the markets of the Punjab and of India? As far as I understand, there are fruit gardens in the Punjab where large quantity of fruit is grown and there is hardly any means to get those fruits out to markets. That means that *pacca* roads must be built so that they may be helpful to take these fruits from fruit gardens to the market. Sir, in this connection, I would invite the attention of the Government to the freightage which is charged on fruits at present by the railways. As far as I understand the railway is charging half the rate of the ordinary passenger freight. This is even too much. I would request the Ministry if they would be kind enough to represent this to the Government of India.

In the same connection I would invite the attention of the Honourable Minister for Public Works that before he decides to give away the hydro-electric energy to the Delhi Electric Supply Company, he should consider the feasibility of having or introducing or examining the question of trolley bus system in the Punjab. We have enough energy which can be got at very low rates and the trolley bus would run at a far cheaper rate than the railways or the ordinary motor bus. The second item is, as my honourable friend Sardar Ujjal Singh said, marketing. I would invite the attention of this honourable House to the market of the capital of our province. I do not know of any filthier place than the market which we have in Lahore. If anyone has visited the Mewa Mandi in Lahore, he will find that it is the most unhygienic place in Lahore. I would invite the attention of the Honourable Minister that something should be done to set up a market more or less on the same lines as any other place in the civilised world has. (*Hear, hear*).

Before I pass on to the industrial side of fruit growing I would refer the honourable member to the Frontier Government's Fruit Farm at Tara Jubba. It is not only an incentive to fruit growers but the farm itself is paying very well. Will it not be appropriate that the Government in this province have a farm like that rather than an apology for it as we now have in Lyallpur?

[Syed Amjad Ali Shah.]

My honourable friends have touched the question of refrigeration. This is a most important aspect of fruit-growing. Fruit cannot last long unfortunately in the climate of ours and I am sorry to say that my venerable friend Raja Sahib is getting a bit alarmed over the cooler atmosphere which is prevailing in the Punjab since the days of his boyhood. I would welcome this cooler temperature of the Punjab as I do not think it is really injurious for fruit-growing except perhaps for mangoes. As this honourable House is aware last year a company under the name Cold Storage Co. of India has started and this company has had a contract with the Defence Department of the Government and they will be opening at least 16 stations in the north of India. I would request the Honourable Minister to examine and try to get facilities from this company for the fruit growers or fruit sellers of the Punjab, so that their rates may not be prohibitive.

I would also draw your attention to another particular aspect of this industry and that is fruit canning. There are certain fruits grown in the Punjab which are wasted or are used very little, for instance the gal-gal. I do not think it is much used except for *achar*. (*An honourable member* : Chakotra). Yes, chakotra also. A lot can be made out of these citrus fruits, for instance citric acid. I am told citric acid is a bye-product of lime juice. In Italy when they make lime juice from lime they draw out citrus from the skin of the fruit. In this connection I would like to refer to the figures of the import of fresh fruit and vegetables into India. In 1933-34 the value of such fruit was Rs. 28,25,884 ; in 1934-35, Rs. 32,28,075 ; and in 1935-36, Rs. 31,12,173. The value of dry fruits and vegetables imported into India in 1933-34 was Rs. 71,87,799 ; in 1934-35, Rs. 97,70,652 and in 1935-36 it rose to Rs. 1,02,28,868. The value of canned and bottled fruit imported was, respectively, Rs. 9,96,491, Rs. 10,90,844 and Rs. 11,23,025. These figures show that fruits in all farms whether fresh, dried or canned is being imported. The canning industry, I am afraid, cannot flourish in our country unless and until the Government of our province represents certain difficulties to the Government of India. That is necessary because unfortunately many things fall under the Government of India and are not directly in our power. I would refer to the customs duty on tins. As far as I understand there is no company in India which manufactures empty cans and all these have to be imported into India. There are two varieties of these, one reformed tins and the other flat tins. The flat tins when imported are sent away in the same condition and are reformed by the people who have the necessary factories and the reforming plant but a reforming plant is very expensive and, therefore, almost all the canners in India are importing reformed tins. These reformed tins have to come in rather bulky packages on which the freight is considerable. I should not be wrong in saying that each empty tin costs round about between 2 annas and 3 annas and if you add it to the cost of the production, the value will rise very high. Since we have not got tin producing factory in India the freight on these tins may be lowered by the railways. The customs duty on ordinary cans is 30 per cent. *ad valorem* which is extremely high and I do not see why the Government should not give preferential treatment to this particular kind of import as is done in the case of machinery.

There is only 10 per cent. *ad valorem* duty on machinery because it is used in the promotion of manufacturing of articles in India. I do not see any reason why cans should not also come under the same category and the duty reduced from 30 per cent. to 10 per cent.

Dr. Sir Gokul Chand Narang: Why not have it manufactured here?

Syed Amjad Ali Shah: We have not got the raw tin.

The second is glass ware. For fruit juice it is necessary that bottles should be used. I have seen some indigenous fruit preserving shops—not factories—which preserve fruit juice and sell them. These are packed in all sorts of bottles, and when they are put in the market in comparison with the product of other countries, such as *kiora*, Idris and other juices, no body who has money to spend, would like to buy this Indian product, on account of its outward appearance although its contents may be as good as of any other country. Therefore I would submit that the duty on bottles should also be reduced.

Dr. Sir Gokul Chand Narang: You can manufacture bottles here.

Syed Amjad Ali Shah: But unfortunately so far they have not been manufactured. I was saying that so far as I know very few bottles are produced in India and we have to fall back on the imported bottles. To support my argument I will give you figures of the number of bottles which have been imported in India. (*Dr. Sir Gokul Chand Narang:* This is the value of bottles). Yes, value I mean. In the year 1934-35, the figure was Rs. 19,14,403 and in 1935-36 it was Rs. 22,10,922. That shows that bottles now are more in use than they were before. I would not hesitate in saying that these are used in the packing of the produce of this country. Customs duty on bottles is 25 per cent. which is extremely high considering that these bottles are used for packing the produce of the country. I hope the honourable the Finance Minister would represent this fact to the Government of India.

Sir, the last point which has been touched by one or two of my honourable friends particularly Mian Abdul Aziz is 'bandi.' In Gujrat 'bandi' is done in the month of May and June every year which is the hottest time in the Punjab and this is very detrimental to the fruit grower. This closure 'wara bandi' is for 15 days, and by the time the turn of a particular farmer comes it is nearly a month. I hope that the Minister in charge would kindly look into it.

In the end I would request the honourable Minister kindly to give serious thought to all those suggestions which have been made by various members of this honourable House. Sir, I would only like to bring to his attention that in the United States of America the land under fruit gardening is 1½ million acres as compared with 70,000 acres in the Punjab. (*Hear, hear.*)

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): Sir, I had no intention of speaking on this motion, but some of the remarks which have been made by my immediate predecessor have prompted me to say a few words.

Sir, I was not present at the time when the honourable the Finance Minister made his reply to the discussion on the budget but from what I read in the papers it appears that he said that so far as the development of the country was concerned, tariffs were not of much importance and

[Dr. Sir, Gokul Chand Narang.]

that capital was not shy and such other things. I was greatly surprised that such a proposition should have been laid by a great economist as our honourable Finance Minister. I have been of the opinion ever since I began taking interest in these matters that the industrial and economic development of a country has a great deal to do with tariffs and that every country which is in a primitive stage so far as industrial and economic development is concerned, like our own country, depends a very great deal upon what tariffs are. England, which is now a very prosperous country can afford to be a free trader but a country like our own, where industry has just begun to attract attention, cannot afford to be a free trader. Nor can I endorse the opinion which was then expressed that capital is not shy in this country and particularly in this province. In an agricultural province where the people pay more attention to the land than to the conversion of raw products into finished goods, capital must necessarily be shy and it would be obvious from a casual observation of the state of industry in the Punjab and in other provinces of India that capital is particularly shy in this province. I, therefore, think that Government owes a great duty to the people of this province so far as subsidising of industry is concerned and also so far as the moving of the Central Government with respect to necessary modifications in the tariffs is concerned. I do not agree with my friend who has just left that the duty on bottles should be reduced or the duty on certain other things should be reduced. Duty need not be reduced on things which we are capable of producing in the country (*hear, hear*). In fact I would go in the other direction and would put as much pressure as this House can put on the Ministers to make them see that duty on goods which can be produced in this country and in this province should be raised as high as possible so that foreign imports should be shut out completely if that could be done (*hear, hear*). England, as is well-known, shut out Indian products several centuries ago by putting cent. per cent., 200 per cent. and 800 per cent. (*Diwan Chaman Lall*: 1,200 per cent.) and, as my honourable friend *Diwan Chaman Lall* says on his own responsibility 1,200 per cent. on Indian products, and the result was what we see. England is a country which does not produce an ounce of cotton and yet it is the most important piece goods producer and has flooded the world markets with piecegoods. It takes away cotton from India and Egypt and some other parts of the world and sends back muslin and other kinds of piece goods making enormous profits: I would not go into percentages. Taking next bottles and bringing the discussion directly within the range of the motion, I do not think it would serve India or this province very much if the duty on bottles is reduced. What is required is that efforts should be made to produce all kinds of bottles in this country and province. I know from my personal knowledge that there are people in this province who are in the glass trade and who are producing certain glass articles, who are prepared and are even anxious to produce bottles not only for jams and marmalades and such other things but also to supply the excise department of the Punjab Government. Yet, unfortunately they have not been able to raise capital or to secure land as my friend here suggests. That is another difficulty in the way. There is no reason why sufficient subsidy should not be given to those people in charge of these works to enable them to produce as many bottles and as many

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varieties of them as may be required in this province, in fact, in all parts of this country. There was just this little difference on this point which prompted me to speak on this motion. There is no reason why Government should not make free grant of lands to people or make grants on easy payment system to those people who want to plant orchards and are prepared to set up works for fruit preservation? The difficulty in this province is that those people who possess land do not possess expert knowledge nor do they possess extra capital and those who possess capital cannot easily get lands for cultivation of orchards or for works. It is necessary for Government to serve as a mediator and bring the people who possess land and those who possess capital together, or to create facilities for the capitalist to acquire land in order to enable them to develop the fruit industry. The reduction of tariffs on these things will not help us, but the increase of tariffs on finished goods which are imported into our country will help our province. Of course I am not an economist, nor do I claim to be one. I speak like a man in the street who feels that if the duty on imported goods is raised there will be less of them in this country and there would be encouragement to those who can produce those goods in our own country. Let the duty on finished goods be raised, but in the matter of raw materials, machinery, etc., which are necessary for the development of industry in this country the duty should be lowered. If that is done and if proper subsidies whether returnable or not and assistance whether in the form of loans or in the form of guarantees of a certain minimum return on the capital invested such as the State Aid to Industries Act provides for is given, people will come forward to take up this industry in hand and the time will soon come when we shall be able to supply all our needs and even be able to supply the needs of other provinces.

Mr. E. Few : I should like to correct a misstatement of the honourable member that England is a free trade country.

The Honourable Dr. Sir Gokul Chand Narang : There was no misstatement ; some people claim it to be a free trader. If that is not, it strengthens my argument still more. If England in spite of centuries of development cannot afford to be an absolute free trader, how can an infant country like ours afford to be a free trader ?

Khan Bahadur Mian Mushtaq Ahmed Gurmani (Muzaffargarh North, Muhammadan, Rural), (*Urdu*) : Sir, it is no doubt unusual and strange that members from our side alone have taken part in this debate and there has been a complete silence from the Opposition benches. It seems my honourable friends of the Opposition have no interest in the subject, which so closely concerns the zamindars and the cultivators of the Punjab ; though they always profess to be the champions of the cause of peasants and cultivators. It is, therefore, expedient that we should take it on ourselves to perform the duty of the Opposition in criticising the working of the Department of Agriculture with a view to increase its efficiency and usefulness. Sir, according to the saying, that " Charity begins at home " I shall first of all draw the attention of the Honourable Minister for Development to my own district. His predecessor had been giving us hopes to establish an Agricultural Farm and a nursery in Muzaffargarh for the last three or four years and when I moved a cut motion during the last budget session he gave me a definite promise to establish a farm and a nursery without delay, but his promise remains unfulfilled up to the present day. I would

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emphatically request the Honourable Minister to fulfil his predecessor's promise without any further delay. Muzaffargarh, as you are aware, Sir, has great possibilities for the development of fruit culture. The climate and soil are most suitable for fruit growing. Muzaffargarh is renowned for its mangoes and dates. The pomegranates of Alipur Tehsil are exported as far as Calcutta. Experience has shown that the soil is also suitable for citrus fruits. But on account of their poverty the zamindars are unable to obtain full advantage of the gifts of nature without the aid of the Government. With the help of the Government this proverbially poor district can be transformed into a garden of the Punjab. Sir, you will agree with me that fruit gardening requires a certain amount of capital outlay and it is beyond the capacity of a poor peasant proprietor to find money for this investment and wait for five to ten years for a return. The poor zamindar can hardly make both ends meet. Wherefrom is he to get the money for this purpose? Sir, the Punjab, as every one knows, is a land of peasant proprietors.

An honourable Member: What about the big land-holders?

Khan Bahadur Mian Mushtaq Ahmad Gurmani: Sir, I am quite willing to answer my honourable Congressite friend's retort. Let me tell him that there are few big landlords in this province as compared with other provinces. The term "big zamindars" is used in the Punjab for those land owners who pay Rs. 500 or more as land revenue. Now let us see whether we can really call them big zamindars. The land revenue is assessed at the rate of one quarter of the total net assets of a land owner. So a man who pays Rs. 500 as land revenue has a net income of Rs. 2,000 per annum. After deducting the land revenue it leaves him Rs. 1,500 per annum while a person whose income from other sources than agriculture such as business, trade, industry, moneylending, etc., is Rs. 2,000 or less per annum is exempt from income-tax. This will show that most of the so-called zamindars would have been enjoying exemption from income-tax if they had not been land owners.

In my own district 86 per cent. owners own less than 10 acres of land and only 5 per cent. of landlords own one square or more. This will show that an overwhelming majority of proprietors own very small holdings and are unable to take up gardening without the help of the Government. I do not agree with the view expressed by my honourable friend Nawab Muzaffar Khan that only the bigger land holders should have the monopoly of planting gardens. The peasant proprietors whose holdings are already uneconomical, require more encouragement in this connection so that their income may be supplemented. In fact they are the backbone of the country and the prosperity of the country depends on their well-being. The Government should provide better facilities for increasing their incomes. Sir, I would suggest that the Government should establish big nurseries in various fruit growing centres of the province and should supply the plants to the zamindars on 'takavi' basis. The Government should not charge any profit on the price of these plants from the zamindars. The price of the plants should be recovered by instalments starting after five or six years according to the period of their bearing fruit. The Government should allot a sufficient sum in the budget for this purpose every year. In this way the peasant proprietors will be encouraged to grow fruit gardens and there will

be a rapid increase in the area under gardens. The Government will also be benefited in the long run by this scheme as gardens will be assessed to a higher rate of land revenue. This will be, in my opinion, a very good method for increasing both the income of the peasant proprietors and the revenue of the province. There is another difficulty which stands in the way of a poor zamindar to take up gardening. The land under fruit gardening is assessed at a higher rate of land revenue. This higher rate is levied from the date of planting fruit trees while the trees bear fruit after 5 to 10 years of their plantation. The poor land owner has to pay a higher rate of land revenue on his land under fruit trees, from which he does not get any yield for 5 to 10 years. In order to encourage fruit culture in the province, the Land Revenue Rules should be amended and garden rate should not be levied until the trees start bearing fruit. Sir, as regards the encouragement, which the Government has provided for fruit culture in the province, I have no hesitation in saying that it has been very meagre. The present Government should be more alive to the needs of the people than their predecessors and I hope they will pay more attention to the nation building activities in future. My honourable friend Nawab Muzaffar Khan has said that Government has done wonders to encourage fruit gardening in the province and as an example he told us that while travelling by train from Lahore to Montgomery one finds a long stretch of land extending over many miles under fruit gardens, which has come into existence in recent years. I only wish my honourable friend had taken the trouble to find out whose garden it was. Let me inform the House, Sir, that this has been planted by one Mr. Mitchel, who was given land by the Punjab Government at concession rates for this purpose. My idea of encouraging the zamindars to take up fruit gardening is quite different from that of my honourable friend. I do not think that the Government can claim that they have helped the people of the Punjab by giving concessions to foreigners for putting up large gardens in the province, as this will in no way help the people of the Punjab. Another honourable friend of mine Syed Amjad Ali told us that the Government distributed about 5 thousand seedlings and cuttings in the Punjab last year. What a great achievement on the part of the Punjab Government! If we divide this number among the 29 districts of the Punjab, each district gets a share of less than 200 plants. I am afraid I cannot congratulate the Government and its Department of Agriculture for this achievement. We can term it as a holy gift (سہیبا) from the Government to the people of the Punjab, but one can hardly reckon it as an encouragement. I hope the Government will do something more substantial in future to help the zamindars. Sir, I agree with my honourable friend Syed Amjad Ali that we should develop fruit gardening on industrial lines and the Government should also consider the possibilities of affording marketing facilities for the product. I also agree with him that facilities may be provided for fruit preservation. The Government should provide facilities at various fruit growing centres for the canning and bottling of fruits and fruit juices. The Government should either put up their own factories for this purpose or encourage private enterprisers to take up this industry. Syed Amjad Ali further suggested that the Government should reduce the duty on tins and bottles which are imported for this purpose in order to encourage the fruit preservation industry. I do not, however, agree with this view. This will keep us in perpetual dependence on foreign countries for our requirements. It is a great pity

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rather a shame that we should not be able to produce even such petty things in our own country. I would, on the other hand, suggest that the Government should give protection to tin and glass industries in this countries and provide facilities for the manufacture of these things, in our own country. I cannot understand why my young friend considers that the association of Indian fruit with a foreign tin or bottle is indispensable. He probably seems to be too much under the influence of western civilization. As Dr. Sir Muhammad Iqbal has said—

نغمہ ہندی ہے تو کیا ہے تو حجازی ہے میری

My honourable friend will also have the satisfaction of saying—

میوہ ہندی ہے تو کیا ہے تو فرنگی ہے میرا

when he will eat his Indian fruit out of a foreign tin (*laughter and cheers.*)

Syed Amjad Ali Shah : May I ask the honourable member what he would suggest till such time as these fruit articles are not produced in the country ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, let me tell my honourable friend that these articles are already manufactured in this country. There is a glass factory at Ambala, where bottles are manufactured. Tins and cans are also manufactured in this province at various places. If we can change our mentality and encourage country made articles I am sure, these factories will be able to cater for our needs and we shall not have to go to foreign market for them. Sir, I support the motion under consideration and earnestly request the Honourable Minister for Development to encourage fruit gardening in the province and to provide facilities to the people in this connection. But before I resume my seat I would once again request him to establish an Agricultural Farm and a nursery in my district. (*Loud Cheers.*)

Rao Bahadur Captain Rao Balbir Singh (North West Gurgaon, General, Rural) (*Urdu*) : Sir, much has been said on the floor of this House in connection with the small and big zamindars. My submission is that we should pay more attention to the sad plight of the poor peasants and zamindars. We should provide them with all sorts of modern facilities, so that they may derive benefit from them and consequently increase their income. I whole-heartedly endorse the proposal put forward by my honourable friend Khan Bahadur Mian Mushtaq Ahmed Gurmani. Since he has sponsored the cause of Muzaffargarh district, I also wish to ventilate the grievances of the district of Gurgaon. Although I wish that facilities were provided to the zamindars of the province as a whole with a view to encourage fruit gardening, yet I want to draw the special attention of the Honourable Minister to the miserable condition of Gurgaon district. I respectfully submit, Sir, that since government has set up a net work of canals in other parts of the province and Thal and other kindred beneficial projects are under their consideration, it is but fair that they should endeavour to introduce beneficent irrigation schemes in the Gurgaon district also, so that the zamindars of that district may also derive benefit from them. I propose

that experiments in fruit culture may be undertaken in Gurgaon district and the government may depute an expert to visit and examine the lands of the poor, and report as to what kind of fruit trees can thrive there. After this, according to the proposal made by my honourable friend Mian Mushtaq Ahmed Gurmani, seedlings and plants may be distributed among the zamindars on taqavi basis.

I want to bring another fact to the notice of the government. The district of Gurgaon being adjacent to Delhi is unfortunately located at the farthest end of the Punjab. This is why it is being unjustly treated.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Does the honourable member wish that his district should also abound in fruits ?

Rao Bahadur Captain Rao Balbir Singh : If fruits are grown even now, we can hope to become as corpulent as the honourable member is. (*Laughter*). Sir, my respectful submission is that government should at least pay the same attention to the Gurgaon district, as is being paid to other districts of the province.

Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban), (*Urdu*): Sir, some of my learned friends have delivered learned speeches about horticulture and every one of them has confined his remarks only to his own district. But I would not be so selfish as to advocate the cause of my district alone, although I must speak of the Ambala Division. The rights of this unfortunate division have been all along neglected, notwithstanding the fact that as many as three ministers hail from this division. The Honourable the Finance Minister belongs to Sirsa in the Hissar district and likewise the Honourable Sir Chhotu Ram comes from the Rohtak district. Although the Honourable Mian Abdul Haye is a resident of Ludhiana he has some connection with Ambala because he got some votes from the towns of Ambala district. It is, therefore, the duty of these Honourable Ministers to remove the hardship experienced by the people on account of the scarcity of water in this division. During his tour in the Hissar district, in a public meeting held on 7th May, 1937, I invited the attention of the Honourable Sir Chhotu Ram to the scarcity of water, and he very kindly promised to redress this grievance of the people. But this promise has not as yet been fulfilled. When the Honourable the Finance Minister budgeted Rs. 60 lakhs for the Haveli Project, Sir Chhotu Ram in fulfilment of his promise ought to have persuaded him to provide some money for Ambala City, where it is very difficult for the citizens to get even one can of water, as also in other districts where drinking water is not at all available. (*Opposition benches Hear, hear*).

Mr. Speaker : The honourable member should speak to the motion.

Khawaja Ghulam Samad : Sir, with due deference I submit that it is a relevant point. If the Honourable the Minister of Agriculture had tried to get some provision made for the Bhakra Dam Scheme, which is a long-felt necessity of the people of the Ambala division he would have shown some interest in the welfare of the people.

Mr. Speaker : The honourable member is again going beyond the motion.

Khawaja Ghulam Samad: Sir, I will prove that this point has a strong bearing on the motion under consideration. Promises alone will not avail now. Although the world lives on hope, how long can mere hope sustain us? The people of the Ambala division are undergoing all sorts of hardships on account of the scarcity of water and in fact they are starving to death. Their poverty and indebtedness are the outcome of the scarcity of water. How can gardens flourish if water is scanty? In order to grow fruits and procure water for them the residents of Ambala have to spend a good deal of money on sinking wells. The water generally appears at a depth of 160 to 180 feet. You can well imagine the heavy expenditure that must be incurred in sinking wells so deep. Add to this the charges of obtaining plants from some nursery. No one can achieve success in fruit culture if he tries to do so with parsimony. There are very few canals in this division and people have to depend for planting gardens on well water alone. The soil of this ilaqa is very conducive to horticulture, and if canal water is provided there is every likelihood of making this industry a success. The soil is very fertile, and of all the districts of the Punjab the soil of this district is most suitable for horticulture. If the Government pay a little heed towards this industry they as well as the zamindars can derive much benefit by planting gardens there. In order to illustrate the difficulties of fruit cultivators I would like to mention my experiences. I had a well sunk for me and fortunately the water appeared at a depth of 80 feet instead of 100 or 120 or 160 feet as is usually the case. Nevertheless, the well being a big one, it cost me about Rs. 2,500. Now I intend to plant a garden in an area of 46 bighas of land. For this purpose I sent for the catalogues of plants from well-known nurseries all over the country. Judging from the figures given in those catalogues the experts tell me that it will cost me from 2 thousands to 2½ thousands rupees to obtain plants and grow them. Now a garden which is planted with an initial expenditure of five thousand rupees can only begin to yield fruit after five years but the land revenue is charged forthwith. It is not fair because I will have to pay the interest on the capital invested therein. My honourable friend Sayad Amjad Ali while speaking on the land revenue system said that mango trees yielded less fruit one year and yielded more the next year, so in view of this the land revenue charged on them should be reduced. But I ask, why should this concession be granted in respect of mango trees alone? On the strength of my personal experience I can say that frost damages the mango crop in the Hissar district to a great extent, with the result that gardens have withered away. The same story is repeated every year. In view of the remarks I have made I would urge upon the government the desirability of not only reducing the land revenue in respect of mango crop but to remit it altogether. In view of the heavy expenditure involved in planting a garden no land revenue should be charged for the first five years, because in certain cases the poor cultivators have to pay interest in addition to the already heavy capital invested thereon. How can the zamindars afford to pay land revenue from the very outset? It is a pity that land revenue is imposed from the very first day but the garden begins to yield fruit after three years. There are several zamindar members here and they can very well realise how the first fruit is plucked and thrown away. On the basis of my personal experience I admit that canal water is supplied for gardens in the Hissar district but

even the supply of this depends on the sweet will of the Cattle Farm authorities. They must have their fill first and only then they let others use the remaining water. But the quantity of water thus supplied to fruit cultivators is not adequate and consequently the garden withers away. There has been little rain for the last seven years in the district of Hissar. This absence of rains has made matters worse. Crops generally fail and the gardens do not yield fruit. Add to this the calamity of frost, in winter, which makes the fruit trees die of drought. Now the gardens do not yield as much fruit as they used to do in the past. There is no doubt that previously the gardens in Hissar used to yield much more fruit but now there is very little yield and consequently I would urge upon the government the advisability of granting some remission to the fruit cultivators at the time of assessment. Many of my friends have put various proposals before the Honourable Minister for Agriculture for his consideration. If these are given effect to by him the credit will surely go to him. If it is impossible to accept these proposals in their entirety let them be accepted in part at least so that this partial acceptance may create confidence in the minds of the people and they may learn to rely upon the generosity of the government for the rest of the work. With these few words I close my remarks and once more commend the woe-ful tale of the Ambala division to the notice of this House, and urge the necessity of taking suitable steps for removing the hardships caused on account of the scarcity of water supply in Ambala, so that agriculture may flourish there, gardens may bear fruit and the government may also profit by the resultant prosperity of the ilaqa.

Rai Bahadur Sardar Basakha Singh (Amritsar Central, Sikh, Rural) (*Punjabi*): Sir, every member has sung a different song. Some of the honourable members have drawn attention to the conditions of Muzaffargarh and some have confined their remarks to Mian Channu while others have drawn the attention of the House to the sorry plight of the residents of Ambala district. Besides, all of them have put forward proposals which necessitate expenditure but I mean to propose a scheme which will add to the income of the State and also offer great relief to the poorer and smaller agriculturists. The Kangra Valley promises to favourably compete with Switzerland provided you try to improve upon it. I can say with confidence that Kangra Valley can produce grapes of far better quality as compared with those produced in Switzerland. To me, at least it is a matter of great shame that grapes from far off countries like Japan and Austria should find a favourable market here in India. If you improve the Kangra Valley, I can say with authority that you can produce better grapes here than those of France, with the result that the income of the province will be considerably enhanced and the people will also become more prosperous. The residents of Kangra are too poor to invest any capital for improving the means of water supply for their lands. If the government were to provide water to them, the rest of the province will immensely gain thereby. The soil of that ilaqa is very fertile and is extremely conducive to fruit culture. Fruit trees can flourish there in such abundance that it would be impossible for any other locality to compete with it. There is ample scope for you to develop fruit culture in this district. The people of that ilaqa are poverty-stricken and the development of this industry will immensely benefit them. In view of this I would strongly urge upon the Honourable Minister of Development to take special note of it.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, the Government are fully aware of the importance of fruit culture and fruit industry to our province. It is a well-known fact that the peasantry of this province is very poor, and all of us are extremely anxious that something should be done to add to the income of the poor peasantry of our province. This question of fruit culture and fruit industry will add not only to the income of the poor peasantry of the province, but will also help large capitalists and landholders. It has been complained that Government has not been taking sufficient interest in the promotion of fruit industry and fruit culture. It is true that the subject has not drawn in the past, the attention which it deserves, but now that the people are waking up to the importance of this subject, I am sure Government will take more interest than it has been taking in the past (*hear, hear*).

Mian Abdul Aziz: Why should the Government sleep until awakened by the public?

Khan Bahadur Nawab Muzaffar Khan: The Government did not sleep.

Minister for Development: Unless the people are wakeful, Government can never be expected to be wakeful. It is an axiomatic truth. If you want the Government to be wakeful, the public should itself be wakeful. I make no apology for saying this, because I know that it is a patent truth. If the public gets slack, the Government is bound to get slack. If the Opposition gets slack, the Ministerial benches are bound to get slack. In fact I am really very sorry to notice that to-day, the Opposition has been very slack indeed (*laughter*), and such criticism as has been offered has been offered by those who occupy ministerial benches. From this attitude of the Opposition, I think that either my department offers no ground for criticism by the Opposition or they do not take interest in the improvement of agriculture—

Seth Ram Narain Virmani: We do not expect anything from you

Minister for Development:—in the growth of fruit culture or fruit industry. The silence of the Opposition is a very eloquent commentary on its mentality.

It has been suggested that the area under fruit cultivation in the province is very small. I admit that it is very small. For a large province like the Punjab to have only 70,000 acres under fruit cultivation is a matter about which nobody can feel proud. It has been stated by one of the members who spoke in the beginning that Italy has as much as one-third of its cultivable area under fruit cultivation, and that a small country like Egypt spends as much as 15 lakhs of rupees annually on fruit culture. When a comparison is made between what is being done in Italy and Egypt and what is being done in the Punjab, it is perfectly obvious that we have been neglecting this important subject of fruit culture and fruit industry. But while I admit that in the past the subject has not drawn sufficient attention either on the part of the Government or on the part of the public, I assure the House that so far as it lies in my power, I will take active interest to promote fruit culture and fruit industry (*hear, hear*). Certain difficulties have been pointed out as throwing obstacles in the growth of fruit industry and fruit culture. I will just make a very brief reference to some of these. One of the vague

complaints of those who are interested in fruit growing is that the number of nurseries in the province is very small, and that the demand for seedlings cannot be met so long as the number of nurseries remains what it is. I admit that this criticism is fully deserved. Last year there was, I believe, a demand for nearly 70,000 seedlings and the department was able to supply only about 25,000. But we expect that during the current year, we shall be able to supply about $\frac{1}{2}$ lakh of seedlings. The question of nurseries for fruit plants is being attended to and in all suitable centres we are trying to establish fresh nurseries for the supply of seedlings.

A reference was also made to the alleged attitude of lack of sympathy adopted by the Land Revenue Department and the Irrigation Department towards a particular demand of fruit growers. I am afraid I cannot say very much about that particular subject. That subject does not fall under my portfolio and not only the Honourable Minister for Revenue, but also the Honourable Minister for Finance is deeply interested in that subject. Whether the Honourable Revenue Minister will be in a position to meet the demand which has been put forward in the name of fruit growers, I am not at present in a position to say. All that I can promise to the House is that I will bring this point of the fruit growing community to the notice of my honourable colleagues. There was another reference made to the subject of charging land revenue in respect of garden lands in spite of the fact that fruit trees do not bear any fruit until after six or seven years of their having been planted, and the demand is that so long as trees are too young to bear any fruit, no land revenue should be charged.

Diwan Bahadur Raja Narendra Nath : Also no water rate.

Minister for Development : Let me first deal with the question of charging land revenue during the period during which trees do not bear any fruit. Of course, it will mean some loss of revenue, but, apart from that, it seems to me to involve a question of principle, and as that question of principle may not only affect fruit growers, but may also affect a much larger population of the Punjab, I think it would be wrong on my part to hold out any assurance that land revenue will not be charged during that period. As I have already submitted, I will bring both these complaints in respect of water rate and land revenue to the notice of my honourable colleague, Sir Sundar Singh and if necessary, the question will also be brought up for discussion in a full meeting of the Cabinet.

Diwan Bahadur Raja Narendra Nath disclosed some very interesting information to this House. He said that while he was all in favour of promoting fruit culture and fruit industry, he would sound a note of warning to the effect that it is not always safe for every individual to go in for fruit cultivation, because there may be types of land which may be entirely unsuitable for the cultivation of fruit trees. Under these circumstances it would be only right that individuals who want to go in for fruit cultivation should approach the Department of Agriculture in order to satisfy themselves beforehand that the land on which they are going to plant fruit gardens is suitable for the growth of fruit trees. I think he is perfectly right there. I am sure that departmental officers would be only too glad to offer such advice as they are in a position to give. The Raja Sahib has complained that he made a reference to one of the officers in order to find

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out the productivity of certain soil in which he himself was interested, but unfortunately although 8 long months have passed no satisfactory reply has been received by him so far. I do not know whether the particular officer, to whom that reference was made, belongs to my department or some other department. I will ascertain from the Raja Sahib whether that officer is in the Agricultural Department. If he is, I will take early opportunity to remind that officer of his duty, and I am sure he will attend to it very quickly and an answer will be conveyed to the Raja Sahib as speedily as possible.

Diwan Bahadur Raja Narendra Nath : I may bring it to the notice of the Honourable Minister that if an enquiry made by me remained unattended to, what will happen to an enquiry made by the back benchers !

Minister for Development : I feel it just as much as the Raja Sahib does, in fact, even more. I know that if requests from big people are not attended to quickly, requests from smaller people are not likely to receive early attention at all. If people like Raja Sahib feel aggrieved in the matter of their requests remaining unheeded for a long time, I can easily imagine that requests from smaller people will remain, perhaps, entirely unheeded. (*A voice : For how long ?*) For ever. But I can assure the House and the Raja Sahib that so far as my departments are concerned, as soon as any complaint is conveyed to me, I will take immediate action and will see that no ground for further complaint remains.

Another reference was made to the effects which the abnormal cold in April and May has on certain trees. That is a matter about which, being a layman, I cannot offer any advice. But I am sure there must be some officers in my own department who will be in a position to advise the Raja Sahib as to whether the season has undergone any such radical change as has been suggested by the Raja Sahib. Certainly his long age and varied experience are entitled to the greatest respect at our hands, and if he is seriously of the opinion that there are abnormal temperatures in the months of April and May which affect certain types of fruit growing trees, I will bring this matter to the notice of the Department of Agriculture. The officers of the department may be able to advise private fruit growers in a manner which will save them from any loss which they may suffer in the absence of right advice.

One more complaint, which again relates to the Irrigation Department, was made by Khan Bahadur Nawab Muzaffar Khan. He said that the Irrigation Department allowed some sort of a concession in the matter of water rates only if the area under fruit trees exceeded a certain limit, and this limit, he suggested, was about 50 acres. If that is true, it is a matter which should really be looked into. If the limit is fixed at 50 acres, it means clearly that smaller growers can never get the benefit of that concession. If that concession is to be made, there is no reason why it should not be made to all alike. As a matter of fact, if any favour is to be shown that favour should be shown to smaller land-holders rather than to bigger land-holders. However, it is again a matter which can be decided only by my honourable colleague who presides over the destiny of the Revenue Department. All that I can do is to bring

the matter to his notice, and if it is necessary, to the notice of the Cabinet as a whole.

My honourable friend Professor W. Roberts made a suggestion that the present area under fruit cultivation being almost infinitesimal a definite figure should be accepted by Government which should be worked up to during a specified period. He suggested that at present this area is less than $\frac{1}{4}$ per cent. of the cultivable area, and that it should be raised at least to 1 per cent. of the total area under cultivation, and that a definite limit of time should be fixed during which this increase is to be effected. It will, probably, be hazardous for me to suggest any definite time limit during which this figure should be worked up to. But I may assure him that I will do all that I can to raise the present area under fruit cultivation to as high a figure as possible during my time. It may be possible to raise this area to 1 per cent. of the total area under cultivation, perhaps, within the next five years. But I will not make a promise, because after all it takes a pretty long time for various processes of garden-planting to be put through before a garden comes into existence. At any rate, so far as the Department of Agriculture is concerned, I will see that every legitimate help is rendered to private fruit growers who desire to raise their area under fruit cultivation.

Dr. Narang strayed into a field which really does not affect me or my departments. He spoke of certain remarks which had been made by my honourable friend, the Minister for Finance, that capital was not shy in this province, and that tariffs were not so important for the growth of industries as many people imagined. I do not know what exactly were the words used by my honourable friend, the Minister for Finance. (*An honourable member*: Is it relevant to the subject?) It was not at all relevant to the subject, but he said all that. But even if it had been relevant to the subject, it is not my duty to reply to that part of his speech. He spoke of subsidising industry. He was instrumental in passing a law under which State aid to industries can be given, and as I have stepped into his shoes I can assure him that that Act will be worked in a liberal, just and even generous spirit.

Minister for Finance: I hope also in a cautious spirit.

Minister for Development: Generosity does not necessarily mean going beyond the bounds of caution and while I will not ask my honourable friend, the Member for Finance, to risk any funds in concerns which are not likely to succeed, I think it would be only right to render legitimate help on all occasions when we see that there are fairly reasonable chances of success.

Dr. Narang also made a reference to the need of the Punjab Government moving the Government of India in order that the Government of India may manouvre the tariffs in such a manner that the Punjab industries may prosper and flourish. So far as the object underlying the suggestion is concerned, so far as the principle underlying it is concerned, it has my deep sympathy, and I will do all that I can in my own humble way to induce the central government to handle the tariffs in such a way that the industries of the Punjab may prosper. Whether I shall achieve any success in that direction is more than I can say, but I can assure the Dr. Sahib that I will take up the threads where he left them, and if he himself did not move in his time I can still assure the House that I will move in the matter when a suitable opportunity offers itself. (*Hear, hear*).

Diwan Chaman Lall : May I ask if tariffs are a provincial subject and if tariffs are not a provincial subject, how the Honourable Minister intends to move in the matter ?

Minister for Development : Although it is a central subject, I think provincial governments can certainly take the initiative to bring certain things to the notice of the central government with a view to urge suitable changes in the tariffs in the interest of their industries.

Chaudhri Krishna Gopal Dutt : There does not seem to be joint responsibility in the Cabinet.

Minister for Development : Who said that ?

Chaudhri Krishna Gopal Dutt : The Honourable Finance Minister said something else the other day ; he said he was not prepared to do that.

Minister for Development : Dr. Narang repeated his old complaint against the Land Alienation Act. I will not be long over that subject because people are feeling a little nervous over it. But I can say one thing, so far as the working of that Act in respect of industries is concerned, industrialists will have no cause of complaint if they make an application either to the deputy commissioner under section 8 of that Act or to the Director of Industries in order to acquire land for industrial concerns. But if the honourable member means to say that the Land Alienation Act itself should be repealed or modified, that is a matter which I am sure this House is not willing to agree to. After all, there are very large areas of land which are owned by people who have an unfettered discretion to dispose them of as they like. As much as 17 per cent. of the total agricultural land in the province belongs to people who are absolutely free to dispose of their land as they like. Let those who are interested in industries approach these people for land in favour of these industrialists.

Lala Duni Chand : Not even for the benefit of the agriculturists ?

Minister for Development : I am not speaking of the Land Alienation Act as a whole. I am simply speaking of that Act in so far as it is supposed to hamper the growth of industries.

Seth Ram Narain Virmani : But the Government does not allow them to part with the land.

Minister for Development : There are absolutely no obstacles in the way of people who do not belong to agricultural tribes parting with their land in the manner they like.

Seth Ram Narain Virmani : I have applied for land for industrial purposes and I have been refused.

Minister for Development : I am speaking at present about non-agriculturists. They have an unfettered right to dispose of their land. With regard to the other question, I have already stated that if application is made to the deputy commissioner he will under the rules and under the instructions of the Financial Commissioners be perfectly willing to oblige industrialists so far as their claims relate in good faith to the promotion of industries.

Seth Ram Narain Virmani : He is not obliging ; I have got my case.

Minister for Development : If my friend has any complaints to make let him address those complaints to the proper quarters. Nobody knows

the circumstances under which my friend applied, the area of land he applied for or the considerations which led the deputy commissioner to refuse his application. In the absence of a full knowledge of facts I am not prepared to admit that the deputy commissioner refused to exercise his discretion wrongly.

Mr. Gurmani drew my attention to a certain promise which is alleged to have been made by my predecessor for the opening of two nurseries in the district of Muzaffargarh. Whether that promise was made by my predecessor or not, I may assure my friend that he will have two nurseries as soon as possible. I propose to visit that part of the country before the next winter is out and after I have been there I assure him that I will have steps taken to establish two nurseries in the Muzaffargarh district.

Khawaja Ghulam Samad came out with a long catalogue of complaints on behalf of the Ambala division. I have been giving expression to these complaints myself, and I need hardly say that these complaints have my heart-felt sympathies, and that anything I am in a position to do I will do.

Lala Duni Chand : Including the complaints of non-agriculturists ?

Minister for Development : Certainly. I never said that non-agriculturists were not entitled to my sympathy or to my help.

Lala Duni Chand : You are laying down a proposition that 17 per cent. of the land in the hands of the non-agriculturists should be sold first.

Minister for Development : What I really said was that the complaint that industry was handicapped on account of land not being available at all was not well-founded.

Lala Duni Chand : It is handicapped because the Act is being worked to the detriment of agriculturists.

Minister for Development : If you want the land of statutory agriculturists for the investment of your money, then I am afraid—

Chaudhri Krishna Gopal Dutt : Supposing there is no land available.

Minister for Development : Deputy Commissioners have discretion in such cases, and I am sure they will exercise that discretion in a proper manner. If, however, there are any complaints on this score, let those complaints be made to proper quarters.

Mr. Speaker : I will request the Honourable Minister to proceed with his speech and the other honourable members not to interrupt him.

Minister for Development : If the other honourable members agree to your suggestion, I also agree.

Mr. Speaker : The Honourable Minister need not pay any attention to them unless they ask questions through the chair.

Minister for Development : A reference was made to the difficulty of the supply of cans being inadequate. At least one of the speakers said that cans had to pay a very high duty and that therefore the Government of India should be approached with a request to lower the tariff which stands in the way of the import of cans. That, again, is a central subject with which I have nothing to do, and, as remarked by Dr. Sir Gokul Chand, it will not perhaps be a wise policy to touch tariffs where they have been

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imposed in the interest of India itself. There are so many people with a good deal of capital in this House, why do they not come out with their capital and start can making industry? Let them make cans, tins, and bottles. Let them start new factories, and, if there are any factories already in existence, let them enlarge those factories with the capital which some of my honourable friends have in abundance. I hope my friend who moved the cut will be satisfied with what I have said and will withdraw his motion.

Dr. Gopi Chand Bhargava : Sir, before you put the closure motion to vote I have to make a suggestion and that is, when we started discussion on the budget, it was decided that we will take up four items to discuss the policy in all the four departments. To-day is the last item which is going to be put before the House. Therefore I would submit that to remove the doubt from the mind of the Honourable Minister for Development that his department has not received attention from the Opposition, may I suggest, that any other item be taken up for discussing the policy of the Government as far as agriculture is concerned?

Sardar Sahib Sardar Ujjal Singh : Sir, in view of the assurance given by the Honourable Minister for Development I beg leave to withdraw my cut motion.

Chaudhri Krishna Gopal Dutt : Sir, I want to bring to your notice that the honourable mover urged for the abolition of land revenue by way of encouragement of fruit culture and fruit industry, a point which has not been conceded by the Minister for Development. How can the honourable member withdraw his cut motion?

(Leave to withdraw not being given).

Mr. Speaker : The question is—

That the item of Rs. 19,97,800 on account of District Work be reduced by Rs. 100.

The motion was lost.

Agricultural Farms.

Khan Bahadur Nawab Chaudhri Fazl Ali Khan (Gujrat East, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the item of Rs. 1,79,300 on account of Total Agricultural Stations be reduced by Re. 1.

I shall not make along speech on my motion which relates to the advisability of setting up agricultural stations. In the beginning the Department of Agriculture started agricultural farms with the sole purpose of demonstrating to the zamindars the new methods of cultivation which can enhance the productivity of land. Afterwards the farms were divided into two categories, *i.e.*, the seed farms and the demonstration farms. The purpose of establishing demonstration farms was that the zamindars after seeing the work done at the government farms, should apply the same methods to their own lands and thereby enhance their produce. The seed farms still exist. I am constrained to point out that at present they are not proving to be of any use to the zamindars. They were set up with a

view to providing the zamindars with seeds which are now available in abundance. The government has always been running these farms at a loss. They are at present cultivated by tenants with the result that the seeds produced are of inferior quality. In my opinion these seed farms are serving no useful purpose. They are rather a source of loss to government and are proving a dead weight on the revenues of the province. I may also add that if the crops of the zamindars are better in quality as compared with those of government farms, they will begin to regard them as useless. On the contrary, if the crops of the seed farms are good, they will say, "Well, these farms belong to the government. We do not know how much manure or what sort of chemicals are being used to increase the productivity of land." The demonstration farms are bound to show the way to progress. The government farm at Gurdaspur is one of the best farms. The farms at Rawalpindi and Lyallpur are also excellent ones, and much useful work is being done there. My submission is that such farms should be established in every district at a suitable place, so that the zamindars may not be obliged to undertake long journeys to visit these farms. They are an urgent necessity. If the zamindars apply the results of the experiments carried out at these farms, to their own lands, their produce will certainly increase and they will be inclined to grow different profitable crops. But there is one difficulty in the way of the seed farms. For instance in the district of Gujrat the water in the canal ceases to run for fifteen days in a month, and during the remaining period, when canals are re-opened, the zamindars take their turns to utilize water for their crops. It is obvious, Sir, that if during the hot weather the government farms remain unirrigated for a month, the crops will suffer; the fruit trees will wither away and the manure and fodder will be destroyed. I wish to draw the special attention of the Department of Agriculture to the fact that if the closures of canals are continued the agricultural farms will no longer prove to be useful. With these words I move this motion and suggest that the seed farms should be closed forthwith and the establishment of private farms should be encouraged instead. I have already explained the matter in detail during the previous discussions. I am of opinion that demonstration farms will prove to be highly beneficial to the zamindars provided the problem of water is solved satisfactorily.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 1,79,300 on account of Total Agricultural Stations be reduced by Re. 1.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): The honourable mover of this cut has stated that there are two or three kinds of farms one of which is the seed farm. He has also suggested that seed farms are unnecessary and in order to secure support for his view he points to the fact that seed farms are given on cultivation to tenants. I submit that it will not be fair to draw from this fact the conclusion that seed farms are not necessary or are not serving any useful purpose. The only reason why these seed farms were given out for cultivation to tenants was financial stringency. Direct cultivation is always more costly than cultivation through tenants for reasons which are well-known to those who take any interest in agriculture. But I desire to point out that these farms are now being resumed and direct cultivation is again being resorted to. (*An honourable member* : All the farms or only

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a few ?) All the farms will be taken over gradually. The process of taking them back has already commenced. What I wish to impress upon the House is that seed, pure and improved seed, is the one thing, the value of which has been fully and thoroughly demonstrated and it is the one thing to which the zamindar attaches the greatest possible value. Therefore, we should do nothing to impair the sources of a supply of pure seed. It is true that seed can also be grown in private farms, in the fields of private zamindars. But there is no guarantee that the seed grown on private farms will be pure. But so far as supply from Government farms is concerned its purity can be guaranteed. Therefore, I trust the honourable mover will withdraw his cut motion. It would be wrong that the only thing which has won the thorough good-will of the zamindar should be taken away from the Department of Agriculture.

With regard to the other farms the honourable member has admitted that they are doing very useful work and that the results which are obtained from them are of great value to the province as a whole and to the zamindars in particular. I need not, therefore, say anything in regard to them. In conclusion I desire to request the honourable member to withdraw his motion.

(At the request of the honourable member the motion was by leave withdrawn.)

Boring operations.

Sufi Abdul Hamid Khan (Ambala-cum-Simla, Muhammadan, Rural)
(Urdu): I beg to move—

That the item of Rs. 1,65,700 on account of Total Boring Operations be reduced by Re. 1.

I wish to invite your attention to a matter which is intimately connected with the amelioration of the condition of the poorer and middle class zamindars. Whereas I have not the slightest hesitation in saying that government has adopted some schemes for the welfare of the cultivators, I cannot help remarking that if the government had really the good of the people at heart, it would have kept a more strict watch over the activities of its officials in so far as the working of these schemes is concerned. It appears that the interests of the services are given preference over the welfare of the peasants. I want to go into the details of this subject by citing examples from the working of the Boring Department. The government had established this department for the purpose of removing the scarcity of water so that the people may be able to obtain water by sinking tube-wells. But, as the government servants are in the unfortunate habit of considering themselves rulers rather than servants of the public, the zamindars have not derived the desired benefit from those schemes which were intended for their welfare alone. The government officials show but little earnestness in the performance of their duties and, more often than not, wilfully neglect them. It was hoped, as it is hoped even now, that with the introduction of provincial autonomy such defects would be removed under the supervision of responsible ministers, and that the angle of vision of the government servants towards the public would change making them act more efficiently. But we are still waiting for the realization of this hope. I will now turn to the subject of discussion. I find that

the people at large have not benefited by the Boring Department for several reasons, the chief reason being that it costs more to have a tube-well sunk by the government department. In the first instance, one has to pay at the rate of Re. 0-12-0 per foot and one has to provide labour also. As compared with this, it is cheaper to have boring done by private concerns. They do it on contract basis which includes both the rate charged by Government and the wages of the labourers. The second drawback is that the pipe which the department provides can be obtained at cheaper rates in the open market, and, the difference in price ranges from 25 per cent. to 80 per cent. What is more, the pipes are manufactured in the same foundry and material used in both cases is the same. But as the government purchases these pipes at higher rates they enforce the same rates on the agriculturists. When the same material is bought cheaper in the market, the government department declares that it will not be responsible for the efficient working of the pipe. As a matter of fact, it is responsible in neither of the two cases. But this statement is made with a view to discourage the people from purchasing things in the open market, with the result that they begin to look down upon the material obtainable in the market as defective and useless. These tactics make the people turn to government and they buy the same kind of pipes at higher rates from the Boring Department. Originally the rate of boring was Re. 0-12-0 per foot but these rates were later on revised and now the department undertakes to do all the work of boring for a total sum of Rs. 50 irrespective of the depth of boring. Last year this expenditure was totally remitted to the great advantage of the people and the boring work made rapid strides. But the old rate of 12 annas per foot has again been enforced from May, 1937. The zamindars have not derived so much advantage from this concession as to justify the stoppage of it from May, 1937. I am at a loss to gauge the reasons for this action on the part of government. I would humbly but strongly urge the government to re-introduce this concession and request the Honourable Minister of Development to take special note of these proposals with a view to carry them into effect. I would further request him to favourably consider and take immediate steps to redress the grievances of the zamindars. I would also request him to strictly watch the working of the schemes which are conducive to the welfare of the agriculturists so that they may derive the fullest advantage from them. With these words, Sir, I move my cut motion and submit it for the favourable consideration of the House.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 1,65,700 on account of Total Boring Operations be reduced by Re. 1.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, I am very sorry that I was not able to hear all that has been said by the honourable mover of the cut because the shrieks and whistles of the railway engine — which is under the control of the Central Government — interfered with my capacity to hear him !

Lala Duni Chand : I may inform the honourable member that one thing very important was said by the honourable mover of the cut motion. He said that people who purchased pipes through the government were charged 25 per cent. more than the price which they had to pay if they bought from private persons.

Minister for Development : That is a very old complaint and is presumably the result of misunderstanding. I really do not believe in the comparison so far as charges by private persons and by government officers are concerned. Private individuals sometimes charge less but just as there are quacks among medical practitioners, there are quacks among borers.

Lala Duni Chand : Articles of the same make sold at two prices.

Minister for Development : Does my friend mean the price ?

Lala Duni Chand : Pipes of the same make and same manufacture are sold at two prices. This is what he says.

Minister for Development : If that is the complaint of my friend, and if he is able to quote any specific instances, I will certainly go into it very carefully and will see that there is no occasion for the recurrence of this complaint. He also stated that the charges made for boring by government officers had varied from time to time. There was a time when a charge of twelve annas per foot was made. There was another time when these charges were reduced by 50 per cent. Then there came a time when these charges were entirely abolished. My friend suggests that the old charges have now been re-imposed. I am not quite sure whether this information is well founded but if, on enquiry, I find that this complaint is well-founded, I will look into the question over again, and ascertain from the Agricultural Department what were the circumstances which led to the re-imposition of these fees. After I have had a statement from the department, I will certainly consider the question carefully and not only carefully but sympathetically. I hope, under the circumstances, my friend has no intention of pressing this motion to a vote.

The motion was by leave withdrawn.

Premier : I understand that during my absence the Honourable Leader of the Opposition suggested that we should take up one single item and discuss the whole grant. I am willing to accommodate the honourable members opposite and I suggest that item No. 15 proposed by Pandit Shri Ram Sharma would provide an opportunity of going over the whole field of the Agricultural Department.

Lala Duni Chand : Will the Honourable Premier kindly look at motion No. 16 ?

Premier : Item No. 15 has been brought forward to discuss the question that no useful purpose worth the name has been served by the Agricultural Department.

Mr. Speaker : Will the members, who have given notices of cut motions Nos. 5 to 14, withdraw their motions ?

Premier : So far as members on my side are concerned, they will not move those motions.

(Other members also agreed not to move their motions).

Mr. Speaker : Item No. 15, which stands in the name of Pandit Shri Ram Sharma, will be taken up to-morrow morning.

The Assembly then adjourned till 11 A. M., on Tuesday, 13th July, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 13th July, 1937.

*The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

PUNITIVE POLICE POST AT VILLAGE NARLI, DISTRICT LAHORE.

***391. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether any additional police post was quartered at village Narli, police station Khalra, district Lahore, in 1925, which remained there for two years ;
- (b) if the answer to (a) be in the affirmative, whether he is prepared to lay on the table a statement showing (i) the details of the estimated as well as actual costs, item by item for each year, (ii) the amount realized from the inhabitants and the arrears of costs of the punitive police post due from them by the end of 31st March, 1937 ;
- (c) whether Sardar Attar Singh and other inhabitants of the aforesaid village submitted an application to the Honourable Premier, Punjab Government, claiming therein a refund of Rs. 1,216-12-0 said to have been realized in excess of the actual costs of the punitive police post borne by the Government ; if so, the decision, if any, arrived at by the Government regarding the refund claimed ?

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

(b) The main figures have been given in the reply to question 30,¹ put by the honourable member for Lahore City (General Constituency). As has been explained in replies to other questions it is never possible to reckon the " actual cost " of a body of additional police with exactitude, as certain items in the bill cannot be precisely determined.

(c) Yes. The unrecovered balance of Rs. 45-4-0 has already been waived. It is not proposed to take any further action in regard to this old case.

Dr. Sant Ram Seth : Did you purchase any furniture ?

Premier : I am afraid I cannot give an answer off-hand.

TAQAVI TO VILLAGE GHAWINDI JAWAHAR SINGH, TAHSIL LAHORE.

*392. **Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether *tagavi* was given to the zamindars of village Ghawindi Jawahar Singh, tahsil Lahore, in 1925 ;
- (b) if the answer to (a) be in the affirmative, whether he is prepared to lay on the table the names of the persons to whom *tagavi* was given and the amount given to each ;
- (c) whether Asa Singh, son of Jawala Singh, and other residents of the aforesaid village submitted an application to the Deputy Commissioner, Lahore, in March, 1937, complaining therein that although they paid up the *tagavi* dues on 18th September, 1927, they were still being demanded from them ;
- (d) if the answer to (c) be in the affirmative, whether he is prepared to lay on the table their original application and state whether any inquiry was made by the Government ; if so, the result of the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) A list is laid on the table.

(c) Yes.

(d) I regret the original application cannot be laid on the table seeing that it forms part of a Government record. I may state, however, that an enquiry was made into the matter even before this particular application was received, and it was found that there are party factions in this village and it is sometimes difficult to ascertain facts. Every effort is being made to make recovery from the actual defaulters and not to enforce double payments in any case ; but in view of the factions prevailing in the village the local revenue officers are quite rightly insisting on proof of payment either to the lambardar or in the tahsil before admitting that any individual demand is not due.

List of persons of village Ghawindi to whom Tagavi was advanced in 1925.

| Serial No. | Name of person. | Amount advanced. | Date of advance. | REMARKS. |
|------------|---------------------------------------|------------------|------------------|--------------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | | Recovered on |
| 1 | Thakar Singh, son of Kishan Singh Jat | 40 | 22-9-36. | .. |
| 2 | Baghal Singh, son of Jowala Singh Jat | 40 | | .. |
| 3 | Bahadur Singh, son of Soba Singh Jat | 40 | | .. |
| 4 | Kishan Singh, son of Jagat Singh .. | 40 | | 20-10-36 |
| 5 | Asa Singh, son of Lehna Singh .. | 40 | | 9-3-37 |

| Serial No. | Name of person. | Amount advanced. | Date of advance. | REMARKS. |
|------------|--|------------------|------------------|--------------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | | Recovered on |
| 6 | Ujagar Singh, son of Soba Singh Jat .. | 30 | 22-9-26. | .. |
| 7 | Bukana, son of Dargahi .. | 40 | | .. |
| 8 | Soba Singh, son of Jowahar Singh .. | 40 | | .. |
| 9 | Harnam Singh, son of Arur Singh .. | 40 | | .. |
| 10 | Arjan Singh, son of Kesar Singh .. | 40 | | .. |
| 11 | Wasakha Singh, son of Hem Singh .. | 40 | | .. |
| 12 | Magh Singh, son of Surain Singh .. | 30 | | .. |
| 13 | Kishan Singh, son of Jowahr Singh .. | 40 | | .. |
| 14 | Roda Singh, son of Sher Singh .. | 30 | | .. |
| 15 | Makhan Singh, son of Chanda Singh .. | 40 | | .. |
| 16 | Meja Singh, son of Surjan Singh .. | 40 | | .. |
| 17 | Sohan Singh, son of Banta Singh .. | 30 | | 16-6-37 |
| 18 | Fauja Singh, son of Prem Singh .. | 40 | | .. |
| 19 | Teja Singh, son of Deva Singh .. | 30 | | .. |
| 20 | Prem Singh, son of Sant Singh .. | 60 | | .. |
| 21 | Ujagar Singh, son of Sant Singh .. | 40 | | 16-6-37 |
| 22 | Saudagar Singh, son of Sant Singh .. | 30 | | 20-3-37 |
| 23 | Buta Singh, son of Chanda Singh .. | 40 | | 23-2-37 |
| 24 | Sant Singh, son of Mana Singh .. | 40 | | .. |
| 25 | Natha, son of Bagu .. | 30 | | .. |
| 26 | Umara, son of Bagu .. | 40 | | .. |
| 27 | Lachhman Singh, son of Chet Singh .. | 30 | | 16-2-37 |
| 28 | Kamun, son of Kesar .. | 40 | | .. |
| 29 | Saudagar Singh, son of Sant Singh .. | 30 | | .. |
| 30 | Chaku, son of Jawahr .. | 40 | | 17-6-37 |
| 31 | Sundar, son of Shian .. | 30 | | 17-6-37 |
| 32 | Mallu, son of Shian .. | 30 | | .. |
| 33 | Dina, son of Bhulla .. | 30 | | .. |
| 34 | Surjan Singh, son of Jagat Singh .. | 40 | | 20-10-36 |

[Minister for Revenue.]

| Serial No. | Name of person, | Amount advanced. | Date of advance. | REMARKS. |
|------------|---|------------------|------------------|--------------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | | Recovered on |
| 35 | Phaiu, son of Jumman | 30 | 21-9-26. | 20-10-36 |
| 36 | Tara Chand, son of Narain | 30 | | 16-2-37 |
| 37 | Rahim Bux, son of Wali Dad | 30 | | .. |
| 38 | Kharu, son of Bagu | 30 | | .. |
| 39 | Jala, son of Bagu | 30 | | .. |
| 40 | Hem Singh, son of Patch Singh | 40 | | .. |
| 41 | Asa Singh, son of Jawanda Singh | 40 | | .. |
| 42 | Nazar Singh, son of Chana Singh | 50 | | .. |
| 43 | Utam Singh, son of Natha Singh | 30 | | 15-3-37 |
| 44 | Sayadgar Singh, son of Kishan Singh | 30 | | .. |
| 45 | Indar Singh, son of Ganda Singh | 40 | | .. |
| 46 | Kathu, son of Nizam Din | 20 | | 20-3-37 |
| 47 | Atma Singh, son of Sundar Singh | 30 | | .. |
| 48 | Arura, son of Kalu | 20 | | .. |
| 49 | Jamal, son of Mahandu | 20 | | .. |
| 50 | Lakha, son of Dittu | 30 | | 17-6-37 |
| 51 | Teja Singh, son of Sant Singh | 30 | | .. |
| 52 | Natha Singh, son of Jewan Singh | 30 | | .. |
| 53 | Chanda Singh, son of Jewala Singh | 20 | | .. |
| 54 | Fauja Singh, son of Surjan Singh | 20 | | .. |
| 55 | Viru, son of Kalu | 20 | 16-3-37 | |
| | Total | 1,880 | | .. |

Dr. Sant Ram Seth : By whose orders was *tagari* demanded ?

Minister : An inquiry is being made.

Dr. Sant Ram Seth : What is the result of that inquiry ?

Minister : How can I anticipate the result ?

ADDITIONAL POLICE POST QUARTERED AT VILLAGE DHARDEO IN
AMRITSAR DISTRICT.

***393. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to state—

- (a) whether Sardar Mangal Singh and other residents of village Dhardeo, police station Beas, district Amritsar submitted an application to the Honourable Premier on the 26th May, 1937, complaining therein that Rs. 2,960 had been realized from them in excess of the actual costs of the additional police post quartered there in February, 1936 ;
- (b) if the answer to (a) be in the affirmative, whether he is prepared to lay on the table their original application and state whether any inquiry was made into the matter, if so, the result of the same ;
- (c) the number of cognizable cases registered at Beas police station, from the villages of Chananki zail, between 22nd February, 1936, and 21st February, 1937, and out of these the number of those which were investigated by the head constable or the officer in charge of Dhardeo punitive police post ;
- (d) whether it is a fact that out of 11 police constables sanctioned for Dhardeo punitive police post 2 were never sent to the village during the 1st year of the stay of the punitive police post there, and the services of one head constable were lent to Beas police station in the first year of the stay of the punitive police post after he had remained there only for three months, and that his pay was realized from the inhabitants of Dhardeo ; if so, reasons for the same ?

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

(b) A copy of the petition is laid on the table. Enquiries have been made. These show that the allegation that the post was not kept up to strength is incorrect. The honourable member is referred to my reply to his earlier question *124¹.

(c) Thirty-nine cognizable cases relating to the Chananki zail were registered at the Beas police station between the 22nd February, 1936 and the 21st February, 1937. All of these except two were investigated by the officer in charge of the additional police post.

(d) The number of constables sanctioned for the post was 11, including 2 for the contingency reserve. This reserve is intended to provide for vacancies owing to sickness, leave, etc., and not to supplement the net strength of the post. Both the head constables sanctioned for the post remained attached to it throughout the year, and none of them was sent to the Beas police station.

Petition from Mangal Singh and others, village Dhardeo, dated the 26th May, 1937, to the Honourable Premier, Punjab Government, Simla.

We the undersigned inhabitants of village Dhardeo, District Amritsar beg to state as follows :—

- (1) A punitive police post was quartered at our village in February, 1936. The village inhabitants have been taxed Rs. 6,000 for the costs of the aforesaid police post based on mere estimate, for the 1st year and the same amount has been realized.

[Premier.]

We were told in the beginning that our police post is to consist of one assistant sub-inspector, two head constables and 11 constables but we can say with authority and get our statement verified from the police Roznamcha of the punitive police post that only for the first three months of the year two head constables remained present in our post. After three months one of them was sent to Beas police station where he remained busy in the investigation of the cases of the whole area under the jurisdiction of Beas police station. Similarly not for one single day the full strength of the constable has been found present in the police post. The daily average strength of the police constables in the police post never exceeded 8.

- (2) The police staff of our post has also remained busy in investigating the cases which occurred in the whole of Chananki zail. They go on patrols at night to the villages of Chananki zail. Nearly one-third of their time was sent in investigating the cases, which were committed in the aforesaid zail, outside the village boundary of Dhardeo. When the police staff of our police post had been busy in controlling the whole area of zail Chananki why should we be taxed alone? This act of the police staff is in violation of section 15, Act 5 of 1861.
- (3) From the statement of costs which is attached herewith you will find that the costs realized for the 1st year are far in excess of the actual costs of the police force which remained in our village. According to the provisions of law, i.e. section 15 (3) Act 5 of 1861 the village inhabitants are only responsible for the costs of the police force which actually remains present in the police post. The services of the reserve force were never required during the 1st year's stay of the police post in our village, therefore the charges made on this account should also be refunded. Under these circumstances we would request you to make enquiry in our case and refund the amount realized in excess of the actual costs of the police post. It seems that the amount already recovered was the estimated costs of the police post. To avoid the repetition of this mistake again we would request you to direct the Amritsar district authorities to recover the costs of 2nd year's costs after making a thorough enquiry about the actual costs of the police force which may remain in the village punitive police post during the 2nd year and if the costs due be realized in two instalments it will be much better and convenient.

Actual costs of Police Post village Dhardeo (Amritsar).

| | Rs. | A. | P. |
|--|-----|-----|---------------|
| 1. Salary of the Assistant Sub-Inspector of Police for 12 months | 540 | 0 | 0 |
| 2. Salary of the 2 Head Constables for 3 months | .. | 180 | 0 0 |
| 3. Salary of the 1 Head Constable for 9 months | .. | .. | 270 0 0 |
| 4. Salary of the 8 constables for 12 months | .. | .. | 1,680 0 0 |
| 5. Pension charges | .. | .. | .. 500 10 0 |
| 6. Contingency | .. | .. | .. 150 0 0 |
| 7. Conveyance allowance of the Assistant Sub-Inspector of Police | .. | .. | .. 180 0 0 |
| 8. Uniform allowance of the Assistant Sub-Inspector of Police | .. | .. | .. 20 0 0 |
| 9. Uniform allowance of head constables and constables | .. | .. | .. 139 0 0 |
| 10. Equipment charges | .. | .. | .. 20 0 0 |
| 11. House Rent | .. | .. | .. 360 0 0 |
| Total | .. | .. | .. 4,039 10 0 |
| Total recovery | .. | .. | .. 6,999 0 0 |
| Total costs | .. | .. | .. 4,039 10 0 |
| Difference | .. | .. | .. 2,960 6 0 |

NOTE (1) Pay of the Assistant Sub-Inspector of Police, head constables and 4 senior and 4 junior constables has been counted at the rate of Rs. 45, Rs. 30 and Rs. 18 and Rs. 17 respectively per head per mensem.

NOTE (2) only 10 wooden boxes and 10 charpais, one chair, one desk, one table was purchased and the postage and stationery charges were nominal therefore Rs. 150 are sufficient for the contingency.

PUNITIVE POLICE POSTS QUARTERED IN VILLAGES OF TAHSILS LAHORE
AND CHUNIAN.

***394. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to lay on the table a statement showing --

- (a) the names of villages of tahsils Lahore and Chunian in which the additional police posts were quartered between 1915 and 1980 ;
- (b) the date of punitive police post's arrival and withdrawal in each village ;
- (c) the estimated costs of each of the police posts of each year ;
- (d) the sanctioned strength of the police force for each of the aforesaid posts ;
- (e) the costs of each of the punitive police posts recovered from the inhabitants for each year ?

The Honourable Major Sir Sikander Hyat-Khan : This question is substantially identical with question 30¹, put by the honourable member for Lahore City (General Constituency) a few days ago. The honourable member is asked to refer to the statement supplied in reply to the earlier question.

PUNITIVE POLICE POST QUARTERED AT VILLAGES IN DISTRICT LAHORE.

***395. Dr. Sant Ram Seth :** Will the Honourable the Premier be pleased to lay on the table a statement showing the names of the villages in district Lahore in which the punitive police posts were quartered but full costs of the same were not recovered from the inhabitants by the end of March, 1986, with the amount of the arrears due from each village by the end of March, 1986 ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is laid on the table. Recovery of the small sums shown in this statement as outstanding has since been waived.

¹Page 283 ante.

[Premier.]
 Statement showing the names of villages in Lahore district in which Furniture Police Posts were quartered but full costs of the same were not recovered from the inhabitants by March, 1936.

| District. | Village. | Period of location. | Date of location. | Date of withdrawal. | Total cost. | Recovered up to 31st March, 1936. | Amount out-standing on 31st March, 1936. | REMARKS. |
|-----------|----------------------------|---------------------|----------------------------|----------------------------|-------------------------|---|--|------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Lahore | Hardo Sahari .. | Y. M. D. 5 0 0 | 1-2-22 and 1-11-28 | 31-1-26 and 31-10-29 | Rs. A. P. 34,911 1 8 | Rs. A. P. 34,554 2 0 | Rs. P. 356 15 8 | |
| Do. | Bhikhiwind Bains and Blahr | 4 0 0 | 9-5-22 | 8-5-26 | 27,536 9 7 | 27,502 13 2 | 33 12 5 | |
| Do. | Hudiana .. | 5 0 0 | 1-6-22 | 31-5-27 | 30,088 11 2 | 29,461 8 11 | 627 2 3 | |
| Do. | Narwar .. | 4 0 0 | 19-12-22 and 15-1-29 | 18-12-25 and 14-1-30 | 23,099 5 0 | 22,336 11 0 plus 34 0 0 recovered up to 1-4-37 | 762 10 0 minus. 34 0 0 | |
| | | | | | Total .. | 22,470 11 0 | 628 10 0 | on 1st April, 1937. |

| | | | | | | | | | | | | | | | | | |
|---------|----|-------------------------------|------------|---|---|---------------------------|----------------------------|--------|----|---|---|----|---|-------|-------|----|---|
| Lahore] | .. | Dal, Daleri and Kalsian Khurd | 4 | 6 | 0 | 10-9-23 | 9-3-23 | 28,602 | 2 | 5 | 28,450 | 1 | 3 | 152 | 1 | 2 | |
| Do | .. | Nanga and Tharra | 5 | 0 | 0 | 1-2-24 | 31-1-29 | 31,699 | 3 | 1 | 31,689 | 14 | 1 | 9 | 5 | 0 | |
| Do. | .. | Sarsingh | 5 | 2 | 0 | 15-9-24 and 1-11-29 | 14-9-28 and 31-12-30 | 36,780 | 13 | 3 | 29,201 plus 185 paid from G. P. Fund. | 2 | 4 | 7,444 | 4 | 6 | |
| | | | Total .. | | | | | | | | 29,336 | 8 | 0 | | | | |
| Do. | .. | Nachi | 2 | 0 | 0 | 1-2-25 | 31-1-27 | 10,255 | 3 | 2 | 10,209 | 15 | 2 | 45 | 4 | 0 | |
| Do. | .. | Chima and Dabli | 3 | 0 | 0 | 1-6-25 | 31-5-28 | 17,323 | 12 | 9 | 16,934 | 14 | 4 | 388 | 14 | 5 | |
| Do. | .. | Rajoke and Wan | 3 | 0 | 0 | 15-11-25 and 1-4-28 | 14-11-26 and 31-3-30 | 29,930 | 4 | 4 | 24,977 | 15 | 3 | 4,952 | 5 | 1 | |
| Do. | .. | Asal Atar, Rattoke and Chima | 6 | 0 | 0 | 1-11-22 and 1-4-28 | 31-10-26 and 31-3-30 | 28,850 | 6 | 7 | 28,850 | 6 | 7 | .. | .. | .. | |
| | | | | | | | | 22,440 | 4 | 0 | 17,804 | 14 | 0 | 4,635 | 6 | 0 | |
| | | | | | | | | | | | | | | minus | 3,740 | 6 | 0 |
| | | | Balance .. | | | | | | | | | | | | 895 | 0 | 0 |

RECRUITMENT OF FOOT CONSTABLES IN LUDHIANA.

***396. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that foot constables from Campbellpur, Sialkot, Amritsar and Sargodha districts have been recruited by the present Superintendent of Police, Ludhiana ;
- (b) the names of all of these foot constables who are residents of Sargodha, Sialkot, Amritsar and Campbellpur districts ;
- (c) whether any of them is related directly or indirectly to the Superintendent of Police ;
- (d) the names of those who have been sent to the Phillaur Training School ;
- (e) the reasons for giving them preference over others having same qualifications ;
- (f) the educational qualifications of all those recruited from outside Districts ;
- (g) the family services, if any, of those mentioned in (d) to the Police Department ;
- (h) the names of the relatives of those foot constables at present serving in the Police Department ;
- (i) whether in Ludhiana district a sufficient number of Sikhs and Hindus was not available ;
- (j) the number of foot constables that are posted to police stations ;
- (k) the names of the police stations where these men are posted ;
- (l) the number of certificates of commendation and cash rewards received by them ;
- (m) the circumstances under which these commendation certificates and cash rewards were awarded and on what occasions services were rendered by them ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The recruits enrolled by the present Superintendent of Police, Ludhiana, include two from Campbellpur, three from Amritsar and two from Sialkot ; none from the Shahpur district. It is not the practice to give names.

(c) One is a distant connection of a brother of the Superintendent of Police.

(d) One of the men referred to has been sent to the School.

(e) There was no question of special preference. The officer was selected on his merits, in conformity with the rules.

(f) In all, 39 constables have been recruited by the present Superintendent of Police from outside districts. Their educational qualifications are as follows :—

| | | | | |
|-----------------|----|-------|----|----|
| B.A. (Commerce) | .. | .. | .. | 1 |
| F.A. | .. | .. | .. | 2 |
| Matriculates | .. | .. | .. | 12 |
| Middle | .. | .. | .. | 9 |
| 7th class | .. | .. | .. | 3 |
| Primary | .. | .. | .. | 3 |
| 4th class | .. | .. | .. | 1 |
| Others | .. | .. | .. | 8 |
| | | | | — |
| | | Total | .. | 39 |
| | | | | — |

(g) No special family services.

(h) I am afraid that I do not understand this part of the question.

(i) Suitable Sikh recruits can be obtained, but there is considerable difficulty in securing Hindus of the required standard.

(j) Out of the total number of 59 constables enlisted by the present Superintendent of Police 13 are posted to police stations.

(k) Ludhiana City, Ludhiana Sadar, Khanna, Jagraon and Raikot.

(l) Thirteen commendation certificates and cash rewards amounting to Rs. 32.

(m) The certificates and cash rewards were granted in the ordinary way, in conformity with departmental rules. If the honourable member presses the matter I will have a list prepared giving particulars of each case but it scarcely seems worthwhile spending the time of the House on such administrative details.

Sardar Sahib Sardar Santokh Singh : Are there any rules which require an officer in the matter of such recruitment to confine his choice to men of the district for which recruitment is made or is it that the best men available have to be selected ?

Premier : The practice varies. In certain districts suitable recruits are not available and therefore they have to go outside the district.

Pandit Shri Ram Sharma (Urdu) : If suitable candidates are to be found in the district, are they given preference or not ?

Premier : Yes, they are.

Pandit Shri Ram Sharma (Urdu) : Will he please state whether at the time of recruitment due regard is kept for the communal and family ties of a candidate ?

Premier : Does not arise out of the question.

Pandit Shri Ram Sharma (Urdu) : What are the instructions which the Superintendents take into consideration at the time of recruitment ?

Premier : If the honourable member gives me notice, I shall be glad to obtain the information for him.

REMISSION GRANTED TO BEIT ILAQA.

***397. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the remission granted to the Beit ilaqa is much too small and quite inadequate in proportion to the damage done by the hailstorm ;
- (b) whether it is a fact that in the Beit ilaqa there being no roads the Collector did not at all visit the hailstorm stricken villages in the Beit ;
- (c) the names of the hailstorm stricken villages which were visited by the tahsildar only ;
- (d) whether the Honourable Minister has issued instructions that the Silver Jubilee funds may be utilised in affording relief to the poor, particularly the rural population who have suffered from hailstorms, etc. ;
- (e) the amount of Silver Jubilee funds ;
- (f) the name of person in charge of the funds, if it is a committee, the names of its members ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No, the area damaged in the Beit ilaqa of the Ludhiana district was only 627 acres and a remission of Rs. 1,018 was granted.

(b) The Collector could not visit the Beit villages because he was pre-occupied with more important work, and not for any other reason.

(c) A statement is placed on the table.

(d) No.

(e) and (f) Do not arise.

List of 42 villages affected by hailstorms in the Ludhiana district visited by the Tahsildar and other higher officers.

| | |
|---------------------|--------------------|
| 1. Sasrali. | 22. Mangli Unchi. |
| 2. Raur. | 23. Pawa. |
| 3. Buthgarh. | 24. Khakhat. |
| 4. Matlewara. | 25. Barhampur. |
| 5. Hawas. | 26. Rochhin. |
| 6. Khasi Khurd. | 27. Maherna Kalan. |
| 7. Khasi Kalan. | 28. Sandhaur. |
| 8. Shahabana. | 29. Manki. |
| 9. Bholapur. | 30. Saya Kalan. |
| 10. Mundian Khurd. | 31. Saya Khurd. |
| 11. Manghi Nichi. | 32. Kaind. |
| 12. Chawaddi. | 33. Bul. |
| 13. Jarkhar. | 34. Dehlon. |
| 14. Sarih. | 35. Shankar. |
| 15. Khanpur. | 36. Raipur. |
| 16. Jaspal Bangar. | *37. Jartauli. |
| 17. Kanganwal. | *38. Ghungrana. |
| 18. Dhandari Khurd. | *39. Kalak. |
| 19. Dhandari Kalan. | *40. Dhurkot. |
| 20. Jogiana. | *41. Chhapar. |
| 21. Gobindgarh. | 42. Rangian. |

The villages marked with asterisks were visited by the Tahsildar only.

HALF FEE CONCESSIONS FOR CHILDREN OF DEPRESSED CLASSES.

***398. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Government decided in 1929, that from April, 1930 onwards all children of the depressed classes at the middle stage in vernacular and anglo-vernacular schools in all districts shall receive the half fee concessions ;
- (b) whether it is a fact that by virtue of letter No. 14442, dated 2nd July, 1936, the above-mentioned concession was withdrawn ; if so, reasons for the same, and whether the Government proposes to restore the concession ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) No. The letter quoted by the honourable member seems to have no bearing on the subject. Presumably he has in mind Punjab Government (Ministry of Education) letter No. 14445-G., dated the 2nd July, 1936, according to which fee concessions to the children of the depressed classes may be withdrawn in individual cases for serious misconduct, idleness or irregularity in attendance by the special orders of the divisional inspectors or circle inspectresses in the case of schools and of the principals of intermediate colleges in the case of the high classes attached to them. This ruling is equally applicable to other special fee concessions granted on the score of poverty or educational backwardness, e.g., concessions to the children of agriculturists, criminal tribes, etc., and Government is not prepared to withdraw it as it is considered essential to have some safeguard against the misuse of the concessions.

HINDUS AND MUNICIPAL COMMITTEE, MANDI BAHU-UD-DIN.

***399. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Hindus are in majority in the town of Mandi Baha-ud-Din ;
- (b) whether any representation was made by them against the establishment of a Municipal Committee at Mandi Baha-ud-Din ;
- (c) whether any representation was made by any other community objecting to the Government's decision ; if so, the reasons given in that representation ;
- (d) whether the previous decision of the Government was objected to on the ground that the establishment of a municipal committee would make the Punjab Alienation of Land Act inapplicable to the town of Mandi Baha-ud-Din ;
- (e) whether the establishment of a municipal committee in any town has ever been withheld or cancelled for the reason that such establishment will make the Punjab Alienation of Land Act inapplicable to the town concerned ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No.

(c) The late Government had passed no final orders. The proposal to make a municipal committee had been published for objections. The muslim zamindars objected to the proposal on the ground that they would be deprived of the protection of the Land Alienation Act.

(d) As stated above, the proposal was objected to on the ground that the establishment of a municipal committee would make the Punjab Alienation of Land Act inapplicable to the town. The Commissioner and the Deputy Commissioner in commenting on the objections to the proposal also gave their opinion that as the town was a colony town and was still in the process of development, it would be preferable to retain the notified area committee for some years. It was also pointed out that Government had direct interest in the town as there were still 160 acres of Government land available for sale. As an alternative, they preferred the establishment of a small town committee to that of a municipal committee.

(e) No. The records do not show that this objection has ever been made by the persons concerned.

Diwan Chaman Lall : Who made the objections ?

Minister : Zamindars of the area.

Diwan Chaman Lall : Was it by means of a petition ?

Minister : Representations through local officers.

Diwan Chaman Lall : What was the number of zamindars who made that representation ?

Minister : I cannot give the number off-hand.

Diwan Chaman Lall : Has the Honourable Minister satisfied himself that only a small group of vested interests were opposed to the introduction of a municipal committee ?

Minister : Certainly not. All the agriculturists concerned made that representation.

Diwan Chaman Lall : How can the Honourable Minister say all the agriculturists concerned made that representation, when only a few zamindars objected according to his own statement ?

Minister : The representation was signed by all concerned.

Diwan Chaman Lall : Is it a fact that the Honourable Minister said that he does not know how many people signed this report ?

Minister : I cannot quote the number. This is all I said.

Diwan Chaman Lall : How then can the Honourable Minister inform this House that all the agriculturists opposed ?

Minister : Because a majority of them signed the representation.

Seth Ram Narain Virmani (Urdu) : Has not a notification been issued that Mandi Baha-ud-Din should be made a municipal committee ?

Chaudhri Kartar Singh (Urdu) : Will he consider the question of notifying it as a municipal committee ?

Minister : No, the proposal has been turned down and a notification has been issued constituting it as a small town committee.

Diwan Chaman Lall : Is the Honourable Minister prepared to look into the matter again and satisfy himself?

Minister : It does not arise.

Diwan Chaman Lall : May I request the Speaker to let the House know whether it is the duty of the Honourable Minister opposite to raise this objection that the question does not arise or whether it is the duty of the Chair?

Minister : I have only suggested it to the Chair.

Diwan Chaman Lall : Is the Honourable Minister prepared to look into this matter and satisfy himself and this House regarding the statements made by him?

Minister : I was satisfied when I came to that decision.

Diwan Chaman Lall : May I ask the honourable member whether he is so easily satisfied without the facts and figures before him?

Minister : Only after careful consideration.

Seth Ram Narain Virmani (Urdu) : Has the Deputy Commissioner made any wards?

Minister : Only a notification under section 4 had been issued, the final notification under section 6 of the Municipal Act had not been issued. Objections were received and the proposals were turned down.

Diwan Chaman Lall : Is the Honourable Minister satisfied that there is no question of jobbery in this?

Minister : Perfectly satisfied.

Diwan Chaman Lall : How is he perfectly satisfied? On what grounds is he satisfied?

Seth Ram Narain Virmani (Urdu) : Has the Deputy Commissioner sent proposals for the wards?

Minister : It does not arise.

Dr. Sir Gokul Chand Narang : It does arise. Is it not a fact that the Deputy Commissioner had already submitted his proposals for constituting wards? The answer should be yes or no. The answer given is most misleading and against facts.

Premier : I do not think the honourable member can say the answer is most misleading. If it does not suit him, it is a different matter.

Dr. Sir Gokul Chand Narang : The Honourable Minister does not reply to my question.

Minister : Put a clear question and I will try to reply.

Dr. Sir Gokul Chand Narang : The question is as clear as the day, whether the Deputy Commissioner sent his proposals constituting wards in the proposed Municipal Committee or not. That is the question and a simple yes or no should be the answer.

Minister : My honourable friend tried to expedite the formation of the wards but before—

Dr. Sir Gokul Chand Narang : I am not referring to the honourable friend. I am referring to the Deputy Commissioner and asking whether the Deputy Commissioner sent his proposals. Why cannot the Honourable Minister answer it by yes, or no ?

Maulvi Ghulam Mohy-ud-Din : May I have your ruling Sir, whether a member is entitled to comment upon the answer given by the Minister ?

Dr. Sir Gokul Chand Narang : There is no comment.

Maulvi Ghulam Mohy-ud-Din : Is a member entitled to say that the answer is most misleading or is it for the Honourable Speaker to say that the answer is satisfactory or otherwise ? May I then, ask the Honourable Minister whether he is satisfied that the answer is not misleading.

Minister : Not at all. Similar answers have been given by my predecessor in hundreds of cases (*laughter*).

Dr. Sir Gokul Chand Narang : That question still remains to be answered, whether the Deputy Commissioner had sent his proposals or not. This is the question. The answer from which it arises was that objections were raised to the proposals and they were turned down.

Minister : Honourable Member may be referring to something that happened in his time. I am not aware of it.

Dr. Sir Gokul Chand Narang : Not at all. Is the Honourable Minister aware or not that the Deputy Commissioner forwarded his proposals for constituting the wards.

Minister : The notification was issued under section 4 and the Deputy Commissioner and the Commissioner objected to the formation of the municipal committee.

Dr. Sir Gokul Chand Narang : Did he send proposals for constituting wards or not, after his objections and the objections of the Commissioner had been rejected by Government ?

Minister : Not in my time. I am not aware of what happened in the honourable member's time.

Dr. Sir Gokul Chand Narang : Is there any rule that the Minister is bound to answer only questions which related to administration during his time ?

Minister : I know the general fact, the details of this case may be known better to my honourable friend.

Dr. Sir Gokul Chand Narang : Does the Honourable Member know or not that the proposals for wards had been sent ? I want a simple yes or no.

Minister : Search your memory.

Dr. Sir Gokul Chand Narang : Why is the Honourable Minister trying to prevaricate ? Why does he not say yes or no ?

Sayed Afzaal Ali Hasnie : Will the Honourable Minister kindly state if the Honourable ex-Minister wants to elicit information about a matter which happened when he was in office ?

Dr. Sir Gokul Chand Narang : That does not matter. My question still remains unanswered.

Mr. Speaker : The honourable member has put and repeated his question more than once, but no answer is given, so, silence may be taken to be the answer.

Premier : I think my colleague had answered the question, but it was not considered satisfactory by my honourable friend.

Dr. Sir Gokul Chand Narang : The Honourable Premier is entirely wrong.

Minister : I replied that question, but the honourable member tried to get some detailed information and I said that the details may be better known to him. He visited the place on a rainy day and started the proposals, but I am not aware of its details.

Dr. Sir Gokul Chand Narang : I was only referring to the Honourable Minister's personal knowledge. Does he know or not that after the objections had been rejected, the Deputy Commissioner sent proposals for constituting wards? If he does not know he should say no.

Minister : The honourable member went there on a rainy day and started the proposals. He should know them.

Dr. Sir Gokul Chand Narang : What has the rainy day to do with this?

Minister : How am I aware of what the honourable member told the Deputy Commissioner?

Seth Ram Narain Virmani (Urdu) : When the last Ministry had rejected the proposals of the Deputy Commissioner and the Commissioner, why was the matter re-opened?

Minister : I think they were not rejected as only a notification under section 4 had appeared.

Diwan Chaman Lall : Is the Honourable Minister prepared to give reasons as to why they were wrongly rejected?

Minister : Reasons were obvious. There were 184 acres of agricultural and 160 acres of Government land in the town (*hear, hear*).

Diwan Chaman Lall : Is that the policy of the Government?

Minister : Yes. As far as I am concerned I must safeguard agricultural and Government interests (*hear, hear*).

Seth Ram Narain Virmani : Were these objections rejected by the Minister himself or by the Cabinet?

Minister : That is a confidential matter and you cannot ask.

Diwan Chaman Lall : Is it a fact that if Mandi Baha-ud-Din is declared a municipal committee, the price of land in the locality will be doubled and therefore the agriculturists will benefit and will not lose?

Minister for Development : They will lose their valuable lands to the money-lenders.

Dr. Sir Gokul Chand Narang : Will he please state how the constitution of a particular place into a municipality compels the lands of agriculturists to go out of their hands.

Minister for Public Works : It removes the protection of the Land Alienation Act.

Dr. Sir Gokul Chand Narang : Does it create any compulsion ?

Minister : It opens the door (*laughter*).

Dr. Sir Gokul Chand Narang : Are Phulwal and Phularwan municipalities ?

Minister : Yes.

Dr. Sir Gokul Chand Narang : And are they colony towns ?

Minister : Old colony towns, with no agricultural lands.

Dr. Sir Gokul Chand Narang : And is their population less than the population of Mandi Baha-ud-Din ?

Minister : May be, you are better aware of it.

Dr. Sir Gokul Chand Narang : You live near to that place.

Nawab Sir Malik Muhammad Hayat Khan Noon : Is Bhalwal headquarters of the tahsil ?

Minister : Yes.

Dr. Sir Gokul Chand Narang : Is Mandi Baha-ud-Din the headquarters of a sub-judge ?

Minister : You should know.

NOTIFIED AREA COMMITTEE OF BAHA-UD-DIN.

***400. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the main ground for cancelling the decision to convert the Notified Area Committee of Baha-ud-Din into a municipal committee was that it was objected to by some Muslim statutory agriculturists owning land within the notified area ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The attention of the honourable member is drawn to the reply given to question No. *399 (above).

INTERVIEWS WITH POLITICAL PRISONERS.

***401. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Punjab Jails Department maintains a list of persons who are not allowed to interview political prisoners or under-trials in the jails ;

- (b) whether it is a fact that the said list includes the names of certain honourable members of this House;
- (c) whether it is a fact that Master Kabul Singh, M.L.A., was recently refused permission to interview certain under-trials in Hoshiarpur sub-jail on the ground that his name was included in the black list?

The Honourable Major Sir Sikander Hyat-Khan : This question is identical with No. 377¹ to which an answer was given on the 12th July, 1987.

SOHAWA SINGH, LACHHMAN SINGH OF VILLAGE DHARDEO, DISTRICT
AMRITSAR.

***402. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Sardar Sohawa Singh, Lachhman Singh and 207 other inhabitants of village Dhardeo, submitted an application on the 5th November, 1985, in which they made serious allegations against the police force which was quartered at the above village on 7th October, 1985, and which remained there for a period of two months;
- (b) if the answer to (a) above be in the affirmative, whether he will lay on the table their original application and state whether any inquiry was made by the Government; if so, who conducted the inquiry; how many of the complainants were served with notices to appear before the investigating officer and how many of them did appear before him to get their evidence recorded; and what was the result of the inquiry?

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

(b) It is regretted that the petition was lost in the office of the Superintendent of Police, Amritsar, to whom it was forwarded for enquiry, and in consequence no enquiry was made. Disciplinary proceedings are being taken in connection with the loss of the document.

Dr. Sant Ram Seth (Urdu) : What were those serious allegations against the police?

Premier : I have not seen the petition.

Dr. Sant Ram Seth (Urdu) : If the Honourable Premier receives another application from those people, will he be prepared to make an enquiry?

Premier : Certainly.

CONFISCATION OF PROPERTY IN SEDITION CASES.

***403. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing :—

- (a) the names of the convicts in the province with their full addresses whose properties were confiscated after their convictions by the criminal courts or the special tribunals for sedition and waging war against the King-Emperor between 1914 and 1930 ;
- (b) full description and value of the property confiscated, of each convict ;
- (c) the number and names of convicts mentioned in (a) who applied to the Government after their release for the return of their property ; with decision arrived at on their applications ?

The Honourable Major Sir Sikander Hyat-Khan : The provisions of the Indian Penal Code enabling forfeiture of property to be ordered as one of the penalties for sedition and waging war against the King were repealed in 1921. It would not be possible at this stage to compile a complete list of cases in which this penalty was imposed between 1914 and 1921.

FACILITIES FOR VISITORS TO KASUR JAIL.

***404. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether on the 1st June, 1937, Sardar Naranjan Singh, Municipal Commissioner of Notified Area, Sursingh, tahsil Kasur, and Sardar Sajjan Singh Margindpuri and other persons of tahsils Chunian and Kasur, district Lahore, submitted an application to him in which they complained against the orders issued by Kasur sub-jail authorities prohibiting the persons who go to interview their relatives in Kasur jail, from sitting under the shades of the trees on the road which leads from Kasur courts to the jail ;
- (b) whether the applicants mentioned in (a) above also requested the Government to construct a shed or verandah for the convenience of persons who go to interview their relatives confined in the said jail ;
- (c) if the answer to (a) and (b) be in the affirmative, whether any inquiry was made by the Government ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is asked to see the reply given to question No. *368.¹

CONSTRUCTION OF A TANK AT LUDHIANA.

***405. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of members of the Ludhiana District Board who were present at the time when the resolution relating to the construction of a tank was passed ;

- (b) the name of the person presiding over the meeting of the District Board in which the resolution was passed ;
- (c) whether the resolution contravenes the conditions on which the *rakh* was made open to the District Board, Ludhiana ;
- (d) whether the resolution has been suspended ; if not, why not ;
- (e) the cost of the tank ;
- (f) the name of the person who will supervise the construction of the tank ;
- (g) whether the District Engineer can accept tenders and take up the work of construction without previous sanction of the Board ;
- (h) the time the District Engineer has already devoted to initial stages of the construction of this tank ;
- (i) whether the foundations of the tank were dug out before the receipt of the sanction of the Government ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Thirty-five.

(b) The Chairman, District Board, Ludhiana.

(c) The orders under which the *rakh* was handed over to the Board have not yet been traced, but in my case the sanction of Government is being asked for.

(d) No. No necessity for suspending it has been shown.

(e) Approximately Rs. 5,000.

(f) The District Engineer.

(g) As the District Board is not spending any money on this tank its previous sanction for accepting tenders was not necessary.

(h) The District Engineer is giving his help and advice in his private capacity, outside office hours.

(i) Yes, but the construction was stopped some time ago pending receipt of Government sanction.

MORTGAGED LAND IN ATTOCK DISTRICT.

***406. Pir Mohy-ud-Din Lal Badshah :** Will the Honourable Minister for Revenue be pleased to state the area of land in the Attock district mortgaged with possession in favour of non-agriculturists in lieu of interest on capital advanced by them (non-agriculturists) before the Alienation of Land Act came into force ; and also the period for which such lands have been in possession of the mortgagees ?

The Honourable Dr. Sir Sundar Singh Majithia : The preparation of these statistics would require an amount of time and labour out of all proportion to the results obtainable. It is regretted that Government does not feel justified in calling for them.

Pir Mohy-ud-Din Lal Badshah (Urdu) : Is the Honourable Minister aware that in some cases the interest payable through the mortgaged lands has reached a figure which is almost fifty to hundred times the principal sum ?

Minister : My honourable friend cannot expect me to keep all these things in my mind. If he puts a question I will make enquiries.

Pir Mohy-ud-Din Lal Badshah (Urdu) : I sent a detailed question, but it has been considerably cut short.

Minister : I have only to reply to the question as it has been put.

TEMPORARY LEASES OF LAND IN ATTOCK DISTRICT.

***407. Pir Mohy-ud-Din Lal Badshah :** (i) Will the Honourable Minister for Revenue be pleased to state—

(a) the number of debtors in the Attock district whose lands have been temporarily leased out to the money-lenders after the Relief of Indebtedness Act, 1934, and the Punjab Debtors Protection Act, 1936, came into force ;

(b) whether at the time of leasing out such lands the question of the maintenance of the debtors and their families was taken into consideration ;

(ii) whether he will lay on the table of the House a statement showing the area of land belonging to each of such debtors and the extent of area left out for them for their maintenance ;

(iii) whether it is a fact that in the case of some of these debtors no land has been left out for their maintenance and for the maintenance of their families ; if so, the reasons for the same, and the action Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (i) (a) 65 and 84 respectively.

(i) (b) and (ii) Copies of documents which would give the required information in any particular case are obtainable on payment of the usual fees. Government consider it against the public interest to supply such information in reply to questions in the Assembly.

(iii) The district authorities duly consider such points and take action but if the person affected is not satisfied with the order he has the right of appeal to higher authorities.

POSTING OF OFFICERS TO DIFFERENT PLACES.

***408. Pir Mohy-ud-Din Lal Badshah :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that generally gazetted officers are not posted to one place for more than three years and it is considered necessary to transfer them from there, after the expiry of that period ;
- (b) if the answer to the above be in the affirmative, whether it is a fact that this principle is not observed in the case of subordinate staff ; if so, why ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The practice varies and there are no set rules on the subject. Transfers among gazetted Government servants are made entirely in the exigencies of the public service and not simply because an officer happens to have completed three years or more in a particular district ;

(b) Does not arise. Practice varies in different departments. Speaking generally I may say that periodical transfers of subordinates especially of clerical establishment are less necessary than those of gazetted officers.

UPPER BARI DOAB CANAL AND SCHEDULED RATES OF WORKS.

***409. Chaudhri Ali Akbar :** Will the Honourable Minister for Revenue be pleased to state the scheduled rates of the works undertaken in respect of the Upper Bari Doab Canal for the years 1910 to 1922, and 1924 to 1936 ?

The Honourable Dr. Sir Sundar Singh Majithia : A statement is laid on the table.

Information for the years 1910 and 1911 is not available.

[Minister for Revenue.]

Schedule of rates in respect of Upper Bari Doab Canal for the years 1912

| Serial No. | Item. | YEARS 1912 to 1922 | |
|------------|--|----------------------|---|
| | | 1912-18. | 1919-20. |
| 1 | 2 | 3 | 4 |
| | <i>Earthwork.</i> | | |
| 1 | Silt clearance of channels bed widths 6' or less including dressing. No basket work. | 2-12-0 to 3-8-0 ‰ .. | .. |
| 2 | Silt clearance of channels bed width 6' to 15'. | Ditto .. | .. |
| 3 | Silt clearance of channels bed width 15' and above. | 6-0-0 to 8-1-0 ‰ .. | .. |
| 4 | Borrowpit earthwork combined lead upto 50' including dressing (1' of lift = 8' lead). | 3-0-0 to 4-4-0 ‰ .. | 5-0-0 and above according to depth and digging lift and lead. |
| 5 | Borrowpit earthwork combined lead upto 100' including dressing (1' of lift = 8' lead). | 4-12-0 to 7-0-0 ‰ .. | Ditto. |
| 6 | Borrowpit earthwork additional lead 50' .. | 0-12-0 to 1-0-0 ‰ .. | .. |
| | <i>Concrete, Labour rates only.</i> | | |
| 7 | Lime concrete including slaking of Lime and mixing of mortar. | 4-12-0 to 6-8-0 ‰ .. | .. |
| 8 | Cement concrete (including watering) .. | .. | .. |
| 9 | Cement concrete for reinforcing work including watering excluding curing. Wriggling of concrete in reinforcements | .. | .. |
| | <i>Brick Masonry Labour only.</i> | | |
| 10 | Brick work in Lime large works, including striking of joints. | 8-7-0 to 9-12-0 ‰ .. | 9 0 0 |
| 11 | Brick work in Lime small works including striking of joints. | 8-7-0 to 9-12-0 ‰ .. | .. |
| 12 | Brick work in Lime buildings including striking of joints. | 8-7-0 to 9-12-0 ‰ .. | .. |
| 13 | Brick work in cement | 8-7-0 to 9-12-0 ‰ .. | .. |
| 14 | Kacha-pacca masonry | 8-4-0 to 9-4-0 ‰ .. | 8 0 0 |
| 15 | Kacha Masonry (including bricks) .. | 6-0-0 to 6-8-0 ‰ .. | 11 0 0 |
| | <i>Miscellaneous—Labour only.</i> | | |
| 16 | Dry Brick Pitching | 5-8-0 to 7-0-0 ‰ .. | 3 3 0 |
| 17 | Stone filling | .. | .. |
| 18 | Stone pitching | 5-0-0 ‰ .. | .. |

[Minister for Revenue.]

| Serial No. | Item. | YEARS 1912 TO 1922 | |
|------------|---|------------------------------------|----------|
| | | 1912-18. | 1919-20. |
| 1 | 2 | 3 | 4 |
| | <i>Miscellaneous - Labour only—concl'd.</i> | | |
| 19 | Cement Plaster | 2-8-0% .. | 2 8 0 |
| 20 | Cement Pointing (old work) | 2-0-0 to 2-3-0% .. | .. |
| 21 | Mud Plaster (with Gohri) | 0-10-0 to 0-13-0% | .. |
| 22 | White washing (including supply of lime) 1 coat. | .. | .. |
| 23 | White washing (including supply of lime) 2 coats. | 0-6-0 to 0-8-0% .. | .. |
| 24 | White washing (including supply of lime) 3 coats. | .. | .. |
| 25 | Metalling | 2-4-0 to 3-2-0% .. | .. |
| 26 | Brick Ballast (breaking to 1½" ring) .. | 2-4-0 to 3-1-0% .. | .. |
| 27 | Brick Ballast for reinforcements .. | .. | .. |
| | <i>Wood Work.</i> | | |
| 28 | Deodar doors and windows 2" thick glazed per s.ft. including erection. | 1-12-0 to 1-14-0 s. ft. | .. |
| 29 | Rattened doors 1½" thick, with iron fitting and erection. | .. | .. |
| 30 | Deodar Wood Works per c. ft. .. | .. | .. |
| | <i>Materials.</i> | | |
| 31 | Lime (f. o. r. despatching station) .. | 1-2-6 to 1-4-0 md. . . | .. |
| 32 | Sarkhi (at kiln) | 13-8-0 to 14-0-0% | .. |
| 33 | Bricks 9" (at kiln) | .. | .. |
| 34 | Bricks 10" (at kiln) | 10-0-0 to 14-0-0% | .. |
| | <i>Carriage.</i> | | |
| 35 | 100 c. ft. or 1,000 bricks 1st Mile .. | 1-4-0 to 2-0-0% c.ft. or % No. | .. |
| 36 | 100 c. ft. or 1,000 bricks 2nd Mile .. | 1-0-0 to 1-8-0% c.ft. or % No. | .. |
| 37 | 100 c. ft. or 1,000 bricks 3rd Mile .. | 0-12-0 to 1-8-0% c.ft. or % No. | .. |
| 38 | 100 c. ft. or 1,000 bricks 4th Mile .. | 0-12-0 to 1-0-0% c.ft. or % No. | .. |
| 39 | 100 c. ft. or 1,000 bricks 5th Mile .. | 0-12-0 to 1-0-0% c.ft. or % No. | .. |
| | And subsequent miles | 0-8-0 to 1-0-0% c.ft. or % No. | .. |

| YEARS 1924 TO 1936. | | | | | | | |
|---------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1921-22. | 1924-26. | 1927-28. | 1929. | 1930. | 1931. | 1932. | 1933-36. |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| 4 0 0 | 4 0 0 | 4 8 0 | .. | 3 0 0 | 3 0 0 | 3 0 0 | 3 0 0 |
| .. | .. | 3 8 0 | .. | 2 12 0 | 3 0 0 | 3 0 0 | 3 0 0 |
| .. | .. | 1 4 0 | 1 0 0 | 1 0 0 | 0 10 0 | 0 10 0 | 0 10 0 |
| .. | .. | .. | 0 3 6 | 0 3 6 | 0 3 0 | 0 3 0 | 0 3 0 |
| .. | .. | .. | 0 6 0 | 0 6 0 | 0 6 0 | 0 5 0 | 0 5 0 |
| .. | .. | 0 10 0 | 0 8 0 | 0 8 0 | 0 8 0 | 0 8 0 | 0 8 0 |
| .. | .. | .. | 5 0 0 | 5 0 0 | 3 0 0 | 2 12 0 | 2 12 0 |
| .. | .. | .. | 3 0 0 | 3 0 0 | 2 4 0 | 2 0 0 | 2 0 0 |
| .. | .. | .. | .. | .. | .. | 4 8 0 | 4 8 0 |
| .. | .. | 2 0 0 | 1 12 0 | 1 12 0 | 2 0 0 | 1 12 0 | 1 8 0 |
| .. | .. | .. | 1 6 0 | 1 6 0 | 1 2 0 | 0 14 0 | 1 0 0 |
| .. | .. | .. | 4 0 0 | 4 0 0 | 3 8 0 | 3 0 0 | 3 0 0 |
| 1 8 0 | 1 8 0 | 1 8 0 | 0 8 0 | 0 8 0 | 0 9 0 | 0 9 0 | 0 9 0 |
| to | to | .. | 0 10 0 | .. | .. | .. | .. |
| 2 0 0 | 2 0 0 | 22 0 0 | 18 0 0 | 18 0 0 | 16 0 0 | 16 0 0 | 16 0 0 |
| 20 0 0 | 20 0 0 | .. | to | .. | .. | .. | .. |
| to | to | .. | 19 0 0 | .. | .. | .. | .. |
| 24 0 0 | 24 0 0 | .. | 10 0 0 | 10 0 0 | 11 0 0 | 10 8 0 | 10 8 0 |
| .. | .. | .. | to | to | .. | .. | .. |
| 15 0 0 | 15 0 0 | 16 0 0 | 12 0 0 | 11 0 0 | 14 0 0 | 14 0 0 | 14 0 0 |
| to | to | to | .. | .. | .. | .. | .. |
| 24 0 0 | 24 0 0 | 18 0 0 | .. | .. | .. | .. | .. |
| 2 0 0 | 2 0 0 | 2 8 0 | 2 0 0 | 2 0 0 | 1 12 0 | 1 12 0 | 1 10 0 |
| 1 12 0 | 1 12 0 | 2 0 0 | 1 12 0 | 1 12 0 | 1 6 0 | 1 6 0 | 1 4 0 |
| 1 8 0 | 1 8 0 | 1 8 0 | 1 8 0 | 1 8 0 | 1 2 0 | 1 2 0 | 1 0 0 |
| 1 4 0 | 1 4 0 | 1 4 0 | 1 4 0 | 1 4 0 | 0 12 0 | 0 12 0 | 0 12 0 |
| 1 0 0 | 1 0 0 | 1 0 0 | 1 0 0 | 1 0 0 | 0 10 0 | 0 10 0 | 0 10 0 |
| 0 12 0 | 0 12 0 | .. | .. | .. | .. | .. | .. |

BRIBERY AND CORRUPTION.

*410. **Lala Bhagat Ram Choda** : Will the Honourable Premier be pleased to state what steps, if any, Government have taken to eradicate bribery and corruption in the police and other departments?

The Honourable Major Sir Sikander Hyat-Khan : Government have issued various circulars on the subject of corruption subsequent to the issue of the 1921 Resolution and annually prepares and lays on the table of the House a statement showing action taken against corrupt officials. The statement for the period ending 31st March, 1937, is now under preparation and it is hoped that a copy will be available for presentation to the House before the current session of the Assembly terminates. The honourable member may be interested to know that Government have decided that the only appropriate punishment for proved cases of corruption is dismissal and this policy will be rigidly enforced.

Lala Duni Chand : Is it true that complaints of corruption against Government servants, particularly against police officers are very rarely false, and invariably they are true?

Premier : No.

Lala Duni Chand : Should I understand that they are invariably false?

Premier : No, Sir.

Lala Duni Chand : Is it true that most of the complaints enquired into result in no action being taken?

Premier : I am afraid I cannot make any sweeping statement. If the honourable member gives a particular instance I will make an enquiry.

Lala Duni Chand : Is it the general tendency of superior officers and the Ministers to say that an enquiry has been made into the allegations of corruption and that they have been found to be false?

Premier : No, Sir.

Pandit Shri Ram Sharma (Urdu) : How many cases against corruption have been instituted since the present Ministry took office?

Premier : In which particular district the honourable member wants to know? In his own district or in any other district?

Pandit Shri Ram Sharma (Urdu) : In the whole of the Punjab.

Premier : The honourable member probably thinks that I am an encyclopædia in regard to corruption cases in all the districts of the Punjab.

Pandit Shri Ram Sharma (Urdu) : Since the present Ministry is very keen on the eradication of corruption, I thought a good many convictions would have been made by now. I want to know their number.

Mr. Speaker : Arguments are out of order.

Pandit Shri Ram Sharma (Urdu) : What new steps has the present Government taken as compared with the last Government to put an end to corruption?

Premier : We have issued circulars and invited attention of all departments.

Pandit Shri Ram Sharma (Urdu) : Were no circulars issued before ?

Premier : Yes. But in spite of obstacles put in our way, I think we will be able to deal with corruption more rigidly.

Pandit Shri Ram Sharma (Urdu) : Which department is the worst offender in the matter of corruption ?

Lala Duni Chand : Is it true that corruption cases reach Government every day in large numbers ?

Premier : I am not aware of that.

Lala Bhim Sen Sachar : Does the Honourable Premier mean that obstacles are put by the departments against whose members enquiries have to be held or they are put by the members of the public ?

Premier : By people, who make false reports and try to mislead the officials of Government.

UNEMPLOYMENT.

***411. Lala Bhagat Ram Choda :** Will the Honourable Minister for Development be pleased to state what measures, if any, Government have adopted to remove unemployment ?

The Honourable Chaudhri Sir Chhotu Ram : The attention of the honourable member is invited to the reply given to question No. *102¹ in the current session.

ROADS IN VILLAGES.

***412. Lala Bhagat Ram Choda :** Will the Honourable Minister for Public Works be pleased to state what steps Government propose to take to improve the condition of roads and passages in the villages ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret that the answer to this question is not yet ready.

UPLIFT OF RURAL AREAS.

***413. Lala Bhagat Ram Choda :** Will the Honourable Minister for Development be pleased to state the amount, if any, the Government has sanctioned or intends to sanction for the uplift of rural areas ?

The Honourable Chaudhri Sir Chhotu Ram : Rupees 4,75,924, but this is in addition to the very large expenditure on the beneficent departments, most of whose activities are directed to improving rural conditions.

PROTECTION OF INDUSTRIES.

***414. Lala Bhagat Ram Choda :** Will the Honourable Minister for Development be pleased to state what steps, if any, Government has taken or intends to take to protect Punjab industries, especially sugar and cotton ?

The Honourable Chaudhri Sir Chhotu Ram : It is not understood what the honourable member means. If he will kindly give a fresh notice of the question making his meaning clear an answer will be given.

Dr. Sir Gokul Chand Narang : Is it a fact that the Industries Department had recommended the inclusion in the schedule of new expenditure a sum of 5 lakhs for the current year for the encouragement of industries and that sum has been cut down in the budget to two lakhs ?

Minister : Does it arise out of my answer ?

Dr. Sir Gokul Chand Narang : Does it not, Sir ?

MUNICIPAL COMMITTEE, RUPAR AND ELECTORAL ROLLS.

***415. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the Municipal Committee, Rupar, passed a resolution No. 366, dated the 5th December, 1936, drawing the attention of Deputy Commissioner, Ambala, to the general complaint of the public that the electoral rolls as prepared were defective and incomplete ; if so, what steps have been taken to remove this general complaint of the public ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes, but the Committee failed to send the resolution to the Deputy Commissioner as it should have been done. It, however, came to his notice in the proceedings of the Committee as all such proceedings have to be submitted to him. As the aggrieved persons could file claims and objections the Deputy Commissioner did not take any action in the matter. Government intend to take no further action.

Lala Duni Chand : Is it true that hundreds of names of voters entered in the previous list of 1933 were omitted in the new list of 1936 ?

Minister : I have not got the list ; so I cannot give the numbers.

Lala Duni Chand : Will the Honourable Minister act on the information that I am going to give him, namely that names of hundreds of voters that were entered in the list of 1933 were omitted in the fresh list of 1936 and make enquiries ? I give this information and I request the Honourable Minister to make enquiries .

Minister : The remedy for that is to file claims under the rules.

Lala Duni Chand : Will it not be a proper thing for the head of the department to see to this when hundreds of names that should have been in the fresh list have been omitted by those who framed those lists ?

Premier : Deliberately ?

Lala Duni Chand : Yes.

Minister : How does the honourable member assume the omission ?

Pandit Shri Ram Sharma (Urdu) : Is it a fact that from the electoral roll of 1933 the names of 980 voters were not brought on the electoral roll of 1936 ?

Minister : The honourable member knows better about it.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that the name of Pandit Ganga Ram, municipal commissioner, was also omitted from the electoral list ?

Minister : I do not know ; there are hundreds and thousands of voters on the list.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that after the preparation of the electoral rolls the tahsildar revised them ?

No answer.

Lala Duni Chand : When the Minister discovers glaring omissions like this, is it not his duty to take to task those people who are responsible for such omissions ?

Minister : I have not admitted the glaring omissions.

Lala Duni Chand : I have given the information to the Honourable Minister that as many as 980 names were omitted.

Minister : It may be put in writing.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that Government has received complaints from the public of Rupar in this connection ?

BURIA MUNICIPALITY.

*416. **Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state :—

- (a) the annual income of the Buria Municipality, Ambala district, the amount of fund now at its disposal and the population of the town ;
- (b) whether it is a fact that practically nothing is being spent by the Committee on the municipal requirements of the towns such as hospitals, light, scavenging and education, and that the whole octroi income is being spent on the establishment of the municipality ; if so, the reasons for the same ;
- (c) whether it is a fact that there is a feeling of great resentment over the collection of octroi duty by which the town is not benefited in any way ; if so, what action is proposed to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :

| | Rs. |
|-------------------------------|---------------|
| (a) Income during 1936-37 | .. 3,937 |
| Balance on 30th June, 1937 .. | .. 2,528-13-7 |
| Population | .. 3,494. |

(b) The committee spent Rs. 528 per annum for scavenging and Rs. 840 per annum on watch and ward. In the last 3 years Rs. 1,965 were spent on repairs of streets and roads. Nothing is being spent on hospitals, light and education. The Committee does not maintain any superfluous establishment though the expenses on it are out of proportion to its income.

(c) No.

Lala Duni Chand : Is it true that the bulk of the income has been spent on the establishment of the municipal committee ?

Minister : When there is a small income that happens.

Lala Duni Chand : Has the Honourable Minister taken notice of the fact that out of the income of Rs. 3,000 only about Rs. 800 are spent on the requirements of the people ? Where is the balance gone ?

Minister : I have given all the details. For the balance the auditor must be consulted.

Lala Duni Chand : The Honourable Minister has stated that the income during the year is Rs. 3,000 and the expenditure incurred in connection with scavenging, etc., is only Rs. 800. I want to know where the balance has gone.

Minister : I have stated Rs. 528 on scavenging, Rs. 840 on watch and ward and something on repairs. If he totals up these figures he will know.

Lala Duni Chand : May I inform the Honourable Minister that I know that place very well ?

Minister : I do not doubt the honourable member's information. He must have visited the place as he seems to be very keen on the matter.

EMBEZZLEMENT IN THE TOWN COMMITTEE, SILLANWALI, IN SHAHPUR DISTRICT.

***417. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Public Works be pleased to state :—

(a) whether it is a fact that in the Town Committee, Sillanwali, district Shahpur, during the years 1933 to 1936, embezzlement to the extent of nearly Rs. 8,000 was discovered and that the Secretary of the Town Committee was awarded imprisonment for 4 years and a fine of Rs. 1,500 ;

(b) whether any action was taken in this connection against the president and the members of the committee, during whose term this embezzlement took place ; if not, reasons for the same ;

- (c) whether the Government intends to take any action against the then president and the members of the committee ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No. There is no provision in the Punjab Small Towns Act, 1921 corresponding to section 50 of the Punjab Municipal Act, 1911, by which a member of a town committee can be surcharged with the value of the loss occasioned by his negligence to the funds of the committee.

(c) In view of (b) above, Government does not intend to take any action.

—————
SCHOLARSHIPS TO STUDENTS OF AGRICULTURAL COLLEGE,
LYALLPUR.

***418. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Development be pleased to lay on the table a list in the following form showing the names of students belonging to agricultural and non-agricultural tribes who were awarded scholarships in the Agricultural College, Lyallpur, during the last 10 years—

- (1) the name of student and his caste,
- (2) the district to which he belonged,
- (3) the area of agricultural land owned by him or his father,
- (4) whether the scholarship was awarded on the ground of merit or poverty ?

The Honourable Chaudhri Sir Chhotu Ram : A statement is laid on the table. On account of financial stringency the grant of scholarships was stopped at the end of the year 1930 and was not re-started till April, 1935.

[Minister for Development.]

Statement showing particulars of the students who were awarded scholarships

| Serial No. | NAME OF STUDENT AND CASTE. | | District. |
|------------|----------------------------|----------------------|--------------------|
| | Name. | Caste. | |
| 1 | 2 | 3 | 4 |
| | | | 19 |
| 1 | Gurbakhsh Singh .. | Jat Sikh .. | Lahore .. |
| 2 | Krishna Ram .. | Gujjar .. | Ambala .. |
| 3 | Shiv Dutt .. | Arora .. | Dera Ghazi Khan .. |
| 4 | Shah Din .. | Arain .. | Sheikhupura .. |
| 5 | Nisar Hassan .. | Do. .. | Montgomery. .. |
| 6 | Jamal-ud-Din .. | Do. .. | Lyalpur .. |
| 7 | Kishan Singh .. | Saini Sikh .. | Hoshiarpur .. |
| 8 | Kartar Singh .. | Jat Sikh .. | Gujrat .. |
| 9 | Sikander Lal .. | Sahgal .. | Gujranwala .. |
| 10 | Ajaib Singh .. | Jat .. | Ludhiana .. |
| 11 | Pindi Ram .. | Khatri (Sud) .. | Lahore .. |
| 12 | Partap Singh .. | Not available .. | Gurdaspur .. |
| 13 | Gurbachan Singh .. | Jat Sikh .. | Jullundur .. |
| 14 | Chanchal Singh .. | Not available .. | Rawalpindi .. |
| 15 | Mubarik Khan .. | Khosa Baloch .. | Multan .. |
| 16 | Dharam Singh .. | Jat Sikh .. | Ambala .. |
| 17 | Abdul Aziz .. | Wahla Jat .. | Lahore .. |
| | | | 19 |
| 1 | Gurbachan Singh .. | Jat Sikh .. | Jullundur .. |
| 2 | Santokh Singh .. | Jogi Sikh (Arora) .. | Jhelum .. |
| 3 | Mubarek Khen .. | Khosa Baloch .. | Do. .. |
| 4 | Niaz Ali .. | Arain .. | Sheikhupura .. |
| 5 | Chanchal Singh .. | Not available .. | Shahpur .. |
| 6 | Shiv Datta .. | Arora .. | Dera Ghazi Khan .. |
| 7 | Atam Singh .. | Not available .. | Shahpur .. |
| 8 | Gurbakhsh Singh .. | Jat Sikh .. | Lahore .. |
| 9 | Kirhsna Ram .. | Gujjar .. | Ambala .. |
| 10 | Nisar Hassan .. | Arain .. | Montgomery .. |
| 11 | Shah Din .. | Do. .. | Sheikhupura .. |
| 12 | Nawazish Ali .. | Syed .. | Montgomery .. |
| 13 | Gulzara Singh .. | Not given .. | Do. .. |

in the Punjab Agricultural College, Lyallpur, during the last ten years.

| Agriculturist or non-agriculturist. | Area of land owned by him or his father. | Whether the scholarship was granted on the ground of merit or poverty. |
|-------------------------------------|--|--|
| 5 | 6 | 7 |
| 27. | | |
| Agriculturist | 120 acres | Merit. |
| Do. | 150 acres | Do. |
| Non-agriculturist | 2,500 bighas | Do. |
| Agriculturist | 27 acres | Do. |
| Do. | 55 „ | Do. |
| Do. | ¼ square | Do. |
| Do. | 706 acres | Do. |
| Do. | 25 „ | Do. |
| Non-agriculturist | 220 „ | Do. |
| Agriculturist | 38 bighas | Do. |
| Non-agriculturist | 400 „ | Do. |
| ? | 60 acres | Do. |
| Agriculturist | 260 kanals | Do. |
| ? | 60 „ | Do. |
| Agriculturist | 750 „ | Do. |
| Do. | 90 bighas | Do. |
| Do. | 8 acres | Do. |
| 28. | | |
| Agriculturist | 280 kanals | Merit. |
| Non-agriculturist | 140 „ | Do. |
| Agriculturist | 750 „ | Do. |
| Do. | 20 acres | Do. |
| ? | 62 kanals | Do. |
| Non-agriculturist | 2,500 bighas | Do. |
| ? | 116 acres | Do. |
| Agriculturist | 120 „ | Do. |
| Do. | 150 „ | Do. |
| Do. | 55 „ | Do. |
| Do. | 27 „ | Do. |
| Do. | 50 „ | Do. |
| ? | 50 „ | Do. |

[Minister for Development.]

Statement showing particulars of the students who were awarded scholarships in

| Serial No. | NAME OF STUDENT AND CASTE. | | District. |
|------------|----------------------------|------------------------|--------------------|
| | Name. | Caste. | |
| 1 | 2 | 3 | 3 |
| | | | 19 |
| 14 | Pritam Singh | Not given | Montgomery |
| 15 | Abdul Haq | Kakezai | Jullundur |
| 16 | Pritam Singh | Jat Sikh | Do. |
| 17 | Mewa Singh | Not given | Sheikhupura |
| 18 | Ram Narain | Arora | Jhang |
| 19 | Mohar Singh | Jat | Ambala |
| 20 | Lal Singh | Do. | Sialkot |
| 21 | Jaswant Singh | Jat Sikh | Sargodha |
| 22 | Gurcharan Singh | Do. | Jullundur |
| 23 | Abdul Aziz | Arain | Montgomery |
| 24 | Amin Lal | Jat Hindu | Hissar |
| 25 | Kesar Lal | Khatri.. .. | Gujranwala |
| | | | 19 |
| 1 | Abdul Aziz | Arain | Montgomery |
| 2 | Gurcharan Singh | Jat Sikh | Jullundur |
| 3 | Sher Muhammad | Arain | Do. |
| 4 | Jaswant Singh | Jat Sikh | Sargodha |
| 5 | Asa Nand | Arora (Dhingra) | Muzaffargarh |
| 6 | Santokh Singh | Jogi (Arora) | Jhelum |
| 7 | Harkishan Lal | Vaish | Ferozepore |
| 8 | Gurbachan Singh | Jat Sikhs | Jullundur |
| 9 | Kundan Lal | Chawla (Arora) | Gujranwala |
| 10 | Karam Singh | Jat | Lyallpur |
| 11 | Fateh Muhammad | Arain | Montgomery |
| 12 | Anant Ram Thapar | Thapar (Hindu) | Attock |
| 13 | Sardari Lal | Aggarwal | Gurdaspur |
| 14 | Sham Narain | Mohyal (Brahmin) | Rawalpindi |
| 15 | Muhammad Khan | Pathan | Lyallpur |
| 16 | Madu Sudan Singh | Jat Sikh | Sargodha |
| 17 | Muhammad Ali Khan | Rajput | Hoshiarpur |
| 18 | Abdul Azis | Wahla Jat | Amritsar |

the Punjab Agricultural College, Lyallpur, during the last ten years.—contd.

| Agriculturist or non-agriculturist. | Area of land owned by him or his father. | Whether the scholarship was granted on the ground of merit or poverty. |
|-------------------------------------|--|--|
| 5 | 6 | 7 |
| 28—concl'd. | | |
| ? | 3½ acres | Merit. |
| Non-agriculturist | 25 „ | Do. |
| Agriculturist | 50 ghumaons | Do. |
| Non-agriculturist | 3½ squares | Do. |
| Do. | 200 bighas | Do. |
| Agriculturist | 50 acres | Do. |
| Do. | 35 „ | Do. |
| Do. | 50 „ | Do. |
| Do. | 25 „ | Do. |
| Do. | 15 bighas | Do. |
| Do. | 475 acres | Do. |
| Non-agriculturist | 10 „ | Do. |
| 29. | | |
| Agriculturist | 15 bighas | Merit. |
| Do. | 25 acres | Do. |
| Do. | 80 kanals | Do. |
| Do. | 50 acres | Do. |
| Non-agriculturist | 780 kanals | Do. |
| Do. | 540 „ | Do. |
| Do. | 5 acres | Do. |
| Agriculturist | 280 kanals | Do. |
| Non-agriculturist | 40 acres | Do. |
| Agriculturist | 1½ squares | Do. |
| Do. | 900 kanals | Do. |
| Non-agriculturist | 930 „ | Do. |
| Do. | 150 „ | Do. |
| Agriculturist | 9 squares | Do. |
| Do. | 87 ghumaons | Do. |
| Do. | 6 squares | Do. |
| Do. | 26 ghumaons | Do. |
| Do. | 8 acres | Do. |

[Minister for Development.]

Statement showing particulars of the students who were awarded scholarships in

| Serial No. | NAME OF STUDENT AND CASTE. | | District. |
|------------|----------------------------|--------------------|-----------------|
| | Name. | Caste. | |
| 1 | 2 | 3 | 4 |
| 1929— | | | |
| 19 | Abdus Samih .. | Arain .. | Jullundur .. |
| 20 | Jagat Singh .. | Jat Sikh .. | Ludhiana .. |
| 21 | Dalbir Singh .. | Do. .. | Ambala .. |
| 22 | Sardul Singh .. | Do. .. | Amritsar .. |
| 23 | Ghulam Ullah .. | Rajput .. | Hoshiarpur .. |
| 24 | Sardar Singh .. | Arora (Sikh) .. | Sargodha .. |
| 25 | Muhammad Sadiq .. | Arain .. | Lyallpur .. |
| 19 | | | |
| 1 | Dalbir Singh .. | Jat Sikh .. | Ambala .. |
| 2 | Sardar Singh .. | Do. .. | Amritsar .. |
| 3 | Ghulam Ullah .. | Rajput .. | Hoshiarpur .. |
| 4 | Sardul Singh .. | Jat Sikh .. | Sargodha .. |
| 5 | Parmatma Singh .. | Dhande (Jat) .. | Lyallpur .. |
| 6 | Khushi Muhammad .. | Arain .. | Jullundur .. |
| 7 | Abdul Aziz .. | Do. .. | Montgomery .. |
| 8 | Asa Nand .. | Arora (Dhingra) .. | Muzaffargarh .. |
| 9 | Gureharan Singh .. | Jat Sikh .. | Jullundur .. |
| 10 | Ahnash Chandra .. | Not available .. | Amritsar .. |
| 11 | Niaz Muhammad .. | Arain .. | Lyallpur .. |
| 12 | Amin Lal .. | *Jat Hindu .. | Hissar .. |
| 13 | Suraj Balram .. | Arora (Sethi) .. | Rawalpindi .. |
| 14 | Muhammad Sharif .. | Arain .. | Gujranwala .. |
| 15 | Jagat Ram .. | Kshatrya .. | Jhelum .. |
| 16 | Antar Singh .. | Arora .. | Sargodha .. |
| 17 | Harminder Lal .. | Vaid (Mohyal) .. | Jhelum .. |
| 18 | Gurmel Singh .. | Jat .. | Ferozepore .. |
| 19 | Khushi Ram .. | Hindu Jat .. | Rohtak .. |
| 20 | Kesar Mal .. | Khatri .. | Gujranwala .. |
| 19 | | | |
| 1 | Musahib-ud-Din .. | Afghan .. | Karnal .. |
| 2 | Jia Lal .. | Jat .. | Rohtak .. |
| 3 | Sis Ram .. | Do. .. | Do. .. |

the Punjab Agricultural College, Lyallpur, during the last ten years—contd.

| Agriculturist or non-agriculturist. | Area of land owned by him or his father. | Whether the scholarship was granted on the ground of merit or poverty. |
|-------------------------------------|--|--|
| 5 | 6 | 7 |
| <i>concluded.</i> | | |
| Agriculturist | 20 Acres | Merit. |
| Do. | Not available | Do. |
| Do. | 160 bighas | Do. |
| Do. | 60 kanals | Do. |
| Do. | 24 ghumaons | Do. |
| Non-agriculturist | 50 bighas | Do. |
| Agriculturist | Not available | Do. |
| 30. | | |
| Agriculturist | 160 bighas | Merit. |
| Do. | 50 „ | Do. |
| Do. | 24 ghumaons | Do. |
| Do. | 60 kanals | Do. |
| Do. | 45 acres | Do. |
| Do. | 15 „ | Do. |
| Do. | 15 bighas | Do. |
| Non-agriculturist | 12,486 kanals | Do. |
| Agriculturist | 25 „ | Do. |
| Non-agriculturist | 100 acres | Do. |
| Agriculturist | 1 square | Do. |
| Do. | 475 acres | Do. |
| Non-agriculturist | 1 acre | Do. |
| Agriculturist | 175 acres | Do. |
| Non-agriculturist | 1 square | Do. |
| Do. | 8 bighas | Do. |
| Agriculturist | 12 acres | Do. |
| Do. | 30 „ | Do. |
| Do. | 60 bighas | Do. |
| Non-agriculturist | 10 acres | Do. |
| 35. | | |
| Agriculturist | 20 bighas | Merit |
| Do. | 250 „ | Do. |
| Do. | 150 „ | Do. |

[Minister for Development.]

Statement showing particulars of the students who were awarded scholarships

| Serial No. | NAME OF STUDENT AND CASTE. | | District. |
|------------|----------------------------|----------------------|-------------------|
| | Name. | Caste. | |
| 1 | 2 | 3 | 4 |
| | | | 19 |
| 4 | Dalip Singh | Kamboh | Sheikhupura |
| 5 | Harbaksh Singh | Jat | Do. |
| 6 | Ghulam Muhammad | Arain | Lyalpur |
| 7 | Srihti Raj | Khatri | Hissar |
| 8 | Darshan Singh | Jat | Jullundur |
| 9 | Narshing Das | Gupta | Multan |
| 10 | Pritam Dutt | Gaur Brahman | Rohtak |
| 11 | Muhammad Saddique | Rajput | Lyalpur |
| 12 | Muhammad Abdullah | Arain | Gujranwala |
| 13 | Chandan Singh | Gaur Brahman | Gurgaon |
| 14 | Amir Ahmad Khan | Pathan | Mianwali |
| 15 | Raghubir Lal | Nagpal (Arora) | Lyalpur |
| | | | 19 |
| 1 | Muhammad Abdullah | Arain | Gujranwala |
| 2 | Chandan Singh | Gaur Brahman | Gurgaon |
| 3 | Amir Ahmad Khan | Pathan | Mianwali |
| 4 | Nahr Singh | Jat | Ludhiana |
| 5 | Barkat Ali | Arain | Lyalpur |
| 6 | Harnam Singh | Jat | Lahore |
| 7 | Masahib-ud-Din | Afghan | Rohtak |
| 8 | Harbans Lal | Kshatri | Jhang |
| 9 | Sis Ram | Jat | Rohtak |
| 10 | Jia Lal | Do. | Do. |
| 11 | Dalip Singh | Kamboh | Sheikhupura |
| 12 | Ram Nath | Batra | Multan |
| 13 | Mohindar Singh | Jat | Lyalpur |
| 14 | Tarlok Chand | Rajput | Jullundur |
| 15 | Raghubir Lal | Nagpal | Lyalpur |
| 16 | Tara Singh | Jat | Multan |
| 17 | Muhammad Shafi Niaz | Arain | Jullundur |
| 18 | Mehr Muhammad Sadiq | Do. | Lahore |
| 19 | Muhammad Said Khan | Afghan | Karnal |

in the Punjab Agricultural College, Lyallpur, during the last ten years.—concl'd.

| Agriculturist or non-agriculturist. | Area of land owned by him or his father. | Whether the scholarship was granted on the ground of merit or poverty. |
|-------------------------------------|--|--|
| 5 | 6 | 7 |
| 35—concl'd. | | |
| Agriculturist | ½ square | Merit. |
| Do. | 1 „ | Do. |
| Do. | 75 acres | Do. |
| Non-agriculturist | 10 „ | Do. |
| Agriculturist | 5 ghumaons | Do. |
| Non-agriculturist | 1 square | Do. |
| Agriculturist | 255 bighas | Do. |
| Do. | No land | Do. |
| Do. | About 4 bighas | Do. |
| Do. | 80 bighas | Do. |
| Do. .. .. | .. .. | Do. |
| Non-agriculturist .. .. | .. .. | Do. |
| 36. | | |
| Agriculturist | About 4 bighas | Merit |
| Do. | 80 bighas | Do. |
| Do. | 200 kanals | Do. |
| Do. | 8 acres | Do. |
| Do. | 1 square | Do. |
| Do. | 110 ghumaons | Do. |
| Do. | 20 bighas | Do. |
| Non-agriculturist | 50 „ | Do. |
| Agriculturist | 150 „ | Do. |
| Do. | 250 „ | Do. |
| Do. | ½ square | Do. |
| Non-agriculturist | 100 acres | Do. |
| Agriculturist | 4 squares | Do. |
| Do. | 1 kanal and 10 bighas | Do. |
| Non-agriculturist | About 200 bighas | Do. |
| Agriculturist | 34 acres | Do. |
| Do. | 1½ „ | Do. |
| Do. | 20 „ | Do. |
| Do. | 100 bighas | Do. |

GOVERNMENT SERVANTS AS DIRECTORS OF CENTRAL CO-OPERATIVE BANKS.

***419. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Development be pleased to state whether it is necessary for Government servants to obtain the permission of Government for being taken on the Board of Directors of a Central Co-operative Bank ; if so, how is the discretion of Government to grant or withhold permission exercised ?

The Honourable Chaudhri Sir Chhotu Ram : Yes. Each case is considered on its merits.

REDUCTION OF LAND REVENUE RATES IN SHEIKHUPURA DISTRICT.

***420. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Revenue be pleased to state :—

- (a) the extent of the canal irrigated area in each assessment circle in the Sheikhpura district which has been turned barren during the last 5 years, on account of exudation of *kalar* (salt-petre) ;
- (b) the extent to which the yield per acre of crops has decreased in the canal irrigated area of district Sheikhpura ;
- (c) the measures which have been adopted by Government to reclaim the area mentioned in (a) with the result thereof ;
- (d) whether Government is prepared to revise the rates of land revenue in respect of this area in view of the decrease in the yield.

The Honourable Dr. Sir Sundar Singh Majithia : (a) 7,886 acres in the district as a whole. The figures for each assessment circle are not readily available.

(b) No change is reported in the yield per acre of the crops in the canal irrigated area.

(c) A large number of seepage drains have been built or are under construction, but the result is not yet definitely known.

(d) Does not arise.

Mr. Speaker : May I invite the honourable member's attention to the rules governing the admissibility of supplementary questions. The privilege of putting such questions is a very important one and I shall be the last to curtail it ; but it is my duty to point out that they are allowed with the sole purpose of further elucidating any matter of fact regarding which an answer has been given. Besides, they should not infringe the Rules and Standing Orders relating to questions, nor should a question and its answer be discussed.

Dr. Sir Gokul Chand Narang : On a point of order. Is it permissible to the Ministers to make an attempt to evade answering awkward questions ? That alone leads to supplementary questions .

Mr. Speaker : I do not think that the Chair can control that aspect of answers to questions.

DEMANDS FOR GRANTS.

AGRICULTURE.

Working of the Agriculture Department.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*): Sir, in order to discuss the question that no useful purpose has been served by the Agriculture Department, I move—

That the demand be reduced by Rs. 100.

We, the occupants of the Opposition benches are placed in an awkward position. If we criticise the government departments we are dubbed irresponsible, or an objection is raised by the Government that our proposals are fatuous and impracticable. If we make constructive suggestions to Government, these are characterised as utopian (*Laughter*). If we try to look into the administration of the Government to see as to how the departments are run, then in the words of a certain gentleman "the Government will not tolerate it." The Government perhaps think that the Opposition is attempting to set up a parallel Government. In fact the Government cannot allow anybody to look into the affairs of its various departments including the police. It was only expedient that we remained silent yesterday. But the Honourable Minister for Development remarked tauntingly that the Government would be deprived of constructive criticism if the Opposition took no interest in his department. It is very funny to find that on the one hand the Development Minister is anxious to hear the criticism offered by the Opposition and on the other he is no less anxious to level charges of irresponsibility against them. (*Hear, hear and applause*). Under these circumstances, Sir, the position of the Opposition is really very amusing. If we tell the zamindars that in this province the Government has miserably failed to help them, the efforts of the Government to ameliorate their condition take the form of a reply that we received a few days back, i.e., the congressmen should be kicked out. Sir, despite these worries I wish to bring to your notice the reason why the Congress party took little interest in the discussions. It is because the motions moved yesterday were more or less of a personal nature. The small zamindars cannot afford to take up to fruit culture as big zamindars and capitalists alone possess the means to lay out gardens and to plant fruit trees. In view of this it was in the fitness of things that we should not take part in the discussions. To-day is our day because the general agricultural policy of the Government is going to be discussed thread-bare. The discussions of yesterday were a sort of domestic quarrel, that takes place between a man and his wife. (*Loud cheers and laughter*). For instance an honourable member got up and entreated the Government that nurseries be established in Muzaffargarh district. The Honourable Minister assured the gentleman that his wishes would be carried out. This is what happened yesterday.

Syed Amjad Ali Shah : May I interrupt the honourable member ?

Pandit Shri Ram Sharma : Wait a bit, please.

We are presenting our demands to-day. If the Government shows an accommodating spirit we will be satisfied. We know that the Government is in the habit of promising certain things to members of their party, but these

[Pandit Shri Ram Sharma].

promises are never fulfilled. We have no faith in the promises of Government. In the words of Ghalib :—

رگڑیں مہیں دوتڑے ہر لے لے ہم نہی فائل
 چہ اکہہ ہر سے دیکھا او وہ لے ک۔ ک۔ لے

If the Government gives a satisfactory reply to our demands, we shall know that the Government is sympathetic. It is quite a different thing, if a man wants to establish a nursery and you say that you will do the needful in the matter. These are domestic affairs. My submission is that the total income of the province is about 11 crores and the greater portion of it is taken from the pockets of poor cultivators. During the election campaign and even now the members of the Unionists Party are indulging in tall talk regarding their sympathy for the zamindars. But now the time has come to give a practical shape to their tall talk. I should like to ask the Government as to what they are doing for the welfare of the people who are mainly responsible for contributing the largest share to the revenues of the province. I am surprised to find that only 36 lakhs of rupees have been earmarked for the improvement of agriculture in the province. The expenditure of this sum results in an income of rupees 16 lakhs, so that in a budget of 11 crores only 20 lakhs have been reserved for a beneficent department like agriculture. I would not dilate upon this undeniable fact but I should like to ask the Government whether in the face of this narrow-mindedness on their part and grave injustice to zamindars the present Government can claim to be a zamindar Government. Only 1/51 part of the total income of the province has been earmarked for the benefit of the zamindars which in other words means that the Government is trying to satisfy an extremely thirsty man with a drop of dew. And in spite of this narrow-mindedness on the part of Government, its supporters are extolling the Government to the skies for its large-heartedness. I do not propose to indulge in fault finding simply for the sake of it. On the other hand I want to bring this fact to the notice of the House that ours is an agricultural country, and unless steps are taken to improve Agriculture, no progress worth the name is possible. As compared with other provinces the number of agriculturists living in this province is decidedly larger. I am surprised that on the one hand the villagers come to blows on the ground that a mandi which ought to have been located within the boundaries of a certain ilaqa, has been located outside it, and, on the other hand they keep silent when out of a budget of 11 crores the Government earmarks only Rs. 20 lakhs for the improvement of agriculture.

When we draw the attention of the Government to this hard fact, we are characterised as irresponsible. As a matter of fact, I am talking of a stern reality from which there is no running away. The Department of Agriculture has been in existence for the last 16 or 17 years and during this long period attempts have been made to improve the agricultural position of the province. I do not know much about the Muzaffargarh district, but I am well acquainted with the conditions of agriculture in my own district, and I can say on the strength of my personal experience that the zamindars have not derived any benefit from this department. Agricultural improvement is intimately connected with the burden of abiana and land revenue, but if I were to utter a single word about either of these, there

would be a babble of voices, characterising my remarks as irrelevant while others would say that we do not even know the difference between maize and millets.

Just give a moment's thought to Government farms. Some of the lands of these farms were cultivated by farm-hands while the rest were made over to tenants on the *batai* system and the result of this was that the lands cultivated by the department suffered heavy losses. Whatever the Government gained by giving the lands on *batai* system was lost by the self-cultivating farm hands. The Government therefore gave up the cultivation of lands in 1932 and they had to give it up because the income from lands given on the *batai* system was being eaten up by the losses sustained by the department in self-cultivation. When the department of agriculture cannot make both ends meet by cultivating the lands themselves, you can very well imagine the plight of the poor zamindars. If the Government department has any confidence in the so-called improved methods of agriculture they should select certain areas in various parts of the province and by cultivating them demonstrate to the zamindars that the methods adopted by the department are really superior and productive of larger income. If the department succeeds in their demonstration the zamindars would voluntarily follow them. The poor zamindar works from morning till evening. How can you expect him to learn scientific methods of agriculture in his spare time? However, if he finds that the agricultural farm in his neighbourhood has worked wonders in doubling or trebling the produce of the land, he will naturally turn his attention to improved methods of agriculture. But the case is just the other way. The farms are unable to balance their budgets, because their expenditure exceeds their income. He who has himself lost the way cannot be expected to guide others. I do not know much about the condition prevailing in other free countries of the world but I can say that the methods adopted by other countries can with advantage be adopted here. It would do the country good if some people are deputed to foreign countries to observe for themselves the conditions prevailing there so that on their return they may be able to instruct the zamindars of this province in improved methods of agriculture.

But our Government has set up a separate department and the only work they have done so far is that in 1932 a fiat was issued to the effect that the department should not do any work of cultivation, because it is not paying. The demonstration work which ought to have been undertaken by these farms has now been handed over to poor peasants. But my submission is that big landholders and capitalists also used to do the same thing. What has this department done? What monumental work has been performed by this department? Is it that they have given over farm lands to peasants on *batai* system to recover their share from them.

In the first place a good deal of money ought to have been spent on this department but since this has not been done, the whole of the money spent on this department is being wasted. Next, mention was made of the Boring Department. I should like to know the nature of the work done by this department and the places where boring operations have been carried out.

Mr. Speaker : This matter has been discussed already.

Pandit Shri Ram Sharma : I wanted to say only this much about the Boring Department that it has not done any useful work. It has completely failed to demonstrate the utility of boring operations because wherever these operations have been tried water has failed to come out. The Honourable Minister for Agriculture will bear me out that in his home district too the boring operations have completely failed.

Mr. Speaker : I can not allow the matter to be discussed further.

Pandit Shri Ram Sharma: Now I will take up the question of research work which is being carried on in the Agricultural College. The nature of research work should be such as would prove beneficial to zamindars in general. We cannot afford to make use of costly methods of work. I would also suggest that instead of maintaining expensive colleges it would be well to establish agricultural schools in various parts of the province. If instruction in agriculture is made compulsory in all primary and middle schools in rural areas it would redound to the benefit of the people concerned. But the fact is that the poor peasant cannot and should not expect any good at the hands of the capitalists. It would be like falling from the frying pan into the fire. A capitalist who owns a number of bungalows in Karachi is no better than a capitalist living in Montgomery who owns a number of bungalows. From the poor peasant's point of view both of them are equally bad. Our present Government is a Government of capitalist zamindars. If an ordinary zamindar like the present Minister for Agriculture rises to the position of a minister, he becomes a capitalist and a big zamindar by the time he reaches his high position. A poor man alone can help the poor. I am not prepared to believe for one moment that a rich man living in the lap of luxury can even think of his poor neighbour, far from sympathising or doing anything substantial for him.

What we have to see is what kind of help is needed by the country *i.e.*, what kind of research can prove useful to the zamindars. The zamindars are poor. They have got neither the capital nor the land to carry into effect the costly methods of agriculture followed in Europe and suggested by the Agricultural College. We should adopt measures as are likely to help the poor zamindars. But as long as our present capitalist Government is in power and there is no change in their mentality, it would be futile to expect any good at their hands. The peasants in general can never progress under the present regime. The Department of Agriculture has not proved as useful as we wanted it to be. The poor can benefit at the hands of the poor alone and that is the only way of benefiting the poor.

Chaudhri Faqir Husain Khan : On a point of order, Sir. Is the honourable member justified in discussing the merits and demerits of various classes of the population *e.g.*, capitalists and non-capitalists?

Pandit Shri Ram Sharma : Sir, it was a very important thing and so I had to lay stress on it. Anyway I will not take any more time, I will finish my speech with the remark that before any member goes to record his vote for this demand he should feel his heart and find out whether he is doing the right thing to his constituents who sent him to this Assembly. He should also try to realise whether this department is doing any useful work at all or whether there is any hope of its doing any useful work in the

future. As I have already stated, it is old wine in new bottles that we are made to drink. Every member should try to realise the fact whether this department is proving really useful to his ilaqa. If any one of them votes for the Government simply to please it, he would be doing the gravest injustice to his constituents. I would again request the honourable members that before voting they should remember the plight of these poor people who voted for them.

Syed Amjad Ali Shah : I wanted to interrupt my honourable friend for a minute but I am sorry to say that he did not extend to me the ordinary courtesy to let me speak for a minute even. He was saying that my honourable friend from Muzaffargarh went on pressing his claim which was met sympathetically by the Honourable Minister and in that connection he quoted a verse :—

دکھو میں ڈوڑھے پھرنے کے ہم نہیں قائل
جو آکھہ ہی سے اہ ٹپکا نہ، نہ لہو کوا ہے

In that connection I would like to quote another verse of the same great poet which is as follows :—

لکلا چاہتا ہے کام کیا طعنی سے تو غالب

(Voices. Order, order.)

Mr. Speaker : Does the honourable member wish to give a personal explanation or raise a point of order ?

Syed Amjad Ali Shah : Should I not complete that verse of mine Sir ?

Mr. Speaker : No. Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (Urdu) : Sir, the Department of Agriculture was started some 20 or 25 years ago. In the beginning the department proved very useful to the zamindars. For example, the department imported good seeds which were supplied to the zamindars. The result of this was that with the help of improved variety of seed the out-turn of sugarcane was doubled and in some cases trebled. Wheat seed supplied by the department also resulted in doubling and in some cases trebling the produce. In the year 1921 I made a speech in the course of which I submitted that though the Department of Agriculture was using superior quality of bullocks to those used by zamindars it was not showing good results. To this the Government replied that the superior quality of bullocks are being used as an experiment. An experiment may well extend over a period of 6 months or a year or two or even 10 years, but I fail to understand the utility of experiments extending over a period of 25 years. It is time this experimentation was stopped. It is no use further extending the department. However, if you can borrow some useful discovery from some foreign country, it may prove beneficial to the zamindars. The zamindars have been following the profession of agriculture for centuries past. You have only to give them a hint and they will act upon it. It is no use carrying on prolonged experiments. The Opposition is duty bound to oppose the zamindars but may I respectfully point out that the burden of zamindars is increasing day by day and it is time the

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Department of Agriculture took steps to ameliorate their condition. In the year 1921-22 I requested the Department of Agriculture, as also the Minister for Agriculture, to devise means for the destruction of "parar," a kind of insect which completely ruins the rice crop. I got hold of a number of insects and put them in a bottle and sent it on to Mr. Conway, the settlement officer of the district. Mr. Conway sent this bottle on to the laboratory at the Agricultural College, Lyallpur. I do not yet know what happened to that bottle and the zamindars are still completely in the dark as to what action they should take for the destruction of the insect in question, (*Cheers from Opposition benches*).

Sir, I also wish to bring this fact to the notice of the House that the *kharbuza* crop, which used to be a very paying crop, has ceased to be one. For some years past some kind of insect has been playing havoc with the crop. Some ten years ago the *kharbuza* crop was a very paying crop in the Gurdaspur district but now-a-days the zamindars hardly get Rs. 2 from a *wara*. May I request the Department of Agriculture to advise us as to what we should do in the matter. Can they suggest any remedy?

A zamindar's crops are subject to many diseases. We do what we can to remedy these diseases, because such remedies are handed down from father to son. But if we are face to face with a plant disease, which we cannot remedy, we are obliged to address the Department of Agriculture, on the subject. And if the department concerned keeps silent over our queries, there is no use in maintaining such a department.

The Department of Agriculture should undertake experiments and the results of the same should be communicated to the zamindars. The Department should devise means for increasing the productivity of the soil. I am constrained to remark that the Government has started this department with a view to provide billets for its proteges (*laughter*).

The department should issue instructions to its officials to show greater consideration and sympathy to the zamindars. What does a gentleman accustomed to western habits know about agriculture? I have no doubt that the Department of Agriculture is doing useful work, but I would ask them to suggest remedies for the three plant diseases mentioned above, within the next ten months.

As regards the plantation of fruit-trees, good many experiments have been carried on in the Gurdaspur district. A resident of Jamalpur, near Pathankot, named Chaudhri Niazi Ali, retired Sub-Divisional Officer, has spent enormous sums of money on fruit culture.

Mr. Speaker : Gardens were discussed yesterday.

Chaudhri Ali Akbar : If the Department of Agriculture sends for new variety of seeds from abroad and if they are distributed amongst the zamindars in accordance with the previous practice, and if the expenses of the department are further reduced, I am sure that this department would prove more useful. With these words I oppose this cut motion.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Mr. Speaker, we discussed an item or two out of this demand yesterday and the Honourable Minister in charge of the department was pleased to remark

that he was sorry that the Opposition did not give consideration to his department. I said in reply yesterday that we were prepared to discuss the policy of Government as far as agriculture is concerned, but because the items which were discussed yesterday were side-tracking the whole issue, therefore, we did not think it worth while to express any opinion on fruit industry or other items. We feel, as has been expressed by my predecessor here who has just spoken, that the policy underlying the Agricultural Department has proved useless, has not benefited the peasants and the agriculturists as a better run department would have done. My friend has already told you that this department was started twenty-five years ago and within these twenty-five years they have not been able to set up a laboratory to carry on experiments to find out remedies for the insects which infect the different harvests. This is an example to show that the department should not now be run on the lines on which it was being run by the previous Government.

Before I offer any suggestions I think I must tell you that according to the statistics supplied to us by the Board of Economic Inquiry, Punjab, in their publication No. 52, 73.6 per cent. of the cultivated land is under food crops, 26 per cent. is under non-food crops, i.e., under fodder, fibres and oil-seeds, and 4 per cent. is under drugs and narcotics and dyes. I invite your attention to this percentage of cultivation to show that the policy underlying this department is that food crops are to be grown and 26 per cent. is under fodder and oil-seeds and .4 per cent. is under other crops. I think the policy of the Agriculture Department is to improve the condition of peasants by suggesting to them the crops which would bring them money and thus increase their income and alleviate their depressed condition. I feel that a laboratory for research is absolutely necessary if any country or any province wants to improve the condition of crops or suggest methods or suggest crops which should be sown to improve the condition of the peasants. But what do we find here? If we study the working of the Agricultural College at Lyallpur and the Research Department we find that demonstration of cultivation through tractors is shown but no steps are taken to show that small holdings which are uneconomical can be cultivated by means of these tractors. The other day I had an occasion to talk to a very responsible officer and he related to me that officers of one of the States demonstrated the working of a tractor. They put ten bullocks to run it and after an hour's working they found that the bullocks were exhausted and they could not run it. This demonstration was given by the State authorities for running a tractor for their own land and along with it the agriculturists were required to cultivate their land according to their own method. The ordinary agriculturist's ten to twelve hours' work was done within 1½ hours by the tractor and the State authorities were laughing at the agriculturists when they were carrying on the cultivation work according to their old method. But when the crops grew the State authorities could show very poor result but the agriculturists got the normal crops. Therefore they gave up the method of cultivation by tractors.

Government spends or intends to spend now Rs. 11,50,000 over the improved seeds. It is thought that whatever crops will result by the sowing of these seeds those crops will bring more money than other crops have done in the past. That is the method which I think underlies the policy of the

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Agriculture Department in this province, and they want to carry it out as it has been carried out in the past. My submission is that this is not the method on which research should be carried out or the lines on which the condition of an ordinary agriculturist in this province can be improved.

What we want is that such methods of agriculture and methods of cultivation as would suit a peasant whose holding is uneconomical and small should be devised and developed, because a majority of the agriculturists' holdings are uneconomical. Even if we supply them seeds which are likely to bring more money to them, we should arrange for marketing and we should see that minimum prices of these products are fixed by Government. Unless the prices are so fixed, my submission is that it cannot help the agriculturist at all to have better crops grown with better seeds. I have read books including Government publications that show why the ordinary agriculturist does not like to use improved seeds. The reason is that when he grows them and takes his product to a market, he does not get more money for those improved crops. The middle man in the market does not give him the price for the improved quality which it was expected to yield.

Diwan Bahadur Raja Narendra Nath : That is not my experience. I have never suffered by the acts of the middle man and I get full price.

Dr. Gopi Chand Bhargava : I was just telling that it was one of the reasons why an ordinary peasant proprietor with small uneconomic holding does not take to the use of the improved seed. He spends more but he gets the same price.

Sardar Sahib Sardar Gurbachan Singh : Question.

Dr. Gopi Chand Bhargava : The honourable member may question, but I have read it in the books published by the Government.

Minister for Development : Will the honourable member kindly refer me to the particular passage where this fact is mentioned?

Dr. Gopi Chand Bhargava : I did not think that the Honourable Minister will even doubt that statement of mine, otherwise I would have brought the book and I promise that I shall send him the book. I thought that because while in the Opposition he was criticising agricultural policy of the Government, he must have known that this was the reason why the people did not take to improved seeds. I just want to read to you from a book "Labour's way of Using the Land" to show you what the members of the English Labour Party want the land in their country to be. After reading it, I shall try to apply their various ideas to my own country and my own province. They say—

"We recommend the public ownership of land, with fair, but not excessive, compensations because we believe it to be in the best interests of the industry that there should be an effective landlord, and we believe that the best use of all land can only be guaranteed when the State accepts responsibility for management. The scheme would provide security of tenure for every farmer who farms his land in accordance with the rules of good husbandry, and representatives of the industry would help to interpret the meaning of good husbandry.

We believe that improved marketing organization for primary and processed products unified with an Import Board and such price-fixing bodies as are necessary would ensure an expanding market for home-grown food, would eliminate waste and extravagance, and give the producer a greater share of the ultimate price than he has ever had.

We believe that these national bodies could secure a reduction of freight rates on agricultural produce, as well as provide improved road transport facilities.

With the State responsible for its own estate, and agriculture regarded as of outstanding importance, educational facilities in rural areas would be improved; more attention would be paid to primary, secondary and higher education, and more funds would be made available for research.

Where credit facilities fall short of requirements they would be amplified and extended. Where services such as water and electricity can be brought to the village no time would be lost. Drainage schemes would be undertaken, providing additional security for the tenant.

There must be ample time for leisure, recreation and amusement. Village life must be made brighter, and to complete the freedom of the agricultural worker, the 'tied cottage' must go.

We want to see the farmer secure, prosperous and rendering a real national service. We want to see the labourer equally secure and prosperous and instead of both constantly humming: 'Art thou weary, art thou languid?' we would prefer to hear them sing, 'Pack up your troubles in your old kit bag.'

That, then, is the atmosphere we wish to create, for in the words of Carlyle—

"We must some day, at last and for ever, cross the line between nonsense and common-sense. And on that day we shall pass from class paternalism, originally derived from fetish fiction in times of universal ignorance to Human Brotherhood in accordance with the nature of things and our growing knowledge of it; from political government to industrial administration; from competition in individualism to individuality in co-operation; from war and despotism in any form to peace and liberty."

I shall now try to apply their opinion to my province. We also want to see the farmers secure. We feel that whatever method the Government may adopt, it must be designed to help the small farmer, because he forms the majority of our province. His condition cannot improve unless he is given more land to cultivate not as a tenant but as a proprietor and unless other methods are devised to improve his condition for marketing as well as for increasing the output of his crops. It is only then that you improve the condition of this province. As I have told you experiments have been carried out in the implements which can be used for cultivation and the implements which they have devised do not suit them. As far as our livestock is concerned, because that forms a part of agriculture, nothing has been done to improve the condition of the livestock.

Minister for Development : Livestock does not fall under this grant.

Dr. Gopi Chand Bhargava : My submission is that though livestock is not a part of the Agriculture Department, yet the Agriculture Department should see that the fodder which is really necessary for the livestock is improved as livestock is a necessary part of the implements of agriculture. Therefore I think I am justified in saying that the Government should take measures and the Minister in charge of Agriculture should approach his colleague to see that something is done for the improvement of livestock in this province. Yesterday I heard the Honourable Minister saying that he will speak to his colleagues about water rate, irrigation, etc. Therefore, I think, I am justified in saying that the conditions of the livestock should be improved and the Honourable Minister in charge should ask his colleague to pay attention to improvement in this line. I was submitting that we want improvement in live-stock from two points of view. One is that if we improve the condition of our bullocks in our province, we improve the condition of cows. When we improve the condition of cows we get better diet for our agriculturists to keep them healthy.

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The other thing is that some supplementary industry is absolutely necessary for agriculturists, specially for those who have got very small portions of land. If we look to other countries like Denmark, we find that they are keeping dairies and poultry farms which are necessary industries for agriculturists there. Sir, I think, it is the duty of the Department of Agriculture to see that such fodder and such crops are grown which would be conducive to the improvement of live-stock as well as poultry.

Sir, I was just telling you that implements are absolutely necessary and we must improve them. But such implements should be improved which would suit the ordinary peasant proprietor who has got small holdings. Then, Sir, we must try to inculcate the spirit of co-operation. How can it be done? I think the Co-operative Department also does not fall under Agriculture and, therefore, without dilating on this point, I submit that if the Government cannot nationalise land at present, it should work on co-operative lines and we should have co-operative farms. Farming falls under the Department of Agriculture and, therefore, I would submit that Government should take steps, so that co-operative farming on a very large scale is carried on in the villages.

Then, Sir, I have to submit that we have to see what crop is better than the other and why. Well, Sir, it is not only money crop which an agriculturist should grow, but he should grow food crops as well. I tried to find out from the Lyallpur Agricultural College people whether they could give me the composition, from the dietetic point of view and from the nutritive point of view, of the seeds which should be sown by us, but they failed to satisfy me. There is only one nutrition research laboratory in the whole of India and that is at Coonoor. If anybody wants to find out the nutritive value of any food article, whether it is fit for human consumption or for animal consumption, there is no laboratory in our province to help him. I think we are ignoring an important factor when we select seeds. That important factor is that we must look to the health of the farmer. Unless we look to the health of the farmer he cannot become a fit person and whatever more money is spent on improved seeds, he loses it on his illness and on medicines.

Agriculture is not only the concern of the farmer or the peasant or the landlord, but it should be the concern of the whole nation. India depends on the crops which are grown by peasants in their villages. By working on the policy of Agriculture Department, the peasants will produce such articles as would undermine the health of the nation. I think it becomes the duty of the Government to see that such seeds or such crops are not grown. Therefore, it is absolutely necessary for us to find out what seed is good for the health of the farmer as well as of the people of the province. Whenever any fodder is grown we have to see that fodder is suitable and at the same time cheap for live-stock. In the Punjab we grow mostly wheat and when the poor man does not get wheat, he has to fall back on other cereals. In that part of the province, which is represented by the Honourable Minister in charge, the poorer people do not get wheat for all the 12 months in the year and they have to live on *bajra* or on barley, or on wheat and gram combined. If we look to the diet of our farmer, we see that he does not get vegetables to eat because he does not grow them. It is said that we on this side, when

we say that the farmer should grow those articles which are suitable as food for him, do not look to the larger amount of money which he would get otherwise. If that article of food, which is grown and which is necessary for the health of the people of the province, does not bring as much money as other articles, then it is the fault of marketing and not of the produce. If we tell the farmer that such and such variety of wheat (8-A) or any other variety, is the best so far as food value is concerned, I think it will bring higher price than any other variety of wheat. In the same way, if we tell people of this province that such and such article is absolutely necessary and is better for our health, then there is no reason why we should not be able to sell that article at a higher price. Therefore, I think even if the Department of Agriculture has to curtail any other chair in the Agricultural Department or in the research department, it is the duty of the Government to carry on experiments on food value of food crops as well as of fodder crops.

We should try to grow as much as would be necessary to satisfy our own needs and the needs of our country and then whatever is left behind we should export. If we find that, while exporting to other countries, any other variety of food crops brings more money, I have not the least objection if the agriculturist or the peasant would grow that variety for export only. We find that some medicines and proprietary drugs which are imported into our country are labelled 'for India only' and they cannot be used and sold in England or any other part of the British Empire. Similarly we find that certain goods are labelled 'for colonies only' and they cannot be sold in England or in other countries except in the colonies. Therefore I do not find any reason why we cannot take steps to ensure the consumption in our own province of those foods which are of high nutritive value and export those which would bring more money because of the ignorance of outside people. Then I had said that prices should be fixed and the Honourable Minister in charge probably did not like my suggestion. Perhaps he thought it would not be possible to fix them. My point is that we should fix the minimum price of the grain, so that when there is depression in prices the poor peasant is not affected. Let the Government buy his product at the minimum fixed price and then put it in the market competing with other countries and if other countries can sell cheaper let the Government pay that difference. There is an article in the 'Listener' dated 2nd June, 1937, which gives the results of regulating the diet of people and thus regulating the growth of crops: "During the present century the general death rate has fallen by 88 per cent., infant mortality by 62 per cent. and tuberculosis death rate by 64 per cent., and the expectation of life has increased by ten years. The weight and size of the children and adults has improved." This is the result of improving the nutrition of the nation in England. If we want to improve the nutrition of the nation we should grow such crops as are absolutely necessary or have high nutritive value. Therefore the establishment of a nutrition research laboratory is absolutely necessary. Then, further on, it is said: "It cannot be denied that poverty is the root cause of many public health evils; but unfortunately it is not the only cause. Improved means and nutrition will reduce or eliminate maternal mortality." This might be taken by some as irrelevant. But my submission is that it is not irrelevant. We ought to run the Agricultural Department on the lines which will be beneficial for the nation, for the Punjab as a whole

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as well as for the peasants. I want that the monetary condition of the peasants should improve. Therefore we should improve the marketing methods, so that that food crop which has got high nutritive value brings more money than the other crop.

Then we find that very little of the land is under fruit cultivation and under vegetables. I have to use the word 'fruits' because it is given under one head. Out of 73·6 per cent. of land which is under food crops, only 8 per cent. is under fruits and vegetables. I have got nothing to say so far as the fruits are concerned. But I submit that more land should be brought under vegetable cultivation. In our villages what do we find? The only vegetable which a peasant can use is onion and sometimes *sarasum* is the only thing which he gets in winter. Otherwise ordinarily these people do not get anything by way of vegetables. They grow a lot and send it to the towns for the use of the towns-people, probably because they get more money. But my submission is that every peasant should be required to grow at least such quantity of vegetables as is necessary for the use of his family or for the use of the village. If there is any surplus left, then let him send it to the town. It may be asked if a man grows food, wheat and vegetables, how is he to pay land revenue. If a peasant has not got enough land to produce as much as would bring him money to pay off the land revenue or the debt decreed by the debt conciliation board, if he has not got enough land to produce that much, I would submit that the Government should make that uneconomic holding free of land revenue and the debt which the poor peasant has to pay should be paid by the Government when the conciliation board decides the amount. (*Revenue Minister* : Wherefrom?) The Honourable Revenue Minister wants me to tell him wherefrom to pay that money. My reply would be, let him seek the help of the Finance Minister and if the present Cabinet cannot find it and if they want to consult us we are prepared to advise them. (*Hear, hear*). And if they feel that they cannot carry out these suggestions, let them vacate and we shall do the job and show how it can be done. (*Hear, hear*). If you are really out to improve the condition of the farmer, then this should be the policy of the Agriculture Department; they should devise methods which will improve the condition of the peasant. We must bring them to a high standard. As I have already said we should see the agriculturist from the nationalist point of view and not from the peasant point of view only. It was said that whatever suggestions we make here are only to please the smaller fry or they are only meant to keep the poor man at the level he is. I would submit that the suggestions which we make are not to keep the man at the level at which he is. We want to improve him and bring him to that standard, to that condition which a big landlord enjoys to-day. (*Hear, hear*).

We do not want that the big land lord should eat the smaller fry like the bigger fish eating the smaller fish. We want the poorer peasant to stand on his own legs and not be at the mercy of the landlord. It was said that to protect the price of food products we should approach the Government of India for protection or should give subsidies and concessions here and there. Well, Sir, I am one of those who would like such a legislation to be enacted which would ensure the welfare of the peasant. But I would also like that such protection and such subsidies and concessions be not given as woul

unfairly tax the consumer. The consumer and the producer should go together because one helps the other. Therefore this question of protection Sir, to my mind should not be tackled by us at the present moment unless we feel that the outsider is able to import such articles in our province or country which would crush the agriculture or industry of our province.

As far as marketing is concerned, we have to tackle an important question and that is that we must approach the Central Government to regulate the railway freight on commodities. The laying of roads is a provincial subject and we should improve the roads ; but at the same time we should approach the Central Government to decrease the railway freight so that we may be able to sell our commodities in the province or outside at favourable rates. (*Hear, hear*). Sir, you will be astonished to find—I do not know what is the exact freight now—that it was said that Australian wheat costs one rupee per maund as freight to reach Calcutta and that to carry wheat from Lyallpore to Calcutta costs Re. 1-8-0 per maund. A thing is brought from thousands of miles and here if it is taken from Layllpore to Calcutta harbour, it costs much more to carry one maund of wheat than the ship freight would cost for bringing it from Australia. Therefore, Sir, I think that the Agriculture Department of the Punjab Government should approach and bring as much pressure as they can upon the Central Government to decrease the railway freight. If they cannot get a decrease then I think by other methods, i.e., by encouraging other conveyances they should try to decrease the freight per maund.

Then, Sir, I think that out of a total of Rs. 34,17,500 as much as Rs. 11,50,000 is for the operations with improved seeds, Rs. 1,79,300 is for agricultural stations and Rs. 1,65,700 for boring operations. To begin with, Sir, as my friend Pandit Sri Ram told you, out of an expenditure of 34 lakhs according to his calculations only 16 lakh is income on account of sale of seeds. I do not know how far it is correct. He said it is only 20 lakhs which was spent on the Agriculture Department. In a big budget like ours this is a very insignificant amount. Then, Sir, we find that the Agriculture Department is carrying on boring operations. My idea is that the boring operations should be carried on to supply water where the land is not irrigated by canals or where water is scarce. But, Sir, I am told that in districts where there is no water these boring operations are scarcely carried out and the Government has not yet been able to do much——

Mr. Speaker : The question of boring cannot be discussed.

Dr. Gopi Chand Bhargava : Sir, my submission is that the Agriculture Department should change its policy and should try to improve the condition of the peasant farmer by improving the implements and devising other methods of helping the peasant by improving marketing conditions and by trying to reduce the railway freight and establish nutrition research laboratories. We should reorient the criterion of improved seeds.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : Sir, before commencing my speech I would like to say that so far as the question of big fishes eating the small fishes is concerned, as was remarked by the honourable the Leader of the Opposition, we on this side of the House are entirely in agreement with him (*hear, hear*) But I hope,

[Raja Ghazanfar Ali Khan].

he will realise that the big fishes are not to be found only amongst the land lords ; there are big fishes in other trades too. I am sure when the expert committee, which is trying to help the small fishes at the expense of big fishes, submits its report, the Opposition will whole-heartedly support those proposals. I would confine my remarks just to one particular grievance which I have made an attempt to get removed by giving notice of a cut motion. As the honourable members will observe my object was to draw the attention of the Government to the fact that although Dr. Lander, Agricultural Chemist, was deputed thrice to report what action should be taken to reclaim the lands damaged by Khewra Salt Range, yet neither his report has been published nor any action taken thereon.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P. M. of the clock. Mr. Speaker in the chair.

Raja Ghazanfar Ali Khan : I was submitting before lunch that the object of my speech was to attack the Agriculture Department for its failure to take steps to reclaim the area of land which has turned absolutely saltish and for the unnecessary delay and waste of time in deputing an officer to hold enquiries without either publishing his report or taking action thereon.

A brief history of the case would at once reveal to honourable members how slow the machinery of Government has been working. I raised this question in the Council of State and Mr. Raiseman of the Central Board of Revenue said—

“ About 25 years or more ago the effect of this on the soil became more marked, but nobody has yet discovered why or how it works or what exactly is the cause.”

You can very well imagine the plight of a country extending over 50 miles in length and 5 miles in breadth all occupied by small proprietors. The Government in spite of knowing that the area was becoming saline since the last forty years has not even tried to find out the cause of this process. I would submit that when I first raised this question in the Central Legislative Assembly in 1926 the Government of India promised to appoint an enquiry committee. A sort of a committee was appointed, but no report of that committee was either submitted or published. Later on, I again raised this question in 1930 and the Government of India replied that this was the concern of the local Government and not of the Central Government and that this question should therefore be raised in the local Government. When I raised this question again in the Council of State in 1935 the Government replied that they had asked the Punjab Government to depute a special officer to hold an enquiry as to how the area could be reclaimed. I would submit for the information of the House that in 1920 the Agriculture Department of the Punjab Government appointed one of its professors of the Lyallpur College, Dr. Lander, to tour in this area, to take samples of the soil and the saltish water and to report what action Government should take to reclaim the soil. But to my greatest shock and surprise 15 years after, that is in 1935, when I raised this question, the reply I received was that the Punjab Government were thinking of appointing a special officer to make enquiries as to what ought to

be done. When I brought to the notice of the Government that a special officer had already reported on the matter I was told that the report of that officer was not traceable. Probably the Government was not even aware whether an officer had been appointed or not and whether he had submitted a report or not. They appointed Dr. Lander again in 1935 to make an enquiry and to report. Dr. Lander submitted his report in December 1935. After he had submitted his report in answer to a question asked by me in the Council of State the reply I received was that the Punjab Government were still considering the report and that they had not yet formulated their views. This is what Mr. Raiseman said—

“The officer has submitted his report to the Punjab Government and it is now being examined by that Government. A copy has in the meantime been furnished to the Government of India which are awaiting the results of the Punjab Government's examination. I am not yet in a position to say whether the report will be published or not and what action will be taken on it.”

This was on the 30th March, 1936.

I would submit that after the Government appointed a special officer to go and examine the particular area and submit a report as to what action should be taken to reclaim that area, is it fair that the Government should sit over such a report for such a number of years? The first time an officer was appointed for the purpose was in 1920 and it is now July 1937. Seventeen years have elapsed and yet no action has been taken on the report.

I do not want to take up the time of the House in narrating the most deplorable plight of the zamindars of that area. They cannot get drinking water. They have to travel five or six miles to get sweet drinking water. Government has been sitting still over this matter and has taken no action to afford relief to the people concerned. I notice a provision in the budget for a new item, that is for making research as to how to reclaim saltish area in Government farms. I am in a very lucky position that the Honourable Minister for Development very kindly paid a visit to that area, not for the set purpose of visiting that area, but because he happened to pass that area and he saw for himself the condition of the people there. I expected that he would do something in the matter. I think the damage to the lands of that area is due to some extent to the Khewra Salt Mines for which the Government should be held directly responsible, if not legally at least morally. When the Government of India is making an income of 40 lakhs from the Khewra Salt Mines it is due to them to make a substantial contribution towards the relief of the people there by way of providing an inundation canal for that area or some other means of irrigation. I acknowledge that the Government of India has sanctioned a sum of Rs. 50,000 to the Punjab Government to be spent over that area. But you can imagine what relief such a small sum can give to a country which is fifty miles long and five miles broad. Anyhow I would request the Punjab Government not only to take up this matter with the Government of India with a view to press upon it that it should make a more substantial contribution towards any schemes which the Punjab Government may decide to undertake, but also to depute some special officer of the Irrigation Department to examine various schemes which can be undertaken to reclaim that land. The Honourable Minister for Agriculture, if he will look up the files will find that the proposal for digging an inundation canal from the Jhelum from a point near Dharapur was under contemplation since

[Raja Ghazanfar Ali Khan.]

1901-02. Several estimates were prepared, but no scheme was put into action, probably because Government thought that as any such scheme would be a capital charge, the returns would not be equal to the interest which the Government would have to pay on the capital spent.

Now the conditions have entirely changed. The last estimate was prepared in the year 1929 or, if I am not wrong, some time in 1926 or 1927 when the rates of labour and material were very high and when the rate of interest was also very high. If the Government will appoint some officer to examine the scheme, I am sure they will find that it is not a losing concern to give an inundation canal to the people of that area. The other scheme which the Government might undertake is this. There are hill torrents which bring saltish water down to the soil and spoil the lands. The origin of all these hill torrents is from springs which contain absolutely sweet water, but the water of these springs, in the course of flowing down the hills but before reaching the soil, passes over an area of the hills which is saltish and thus the water becomes saltish. If the Government can bring down the water over that little area without its touching the saltish soil, I think this water which is now responsible for spoiling the land will be of great use to the agriculturists for irrigation of the lands. No crops will grow on saltish soil and unless the Government treats such matters very seriously — I personally see no reason why it should not — no good will come out of it. I do not expect the Honourable Minister at this stage to discuss any schemes in detail or to tell me what he is going to do straight-away, but if he is prepared to give an undertaking that within a few months some officer or engineer or a committee will be appointed who will examine various schemes and the Government will lay on the table of this House a report of such officer, I am sure the Government will be putting into practice what they profess and genuinely feel — I mean the well-being of the province.

Seth Ram Narain Virmani (Lyallpur-cum-Jhang, General, Rural) (Urdu): Sir, the voice of a poor clarinet is drowned in the midst of the deafening noise made by the beating of drums in a drum-house. I am surrounded on one side, by the members of the zamindar party beside whom sit persons who can express their opinion very well but dare not vote against their party, and on the other side, I am surrounded by those who claim to be the stoutest champions of the cause of the peasantry of the Punjab. What can a person say amidst such hostile forces? Besides, it is difficult to say anything against or even to criticise an expenditure under the head of Agriculture simply because it bears the hall mark of agriculture, irrespective of the fact whether it is justified or unjustified, useful or useless, adequate or inadequate. Just imagine that in the year 1935-36 the amount spent on the Agricultural College and its Research Department was only Rs. 6,36,890 and in 1936-37 it was Rs. 6,30,000. But this year it has risen to Rs. 8,57,900. I am at a loss to understand, what has led to this sudden and tremendous increase. There is no need for spending more on research work now. The zamindar members themselves realize that whereas the research department has been doing useful work for the last 16 years, it has now reached a stage when expenditure on it appears to be out of all proportion to the advantages derived from it.

Boys after passing their B. A. or M. A. examination are not willing to work in the fields and that is why new appointments are created in the department of agricultural research. Every new Principal or new Director wants to create some new posts under him. Last year there was an increase of Rs. 2 lakhs in the expenditure but the grant paid by the Government of India has been stopped, which goes to prove that there is now no need for such further researches. Now we know that the Government of India is maintaining a Cotton Committee with a provincial branch in the Punjab. If the Government of India makes use of our money, where is the necessity for keeping a provincial branch and doing research work separately. Again the remedies suggested by the Department of Agriculture for coping with plant diseases are more expensive than the value of the crop. I have got a mango grove in Lyallpur. It is subjected to some kind of plant disease every year. I requested the Department of Agriculture to suggest some remedy. I was told that all the mango trees will have to be sprinkled with some drug, which will cost more than the value of the whole crop.

Besides this if the department can suggest some means for increasing the prices of agricultural produce it will be all to the good. Different qualities of cotton, *e. g.*, 289 or L. S. S. or new seeds, which are the result of research, have not proved useful. The varieties of cotton produced here are not considered to be of standard quality; in Karachi or Bombay and they do not fetch the right prices there. What we need, therefore, is to produce cotton of the standard quality, unless this is done, no progress is possible. Every year there are new qualities and new standards of cotton. The L. S. S. variety of cotton was discovered at Lyallpur but in Karachi nobody cares a penny for it. As long as you do not produce cotton of a standard variety, no progress is possible.

There is only one way of raising the prices and it is this. Start new industries in the province. If the agriculturists are not willing to give lands to non-agriculturists, the latter should start industries at any cost. I am sure that the establishment of new industries will benefit all and sundry.

Mr. Speaker : In what language is the honourable member speaking ?

Seth Ram Narain Virmani : In Hindustani.

Diwan Bahadur Raja Narendra Nath : It is the language which is spoken in our homes and in which we import words of English, Persian and I should say of some other languages as well.

Seth Ram Narain Virmani : I was submitting that in order to raise the prices of agricultural produce it is essential to start new industries in the province. I am surprised to find foreigners getting electrical energy at cheap rates, while we pay heavier rates for the same. On the other hand no steps are being taken to combat unemployment. How true is the saying that the word of the family physician is treated lightly, while that of an outsider is given undue weight. If you are not prepared to provide necessary facilities to the Punjabi non-agriculturists, the time has come for the Industries Department of the Government to take the work in hand and start industries of their own.

[SETH RAM NARAIN VIRMANI.]

The second point which I want to mention in this connection is that our zamindars do not put in sufficient amount of labour. I think that the story of the big landlord is not unknown to you, who while on his death-bed advised his son to dig his land deep and he will discover a hidden treasure. The son did so in the hope of discovering a treasure and at long last he understood the moral of his deceased father's word of advice.

Colonel Bruce and Mr. Brenford were granted land for starting a seed farm in Lyallpur. The tenants working on these estates are pretty well off. They are earning enough to pay land revenue and pass their days in comfort. I would request the Government to repeal the Land Alienation Act. If the Government acts upon my advice I am sure that people would be forthcoming to till the land and they would also be willing to pay the land revenue. Moreover, prices of land would be doubled. My next submission is this. The Honourable the Premier was pleased to remark the other day that communal questions should not be discussed here. In reply to this I would say "you are flourishing on the fat of the land, why do you not let others do the same?"

Minister for Revenue : May I draw your attention to the fact that the honourable member can speak very good English? Why does he not speak in English?

Raja Ghazanfar Ali Khan : I would like him to make a statement that he cannot speak English.

Seth Ram Narain Virmani : Sir, I am only a matriculate. This morning Raja Sahib put a question to enquire whether the students of the Lyallpur College were being given any scholarships and if so, the principle on which such scholarships were awarded. No reply has been vouchsafed to that question. Let me tell you the amendment that has been made in the rules *re* the grant of scholarships from 1st April, 1937. It is that candidates must be sons of cultivators or land-owners cultivating or owning land within the civil division. May I inquire whether this amendment in the rules has taken place recently or whether it is an old one? Is it a fact that only *bona fide* agriculturists pay land revenue and other landholders do not? When you are admitting to the college the sons of zamindars, irrespective of the fact whether they are statutory agriculturists or not, why do you give scholarships to the former and not to the latter? Why are scholarships not being given on merit? Why should a student who has stood first in the examination be deprived of a scholarship and the same should be given to somebody else on the sole ground that the former is not a *bona fide* agriculturist? What can you expect from a department which is torn by internal dissensions and where such questions as Hindu *versus* Muslim and agriculturist *versus* non-agriculturist are cropping up at every stage?

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : I am intervening at this stage to give a reply to my friend Raja Ghazanfar Ali Khan who has raised the question about the Khewra Salt Mines and the damage done by the mines to the lands of poor people.

While I have my fullest sympathy with the poor people who are suffering on account of the damage done to the crops—(A voice : Lip sympathy). May be lip sympathy in your view but according to my view real one. That is not for you to say.

Diwan Chaman Lall : Sir, the Honourable Member is not addressing the Chair. Is there anything more than lip sympathy ?

Minister for Revenue : I am not going to attend to the interruptions of my friends.

Mr. Speaker : I would request honourable members not to interrupt the Minister.

Minister for Revenue : I may point out to my friend that the damage done to this land is not due to the existence of these salt mines. That is proved by the statement which appears in the report of Dr. Lander, and I shall only read a portion of that, with your permission.

Diwan Chaman Lall : Is that document public property ?

Minister for Revenue : It is for my use.

Diwan Chaman Lall : May I have your ruling, Sir ?

Mr. Speaker : Is the Honourable Member prepared to place it on the table of the House ?

Minister for Revenue : I am only substantiating my point that the damage is not due exactly to the salt mines. It is immaterial whether I read it or not. I will simply say that in that report something of that nature has been said.

Mr. Speaker : Does the Honourable Minister propose to read it ?

Minister for Revenue : This is what is said in that report :

“ The trouble in my opinion will still exist even if the Salt Mines have not been worked.”

My friend has said that there was a previous report made by a certain officer. I understand that Dr. Lander has been engaged in investigating this problem for a long time. He started work in 1922 and his final report was received in 1936.

That report is going to be dealt with by the Department of Agriculture, and also by the Department of Irrigation which is under my charge. My friend has said that neither has this report been published nor has this report been looked into properly. The matter has been under the consideration of Government for a very long time and every endeavour is being made to solve this very difficult problem.

My honourable friend is aware of so many *kassis* which are running in the tracts and which are the cause of all this damage to the lands. There are 7 *kassis* which are running in this tract. As soon as the water comes to the lower ranges it gets mixed up with the salt that exists in the soil. Now salt is a commodity which is being used in the whole of India and it is such a useful commodity for the health of the people of the province and the whole of the country that one cannot say that this salt range should not have existed there. If this salt range had not been there, probably this land would not have been spoiled, but the question is how to remedy the matters. The only remedy that we can think of for removing this defect is that the water of these *kassis* should be stopped higher up and an outlet

[Minister for Revenue.]

should be built up in such a way that the water should not get contaminated with the salt that exists there. Several schemes have been considered. My honourable friend has himself mentioned the canal which was going to be dug there. Probably he referred to the Jalalpur Canal. At first it was estimated that it would cost 45 lakhs but the second estimate was of more than 70 lakhs. I am indebted to my friend for these figures, because I have so little time that I could not have been able to look up these figures from the heavy files. In order to remove the complaint we must have fresh water. There are two ways of getting fresh water to drain this area. One is to train these *kassis*, build reservoirs and collect the water for the purpose of inundation and the second is to build up the canal. It is not therefore an easy matter to be solved at a moment's notice. I know that a good deal of time has been spent, but problems of this nature require long consideration and serious thought before Government can launch upon such undertakings. I can, however, assure my honourable friend that every endeavour would be made to take advantage of the facts that have been placed at the disposal of the Government by Dr. Lander. I am told that some officer of the Survey of India was also deputed for this work and he has made certain recommendations on the subject. There are three reports by that officer and probably there are three reports by Dr. Lander. I was referring to the latest report by Dr. Lander and this is going to be considered by the Government. I can assure my friend that this subject has my sympathy and we will do our best to meet the suggestion. Some say the area damaged is 80,000 acres and others say that it is only 16,000. There was a proposal also before the Government that land in Nili Bar or other colony projects to be built should be made available for these people who have suffered owing to the damage caused to their lands by the presence of salt. Probably as this land has been deforested and there are no trees, therefore, the land has become exposed to the action of water. When the water flows, the salt in the soil gets mixed up and the land suffers. All these *kassis* excepting one do not go down to the river but get absorbed in the land. I can assure my honourable friend that the matter would be looked into very carefully and we will take steps to appoint an officer to study the question and look into the reports that have been made to Government and make practicable suggestions. I think with this assurance he will withdraw his motion. (*Hear, hear*).

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*): Sir, before I proceed with my speech I would like to recite a verse, because I feel that whenever any suggestion is made by the Opposition, the members of the Unionist Party generally come forward and say that they have been in office only for two or three months. The verse fully applies to their case—

کہسنی اس شوخ کی کونسل کی طفلی ہو گئی
منتظر بہائینکے ہم جب تک شباب آنا نہیں

(*Cheers*).

Khan Bahadur Nawab Muzaffar Khan: The verse though good is not appropriate.

Chaudhri Kartar Singh : Consult some poet. I submit that students have been admitted in the Lyallpur College every year on the basis of communal representation. The same continues even now. It was said some-time back that with the inauguration of provincial autonomy communalism would be done away with. But we find that at present admissions to the Lyallpur College are being made on communal basis. In the first place the students were classified as agriculturists. Now a further differentiation has been made and that is, that so many Muhammadans, so many Sikhs and so many Hindus be admitted. Sometimes if the required number of qualified Muhammadan students is not forthcoming, students of the same community obtaining smaller number of marks are admitted. In this way reserved seats for them are filled. On the other hand the Hindu students who pass their examination in the first division are rejected on the ground that there is no room for them. In my opinion this is not fair. I would request Rao Bahadur Chaudhri Chhotu Ram to follow the example set by the Honourable Minister for Education, who has announced his policy to abolish communalism from the educational institutions of the province and I find ways and means for changing the present system of admission to the Lyallpur College.

I remember well that in the year 1934 a student stood first in the final examination of that College. It is generally the rule that the student who tops the list of successful candidates is either sent to a European University or to any prominent Indian University for higher education. But the poor fellow happened to be a non-agriculturist, and consequently he was not sent up for higher education, and was employed in that very college on Rs. 60 a month.

I am of the opinion that with the inauguration of provincial autonomy this division within division should not be tolerated. In the first place the distinction of agriculturist and non-agriculturist should be abolished, secondly, the reservation of seats for various communities should cease. In fact the students should not be admitted on communal basis. Again, when a student tops the list of successful candidates, no matter to which community he belongs, he should be treated as he deserves. I hope the Honourable Minister would carefully consider this suggestion and abolish communalism from the province.

Dr. Sir Gokul Chand Narang :—

این خدوہال است و معال است و جنوں

Chaudhri Kartar Singh : Besides, I would like to say a few words about Hoshiarpur. There is no agricultural farm there, and it is absolutely necessary that one should be started there without any further delay. Every year the Deputy Director of Agriculture goes there, holds a meeting and after delivering some speeches returns to his headquarters. I would request that the officers of the Department of Agriculture should not go there merely as officers, but they should go there and sit with the common people and exchange views with them on agricultural topics. I would strongly urge that the practice of holding an annual meeting of the District Board at Hoshiarpur should be discontinued. In fact it serves no useful purpose, and, moreover, it is imperative that the mentality of the officers of the Department of Agriculture should be changed.

[Ch. Kartar Singh.]

Hoshiarpur once ranked among the first class districts of the province on account of its fruit gardens. But now on account of the scarcity of water, they all have withered away. The level of sub-soil water has gone down and consequently the gardens do not receive an adequate supply of water. I would request the Honourable Minister to take some steps and depute some officers of the Department of Agriculture to inspect the spot and devise some means for raising the level of sub-soil water and thus saving the gardens from destruction and ruin. The zamindars of that ilaqa are poor people. Most of them live on the income they derive from their gardens. In view of this I would request the Honourable Minister to consider sympathetically the case of these hard pressed people.

Again, Sir, you know that there are many officers like the Director, the Deputy Director, the Assistant Director and other officers now working in the Department of Agriculture. How is it that they do not devise ways and means for bettering the condition of the poor zamindars? I myself have witnessed in the Montgomery district that these officers go and converse with big landholders or with those people who own 200 or 300 squares of land. They tour their ilaqas, but they do not care for poor zamindars of my status. I ask them what useful purpose they serve if they tour and visit the ilaqa of Pir Muhammad Hussain or other rich landlords. They ought to care more for poor zamindars.

In the end I request the Honourable Minister to adopt the suggestion that I have made merely for the sake of public welfare and not that he may be able to draw his salary from the provincial exchequer. He should try to know the real condition of the zamindars. Unless this proposed change is effected, no progress can be made. I would suggest that the expenditure of 34 or 35 lakhs of rupees should not be wasted in this way, but some useful purpose should be served by it.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*). Mr. Speaker, yesterday when I was speaking on a cut motion on the grant under consideration, I had said that the silence of the Opposition was due to their lack of interest in the subject. I am sorry to have prompted my honourable friends to take part in the debate to-day by making those remarks as their speeches show that their silence was not only due to their lack of interest but also due to their ignorance of the subject. I was sorry to find that the honourable members sitting on the Opposition benches knew little about things that mattered and deeply concerned the majority of the population of this province. I was surprised at the remarks made by the honourable the Leader of the Opposition that the Agriculture Department has done nothing during the 25 years of its existence, and that they are doing no research work. I shall quote some facts and figures which will show how useful work this Department has done in the past for the province. First of all let me inform him that there exists a laboratory at Lyallpur since 1918 for research work under the charge of an Entomologist with a staff of about 14 assistants. The department has made researches on various varieties of crops, such as wheat, cotton, sugarcane, barley, gram, rice and oilseeds. As a result of their research and experiments we find many new varieties of improved seeds which suit different types of soils and climates and which give more yield per acre than the indigenous varieties. The selec-

tion of 8-A Wheat and production of cross 9-D and 591 Wheat have already proved their worth in the Punjab as they give at an average 2 to 5 maunds per acre more yield than the indigenous varieties. It is calculated that no less than 3 million acres are grown under improved wheats every year. If we calculate the increased yield of improved wheat over *desi* wheat at even 1 maund per acre, it means that the Punjab zamindars get every year an additional yield of 3 million maunds worth an additional 90 lakhs of rupees. This is the minimum estimate. In fact the average increased yield per acre is not less than 2 maunds per acre. The Agriculture Department is responsible for introducing American cotton in the Punjab. About 14 lakhs of acres are sown under American cotton every year in the Punjab. If we calculate the average yield even at a minimum of 6 maunds per acre it gives us a total annual yield of 84 lakhs of maunds. I have again taken the minimum yield as the average yield, for, American cotton varies between 8 to 10 maunds per acre. The American cotton gives at least about 2 maunds per acre more yield than the *desi* cotton but if we do not take this increase into account and only take into account a premium of 1 rupee per maund on the price of American cotton over that of the *desi*, it gives the zamindars of the province an additional income of Rs. 84 lakhs. The Agriculture Department has also introduced new varieties of *desi* and American cotton. 49 N. T. American cotton which has lately been introduced by the Department and which is proving very successful both with respect to yield and quality, will, I am sure, find a great demand in foreign markets and will favourably compare even with Egyptian cotton. The introduction of the Coimbatore sugarcane in the Punjab also goes to the credit of our Agriculture Department. We have at present about 2½ lakhs of acres under these improved varieties of cane. These improved varieties give an increased yield of at least 8 maunds of "gur" per acre over the indigenous sugarcane varieties. This gives us an additional yield of about 20 of lakhs maunds of gur worth about Rs. 50 lakhs. This will show that by the introduction of improved seeds of wheat, cotton and sugarcane alone the province has benefited to the extent of about two crores and a quarter of rupees the credit for which goes entirely to the Agriculture Department. The Department has, however, introduced after research, and experiments new varieties of barley, gram, oilseeds and green fodder which give a considerable more yield than the indigenous varieties. One of my honourable friends remarked that the Department has not been able to find remedy for the rice borer which destroys the rice crop. Let me tell him for his information, that the department has a rice farm at Kalashakkaku in Sheikhpura District where experiments have been made by the department to find a remedy for this disease and to find better seed varieties of rice which are less amenable to this pest. The result of this research has been very encouraging. The department has introduced certain early maturing varieties of rice which have less chance of being attacked by the rice borer. I have personally tried two of these varieties and have found them very satisfactory. The remedy suggested by the department to eradicate the rice borer pest has also been tried in my estate. If the field is ploughed after the cutting of the rice crop and the roots are collected and burnt, the next year's crop gets immunity from this pest. The department has made successful researches for sugarcane, fruit trees, wheat and other crop pests and has introduced effective remedies for the

[K. B. Mushtaq Ahmad Garmani.]

same. The Agriculture Department and its research section can only suggest remedies and it is up to the zamindars to take advantage of these useful experiments. If they do not take advantage of these suggestions, it is no fault of the Agriculture Department. Sir, I would not take the uncharitable view which has been taken by the Opposition about the Agriculture Department. I am sorry to say that we have not heard any constructive suggestion from the Opposition and as a Persian saying goes—

سخن ہمیں عالم بالا سے ماوم نشد

Their speeches have shown their complete ignorance about this department. But at the same time I must say that there is still much to be done and that there is a great scope for extending the work of Agriculture Department. The department should try to study the needs of the zamindars more closely and try to extend its activities and usefulness. Now, I would point out one serious defect with regard to the organization. We are told that the department has provided improved wheat seed last year, to the extent of about 2 lakhs and 20 thousand maunds. The distribution of seed is made in a haphazard manner and there is no organised scheme for this purpose. The result is that full advantage is not being achieved. If the seed is distributed in a systematic way, we can get much better results. I would put forward a concrete suggestion in this connection. Sir, I would suggest that a certain area should be selected in each district according to the share of seed available for that district. The owner or owners of the land should be given the seed on the condition that the seed advanced will be returned at the next harvest to the department and that the whole produce for that year will also be surrendered to the department at the market rate. The department should distribute the available seed to other owners on the same condition. If this is done we can have nothing but improved variety of wheat throughout the province within 5 years. In Muzaffargarh district 47 per cent. of the total cultivated area is sown under wheat, that is, 3,213,088 acres of land is sown under wheat each year. If 3,000 maunds of improved wheat seed is allotted to Muzaffargarh district it will suffice for 3,000 acres of land. If the average yield is calculated at 8 maunds per acre, 24,000 maunds of wheat seed will be available for the district next year. In the second year 4,000 maunds should be given to 2 or three zamindars to be returned in kind at the next harvest and the balance of 20,000 maunds should be available for other cultivators in exchange of their *desi* wheat on the same condition. This will give us 160,000 maunds of wheat in the 3rd year. After paying 20,000 maunds for the seed requirements of those who got the seed for the 2nd year we will have a surplus of 140,000 for distribution to other cultivators in exchange of their own wheat; and in the 4th year, we will have more than sufficient wheat for the total seed requirement of the district. In this manner, within five years, we would have discarded all the old wheat and replaced it by pure improved wheat. After 5 years the Government should provide that no remission (Kharaba) should be given on wheat crop if the land is not sown with improved variety of wheat seed and this will ensure a pure crop. In this case we can improve the income of the zamindars. Even if we do not count the increased yield which will result by the improved varieties of seed and take

into account only the premium on price at the rate of 4 annas per maund, the zamindars in Muzaffargarh district alone will get about Rs. 6,42,676 per annum, which is almost equal to their total land revenue demand. The same principle may apply to the distribution of sugarcane and other seeds. If we work in an organized manner we can improve the quality of our produce within a reasonable time and thus ensure a considerable more income to the zamindars. Sir, I have a few more important suggestions to make to the Honourable Minister for Development with regard to the marketing of the agricultural produce and wish to draw his attention to certain evil practices and defective mandi usages which exist in the Punjab; but the time at my disposal is very short. I have received indications from you to wind up my speech; I shall therefore discuss these things with the Honourable Minister in private. But before I resume my seat I would like to answer my friend Chaudhri Kartar Singh who recited a verse and tried to apply it to my party. I would answer him in a verse, and it is this—

میں ہوس کہ ہر ہمدم تو ان کے لڑکیں سے
خود تجھ کو مٹا دے گا آئے ہر شباب انکا

(Cheers).

I would ask my friends on the Opposition to wait and see as to what our party does for the masses of the Punjab and when our programme is translated into practice, which I am sure, will not be very long, the people will be able to judge for themselves that it is the best programme for the country and for the uplift of the masses. (Loud Cheers).

Chaudhri Krishna Gopal Dutt (North Eastern Towns, General, Urban): Sir, I would like to say a few words on the subject. It is very regrettable that such an important subject is being rushed through this Assembly. According to the census of 1931, 88 per cent. of the population of this province live directly or indirectly on agriculture. The striking characteristic of our economic life is the overwhelming dependence of the population on agriculture inasmuch as 3 out of every 4 persons in this province live in the villages and depend on agriculture for their livelihood. I wanted that this question which is considered to be one of the most important questions both by the Government benches as well as by the Opposition should be discussed threadbare on the floor of the House. I am afraid and I regret that most of the members have not drawn attention to certain factors which are considered to be very important and which are world factors influencing agriculture. Most of the honourable members have got small grievances, very minor and petty, and they place them before the Honourable Minister for Agriculture but there are so many important questions of policy with respect to agriculture which are not allowed to be discussed on the floor of the House. I think that the Honourable Minister should not have been parsimonious in giving more time to the Opposition so that he may hear what our feelings and susceptibilities are on the subject. Does he not realise that agriculture is very much neglected in this province as well as in every province of India? I would remind him of the remarks which Dr. Clouston, Agricultural Adviser to the Government of India, uttered in the course of his evidence before the

[Ch. Krishna Gopal Dutt.]

Agriculture Commission. He said, " We have our depressed classes in India ; we too have our depressed industries and agriculture is unfortunately one of them." I would appeal to the Honourable Minister for Development to study the world factors which control agriculture. I would say that it is not in his hands, it is in the hands of the Unionist party, to develop agriculture in this province under the circumstances, and I do not want to condemn them for the things that they cannot do. It is regrettable that every time we speak on any motion, honourable members sitting opposite get up and say that we have not put before the House any constructive suggestions. Even today my honourable friend, Khan Bahadur Mushtaq Ahmad Gurmani said the same thing even when the Leader of the Opposition gave so many constructive proposals and suggestions to the Honourable Minister. (*Hear, hear and applause*). But what is the use of putting constructive proposals before the House? When we approach the Honourable Minister and put certain concrete proposals before him, do you know what we are told? We are told that the Government have got no money. Will the Minister for Agriculture please attend to what I am saying? When we approach the Honourable Minister for Agriculture with certain concrete proposals he tells us that the Government are handicapped, that the Government have no money, that he has got no control over certain factors. What a shame it is in our province, what a shame it is in our country, that whereas they have got money to maintain a huge army so that the whole nation may be kept in bondage, whereas they can spend one lakh a day to further their forward policy across the North-Western Frontier, they have no money for agricultural purposes! (*Hear, hear*).

Mr. Speaker : The honourable member will please speak to the motion and wind up.

Chaudhri Krishna Gopal Dutt : I am speaking to the motion. It is the duty of the Honourable Minister for Agriculture to inform the Government of India of all these handicaps. As I said, even under the provincial autonomy, we are handicapped and he should try his best to remove those obstacles ; it is his primary duty to shatter those shackles to pieces. One of the most important points to which I want to draw the attention of the House is this. It is the considered opinion of the Opposition as well as of every nationalist in India that agriculture in this country and even in this province cannot be developed so long as the currency and the exchange policy is what it is today. On the very first day we drew the attention of the Government to this question, not only we but my honourable friend Sardar Ujjal Singh and certain other honourable members on the other side also drew the attention of the House and that of the Honourable Finance Minister to this question. It is a very important question and I have got this opportunity today again to invite the attention of this House to this matter. It is not a small matter ; it is not a minor matter ; it is a very important matter and I repeat that there can be no development of agriculture in this province and in India unless and until there is a radical change in the currency and exchange policy of the Government of India. We as well as Sardar Ujjal Singh requested the Honourable the Finance Minister on the floor of the House to protest against this policy and inform the Government of India accordingly.

But the Honourable the Finance Minister said that he was not prepared to do that because he believed that that would not help. I want to inform the House to-day that we were very much disappointed to hear that. We know the Finance Minister—I am sorry he is not here—is academically an able man, but how can he feed the hungry people and the poor peasants with dictionaries, with cross word puzzles and with high flown language? Sir, it may be recalled that even men like Sir Zafrullah Khan and other members of the Unionist Party brought this question before the Punjab Legislative Council. Sir, only the other day Sardar Ujjal Singh in the course of his speech on budget discussion urged upon the Government to bring it to the notice of the Government of India. But the Finance Minister refused to move in the matter and he did not agree with the nationalist view of the question. If those are his views then I make bold to say that the finances of this province are not in safe hands. I fear this opinion of mine may not reverberate outside this House. I think it will not be put on the wires and so may not be published; but I would take the earliest opportunity when I go to the Punjab, to tell the people that their industry cannot be advanced, that their agriculture cannot be advanced, because our Finance Minister holds anti-national views on the subject. Sir, the two most important agricultural countries in the world are Australia and New Zealand. Their Governments saved their poor peasants from economic catastrophe by making a 25 per cent. devaluation in their currency. Until and unless we do resort to that sort of devaluation in our currency we cannot make any industrial or agricultural progress. Our currency is pegged to a foreign currency over which we have got no control. The policy which is being followed with respect to our currency is essentially British policy; it is not the Indian policy. It is not in the interest of India. I am glad that Sir Chhotu Ram to a certain extent shares my views. The other day he stated that he would secure as much protection as possible for the industries of the Punjab.

Mr. Speaker : But let him have an opportunity to give a reply.

Chaudhri Krishna Gopal Dutt : Sir, these are yet only the general remarks which I have made. The Honourable Minister will have ample time to reply.

Mr. Speaker : No. There is not enough time.

Chaudhri Krishna Gopal Dutt : I have given so much time and attention to the study of this subject and I have collected mass of figures and details in order to show to the Government that agriculture in this province is not progressing. I will now hurry up and will give only a few instances. The honourable member referred to Indian sugar. But he does not realise that the population in this province has increased by leaps and bounds and—

Raja Ghazanfar Ali Khan : Sir, I rise on a point of order. If the Chair finds that the Honourable Minister will not have enough time to give a reply to the various speakers, is he not entitled to accept a closure?

Dr. Sir Gokul Chand Narang : Is the honourable member the guardian of the Minister?

Raja Ghazanfar Ali Khan : Is it not open to the Chair?

Chaudhri Krishna Gopal Dutt : The honourable member is only wasting the time of the House. I have collected facts and figures with respect to rice, wheat, gram, maize, barley, etc., etc., but I have now no time to place these facts before the House. I was saying that in our province population is increasing by leaps and bounds and the supply of foodstuffs is not in proportion to that increase. This is a very serious problem before the province. So far as the export of wheat is concerned it is practically finished. So far as the export of cotton is concerned, it is face to face with a new danger from Japan. I dwelt on this point during the budget discussion.

Let us take the figures for rice. You will find, Sir, that in 1935-36 in thousand tons the total out-turn in the Punjab was 464·9 as against 526·9 in 1933-34 and in 1916-17 it was 591·3. Is that a symptom of development of agriculture in the province? The total out-turn of wheat in 1935-36 was 3,052·3. (*Voices* : Question be now put). Honourable members perhaps do not want to listen to the criticism directed against the Agriculture Department. I was giving those figures. I will omit about gram, barley, etc. I wanted to show that the cultivated area has decreased and the total out-turn has also decreased and that it is out of proportion to the increase of population in this province. In 1935-36 the total out-turn of wheat in thousand tons was 3,052·3, as against 3,781·2 in 1929-30. In 1923-24 it was 3,535·0 and in 1921-22 it was 3,644·1.

I would give only one instance and then resume my seat. The honourable member who is very fond of whispering, hissing and interrupting, should compare our province with Japan, and before we compare we must realise that the total cultivated area in the Punjab is 47 per cent. while in Japan only 15½ per cent. is cultivated. Japan has a slightly larger area than that of the Punjab, while Japan maintains a population 2½ times as large as that of the Punjab. To mention only one commodity, production of rice, in little more than 30 years, has increased by 63 per cent. The Honourable Minister and the House will realise that there is 15½ per cent. of the cultivated area in Japan while it is 47 per cent. cultivated area in our Province. There they have got bigger population while we have got less population : it is 2½ times more than our population. Out of 63 per cent. increase only 17 per cent. is due to expansion of cultivation. There is not much scope for expansion of cultivated area in our province. I would bring it to the notice of the Honourable Minister that what is required in our province is not expansion but intensification of cultivation. I do not believe that the Punjab peasant is inherently dwarfed in knowledge and enterprise. I believe that given efficient organisation, modern tools as well as modern instruction in farming, the Punjab peasant can rise to the same level as his brethren in foreign lands. It is not the fault of the peasant. It is the fault of the Government. I would appeal to the Government to take steps for the intensification of crop and for the intensification of food stuffs because we are face to face with a terrible danger of increased population and possible shortage of food. With these words, Sir, I resume my seat.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, I am very glad that the honourable members who gave notice of certain cut motions agreed yesterday not to move their motions. This agreement has given the House an opportunity to speak at length on an

important cut motion under which a comprehensive review of the department as a whole was possible. The members of the Opposition have complained that they have not had their fair share of time to give expression to their views. As a matter of fact it is the ministerial party and particularly the Minister in charge of the department who has much greater reason to complain about the unfair working of the rules than the honourable members opposite.

I am sure that more than half the time has been taken up by the members of the Opposition and considerably less than half by the ministerial benches. (*An honourable member* : What about yesterday ?) Even yesterday I kept waiting in the hope that the Opposition would come out with their views. I do not like to stifle their views. As a matter of fact I would like the most severe criticism, even ruthless criticism rather than absence of criticism. I am a full believer, as I remarked yesterday, in wakeful and vigilant Opposition. (*Hear, hear.*) If the Opposition is vigilant the ministerial party has also to be vigilant. That is a proposition in which I have firm faith. Unfortunately, I have not got enough time, and so I shall have simply to run through my facts and figures, but before I quote figures bearing on this motion I will just make one or two observations with regard to certain statements that have been made by the members of the Opposition. If any of the other statements made by any of the members of the Opposition on the floor of the House remain unanswered, let it not be supposed that I agree or that I disagree with the Opposition in those particular points. There may be some statements with which I am in full sympathy, and there may be others, the accuracy or soundness of which I will refuse to acknowledge. But there are one or two mis-statements which I wish to clear up. One statement was made by Mr. Virmani that cotton L.S.S. was being neglected in Karachi, that nobody would look at it, and that it was not fetching any price. My information is that this particular variety of cotton was fetching a premium of Rs. 2 per maund of *kapas* over *desi* and Re. 1 per maund over 3F (*An honourable member* : At present.) during the cotton season.

Now, I will draw the attention of the House to certain figures which will be a sufficient answer to the various charges that have been brought forward by various members of the Opposition. I will begin from the improvement that has been made in the yield of milk. In 1914-15 a dairy farm was started at the Lyallpur Agricultural College. At that time the daily average of milk per cow was only 5.5 lbs. In 1936 the average yield rose to 17.14 lbs. This means more than three times the average with which we had to be content in 1914-15. Coming to cotton, the total area under it is 2,802,747. Out of this, 1,800,457 acres are under the Punjab American, and 1,497,290 acres under *desi* cotton. I may also tell the House that more than half the area under *desi* cotton is under improved *desi* variety. The premium fetched per maund of *kapas* by the Punjab American cotton ranged during the year 1935-36 between Rs. 1-6-0 and Rs. 2-6-0. The additional income on account of the premium fetched by improved varieties of cotton and on account of the enhanced produce of the province in a single year is 260 lakhs. I think I can fairly claim that if these improved varieties had not appealed to the people or had not fetched a premium the peasantry would not have taken to the use of the improved seed of cotton so easily as it seems obviously to have done.

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I shall now come to wheat. The total area under wheat in 1935-36 was 9,300,139 acres. More than one-third of this area was again under improved varieties, and the additional income to the zamindars of the province on account of enhanced produce was no less than 213 lakhs. As regards sugarcane, the total area under cultivation was 474,200 acres. (*An honourable member* : All this is mere repetition. These figures were quoted by Mr. Virmani.) No, his figures weren either precise nor complete. The total area under sugarcane was 474,200 acres and that under Coimbatore varieties was 226,300 acres. The additional income in consequence of an enhanced produce of gur was no less than 91·5 lakhs. Thus under these three main money crops the additional income will be between five and six crores. Again, improvement has also been made in respect of maize. This improvement is simply surprising. The seed that has been developed by the department has given a maximum yield of 44·5 maunds per acre as against a produce of 25·75 maunds of the old variety (*Interruption*). If my friend would care to look at the report of the Agricultural Department for 1935-36 he will find all these figures.

Chaudhri Krishna Gopal Dutt : In 1935-36 the total out-turn was 382·5 as against 411·6 in 1934-35. These are the figures taken from the Agricultural Statistics of the Punjab.

Minister for Development : But my figures relate to maximum yields per acre. Even fodder has not been neglected. The Department of Agriculture has been able to introduce new varieties of fodder which give very high yields, providing green fodder for cattle practically throughout the year.

Chaudhri Krishna Gopal Dutt : On a point of order. The Honourable Minister is supplying false information to the House—

Minister for Development : I protest against that remark.

Mr. Speaker : The honourable member is entitled to correct a speaking member's facts and figures, if the latter gives way. Otherwise he should wait till the former finishes his speech.

Minister for Development : Now, in respect of rice, the department has been able to develop three very good new varieties. These varieties give very high yields of rice of very good quality. Oilseeds, such as rapeseed, toria, mustard, linseed, have all been materially improved. I may also draw the attention of the House to the introduction of an entirely new crop in the Punjab, namely groundnut. In the sandy soil of parts of Ludhiana and Jullundur a very poor yield of moth alone could be raised. Now the moth crop has been replaced by groundnut, and the House will be pleasantly surprised to learn that while in 1930 the cultivation of groundnut was entirely unknown, the area under that crop has risen during the course of five years to 13,252 acres.

Potatoes have not been neglected either. We used to import our seed from Bihar, but fortunately the Department of Agriculture has been able to develop a seed in the Kangra Valley which we can use on the plains and which we can supply to various places in the Punjab at practically half the

cost. The yield of seed is distinctly higher than the yield given by the Bihar seed.

We have been able to develop two varieties of tobacco—one is the *hugga* tobacco and the other is the cigarette tobacco. Both the yield and quality of these two varieties are better than we used to get before.

Fruit has not been neglected, and if my friend were to pay a visit to special farms which are being maintained by private gentlemen he would find that during the last ten years there has been a remarkable progress. The Honourable Leader of the Opposition made a reference to the neglect on the part of the Department of Agriculture in respect of poultry. I think that he is not sufficiently well informed on the point. There is a poultry expert working under the Department of Agriculture who has shown encouraging results.

Even bee-keeping has been attended to. Apiaries have been established in Nagrota in the district of Kangra and when I paid a visit recently to that district I learnt that the zamindars in the neighbourhood were taking keen interest in it and they were taking to this industry in larger numbers than they ever did before.

With regard to the supply of seed, I may inform the House that no less than 101,200 maunds of pure seed of wheat were supplied by the department in the year 1935-36, and as much as 50,900 maunds of cotton seed of a pure kind were supplied by the department to the zamindars, in the same year.

A complaint was also made with respect to lack of research work being done in the Lyallpur Agricultural College. My friends who raised the complaint on the score of research being neglected, would perhaps be glad to hear that a very important research has been made and the result is of a very far reaching character, i.e., a process has been discovered for the reclamation of *kallar* salts. The House will be astonished to know when I tell them that the land which yielded only two maunds of rice per acre in the year 1930, yielded as much as 20 maunds per acre during the year 1935.

Diwan Bahadur Raja Narendra Nath : These resources are not available to all.

Minister for Development : The process is very simple indeed. My friend Diwan Bahadur Raja Narendra Nath does not know that the only process which need be resorted to is to have a rotation of rice and berseem as a rotation crop. Berseem crop should be raised as a rotation crop and used as a green manure.

Diwan Bahadur Raja Narendra Nath : I am trying that. I thought the Honourable Minister was referring to something else.

Minister for Development : The result of the experiment made by the Department of Agriculture is that instead of two maunds you can get twenty maunds of rice per acre.

Another complaint was made that nothing was being done in those areas where sweet water was scarce. I would cite one instance to show that so far as the department is concerned, it has been fully alive to its duties in

[Minister for Development.]

this respect. In the district of Mianwali sweet water has been discovered at a depth of 630 feet. I may also tell Pandit Shri Ram Sharma, who had a cut motion in his name regarding well-boring operations, that a bore was sunk to a depth of over 600 feet in the Rohtak district as well, in fact in the District Farm (*hear, hear*). Another bore was sunk in village Moondsa in Jhajjar tahsil.

Dr. Gopi Chand Bhargava : What was the result ? Have you been able to find sweet water there ?

Minister for Development : Not in Rohtak.

Dr. Sir Gokul Chand Narang : There is not much of sweetness there.

Minister for Development : There is another severe disease of gram which used to work havoc in the Campbellpur district. A few years ago it totally destroyed the gram crop in some places and destroyed the crop to the extent of 80 per cent. in others. During the last three or four years active steps were taken to combat the disease and the result was that the loss was brought down to 5 per cent. Unfortunately that disease has reappeared again this year and has spread from the Campbellpur district to the Gurdaspur district in the East and Jhang district in the West.

Sardar Sampuran Singh : What is that disease ?

Minister for Development : It is Gram Blight. In the end I would request the members of the Opposition to peruse the last Report of the Department of Agriculture, *i.e.*, the report for the year 1935-36. (*Voices :* It has not been supplied to us.) If they had read it a little more carefully, they would not have made the wild statements they have regarding neglect on the part of the Department of Agriculture.

Mr. Speaker : The question is—

That the demand be reduced by Rs. 100.

The motion was lost.

Mr. Speaker : The question is—

That a sum not exceeding Rs. 34,17,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Agriculture.

The motion was carried.

OTHER GRANTS.

The following demands were put from the Chair and adopted :

That a sum not exceeding Rs. 10,94,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Provincial Excise.

That a sum not exceeding Rs. 48,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Stamps.

That a sum not exceeding Rs. 17,39,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Forests.

- That a sum not exceeding Rs. 76,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Registration.
- That a sum not exceeding Rs. 1,48,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Motor Vehicles Taxation and other Taxes and Duties.
- That a sum not exceeding Rs. 75,98,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Irrigation (Works).
- That a sum not exceeding Rs. 95,00,800 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of charges on Irrigation Establishment.
- That a sum not exceeding Rs. 67,89,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Irrigation, Capital Expenditure.
- That a sum not exceeding Rs. 39,55,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Administration of Justice.
- That a sum not exceeding Rs. 29,67,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Jails and Convict Settlements.
- That a sum not exceeding Rs. 1,80,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Scientific and Miscellaneous Departments.
- That a sum not exceeding Rs. 6,23,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (European and Anglo-Indian).
- That a sum not exceeding Rs. 43,88,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Medical.
- That a sum not exceeding Rs. 14,93,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Public Health.
- That a sum not exceeding of Rs. 13,84,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Veterinary.
- That a sum not exceeding Rs. 12,26,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Co-operative Credit.
- That a sum not exceeding Rs. 18,41,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Industries.
- That a sum not exceeding Rs. 93,39,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Civil Works.
- That a sum not exceeding Rs. 15,90,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Public Works Department, Buildings and Roads Establishment.
- That a sum not exceeding Rs. 12,95,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Hydro-Electric Scheme—Working Expenses.
- That a sum not exceeding Rs. 10,38,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of charges on Public Works Department Hydro-Electric Establishment.
- That a sum not exceeding Rs. 11,72,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Civil Works—Capital Expenditure.
- That a sum not exceeding Rs. 6,34,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Hydro-Electric Scheme—Capital Expenditure.

[Mr. Speaker.]

That a sum not exceeding Rs. 1,80,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Famine.

That a sum not exceeding Rs. 47,67,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Superannuation Allowances and Pensions.

That a sum not exceeding Rs. 3,26,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Commuted Value of Pensions—Capital Expenditure.

That a sum not exceeding Rs. 10,29,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Stationery and Printing.

That sum not exceeding Rs. 23,69,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Miscellaneous.

That a sum not exceeding Rs. 5,16,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Advances not bearing interest.

That a sum not exceeding Rs. 19,27,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Loans and Advances bearing interest.

The Assembly then adjourned till 11 A.M. on Thursday, 15th July, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 15th July, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock.
Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

WATER-SUPPLY FOR RECLAIMING *KALAR* AREA IN LAHORE TAHSIL.

***421. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Revenue be pleased to state whether in the Kharamanja assessment circle of Lahore tahsil, the Irrigation Department in fixing the quota of water supply for each village takes into consideration only the quota needed for sowing and maturing crops, or also the quantity of water required for the reclamation of *kalar* land ?

The Honourable Dr. Sir Sunder Singh Majithia : In the Kharamanja assessment circle of Lahore tahsil, no special allowance of water is given for the reclamation of *kalar* land.

CASES IN THE COURT OF SUB-JUDGE AT GUJAR KHAN.

***422. Raja Fateh Khan :** Will the Honourable the Premier be pleased to state—

- (a) the exact number of cases pending in the court of the Sub-Judge, Gujar Khan, Rawalpindi district, up-to-date ;
- (b) the total number of cases decided by him so far and also the number of cases disposed of by him every month as against the number of cases disposed of by his predecessor every month ;
- (c) the exact number of appeals preferred against the decisions given by him during his term of office at Gujar Khan with the number of those accepted ;
- (d) the number of appeals in which strictures, if any, have been passed against him by the appellate courts ;
- (e) the number of objections under sections 47 and 60, Civil Procedure Code (by agriculturists claiming exemption from attachment for certain properties) filed in his court with the number of those rejected ;
- (f) the number of objections under order 21, rule 58, Civil Procedure Code, entertained by him with the number of those accepted ;

[Raja Fateh Khan.]

- (g) the exact number of suits filed in his court for possession of agricultural land by a non-agriculturist and the inquiries that he made to satisfy himself that the provisions of the Land Alienation Act had not been violated in any of them ;
- (h) the number of times the violation of the provisions of the Land Alienation Act was brought to his notice and the steps he took to rectify the wrong ;
- (i) the number of suits of *ark rehan* (mortgage without possession) that he has decided so far and the number of cases so decided in which the mortgage deed was a registered one and whether he ever refused to give both the reliefs of money decree and a mortgage decree at the same time ;
- (j) if the answer to the last part of (i) above be in the affirmative, the names of the parties to the cases in which he refused both the reliefs at the same time and the number of cases in which he gave the mortgage even against the subsequent purchaser for value without notice of the former transaction ;
- (k) the number of cases in which the debtors have been given the benefit of the provisions of the Regulation of Accounts Act and of the law of *damdapat* as given in section 35 of the Relief of Indebtedness Act ;
- (l) whether he reduced the stipulated rate of interest in any case in accordance with the provisions of the Usurious Loans Act ; if so, the number of such cases ?

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

WATER SUPPLY TO MATORE AND OTHER VILLAGES.

*423. **Raja Fateh Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware of the fact that after realizing the necessity of water supply to the villages Matore, Mara, Nalla Brahmanan, Bhamnial and Latori Syadan in the Kahuta tahsil of the Rawalpindi district, it took an initiative of sinking a well at Matore and did actually start the work ;
- (b) whether it is a fact that the said well, while under construction, fell down due to heavy rains ;
- (c) whether the Government is aware of the fact that the necessary materials required for the work have been lying at Matore for the last 5 years under the custody of a paid chawkidar of the Public Works Department ;
- (d) whether the Government is aware of the fact that it has had to bear the burden of about Rs. 1,000 towards the emoluments of the chawkidar, due to the unreasonable delay caused by the Department in completion of the work ;

- (e) if so, the action, if any, that Government is going to take to discharge its responsibility in this respect, and the time it will take to do the needful?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Owing to the rocky nature of the strata of the soil boring by means of the ordinary manually operated system was not successful. Consequently the hole was enlarged to form an open shaft and when it reached a depth of 80 feet, the sides collapsed and further sinking became impossible.

(c) The materials have been lying there since September, 1934.

(d) A sum of Rs. 384 only has been paid to the chowkidar since the scheme was abandoned in September, 1934. The cost of carting the boring materials to Lahore and then sending them back to Matore for further boring would have been in the neighbourhood of Rs. 1,200 or more.

(e) Further investigations are being made by the Public Works Department to find a solution of the water supply problem at Matore but so far without success. It is expected that a report in this behalf will be submitted by the Public Works Department within a couple of months.

WATER SUPPLY TO KOKARI AND OTHER VILLAGES IN TAHSIL

ZIRA.

***424. Syed Amjad Ali Shah:** Will the Honourable Minister for Revenue please state—

- (a) whether it is a fact that the area round about the villages of Kokari, Bhinder, Data and Jalalabad in the thana Dharmkot, tahsil Zira, which runs up to several thousand acres, has no water supply ;
- (b) whether it is a fact that the Government had prepared a plan for a rajbah to irrigate villages Kokari, Bhinder, Data and Jalalabad in the thana Dharmkot, tahsil Zira ;
- (c) if the answer to the above be in the affirmative, what action Government intend to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes, on receipt of a petition from zamindars the question was considered.

(c) No action is intended to be taken as no supply is available for extension of irrigation.

FLOODING OF SUTLEJ IN ZIRA TAHSIL.

***425. Syed Amjad Ali Shah :** Will the Honourable Minister for Revenue please state—

- (a) whether he is aware of the extent of havoc wrought by the flooding of the Sutlej in thana Makhu of tahsil Zira every year due to the damaged condition of the dam ;
- (b) if the answer to (a) be in the affirmative, what action Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. There is some damage to crops by the flooding of the Sutlej in some villages.

(b) The bund referred to as a dam in the question was built by the Railway authorities with whom Government is corresponding with a view to arrive at a solution of the problem.

UNEMPLOYMENT AND CASES OF SUICIDE.

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

- (a) the number of cases of suicide committed each year during the last five years, with the number of those committed for reasons of unemployment ;
- (b) whether it is a fact that on account of unemployment the number of such cases is increasing daily ;
- (c) if the answer to (b) be in the affirmative, the action, if any, that Government intend to take to relieve unemployment at an early date ?

The Honourable Chaudhri Sir Chhotu Ram :

(a) and (b). Government have no information and are of the opinion that its collection would involve an expenditure that it would not be in the public interest to incur.

(c) Attention is invited to the reply given to question No. *1021.

COMPLAINTS AGAINST EXECUTIVE OFFICERS.

***427. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Public Works be pleased to state whether Government have received any complaints from the municipalities against the Executive Officers ; if so, whether Government have considered these complaints and arrived at any conclusion ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : There are 16 municipalities where Executive Officers are employed. If the honourable member will specify the municipalities to which he refers an endeavour will be made to supply the information.

AGRICULTURAL LAND SOLD AND AUCTIONED.

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

- (a) the area and value of the land in the province districtwise that was sold to the non-agriculturists with the permission of the deputy commissioners during the last five years ;
- (b) the area of land belonging to the agriculturists auctioned districtwise during the last five years in payment of the debts due to the co-operative banks ;

- (c) the area of land mortgaged districtwise in the province during the last five years in payment of debts due to the co-operative banks ?

The Honourable Dr. Sir Sundar Singh Majithia : It is regretted that as the results will not be commensurate with the time and labour required for the collection of this information, the information cannot be supplied.

REPORT OF THE RETRENCHMENT AND UNEMPLOYMENT COMMITTEES.

***429. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable the Premier be pleased to state when the reports of the Resources and Retrenchment Committee and the Unemployment Committee may be expected to be ready ?

The Honourable Major Sir Sikander Hyat-Khan : It has not yet been possible to convene these committees. Government are, therefore, not in a position to say when the committees will be able to submit their reports.

Diwan Chaman Lall : Will the Honourable Premier kindly state as to when these committees are likely to start functioning ?

Premier : I cannot give a definite date, but very likely sometime in September or October.

TAGGAVI LOANS.

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

- (a) the amount of *tagavi* loans in the province that is still outstanding ;
 (b) the amount of *tagavi* loans originally advanced ;
 (c) the amount realized by the Government so far as interest on *tagavi* loans ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Rs. 70,44,452 on the 1st October, 1936.

(b) *Tagavi* loans are advanced every year. The honourable member has not mentioned the period for which the information is required. A sum of Rs. 3,74,728 was advanced during the year ending 30th September, 1936. As regards previous years the honourable member is referred to statements Nos. XVIII and XIX of the Reports on the Land Revenue Administration of the Punjab published by Government every year.

(c) The amount of interest realized during the year ending 30th September, 1936, was Rs. 3,35,847. The information for previous years is obtainable from the source mentioned in (b) above.

AMOUNT OF DEBT DUE FROM ZAMINDARS.

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

- (a) the money borrowed districtwise in the province by the zamindars from the *sahukars*, the co-operative societies, and the co-operative banks, respectively, during the last five years ;

[Ch. Muhammad Abdul Rahman Khan.]

- (b) the amount of interest districtwise in the province that was to be paid during the last five years to the sahkars, the co-operative societies and the co-operative banks ;
- (c) the amount both of interest and debt that has been paid so far to the sahkars, the co-operative societies and the co-operative banks ?

The Honourable Chaudhri Sir Chhotu Ram : The results obtained by the information asked for in this question will not be commensurate with the time and labour required for the collection of this information.

SMALL HOLDERS IN THE PROVINCE.

***432. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Revenue be pleased to state whether Government has tried to ascertain the number of those zamindars whose land is not worth even a thousand rupees ; if so, their number districtwise ?

The Honourable Dr. Sir Sundar Singh Majithia : No such enquiry has been made by Government so far.

Diwan Chaman Lal : Has Government any intention of setting up a statistical bureau to furnish such information ?

Minister : It is a big question. No reply at once is possible.

TECHNICAL INSTITUTIONS IN THE PUNJAB.

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

- (a) whether it is a fact that the Government intends to increase the number of technical institutions in the province ;
- (b) whether it is also a fact that even the students of these institutions remain unemployed after completing their courses ;
- (c) what corrective steps Government intends to take in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Pending the receipt of the report by the experts who came out from England last winter, Government has no intention of increasing the number of technical institutions.

(b) Government believe that this is not the case.

(c) Does not arise.

POLITICAL DETENUS AND PRISONERS.

***434. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable the Premier be pleased to state—

- (a) the names of such political detenues and prisoners as were released after the introduction of the new constitution ;
- (b) the names of such detenues and prisoners as were kept under surveillance or imprisoned before or after the introduction of the new constitution ;

- (c) the nature of their crime ;
- (d) whether they were tried and convicted ;
- (e) if the answer to (d) be in the negative, whether Government proposes to take any action to reconsider the cases of detenus, if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that I find it impossible to deal with this question until the honourable member explains what he means by "political detenus and prisoners."

PRISONERS RELEASED ON THE OCCASION OF CORONATION.

***435. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable the Premier be pleased to state—

- (a) the number of prisoners, belonging to the Punjab, released on the occasion of His Majesty's Coronation ;
- (b) the number of political prisoners among them ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Prisoners in the Punjab were given certain special luxuries in the way of diet on the day of Their Majesties' Coronation and were granted a week's special remission, but no releases were ordered here or (so far as is known) in any other province in India.

(b) The concessions just mentioned were allowed to all prisoners without exception.

Diwan Chaman Lall : Does that include *qorma* and *pulao* (laughter) ?

Premier : Very likely, yes, for A class prisoners.

ALLOWANCES TO STUDENTS TRAINED IN CONSOLIDATION WORK.

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

- (a) whether it is a fact that students who have passed the Consolidation Class at Hoshiarpur, are engaged by Government for consolidation work in different villages ;
- (b) if the answer to (a) be in the affirmative, whether the students referred to above are given any monthly allowances or pay for their work ; if not, why not ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The final result of the training has not yet been declared. It is hoped to give paid employment to those who pass as opportunity offers.

(b) Does not arise.

WORK OF CONSOLIDATION OF HOLDINGS.

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

- (a) whether it is a fact that Government propose to close down the work of consolidation of holdings ; if so, why ;

[Ch. Muhammad Abdul Rahman Khan.]

(b) the way in which Government propose to employ the sub-inspectors of consolidation who finished their course in May last at the Consolidation Class, Hoshiarpur ?

The Honourable Chaudhri Sir Chhotu Ram : (a) No.

(b) Does not arise.

CASES OF ABDUCTION IN PROVINCE.

***438. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable the Premier be pleased to state—

(a) the number of cases of abduction districtwise in the province each year during the last five years ;

(b) the number of cases in which the culprits were convicted ?

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

PROSPECTS OF SERVICE FOR THOSE TRAINED IN CONSOLIDATION WORK.

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

(a) whether it is a fact that last year in May a class was started at Hoshiarpur for giving training in the work of consolidation of holdings ;

(b) whether any period of training was fixed for the students ; if so what ; if not, why not ;

(c) the prospects of service held out to the trained students of the class mentioned in (a) ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes.

(b) 7½ months.

(c) No guarantee of employment was or is offered to each person who completed the whole training as most of the consolidation posts are themselves temporary. Successful candidates will, however, be employed when vacancies occur and as a supplementary source of recruitment to patwaris.

ESTIMATE OF DAMAGE TO CROPS BY HAILSTORM.

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

(a) the estimate according to Government of the damage done to crops by hailstorm at the last *rabi* crop in the Jullundur district, particularly in tahsil Nawanshahr ;

(b) the nature of relief given to the sufferers of that area ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The damage caused by the hailstorm was inappreciable except in some four villages of the Nakodar tahsil.

(b) A remission of land revenue amounting to Rs. 599-15-3 was granted.

DISTRICT BOARD, LUDHIANA AND REPAIRS OF ROADS.

***441. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) if he is aware that Nanak Singh road in the Ludhiana Rakh is to be repaired at a cost of Rs. 5,000 ;
- (b) whether the road in question is five furlongs in length ;
- (c) whether the rural population will derive any benefit from the repairs of this road ;
- (d) whether it is a fact that Machiwala Samral, Samrala-Khanna, Jugrdan-Rakh and Dakha-Raikot roads require immediate repairs ;
- (e) whether it is a fact that the Rakh gardens are being maintained at a considerable expense by the District Board ;
- (f) whether any travelling allowance has been paid to the Chairman, Ludhiana District Board, for the inspection of the roads recently made in the district ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, but at a cost of Rs. 4,200.

(b) Yes. The District Board receives a grant of Rs. 800 per annum for the maintenance of the Rakh roads. As the average expenditure on these roads for some years past has been Rs. 300 per annum the District Board has saved about Rs. 4,500 out of the grant for the last 9 years. This road was in an extremely bad condition, hence the board decided to renew it after more than 7 years.

(c) Yes.

(d) 16½ miles on the Ludhiana-Samrala, Ludhiana-Malerkotla, Dakha-Raikot, and Jagraon-Raikot roads are being renewed this year, while about half a mile only of Rakh road is being renewed.

(e) No.

(f) No.

Chaudhri Muhammad Hassan : How does the rural population benefit by the maintenance of this road ?

Minister : The question does not arise. I have already explained that the road is being repaired out of the special grant for that road.

Sardar Kapoor Singh : Will he transfer the road to the municipal committee, when the rest of the area round-about the Rakh is under the municipal committee ?

Mr. Speaker : That is a request for action and not a supplementary question.

Minister : Neither does it arise out of the answer.

DISTRICT BOARD, LUDHIANA AND REPAIRS OF RAKH ROADS.

NANAK SINGH ROAD IN LUDHIANA RAKH.

***442. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that tenders were called on the day the resolution about the repairs of the Nanak Singh road was passed ;
- (b) under whose orders the tenders were called ;
- (c) whether the Chairman was present in the meeting when the resolution to name the road as Nanak Singh was passed ;
- (d) whether the Government proposes to take any action in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) Tenders are called as a matter of course by the District Engineer when the estimate is sanctioned, *vide* rule 44 (1) of the District Board Account Code.

(c) No.

(d) No action is called for on the part of Government.

COMPLAINTS OF CORRUPTION AGAINST POLICE IN
LUDHIANA.

***443. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state the names of the police officers against whom complaints of corruption were made during the time of the present Superintendent of Police, Ludhiana, and the number of officers out of them who were punished by the Superintendent of Police ?

The Honourable Major Sir Sikander Hyat-Khan : The phrase "complaints of corruption" is a wide and indefinite one. If it can be given any meaning at all, it must presumably be taken as including every kind of petition, written or verbal, containing allegations of dishonesty. The honourable member will realise that it would be impracticable to prepare anything like a complete list of such complaints made to the Superintendent of Police, Ludhiana, during the last two and a half years, or for that matter to any other officer in a similar position. I am, however, placing on the table a list of the more important complaints of actual bribery made to the present Superintendent of Police since he has been in that appointment, showing the action taken. It is not the usual practice to give names in re-

plying to questions of this kind, but the rank of the various officials concerned is indicated in the statement :—

Statement.

| | Complaints which have been made the subject of departmental proceedings. | Complaints investigated judicially. | RESULT OF THE INQUIRIES. | | |
|--------------------------------|--|-------------------------------------|--------------------------|--|----------|
| | | | Not established. | Established and punished by dismissal. | Pending. |
| Sub-Inspectors | 3 | 1 | 3 | .. | 1 |
| Assistant Sub-Inspectors | 1 | 1 | 1 | .. | 1 |
| Head Constables | 5 | .. | 3 | .. | 2 |
| Constables | 8 | .. | 2 | 3 | 3 |
| Total | 17 | 2 | 9 | 3 | 7 |

REMISSION IN ZIRA TASHIL.

***444. Syed Amjad Ali Shah :** Will the Honourable Minister for Revenue please state the amount of remission given to the villagers of tahsils Zira and Moga on account of damage done to crops by hailstorms ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member's question is not clear inasmuch as he does not specify the period to which he refers nor whether he wishes to know about remissions of land revenue or *abiana* or both. Rupees 3,502 were remitted for land revenue and *abiana* on account of damage caused by the hailstorms of April last.

RECRUITMENTS SINCE MARCH, 1937.

***445. Syed Amjad Ali Shah :** Will the Honourable Premier be pleased to lay on the table a list of posts in all the departments of Government filled since 31st March, 1937, and the number of persons community-wise appointed to these posts ?

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

Diwan Chaman Lall : Do I understand the Honourable Premier to say that communal questions would not be answered on the floor of this House ?

Premier : As a matter of fact, this information is published in a consolidated statement every year. It will be unwise giving that information earlier.

NEW ENTRANTS TO GOVERNMENT SERVICE.

***446. Syed Amjad Ali Shah :** Will the Honourable Premier be pleased to lay on the table a list of new entrants communitywise recruited from 1st January, 1937, to 31st March, 1937, to fill the previously existing posts in different Government departments excluding the inferior staff ?

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

AREA OF AGRICULTURAL LAND AND ITS PRICE.

***447. Syed Amjad Ali Shah :** Will the Honourable Minister for Revenue please lay on the table a list showing :—

(a) the area in acres of agricultural land belonging to Government in each district ;

(b) the approximate price of the above-mentioned land calculating it at the present market rate ?

The Honourable Dr. Sir Sundar Singh Majithia : The collection of this information would require an amount of time and labour out of all proportion to the results obtainable and I regret Government do not feel justified in calling for it.

Diwan Chaman Lall : May I ask whether it is not possible for the Government to collect statistics regarding their own particular position and the amount and price of the land they possess ?

Minister : I cannot add anything to what I have already said.

Diwan Chaman Lall : May I ask the Honourable Minister whether the Government have considered the possibility of floating a loan on the basis of their net assets ?

Mr. Speaker : A supplementary question can be asked only when an answer has been given and facts stated in the answer require further elucidation. When no answer is given a supplementary question cannot arise.

Diwan Chaman Lall : On a point of order, Sir. What I was attempting to ask is this. The answer given is that this information would require too much labour and involve too much cost to collect statistics. I am suggesting out of this very question that it is desirable.

Mr. Speaker : If the honourable member takes it as an answer then certainly he can put supplementary questions.

Diwan Chaman Lall : Is it not desirable for the Government to let us know what their assets are ?

(No answer).

Lala Duni Chand : Silence also requires sometimes elucidation.

Minister : The list of all *nazul* lands is already there and there is no need to collect further statistics.

DAMAGE BY HAILSTORM IN AMRITSAR DISTRICT.

***448. Sardar Sohan Singh Josh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware that hailstorm has completely damaged the crops of the villages Pandori Ransih, Pandori Sidhwan, Pandori Takhtmal, Pandori Kahamana and Pandori Hasan in the Amritsar district ?
- (b) whether the people of those villages applied to the authorities concerned for enquiry and remission of land revenue ;
- (c) whether certain officers went to report on the damaged crops ;
- (d) whether they recommended any remission to the Government ; if so, what ;
- (e) what action the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government's information is that *some* damage to crops was so caused in all these villages except village Pandori Hasan. Nowhere were the crops completely damaged.

(b) Yes.

(c) Yes.

(d) It is against constitutional practice to divulge such reports.

(e) Government have already issued general instructions for the grant of relief on uniform lines in all affected areas all over the province and these instructions are being carried out. I may mention that in the Amritsar district as a whole a special remission of Rs. 4,283 of land revenue and Rs. 10,022 in *abiana*, was granted on account of damage caused by hailstorm and gram-blight. Separate figures for individual villages are not yet available but have been called for.

 SUSPENSION OF LAND REVENUE.

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

- (a) whether it is a fact that in some parts of the province the realization of land revenue had to be suspended during the last few years ;
- (b) if so, the total amount so suspended and the reasons which led to the suspension of this amount of land revenue ;
- (c) the amount of the suspended land revenue recovered and the period after which it was recovered ;
- (d) whether any interest was charged on the amount suspended and afterwards realized ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) and (c) A statement is laid on the table. Suspensions were granted to afford relief from seasonal calamities, and recoveries were made after different periods with due regard to the paying capacity of the crops.

(d) No.

[Minister for Revenue.]

Suspension of land revenue.

| Year. | Under suspension at beginning of year. | Suspended during the year. | Total suspended. | Collected during the year. | Sums under suspension remitted during the year. | Balance under suspension at close of year. |
|---------------|--|----------------------------|------------------|----------------------------|---|--|
| | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. |
| 1931-32 | 41,49,672 | 9,33,199 | 50,82,871 | 2,56,156 | 16,44,432 | 31,82,283 |
| 1932-33 | 32,10,542 | 19,58,261 | 51,68,803 | 3,45,528 | 19,22,826 | 29,00,449 |
| 1933-34 | 29,00,449 | 3,62,258 | 32,62,707 | 6,85,611 | 5,85,813 | 19,91,283 |
| 1934-35 | 19,91,283 | 13,03,311 | 32,94,594 | 2,17,222 | 7,88,991 | 22,88,381 |
| 1935-36 | 22,88,381 | 8,46,639 | 31,35,020 | 3,29,170 | 3,27,584 | 24,78,266 |

INTRODUCTION OF REVISED SCALE OF PAY AND ESTIMATE OF SAVING.

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

- (a) the total saving effected hitherto by the introduction of the revised scale of pay for the subordinate services ;
- (b) the total saving that will be effected when all the employees entitled to old rates of pay retire ;
- (c) the approximate time it would take the employees entitled to old rates of pay to retire ?

The Honourable Mr. Manohar Lal: (a) The revised scales of pay for subordinate services came into effect from the 1st April, 1937. Information in regard to the saving, which has accrued cannot be collected without an amount of labour which will be incommensurate with the value of the result to be achieved.

(b) The old scales of pay having been reduced by a percentage varying from 15 to 25 considerable savings are bound ultimately to result. An exact figure cannot be given, as it is not possible to say what the total pay bill will be at a future date when all employees entitled to the old rates of pay have retired.

(c) Generally speaking, the old rates of pay apply to those who were appointed to a Government post in a permanent substantive capacity before the 1st January, 1931. As a Government servant does not ordinarily retire until he has attained the age of 55 years, it is likely that even 25 years hence there will be some employees entitled to the old rates of pay.

Dr. Gopi Chand Bhargava : Will the Honourable Minister be pleased to state the minimum pay which has not been affected by this cut in salaries ?

Minister : I think I placed certain papers on the table the other day which contain full information. If the honourable member wishes to have any further information, formal notice may be given.

SHORT NOTICE QUESTIONS AND ANSWERS.

EPIDEMIC OF TYPHOID IN LAHORE.

Dr. Gopi Chand Bhargava : Will the Honourable Minister for Education be pleased to state whether he is aware of the fact that there is a serious epidemic of typhoid fever in the city of Lahore ; if so, the measures that have been taken so far to check it and whether he proposes to appoint a special Public Health Officer and an Advisory Committee of medical practitioners to combat it ?

The Honourable Mian Abdul Haye : Yes. In addition to routine measures adopted at the time of such an epidemic the Municipal Medical Officer of Health, Lahore, has taken steps to disinfect effectively water supply where considered necessary, to abate fly nuisance, to control the sale of articles of food and drink and to offer free inoculation to the public. 1,674 T. A. B. inoculations have been performed by a special officer detailed for the purpose by the Lahore municipal administration. Day to day progress of the infection is being watched most carefully and the situation is well under control. There appears to be no necessity of appointing an Advisory Committee of medical practitioners to combat the epidemic. The best help that the medical practitioners can offer is by displaying greater vigilance than in the past in reporting promptly cases of the disease with which they become cognizant and see that the instructions issued by the Public Health Department are widely circulated and are carried out properly under their practice.

Dr. Gopi Chand Bhargava : Will the Honourable Minister be pleased to state whether the municipal committee has taken any steps to disinfect milk supply of Lahore ?

Minister : No, Sir.

Diwan Chaman Lall : May I ask the Honourable Minister whether he can give us figures of typhoid cases day to day during the last week ?

Minister : I have asked for this information. I understand that the information is on its way. It has not yet reached me.

Diwan Chaman Lall : May I ask the Honourable Minister how he has come to the conclusion that the situation is well under control, inspite of the fact that he does not know the actual figures ?

Minister : This is the report that we have received from the Medical Officer of Health.

Lala Duni Chand : Will the Honourable Minister please give the number of cases that have proved fatal ?

Minister : I have already submitted that this information has been asked for and has not yet reached me.

Seth Ram Narain Virmani (Urdu) : Is it a fact that typhoid is spreading in the province, even outside Lahore ?

Minister : I am not aware of that.

Diwan Chaman Lall : Is the Honourable Minister aware that an equally serious epidemic is prevalent in Rawalpindi ?

Minister : I have no information.

Diwan Chaman Lall : May I ask whether it is not the duty of the Government, when serious epidemics of this nature start in the Punjab or in Lahore, to take necessary steps and make enquiries as to whether the situation is serious or not ?

Minister : The Medical Officers and their staff are there to combat with it. As regards Rawalpindi, I will make enquiries.

Lala Duni Chand : Is it a fact that cholera has broken out in different parts of the Punjab ?

Minister : This does not arise from this question.

Seth Ram Narain Virmani (Urdu) : Is it a fact that typhoid cases have occurred in Lyallpur as usual ? If so, what action has been taken so far ?

Minister : I am not aware.

Sardar Sohan Singh Josh (Urdu) : Is it a fact some cases have also occurred in Amritsar ?

Minister : I am not aware.

Chaudhri Krishna Gopal Dutt : Will the Honourable Minister for Education please state whether he is aware of the fact that T. A. B. inoculations have proved ineffective in preventing the epidemic ?

Minister : No, Sir.

Chaudhri Krishna Gopal Dutt : Will the Honourable Minister please take care to collect facts and figures relevant to this question ?

Minister : Certainly.

Dr. Gopi Chand Bhargava : Will the Honourable Minister be pleased to state whether it is a fact that milk is the chief carrier of typhoid fever infection ?

Minister : Yes, Sir.

Dr. Gopi Chand Bhargava : Then, will he please state whether he is prepared to enquire from the municipal committee as to why they have not taken measures to control the milk supply ?

Minister : They have taken this measure and my reply includes the control of the sale of articles of food and drink and the milk is an article of drink.

Dr. Gopi Chand Bhargava : Will you please look to the answer : "The Municipality has taken measures to protect the food from flies" ?

Minister : No, 'Control'. That is a different thing altogether.

Dr. Gopi Chand Bhargava : Then what are the measures taken ?

Minister : Proper measures have been taken.

Dr. Gopi Chand Bhargava : What are the measures ?

(No answer.)

Diwan Chaman Lall : Is the Honourable Minister aware that the Ministry is completely out of touch with the serious situation arising in the Punjab out of the prevalence of typhoid ?

Minister : No, Sir. I may tell the honourable members that the Director of Public Health is proceeding to join a conference at Java and it was the intention of the Government not to make any officiating arrangements. But now on account of these factors that have come to their notice Government has decided to make an officiating arrangement and the details are in the hands of those officers. The ministry is not expected to carry these figures.

Diwan Chaman Lall : Is it a fact that the Honourable Minister is not aware of the prevalence of typhoid in many important towns in the Punjab ?

Mr. Speaker : His answers speak for themselves.

Chaudhri Krishna Gopal Dutt : Is the Honourable Minister for Education aware of the fact that certain persons who have got typhoid bacillus in their intestines do not contract typhoid ?

Mr. Speaker : That is a scientific question.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, it is a very important point.

Mr. Speaker : I disallow the question.

OKARA WORKERS' STRIKE.

Mir Maqbool Mahmood : Will the Honourable Minister

Diwan Chaman Lall : On a point of order, Sir. May I request you to give a ruling whether it is competent for the honourable member to ask a private notice question unless that question has been circulated to the members of the House ?

Mr. Speaker : A short notice questions is circulated to honourable members if time permits.

Mir Maqbool Mahmood : Will the Honourable Minister for Development be pleased to state whether his attention has been invited to the alleged unauthorised beating of the workers at Okara which has precipitated a strike ; if so, the action that has been taken or is proposed to be taken by the Government ?

The Honourable Chaudhri Sir Chhotu Ram : Yes. An officer of the department of Industries has been directed to proceed to the spot at once and submit a report as soon as possible.

Dr. Gopi Chand Bhargava : When was the order sent ?

Minister : I passed the order the very first thing this morning.

Diwan Chaman Lall : May I ask the honourable member as to when the facts relating to the strike came to his notice ?

Minister : I only heard informally from an honourable member of this House three days ago.

Diwan Chaman Lall : May I ask the Honourable Minister why notice having been taken of the strike, a man was not sent three days ago ?

Minister : Because the information was conveyed to me only in an informal manner.

Diwan Chaman Lall : Is the Honourable Member aware that newspapers also contained representations of the strikers and notice of actions having been taken against the strikers ?

Minister : They had it.

Diwan Chaman Lall : Does the Honourable Minister read the newspapers ?

Minister : Yes, whenever I find time.

Diwan Chaman Lall : Did he not find this report in the newspapers and if he found it why did he not send a man down after he read it ?

Minister : Frequently reports in newspapers turn out to be incorrect.

Diwan Chaman Lall : May I ask the Honourable Minister whether it is a fact that because the matter is brought to his notice by a member of the Unionist Party therefore a man is sent down ?

Minister : No.

Diwan Chaman Lall : Then why was he not sent earlier ?

(No answer).

STATEMENT SHOWING ACTION TAKEN AGAINST CORRUPT OFFICIALS.

Secretary : Statement showing action taken against corrupt officials in the Punjab during the period 1st April, 1936, to 31st March, 1937, is laid on the table.

Statement showing the action taken against corrupt officials in the Punjab, during the period from the 1st April, 1936, to the 31st March, 1937.

| Head of Department or Office. | No. and designation of officers punished. | Offence. | Nature of punishment awarded. | Remarks, if any. |
|---|---|--|---|------------------|
| 1 | 2 | 3 | 4 | 5 |
| Chief Engineer, Public Works Department, Irrigation Branch. | <p>One Assistant Engineer ..</p> <p>One Patwari ..</p> <p>One Assistant Muzahi ..</p> <p>One Patwari ..</p> <p>Do.</p> <p>Do.</p> <p>Do.</p> <p>Do.</p> | <p>Inaccurate and wrong measurements.</p> <p>Attempting fraud by concealment of irrigation.</p> <p>Suppressing, mis-appropriating, antedating and forging official records.</p> <p>Making interpolations in Khazans and forging and fudging records.</p> <p>Defrauding Government by tampering, etc., with Khazans.</p> <p>Forging a <i>khazansi</i> for Rehti 1933-34 after despatch to the Tahsil.</p> <p>Erasing Khazans for Kharif 1936 and defrauding Government.</p> <p>Concealment of irrigation ..</p> | <p>Dismissal.</p> <p>Removal from Government service.</p> <p>Dismissal.</p> <p>Do.</p> <p>Dismissal (and 6 months' imprisonment and a fine of Rs. 100).</p> <p>Dismissal.</p> <p>Do.</p> <p>Do.</p> | |

[Secretary,]

| Head of Department or Office. | No. and designation of officers punished. | Offence. | Nature of punishment awarded. | Remarks, if any. |
|--|---|--|---|------------------|
| 1 | 2 | 3 | 4 | 5 |
| <i>Inspector-General of Police.</i> | | | | |
| Superintendent of Police of Hisar. | One Sub-Inspector .. | Extorting a bribe in a case under section 149/366, Indian Penal Code. | Dismissal. | |
| Ditto | One Head Constable .. | Ditto | Do. | |
| Superintendent of Police, Ferozepore. | One Foot Constable .. | Extorting Re. 55 from a person under threat of prosecuting his son under section 377, Indian Penal Code. | Dismissal (and rigorous imprisonment for one year). | |
| Superintendent of Police, Ludhiana. | Ditto .. | Unnecessary detention, beating and trying to extort money from a suspect. | Dismissal. | |
| Senior Superintendent of Police, Lahore. | One Head Constable .. | Bribery and corruption .. | Do. | |
| Superintendent of Police, Amritsar. | One Foot Constable | Acceptance of a bribe of Re. 1 from a motor-car driver. | Do. | |
| Superintendent of Police, Gurdaspur. | One Head Constable .. | Extorting money from some villagers. | Do. | |
| Ditto | One Foot Constable .. | Extorting money from a lorry driver. | Do. | |
| Superintendent of Police, Sheikhpura. | Ditto .. | Extorting bribes from lorry drivers while checking lorry traffic. | Do. | |

| | | | |
|--|------------------------------|--|---|
| Superintendent of Police, Montgomery. | One Head Constable .. | Wrongful confinement and extortion | Dismissal (and six months' rigorous imprisonment under section 327, Indian Penal Code, and 3 months' rigorous imprisonment under section 384/109, Indian Penal Code, both sentences to run concurrently). |
| Ditto .. | One Assistant Sub-Inspector. | Wrongful confinement and extortion of money. | Dismissal (and 6 months' rigorous imprisonment under section 347, Indian Penal Code, and one year's rigorous imprisonment and a fine of Rs. 500 or in default to further 6 months' rigorous imprisonment under section 384, Indian Penal Code, both sentences to run concurrently). |
| Ditto | One Foot Constable .. | Receiving illegal gratification | Dismissal. |
| Superintendent of Police, Malhan. | Ditto | Releasing an accused arrested on a non-bailable warrant after accepting illegal gratification and making a false report on a warrant. | Do. |
| Superintendent of Police, Jhalum. | One Sub-Inspector | Receiving illegal gratification during the investigation of a case under section 457, Indian Penal Code, preparing false documents and employing a private servant who personated a police officer and extorted money from the public with the knowledge of the Sub-Inspector. | Do. |

[Secretary.]

| Head of Department or Office. | No. and designation of officers punished. | Offences. | Nature of punishment awarded. | Remarks, if any. |
|--|---|---|--|------------------|
| 1 | 2 | 3 | 4 | 5 |
| <i>Inspector-General of Police.</i> — <i>conold.</i> | One Foot Constable .. | Accepting illegal gratification | Dismissal. | |
| Superintendent of Police, <i>Attock.</i> | Ditto .. | Ditto ditto | Do. | |
| <i>High Court, Peshawar</i> .. | One orderly .. | Illegal gratification .. | Do. | |
| Senior Sub-Judge, <i>Rohtak</i> .. | One Process-Server .. | Misappropriation of money of Rs. 2. | Do. | |
| District Judge, <i>Hoshiarpur</i> | Officiating Ahimed to Sub-Judge, <i>Nurpur.</i> | Offering illegal gratification to the Clerk of Court. | Removal of his name from the list of candidates. | |
| District Judge, <i>Amritsar</i> .. | One Reader and one Officiating Ahimed to Sub-Judge. | Allowing unauthorised inspection of records. | Dismissal. | |
| Senior Sub-Judge, <i>Sheikhpura.</i> | One Process-Server and one orderly. | Accepting illegal gratification. | Do. | |

| | | | |
|----------------------------------|--|---|---|
| District Judge Gujranwala | One Naib Nazir and one Medad Naib Nazir. | Bad reputation | Warning that if their reputation continues to be bad, they will be removed from Government service next year. |
| District Judge, Dera Ghazi Khan. | One Ahmad to Sub-Judge, First Class. | Corruption | Dismissal. |
| Inspector-General of Prisons. | One Deputy Superintendent | Acting in collusion with contractor to defraud Government. | Do. |
| District Jail, Hissar | One Warden | Receiving illegal gratification from the relatives of prisoners. | Do. |
| Ditto | Do. | Introducing prohibited articles into the jail. | Suspended for one month.* |
| District Jail, Jhelum | Do. | Ditto ditto | Dismissal. |
| Sub-Jail, Kasur | Do. | Ditto | *Increment delayed for 6 months. |
| Ditto | Do. | Suspected of throwing cigarettes into the jail over the main wall. | *Awarded a black mark |
| District Jail, Rohtak | Do. | Introducing prohibited articles into the Jail. | Dismissal. |
| District Jail, Jhang | Do. | Ditto | Do. |
| District Jail, Multan | Do. | Trying to allow an unauthorised interview with a prisoner and attempting to get something out of his friends. | *All leave stopped for 4 months. |

*Note.—Further inquiries are being made into these cases by the Inspector-General of Prisons, Punjab.

| Head of Department or Office. | No. and designation of Officers punished. | Offences. | Nature of punishment awarded. | Remarks, if any. |
|--|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| <i>Inspector-General of Prisons—continued.</i> | | | | |
| District Jail, Multan | One Warder | Receiving illegal gratification from the relatives of a prisoner. | *Suspended from service for one month. | *Notes.—Further inquiries are being made into these cases by the Inspector-General of Prisons, Punjab. |
| Sub-Jail, Rajenpur | Do. | Ditto | Dismissal. | |
| <i>Financial Commissioners, Punjab.</i> | | | | |
| Amritsar | Three Patwaris | Corruption | Dismissal. | †Further inquiry in respect of the inadequacy of the punishment awarded in this case is being made by the Commissioner. |
| Do. | One junior Clerk | Do | †Increment stopped for one year with effect on future increments. | |
| Jullundur | One Patwari | Do. | †Degraded to second grade for one year. | † An explanation as to why the major punishment of dismissal was not inflicted is being called for. |
| Lahore | Two Patwaris | Giving false evidence | Dismissal. | |
| Do. | One Temporary Clerk | Corruption | Under suspension. | |

STATEMENT SHOWING ACTION TAKEN AGAINST CORRUPT OFFICIALS. 1467

| | | | | | | |
|------------|----|--|----|---|----|---|
| Rawalpindi | .. | Two copyists | .. | Do. | .. | § Cases under section 409, Indian Penal Code, etc., have been registered by the Police and investigation is proceeding. One case has already been filed in court. |
| Do. | .. | Two Patwaris | .. | Do. | .. | Dismissal. |
| Do. | .. | One Clerk | .. | Do. | .. | Reduction to the lower grade. |
| Do. | .. | Two patwaris | .. | Do. | .. | Dismissal. |
| Do. | .. | Three Patwaris and One Field Kausungo. | .. | Do. | .. | .. |
| Multan | .. | One junior clerk (Wasil Baji Nawis). | .. | Do. | .. | Dismissal. |
| Do. | .. | Three Patwaris | .. | Falsification of accounts and Corruption. | .. | Do. |
| Do. | .. | Two patwaris | .. | Corruption | .. | One fined Rs. 3 and the other transferred. |
| Do. | .. | One Excise Clerk | .. | Do. | .. | Dismissal. |
| Do. | .. | One Sub-Divisional Clerk.. | .. | Do. | .. | Do. |

|| An explanation as to why the major punishment of dismissal was not inflicted is being called for.

A departmental inquiry is being made against two Patwaris while judicial proceedings have been taken against one Patwari and Field Kausungo.

¶ Further inquiry in respect of the inadequacy of the punishment awarded in this case is being made by the Commissioner.

MOTION FOR ADJOURNMENT.

STRIKE IN SUTLEJ MILLS LIMITED, OKARA.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural (Urdu): Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the serious situation created by the strike of labourers in the Sutlej Mills Limited, Okara, the assault on peaceful strikers causing personal injuries to some of them and the failure of the police authorities to enquire into the matter.

Mr. Speaker : How many persons were injured ?

Chaudhri Kartar Singh (Urdu) : About 20 persons have received injuries. Some of them have been seriously injured and are being treated by Government doctors.

Mr. Speaker : How many persons made the assault ?

Chaudhri Kartar Singh (Urdu) : Some three dozen men belonging to the mill authorities attacked the labourers. I have been to the scene of occurrence and I have come to know that the police has not investigated into the matter ?

Mr. Speaker : What weapons were used ?

Chaudhri Kartar Singh (Urdu) : As far as I have been able to ascertain, 'lathis' were used and the pity of it is that the labourers were subjected to a lathi charge when they were lying in a peaceful manner, 6 hours after of the strike.

Mr. Speaker : Was any complaint made to the local authorities ?

Chaudhri Kartar Singh (Urdu) : But no investigation seems to have been made by the sub-inspector of police about those who inflicted injuries on the labourers. At present an extra assistant commissioner is in charge of the situation. But previous to that police did not take any action upon the report of poor labourers. The said extra assistant commissioner told me that now he was duly responsible for everything which might happen.

Mr. Speaker : So, an extra assistant commissioner is in charge of the situation now ?

Chaudhri Kartar Singh (Urdu) : But no investigation worth the name has been made so far by the police. On the other hand a fictitious case seems to have been started against the poor labourers in order to save the skin of the mill authorities. No investigation has been made up till now, nor is there any likelihood of such investigation being carried out in the near future.

Premier : The honourable member has stated that some complaint has been made by the owners of the mill and that action is being taken on that. If that is so, an investigation must be going on. (An honourable member : He did not say so.)

Mr. Speaker : May I ask the Honourable Minister concerned whether official information is available ?

Minister for Development : Not yet.

Diwan Chaman Lall : May I be permitted to draw your attention to the wording of the adjournment motion, apart from the fact that I take it that there is no objection raised to it, namely, the serious situation created by the strike of the labourers of the Sutlej Mills? That I submit must be a sufficient matter of grave public importance for us to be able to discuss on the adjournment motion and I say so in view of the express provisions of the Trade Disputes Act, I believe it is section 3. The section itself provides a double weapon (*Premier* : A double-edged sword?)—not a double-edged sword as my honourable friend the Premier wants it, but a double weapon either on an application made by the employers and employees where a situation is apprehended or on a serious situation arising the Government can appoint either a board of enquiry or a committee of conciliation or *suo motu* the Government, where they find that there is apprehension of a serious nature of that kind, might appoint a court of enquiry or a board of conciliation. They have not taken any action which they might have taken or should have taken to appoint a board of enquiry or a board of conciliation. The situation is serious and we want to draw the attention of the Government to the seriousness of the situation by moving this adjournment motion.

Premier : Sir, may I read out a telegram which purports to have been sent by the Secretary of the Strike Committee? The telegram is dated 14th from Okara. It was despatched at 2-15 yesterday and arrived here at 4-30 and I received it late last night. This is what the telegram says :

We the peaceful strikers demand wages on Bombay and Ahmedabad scale and recognition of our Union.

This indicates that the situation was not serious till 2-15 yesterday when the telegram was despatched, and probably this is the usual dispute between the owners and the labour with regard to wages. My honourable colleague has already informed the House that he has sent an officer to enquire and see whether there is any genuine cause for interference by Government. This telegram definitely indicates that there is no serious situation at Okara.

Diwan Chaman Lall : Sir, may I say that the telegram contains the demands which are the original basis of the strike. It does not refer to the action taken by the employees of the mill as against the strikers. As I have stated it does not relate to the lack of action on the part of the Government in not prosecuting those people who were guilty of assault. Nor does it refer to the fact that there are 3,000 men on strike. The situation may develop into one of a very serious nature at any time.

Premier : It may possibly so develop.

Diwan Chaman Lall : Therefore it is necessary for the Government to take action.

Premier : I may assure the honourable member that the officer deputed must have taken all necessary precautions.

Diwan Chaman Lall : Apparently he did not take any action.

Premier : There are no such allegations.

Diwan Chaman Lall : There is an allegation. The Honourable the Premier has not received the telegrams which we have received previous to that. The telegrams are in our possession and we can hand over those telegrams to him if he so desires.

Chaudhri Kartar Singh (Urdu) : Here is a telegram which I have received.

Premier : When did you receive it ?

Chaudhri Kartar Singh (Urdu) : On the 12th.

Premier : But I have read the telegram which I received on the 14th.

Chaudhri Kartar Singh (Urdu) : The telegram received by the Premier is meant for the Government but the telegram which I have received is meant for the Congress Party. It reads thus :

Okara 12

Chaudhri Kartar Singh M. L.A., Simla.

2,500 labourers Sutlej mills on strike—peaceful strikers beaten by mill chaukidars serious injuries to dozen persons—situation very serious—intervene come Congress.

I have personally visited the place and have studied the situation. I have seen the injured persons lying on the roadside. I have seen the site where they were beaten. The camping of the police nearby is very provocative. With your permission I will quote the words of the Colony Assistant. He said, "what has occurred before my arrival I am sorry for that". But he was not prepared to hold an enquiry.

Mr. Speaker : I had better read the relevant provisions of the Trade Disputes Act for the information of honourable members—

If any trade dispute exists or is apprehended between an employer and any of his workmen, the Local Government may.....by order in writing—

refer any matters appearing to be connected with or relevant to the dispute to a Court of Inquiry to be appointed by the Local Government or the Governor-General in Council, as the case may be ; or

refer the dispute to a Board of Conciliation to be appointed by the Local Government or the Governor-General in Council, as the case may be, for promoting a settlement thereof :

I think under this section it is open to the Government to take action and put an end to the strike.

Premier : I am not sure if these sections are applicable to or were promulgated in the Punjab.

Diwan Chaman Lall : May I submit that it is an all-India Act ? I had a good deal to do in regard to this Act. I may assure the Honourable the Premier that it is applicable to every province.

Premier : It is left to the local Government to apply it or not.

Mr. Speaker : The Act says :

It extends to the whole of British India, including British Baluchistan and the Southern Ferganas.

Premier : I think this is one of the permissive Acts which the local Government may further notify—

Diwan Chaman Lall : The Honourable the Premier is not fully conversant with this particular legislation. As a matter of fact in the year 1931 a court of enquiry was actually set up in Lahore under the provisions of

this Act and I had to lead evidence on behalf of railway workers. There is no doubt about its applicability to the Punjab.

Mr. Speaker : The Trade Disputes Act is there. It may or may not be applicable to the Punjab. But there is no harm in giving an assurance that the case will be dealt with according to law.

Minister for Development : I have already stated before the House that I have directed an officer to proceed immediately to Okara to make necessary enquiries and submit his report as early as possible ; as soon as I receive the report I will take such steps as may seem called for by that report.

Diwan Chaman Lall : There is one more point. I am very loth to get up so often wish reference to what the Minister stated. The Act does provide for action, where there is an apprehension of a dispute ; here the dispute has actually arisen. What I take from your advice is this. Why cannot Government give such an undertaking since a dispute is already in existence, and the provisions of the law are there ? If the law gives them the necessary authority they should take action under the Trade Disputes Act.

Minister for Development : I may make the situation quite clear. As soon as I receive a report anything that seems called for and is permissible under the law will be done in order that the dispute may be settled.

Diwan Chaman Lall : May I draw the attention of the Honourable Minister once again to the fact that the dispute is there and the law provides for machinery to be set up ? Why should he not take immediate (or as early as possible) steps to put an end to this situation by using the provisions of the law ? I shall then have no objection.

Mr. Speaker : The answer given by the Honourable Minister appears to be quite sufficient. There is no doubt that a dispute exists, but no official information of details is available. As soon as details are known, the Honourable Minister will take such action as the law in force permits. More than this the Government cannot do.

Dr. Gopi Chand Bhargava : May I have an assurance from the Honourable Minister that he will take the Opposition into his confidence before he decides to take any action in the matter as a result of the report he has called for. That will satisfy us.

Minister for Development : Whether the Opposition should be taken into the confidence of the Government should depend upon the nature of the report which is awaited.

Diwan Chaman Lall : I do not see what difficulty the Honourable Minister can have in consulting the Leader of the Opposition. I cannot understand this bureaucratic method of doing things.

Mr. E. Few : After the clear assurance of the Honourable Minister for Development that he would do all that is possible under the law, what further assurance is necessary ? Why should the Opposition try to bind the hands of Government ?

Dr. Gopi Chand Bhargava : May I submit that what I want is a very simple one. I do not want to create any difficulties in the way of Government which would debar their taking any action which they are entitled to take under the law. My suggestion is that the Government should establish a convention of taking the Opposition into its confidence. That would simplify matters. Otherwise the assurance that has been given by the Minister will not satisfy us, me at least, because, when I find that a simple demand like this is not accepted and when the Minister even though he had the information three days back did not take any action, I would not feel satisfied by his assurance that steps will be taken.

Premier : I think either I have not understood the honourable member opposite or his suggestion is so palpably grotesque in its nature that it could not be adopted. If the honourable member means that we should set up a convention that in every executive act we should consult the Opposition, I am afraid that he is asking too much of the Government. (*An honourable member :* No.) If it is necessary in the public interest to consult the Opposition my colleagues and myself will never miss an opportunity of consulting them. I should like to make that clear.

Dr. Gopi Chand Bhargava : My submission was whether in the specific instance now before the House the Government would in the public interest consult us.

Premier : On receipt of the report if it is found to be in the public interest to consult the Opposition and seek their views, I am sure my colleague will avail himself of the offer of the Opposition.

Lala Duni Chand : It smells of setting up a parallel government.

Premier : The honourable member may rest assured that I will not allow that as long as I am here.

Chaudhri Kartar Singh (Urdu) : In view of the assurance given by the Honourable Minister I do not propose to press the adjournment motion.

ELECTIONS TO THE NORTH-WESTERN RAILWAY ADVISORY COMMITTEE.

Minister for Public Works (The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana) : I beg to move—

That this Assembly shall elect on such date and in such manner, as may be approved by the Honourable the Speaker, two representatives, who may or may not be members of the Assembly, to serve on the North-Western Railway Advisory Committee, representing rural interests and the travelling public respectively.

Mr. Speaker : Motion moved—

That this Assembly shall elect on such date and in such manner, as may be approved by the Honourable the Speaker, two representatives, who may or may not be members of the Assembly, to serve on the North-Western Railway Advisory Committee, representing rural interests and the travelling public respectively.

Sardar Hari Singh : I beg to move—

Mr. Speaker : Before the honourable member moves his amendment, I rule out his amendment No. 1, which suggests adoption of the system of proportional representation by means of a single transferable vote, inasmuch

as that system is unthinkable when only one representative has to be elected for each of the two interests.

Chaudhri Krishna Gopal Dutt : You have made a remark which requires elucidation. May I know how it is possible that under a system of a single transferable vote two candidates belonging to the same party can be elected?

Raja Ghazanfar Ali Khan : Is it a point of order?

Sardar Hari Singh : My submission is that the motion moved by the Honourable Minister for Public Works still leaves the method of election to be decided by the House.

Premier : Not by the House.

Sardar Hari Singh : I beg your pardon, Sir, "by the Speaker." The mode of election is yet to be decided by the Speaker.

Mr. Speaker : I would prefer this to any other method.

Sardar Hari Singh : I can suggest a method of single election even when we are electing two persons to represent two different interests.

Mr. Speaker : May I request the Secretary to explain, as I am sure that more than 99 per cent. of members do not know what in practice is the method of a single transferable vote.

Diwan Chaman Lall : It is not necessary, Mr. Speaker, that a speech on the question of proportional representation should be delivered to the members of this House, but before we go on to the question of proportional representation or otherwise, may I, with your permission, ask for your ruling as to the authority on which we are electing these two representatives, who may or may not be members of this House, to serve on the North-Western Railway Advisory Committee?

Premier : What authority?

Minister for Public Works : This representation has been given to this House by the Railway Board under certain conditions. The conditions are those which I have stated in the motion.

Diwan Chaman Lall : May I ask whether it is under an Act or under an authority recognised by us by means of a resolution or is it according to a particular procedure?

Minister for Public Works : It is a Central subject and the Railway Board has allowed certain representation to this House on certain conditions and we must comply with those conditions. It is not within our competence to vary those conditions.

Diwan Chaman Lall : I want the matter to be made perfectly clear. The Railway Board is a statutory body and it certainly cannot dictate to this House.

Mr. Speaker : It appears that the position is not clearly understood. The Railway Board probably with a view to enable this House to represent the province on the Advisory Committee, has asked for two representatives. The Punjab Council has been sending three representatives in the past. Now the number is reduced to two. It is up to the House to decide that the Assembly does not wish to send any representatives.

Diwan Chaman Lall : What was the rule in regard to members of the House or outsiders ?

Mr. Speaker : It was open to the House to elect outsiders or members as their representatives.

Diwan Chaman Lall : All that I wanted to know was, whether the Railway Board gave this right as a matter of courtesy to this House or whether that right was subject to the provision that only members of this House should sit on the Advisory Committee.

Mr. Speaker : It was not subject to any proviso ; but the House has been sending its own members.

Khwaja Ghulam Hussain : May I know how they were formerly selected ?

Mr. Speaker : By plural vote .

Khwaja Ghulam Hussain : To facilitate matters we can adopt the method which this House had previously been adopting.

Sardar Hari Singh : I have proposed an amendment—

Mr. Speaker : I have held the first motion as out of order, inasmuch as the amendment suggested by the honourable member is not practicable.

Sardar Hari Singh : It is for the House to decide whether to hold two different elections or one single election for two members.

Mr. Speaker : The honourable member should have given notice of a motion to that effect.

Premier : Is my honourable friend suggesting that each member should have two votes—that is, the same thing as plural voting ? Single-transferable vote is not applicable.

Mr. Speaker : If one party is in overwhelming majority, the other party may not succeed.

Premier : That is inevitable under any system.

Diwan Chaman Lall : I am not quite sure if honourable members really understand the single transferable method. As you have pointed out, and you are perfectly correct, it will not apply in this case. It is an absurdity to use the single transferable vote method in an election of this nature. I am afraid my honourable friend is mistaken.

Mr. Speaker : Does the honourable member wish to move his second motion ?

Dr. Gopi Chand Bhargava : I want some more information. Does the letter authorising us to elect two representatives also want us to elect one representative for rural interests and the other for the travelling public ?

Minister for Public Works : Yes. Two totally different interests are to be represented.

Diwan Chaman Lall : Have you got the letter of authority ?

Minister for Public Works : Two different interests are involved. I am not carrying the number and date of the letter with me.

Khwaja Ghulam Hussain : What are the different interests ?

Mr. Speaker : The question is—

That this Assembly shall elect on such date and in such manner as may be approved by the Honourable the Speaker, two representatives, who may or may not be members of the Assembly, to serve on the North Western Railway Advisory Committee, representing rural interests and the travelling public respectively.

The motion was carried.

Mr. Speaker : I propose to fix Thursday, the 22nd July as the day for holding the election. The method of election shall be by card votes and as two representatives to represent two different interests have to be elected, each member will cast two votes. Members should send in nominations to the Assembly office not later than 8 p.m. on Friday, the 16th July, on proposal forms which may be had from the office.

SUPPLEMENTARY DEMANDS FOR GRANTS.

Finance Minister (The Honourable Mr. Manohar Lal) : I beg to intimate that the supplementary demands for grants for the year 1987-88 are made on the recommendation of the Governor.

I beg to present supplementary demands for grants for the year 1987-88.

Chaudhri Krishna Gopal Dutt : Sir, we received notice of these supplementary grants only this morning and we have not had time to study them. I would therefore suggest that these supplementary demands may be taken up in the next session.

Premier : There are only three demands of not big amounts and they will be discussed on the 19th.

PUNJAB LEGISLATIVE ASSEMBLY (ALLOWANCES OF MEMBERS) BILL.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I introduce the Punjab Legislative Assembly (Allowances of Members) Bill. In doing so I might inform the House that this is being done on the recommendation of the Governor. I also move—

That the Punjab Legislative Assembly (Allowances of Members) Bill be taken into consideration aforesaid.

Mr. Speaker : The motion moved is—

That the Punjab Legislative Assembly (Allowances of Members) Bill be taken into consideration aforesaid.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : Sir, I have an amendment to move—

That the Bill be referred to a select committee consisting of the mover of the Bill and the following Members:—

Maulvi Mazhar Ali Azhar.
Dr. Gopi Chand Bhargava.
Mian Abdul Aziz.
Sardar Sampuran Singh.
Khawaja Ghulam Hussain.
Raja Ghazanfar Ali Khan.
Mrs. J. A. Shah Nawaz.
Mir Maqbool Mahmood.
Nawab Sir Malik Muhammad Hyat Khan Noon.

I do not want to make a speech in support of this amendment. I notice that on behalf of the Treasury benches there is also an amendment to the effect that the matter be referred to a select committee.

Mir Maqbool Mahmood : On behalf of Mir Maqbool Mahmood, Sir.

Diwan Chaman Lall : On behalf of the Treasury benches in anticipation, if I may say so (*laughter*). The question is an important one. I take it that in the House of Commons several weeks were taken up in discussing the provisions of the New Ministers Salary Bill, which I believe is now about to be passed or has just been passed, and since this is a matter of some importance, as it is likely to govern the procedure adopted by this House in regard to the salaries and allowances of members for sometime to come, I think this matter should be considered in the select committee. I do not want to say anything on the merits of the question and all I say is that this is a matter of importance which ought to be considered carefully.

Mr. Speaker : Motion under consideration, amendment moved—

That the Bill be referred to a select committee consisting of the mover of the Bill and the following members:—

Maulvi Mazhar Ali Azhar.
Dr. Gopi Chand Bhargava.
Mian Abdul Aziz.
Sardar Sampuran Singh.
Khawaja Ghulam Hussain.
Raja Ghazanfar Ali Khan.
Mrs. J. A. Shah Nawaz.
Mir Maqbool Mahmood.
Nawab Sir Malik Muhammad Hyat Khan Noon.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I entirely agree with my honourable friend opposite that the matter is of considerable importance to this House and if it had been a complicated measure I would have certainly adopted his proposal to refer the Bill to a select committee. The honourable member is aware that a committee was appointed to consider the various aspects of this question and also the amount of allowance or salary to be fixed. When I arrived in Simla and had an informal discussion with several members of the House I found that there was a certain amount of opposition to the idea of a "salary" and it was for that reason.

that I had to scrap that portion of the report in drafting this Bill, and adopt the idea of an "allowance". Really the clause that matters is clause 3 of the Bill. The House will have ample opportunity of discussing these rules and the details of the rules, but the substance of this Bill is contained as I have submitted, in clause 3 and that relates to the figure or the amount which is proposed as daily allowance for the members of this House. If any honourable members want to vary the figure, we are prepared to hear the views of the House—we have an open mind—but I think the concensus of opinion so far as I could ascertain it informally outside the House is that the figure in the Bill would be suitable, and indicates an adequate allowance to the honourable members for attendance at the meetings of this House. (A voice: Whose opinion?) I said that it is the concensus of opinion that that is an adequate amount for the honourable members of the House when they attend the meetings of this Assembly or the committees of the Assembly. I, therefore, request my honourable friend opposite that he should not press his motion, because after all clause 3 is not complicated, it is quite clear and simple.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Why I am in favour of the motion moved by Diwan Chaman Lall is that we fixed the salaries of Ministers in a great hurry and we find that the Punjab Government or the Punjab province pays much more than what they are paying to Ministers in other provinces?

Premier: The number of Ministers is much greater there. In Madras it is 10.

Dr. Gopi Chand Bhargava: In fixing the amount as allowances for members, I think we should not commit the same mistake of haste. There is no harm if we wait for some time more because according to the Bill which has been presented to us it shall take effect when it is passed and not before. It will not have retrospective effect. Therefore the allowances to be given under this Bill, if passed, shall only be given in the next session. I, therefore, submit that if the matter were referred to a select committee, we shall be able to find out by that time what allowances are fixed for members in other provinces and it is quite possible that we may be able to save some money by reducing the amount which is proposed here.

Minister for Development: Do it now.

Dr. Gopi Chand Bhargava: I submit, therefore, that we should wait and refer this Bill to a select committee as proposed by Diwan Chaman Lall.

Mr. E. Few (Anglo-Indian): I have only one word to say about what the Leader of the Opposition has said that we should wait to see what the other provinces do. Why should we be the slaves of precedent? Why should we not give the lead? If we have the courage of our convictions, let us go ahead, if we have not, let us get out.

Diwan Chaman Lall: All that I wanted to say in regard to this matter is this. I entirely agree with both of my honourable friends. I am in a very peculiar position. I agree with the Premier and I agree with the Leader of the Opposition. In this matter, let us, therefore arrive at a compromise. I do not think that any time would be wasted or that the

[Diwan Chaman Lall.]

matter would be delayed beyond the necessary limit if the select committee sits and reports by the 19th of this month. The select committee should sit and report by the 19th of this month and go into the relative matters.

As far as my honourable friend, Mr. Few, is concerned, there are very few like him (*laughter*), but as far as he is concerned, I assure him that one should not jump to a conclusion unless one has the facts before one. There was a committee called the Allowances Committee and I do assure you that I have not seen the report of this committee and I doubt very much if many members of this House have seen it. (*Cries of "None of us has seen it"*). Nobody on this side of the House has seen the report of that committee and yet we are asked to come to a conclusion on the basis of the report of that committee whose findings and report we have not seen. But Mr. Few is in a better position than we are because he says that we must have the courage of our convictions. Courage of conviction blindly is one thing and courage of conviction after having examined the materials is another thing and therefore I suggest that this committee should sit and report by the 19th. If the Honourable Premier is prepared to accept it, I personally have no objection.

Premier : The object of my honourable friend, the Leader of the Opposition, seems to be to delay this measure, not that it is necessary to defer consideration on account of the complexity of the Bill. As I have already explained clause 3 is quite plain and it is not necessary to have any select committee to thrash it out. Amendments can be moved about the question whether Rs. 20 would be adequate or Rs. 15 and I understand certain amendments have already been tabled. The rest gives power to the Government to frame rules and these rules will come before the House and the House will have ample opportunity to discuss and amend those rules and the rules will not be effective unless ratified by this House. With regard to the report of the committee to which my honourable friend (Diwan Chaman Lall) the mover of this amendment has referred, may I draw your attention to the report of the proceedings of the Assembly when this committee was formed? You were pleased to appoint a small committee to go into the matter and place their report before the Government member concerned who was to draft a Bill for the consideration of the Assembly. The committee submitted its report to the member concerned, as a matter of fact the Finance Minister was the president of the committee, and after consideration of their report and the informal opinion of the honourable members we have framed this Bill and have brought it before this House and I submit that it is not necessary for us to wait and see what other provinces do. Punjab is always in the habit of giving a lead to other provinces and not of following them (*hear, hear*).

Dr. Gopi Chand Bhargava : Leading in charging more.

Chaudhri Krishna Gopal Dutt : Punjab is Punjab.

Premier : My honourable friend is perfectly correct. Punjab is Punjab and it will remain Punjab.

Chaudhri Krishna Gopal Dutt : What a shame!

Premier : The honourable member does not want the Punjab to remain Punjab and he exclaims, " what a shame ? " My honourable friend perhaps wants to convert the Punjab into the North-West Frontier Province where kidnapping is taking place every day.

Coming to Mr. Few, I believe very few members in this House will disagree with the few remarks that he made, that so far as we are concerned we are not prepared to wait and look to other provinces for lead. We are here to lead, and we have given a lead and we hope that we will continue to lead and the rest of ' India ' will benefit from it (*hear, hear*).

Mr. Speaker : The question is—

That the Punjab Legislative Assembly (Allowances of Members) Bill be referred to a select committee.

The motion was lost.

Mr. Speaker : The next motion which I have to put to the vote is—

That the Punjab Legislative Assembly (Allowances of Members) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : Now the Assembly will proceed to consider the Bill clause by clause.

Clause 1, sub-clause (1).

Mr. Speaker : The question is—

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

The motion was carried.

Clause 1, sub-clause (2).

Mr. Speaker : The question is—

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

The motion was carried.

Clause 2.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural).
Sir, I beg to move that—

(i) in clause 2, line 1, the comma after the word " Act " be omitted ;

(ii) in lines 1 and 2, the words " unless the context otherwise requires—" be omitted.

As honourable members will observe this is a drafting amendment and therefore it is not necessary for me to make any elucidation. I beg to move—

Mr. Speaker : Clause under consideration, amendment moved is that,—

(i) in clause 2, line 1, the comma after the word " Act " be omitted ;

(ii) in lines 1 and 2, the words " unless the context otherwise requires—" be omitted.

Advocate-General (Diwan Ram Lall): Sir, I beg to oppose this amendment. The only reason given is that this is purely a drafting and verbal amendment. My submission is—

Lala Bhim Sen Sachar: On a point of order, Sir. Is it the right of the Honourable Advocate-General to initiate opposition to a certain motion? This right belongs to the members of this House only. He can advance his views, he can speak and he can give advice to us but he cannot vote for or against any motion that comes before the House. It is the privilege of the members of this House.

Advocate-General: May I draw the attention of the honourable member to section 64 of the Government of India Act which says:—

“Every minister and the Advocate-General shall have the right to speak in, and otherwise take part in the proceedings of, the Legislative Assembly. . . .”

And the only limitation, as I understand, is that I cannot vote; otherwise I can take part in the proceedings of the Assembly. The only other limitation is a limitation I have imposed on myself, that is, I do not speak on any question which has got no bearing on legal matters. I have got a right to speak even on those matters which do not involve any legal points.

Chaudhri Krishna Gopal Dutt: He can take part in the proceedings of the House, but he cannot oppose any motion, as opposing means casting a vote.

Mr. Speaker: The Honourable Advocate-General cannot vote; but even if he could vote, he could speak against the motion and vote for it.

Chaudhri Krishna Gopal Dutt: The Advocate-General has no right to vote.

Mr. Speaker: Yes; but he has a right to speak and take part in the proceedings of the House.

Advocate-General: I was submitting, Sir, that these words “unless the context otherwise requires” are necessary for the reason that in clause 2 (b) the word “member” is defined thus—“‘member’ means an elected member.” It obviously means “elected member” of this Assembly and I presume an amendment will be necessary, when we come to clause 2 (b) that the words “of the Assembly” be added after the word “member.” In any case it is clear that the word “member” as defined in clause 2 (b) is a member of this Assembly that is now sitting; whereas if you kindly turn to clause 4 (3), there is a reference to members of the old Punjab Legislative Council and it would be necessary to make a distinction, where the context so requires, between these two separate persons, that is, the members of this Assembly and the members of the Punjab Legislative Council and for this reason it is necessary to retain these words.

Raja Ghazanfar Ali Khan: Sir, in view of what the honourable Advocate-General has said, I beg for leave to withdraw my amendment.

The motion was by leave withdrawn.

Raja Ghazanfar Ali Khan: Sir, I do not want to move my next amendment.

Mr. Speaker : But the words "an elected" appear to make the clause ambiguous and should go if possible.

Premier : May I submit that it will make no difference if these words are deleted.

Diwan Chaman Lall : Are there any other kind of members apart from the elected ?

Premier : There may be a minister who is not elected for 6 months.

Mr. Speaker : Is the Honourable Leader of the House against deletion ?

Premier : I am indifferent. If these words are deleted, it will make no difference. It might be safer to leave them.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : Sir, in view of the opinion expressed by you with your vast experience of these rules, I beg to move my amendment which runs as follows :—

That in clause 2 (b) for the words "an elected" the word "a" be substituted.

Mr. Speaker : Clause under consideration, amendment moved is—

That in clause 2 (b) for the words "an elected" the word "a" be substituted.

Premier : Sir, I have no objection. I am prepared to accept that amendment.

Mr. Speaker : The question is—

That in clause 2 (b) for the words "an elected" the word "a" be substituted.

The motion was carried.

Mir Maqbool Mahmood : Before the next amendment is moved, will I be in order to suggest, with your permission, Mr. Speaker, that the words "of the Punjab Legislative Assembly" be added after "member" ?

Diwan Chaman Lall : These words that are being proposed by my honourable friend are not really necessary because the title of the Bill is "The Punjab Legislative Assembly (Allowances of Members) Bill."

Allowances to Parliamentary Secretaries, Government Whips, etc.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : I beg to move ;

(i) That in clause 2, line 6, after the words 'the Speaker' comma be added ; and in line 7, the word 'or' be omitted ;

(ii) that in clause 2, line 7, the full stop after the word 'Deputy Speaker' be omitted ; and the words 'or a parliamentary secretary, if and when appointed' be added.

The object of this amendment is to supply an omission in the Bill. While a minister or Speaker or Deputy Speaker who are members of this august Assembly are excluded from the payment of allowances to which the members are entitled, there is no reason why the parliamentary secretary who will be appointed and who will receive salary should be paid the allowance. A grant of Rs. 50,000 has already been made by this House for parliamentary secretaries, for payment to those dignitaries whose names are yet to be announced. So, I beg to submit that just as a minister or Speaker or Deputy Speaker will not be paid the allowance, the parliamentary secretaries also who will be office-holders under the Crown getting regular salaries should not be paid these allowances to which the members are entitled.

Mr. Speaker : Clause under consideration, amendment moved—

In clause 2 (b) after the word 'Speaker' substitute the word 'or' by a comma and for the full stop at the end substitute 'or a parliamentary secretary if and when appointed.'

Premier : Sir, I believe that the honourable member is labouring under some misapprehension. I am sure that a brief explanation which I propose to make will satisfy him that his amendment is not necessary. The salary of the parliamentary secretaries has not been fixed yet. We have excluded the Deputy Speaker because his salary has already been fixed by the House and we know what it is. I can assure this House that the salaries of the parliamentary secretaries will be fixed commensurate with their responsibilities and the volume of the work that they have to do, and, also having regard to the fact that they will be getting these daily allowances which other members will get. If you include their names here in this clause and thereby exclude them from the daily allowance it merely means that we will have to increase their salaries which we propose to fix to bring them in consonance with the importance of work they have to do. It merely means taking it from one pocket and putting it into another. I may, therefore, assure him that his amendment will not make any difference whatever and it would be convenient from my point of view to give them the allowances and pay them a smaller salary.

Pandit Muni Lal Kalia : On a point of order. The suggestion is made by the Honourable Premier that in fixing the salaries of the parliamentary secretaries consideration will be given to the allowances that are to be given. I beg to submit that a sum of Rs. 50,000 has already been provided in the budget for their salaries—

Mr. Speaker : The honourable member is making a speech and not raising a point of order.

Pandit Muni Lal Kalia : In view of the fact that a fixed sum has already been provided in the budget for their salaries it is not open now for the Honourable Premier to say that these allowances will also be taken into consideration in fixing the salaries of the parliamentary secretaries.

Mr. Speaker : It is not a point of order.

Khwaja Ghulam Hussain : With due deference to the opinion expressed by the Honourable Premier it is a matter of principle. The Speaker, the Deputy Speaker and the Ministers have been excluded simply because they are drawing salaries. The secretaries who are going to be appointed later on shall also draw salaries.

Premier : They may not; why do you anticipate?

Khwaja Ghulam Hussain : A sum of Rs. 50,000 is allotted for them and if they are going to be paid salaries then I submit they should be excluded, in all fairness, from payment of these allowances.

Premier : Even if they are paid Rs. 100 a month?

Mr. E. Few : Does allotment necessarily mean expenditure?

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Sir, I rise to support the amendment of Sardar Hari Singh. It has been said by the Premier that while fixing the salaries of the parliamentary secretaries special consideration shall be given to the allowance which shall be paid to

them and such salary shall be given to them that would be sufficient or dignified for their posts. Well, Sir, if permitted, I would submit that if the above proposal is agreed to we shall be giving a chance for the appointment of a larger number of secretaries (*Premier*: Like Madras). That means, that when the demand for Rs. 50,000 was put before the House, sanction was given on this understanding that that shall be sufficient for the larger number of secretaries.

Premier: I think that is not correct. What I said was, if necessary we would come before the House with a supplementary demand.

Dr. Gopi Chand Bhargava: We have been reading in the papers that the number of secretaries shall be as many as we have got Ministers in our Cabinet and afterwards we came to know that the Ministers would not be satisfied with one secretary each. I do not know the reasons for it. Perhaps they might have found that there is greater amount of work or there might be some other reason to satisfy one party or the other (*Premier*: No). So, we heard that the number shall be 13.

Premier: I may assure the honourable member that I will not adopt that unlucky number.

Dr. Gopi Chand Bhargava: We thought and now we also hear it that 13 was an unlucky number. We heard it long before that it was not going to be reduced: it was going to be raised by one and now the number of the secretaries shall be 14. Therefore my submission is that we should not permit the appointment of a larger number of secretaries by this method. If the Cabinet wants more people they should come forward with a supplementary grant. Therefore my submission is that parliamentary secretaries should be treated like salaried servants of this Government, and as such they should not be entitled to claim daily or travelling allowances (*hear, hear*).

Chaudhri Sumer Singh: My motion covers the motion moved by Sardar Hari Singh also and I think it should be taken first.

Mr. Speaker: Does the honourable member wish to move the motion standing in his name?

Chaudhri Sumer Singh (South East Gurgaon, General, Rural): Yes, Sir, I beg to move—

That in clause 2, line 7, for the word "or" comma be substituted; and the words "a parliamentary secretary, Government whip, or any other member of the Punjab Legislative Assembly in the pay of the Government in any other capacity" be added in the end.

Sir, while moving this amendment, with your permission, I will refer to the report of the select committee. In that report it was laid down that the parliamentary secretaries will not be paid daily allowances. I submit that in Madras the pay of the Deputy Speaker or Deputy President has been fixed at Rs. 250 and the pay of the parliamentary secretary in the Punjab should not exceed Rs. 250 in any case. Madras which is the richest province in India has fixed the pay of the Deputy Speaker or Deputy President at Rs. 250. Punjab is not so rich and it cannot afford to pay even Rs. 250 to the parliamentary secretaries. An argument is advanced that there is no certainty that they will remain in office. They can remain in office provided they work for the benefit of those who elected them. If they work

[Ch. Sumer Singh.]

for those who have elected them they will remain in office and nobody can turn them out of it. Why should they not be able to remain in office, after some of them have given up practice of Rs. 2,000 a month, provided they serve economically and benevolently for the benefit of masses? The other day it was stated that they were servants of the public. If they are servants, they must serve and not govern.

With these few words I commend my amendment to the House.

Mr. Speaker : Clause under consideration, amendment moved—

That in clause 2, line 7, for the word "or" comma be substituted; and the words "parliamentary secretary, Government whip or any other member of the Punjab Legislative Assembly in the pay of the Government in any other capacity" be added in the end.

Sardar Kartar Singh (Lyallpur East, Sikh, Rural) (*Punjabi*): Sir, I rise to support the amendment moved by my honourable friend Sardar Hari Singh. My submission is that the Government asked the Assembly to sanction Rs. 50,000 for parliamentary secretaries and that sum has been sanctioned by the House. Now it is up to the Honourable Premier to disburse this sum among as many persons as he likes.

Premier : We can ask for more money from you.

Sardar Kartar Singh : Undoubtedly you can, but my respectful submission is that you should stick to one principle. Those honourable members who are going to be appointed as parliamentary secretaries, should not be given daily allowance, otherwise the case will be on all fours with the *Punjabi* saying

“ناہان وندے، راجڑیان مے مے اہندان نون”

Sometime you fill the pockets of some of the honourable members by offering them fat salaries and now you want to give them allowance also. This is not evenhanded justice. You must manage to satisfy the parliamentary secretaries with this sum of Rs. 50,000. They should not be paid any allowance in addition to their salaries. With these words I bring my speech to a close.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur North, Muhammadan, Rural) (*Punjabi*): There is a saying *جان جفت دل ہے ہم* (easy come, easy go). (*Laughter*). Here in this province the Government is acting in a manner which exactly agrees with the moral of the adage mentioned above. I remember a short but interesting story which, Mr. Speaker, I will relate with your permission. Once a quarrel arose between a cat and a fox on the division of a loaf of bread, which could not be equally divided between the two. They appointed a monkey as an arbitrator. The cunning monkey began to weigh two pieces of bread in a balance. He would bite off a slice when one of the pans failed to counterpoise the other. In this way the monkey ate the whole loaf of bread and the poor cat and the fox went away disappointed. (*Laughter*). We, too, are being treated by Government in exactly the same manner. In my opinion there is absolutely no justification for giving the parliamentary secretaries salaries as well as allowances.

Mr. Speaker : The honourable member is not right in saying "salaries as well as allowances."

Chaudhri Muhammad Abdul Rahman Khan : On the one hand we are told that the Government is doing its best to relieve the zamindars of their burden of heavy taxes and on the other it is increasing its expenditure. I do not see any logic in it. When a sum of Rs. 50,000 has already been voted by the House for the salaries of parliamentary secretaries, there is no reason why the latter should be paid daily allowance also. I am of the opinion that by doing so, the Government would be adding an unnecessary burden to the already overtrained finances of the province. I may also point out, that it is not fair that this hard earned money, which comes out of the pockets of the poor zamindars, should be squandered on the allowances of parliamentary secretaries. If the parliamentary secretaries are to get daily allowances in addition to their salaries, then may I ask what fault the honourable Ministers have committed for which they are being debarred from receiving daily allowance? They are also entitled to receive it. In the same manner all Government servants deserve daily allowance.

Mr. Speaker : The honourable member is not right in saying that the framers of the Bill propose to give both salary and allowance to parliamentary secretaries.

Chaudhri Muhammad Abdul Rahman Khan : What I meant was that it is not fair to pay daily allowance to parliamentary secretaries (*laughter*). I hope the Government will see their way to accede to my request and desist from paying allowance to parliamentary secretaries.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural): I rise to support the amendment for a reason which perhaps has not been advanced so far. All these paid servants are paid out of the money raised from the poor tax-payers.

Premier : Also rich tax-payers.

Sardar Lal Singh : But mostly from the poor tax-payers. What do these paid servants do? Instead of attending to their duties for which they are paid they go out to the villages and mislead the ignorant villagers to work against nationalism. It has been said here on the floor of the House that these Ministers—

Mr. Speaker : The House is not now discussing Ministers.

Sardar Lal Singh : I am referring to the others whose salary is now being considered.

Mr. Speaker : No salaries are under consideration.

Sardar Lal Singh : If, in addition to the Rs. 50,000 already provided in the budget, we provide for additional allowance, there will then be more parliamentary secretaries and these secretaries will be employed to work against nationalism. More paid workers will go into the villages and will preach the pushing out of the national workers as the Honourable Minister for Development did. That is one reason why more money should not be provided.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban): I wish to enquire of the Honourable Premier whether it is not unfair to this House that when the sanction for the amount of salaries of the secretaries was sought this House was not taken into confidence as to the number of

[L. Deshbandhu Gupta.]

secretaries the Government proposed to employ and the salaries that were proposed to be paid to them. It was only about a fortnight ago that the Government sought the sanction of the House for the salaries of the secretaries. Now they seek to make fresh provision for the allowances of the secretaries. I do not know how long the Treasury Benches will take to decide the number of secretaries and their pay. I think it is high time, and it is also only fair that before making any further demand of this nature, they should take the House into confidence and tell us as to what will be the number of secretaries and what will be their pay so that the House may be in a position to decide whether the secretaries really need the allowances which we are called upon to vote for them or not. We should like to know what in reality is the difficulty of the Government. I cannot understand as to why they should keep this as a studied secret from the House even at this late stage? For this reason I support the cut which is under discussion.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Let me assure my honourable friend opposite that it is not my habit, nor is it necessary for me, to use backdoor methods. If I had wanted Rs. 75,000 for the secretaries, the honourable member must be fully aware that there would not have been any difficulty for me to get that amount from the House. I even said at the time when I asked for Rs. 50,000 that if this amount was found insufficient, I would come again before the House with a supplementary demand and it would be for the House to give me that amount or not. I may, however, assure the honourable members that I have not yet decided with regard to the number or personnel of the secretaries for the simple reason that I have had no time to think about them. When I get a little leisure I shall sit down to think of the number and pay of the secretaries. I will also have to consult my colleagues, because after all these will be their secretaries. There are several other details also to be settled.

Lala Deshbandhu Gupta: Is the question so perplexing?

Premier: Very perplexing.

An Honourable Member: How many candidates have come forward?

Premier: Does the honourable member want to know the number of candidates from the opposite side or from this side? (*Cheers*).

Diwan Chaman Lall: I challenge the Premier to name on the floor of the House the candidates from this side of the House. (*Cheers*).

Lala Bhim Sen Sachar: On a point of order. I submit that the remark of the Honourable Premier is an insinuation against this part of the House. I consider it a serious reflection upon this side of the House, particularly when it is generally known that we here cannot go in for any office. Therefore it is necessary for the Premier to name the members on this side of the House who have approached him in connection with the secretaryship.

Mr. Speaker: There is no insinuation in the remarks of the Premier. It is not inconceivable that some members of the Congress Party may like to become secretaries, especially when the Congress Parties in some legislatures, have decided to accept offices. (*Cheers*).

Diwan Chaman Lall : I am afraid the point of order has not been appreciated. It is not that the members of the Opposition would consider it dishonourable to become secretaries, because their own colleagues in other provinces are beginning to take up secretaryships. But the insinuation is in the fact that the members of the Opposition offer themselves for secretaryship under the Unionist Government. (*An honourable member :* No, no). If that is not so, I have nothing to say.

Premier : My honourable friend asked, how many candidates from this side? I merely enquired if he wanted to know the number of candidates from this side only or from the benches opposite also.

1 P.M.

Honourable members should take such remarks in a sporting spirit. If the honourable member still insists on my giving the names I shall be prepared to do so outside the House.

Diwan Chaman Lall : I will be very glad to receive it on the floor of this House and even outside. It will be very interesting.

Premier : Who is there to stop me if I want to offer secretaryship to members of the Opposition? There is none to stop me from doing that.

The Assembly then adjourned for lunch.

The Assembly re-assembled at 2 P.M. Mr. Speaker in the chair.

Diwan Chaman Lall : Mr. Speaker, may I suggest that Sardar Hari Singh's motion may better be put. So far as the other motion is concerned, it includes the Chief whip; otherwise the principle involved is the same. Sardar Hari Singh's motion is confined only to those who are in receipt of salary.

Mr. Speaker : I agree.

Diwan Chaman Lall : I would like to say a word before my learned friend gives a reply.

Lala Bhagat Ram Choda (Jullundur, General, Rural) (*Urdu*): Sir, I would speak for only two minutes. It is commonly known that a sum of Rs. 50,000 has been provided for the parliamentary secretaries. And it is now being decided that in addition to their salaries, they should be paid daily allowances as well. I say the ministers will have parliamentary secretaries as well as private secretaries. We do not object to their being given salaries. You may provide any amount for them, let each of them be given a thousand or more a month. But in my opinion it should be made quite clear what salary they are going to receive and it is but fair that with regard to this matter we should not be kept in the dark.

There is another danger to which I want to draw the attention of the House and that is, that the ministers and the secretaries would themselves form sub-committees which would take the shape of a sub-government and the rest of the members would hardly get any share. I, therefore, suggest that the secretaries should be elected by the vote of the House.

Dr. Sir Gokul Chand Narang : Wherefrom would you get votes?

Lala Bhagat Ram Choda : I was submitting that the secretaries should be elected by the vote of the House. In this way every member would be able to vote for a person of his own liking. In the end I would suggest

[L. Bhagat Ram Choda.]

to the Honourable Premier to make clear what salary his government is going to pay to parliamentary secretaries, and how many secretaries are going to be appointed.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : My honourable friend, the Premier, stated that the question of a grant of Rs. 50,000 had been fixed without any decision on the part of the Government in regard to the number of secretaries they were going to appoint and that he opposed this particular amendment on the ground that the pay of the secretaries may be fixed in such a manner as not to be adequate in the opinion of the Government. I take it that that was the argument that the pay of the secretaries which is going to be fixed may not necessarily be adequate and it is for that reason that the Government were opposed to this amendment in order to enable the secretaries to draw their allowances as members of this House plus the pay of secretaries that they are going to draw.

Premier : What I actually meant was that the pay of the secretaries, when it is fixed, will be fixed after having in view the provisions of this Bill. That means that supposing we wanted to fix their salary at X and this amount is Y, the salary fixed would be X minus Y.

Diwan Chaman Lall : I am glad the Premier has made the position clear, but there is no distinction in the argument advanced by him and the argument that I am advancing that is to say the pay of the secretaries will be fixed at X taking into consideration the figure of Y which is the allowance to be given to the members of this House. Let us have a look at the actual position.

Mr. Speaker : Is the honourable member going to make a fresh speech ?

Diwan Chaman Lall : No, I have not spoken on this issue before. I am not willing to speak at all if you do not wish me to speak.

Mr. Speaker : I asked the honourable member to speak. He spoke for a short while and then resumed his seat.

Diwan Chaman Lall : That was on the select committee motion.

Mr. Speaker : But that was finished long ago.

Diwan Chaman Lall : I think Mr. Speaker, you are perhaps under a misapprehension. I have not spoken on this motion.

Mr. Speaker : Then the honourable member may speak.

Diwan Chaman Lall : I want to say a word or two about this particular amendment. When my honourable friend fixed Rs. 50,000 as the budget grant for the purposes of parliamentary secretaries' salaries, he must have had some sort of idea as to what he intended to do. But suppose he did not have an idea, let us see what the actual position is. There are six ministers who require not more than six secretaries. Even if my honourable friend takes a leaf out of the book of the Congress which accepted office yesterday in Madras, he will find that there each Minister has got one parliamentary secretary. Going on the basis of one parliamentary secretary for

each minister and fixing his salary at the exorbitant figure (which in my opinion is very exorbitant—and I say it advisedly) of Rs. 500 per person—even then the figure comes to Rs. 36,000 and leaves my honourable friend a sum of Rs. 14,000 in hand for him to utilise for other purposes which I understand are the appointment of what are known as personal secretaries. Even if my honourable friend allows Rs. 200 a month for personal secretaries, even that figure is covered because it comes to practically Rs. 50,000. I submit he must have had it in mind that even if Rs. 500 a month was provided for the secretaries, yet there was an ample sum left over. In the Presidency of Madras—a very important presidency—the Congress have taken office and what my learned friend over there would like to give to his secretaries is going to be paid to the ministers in that particular province. (*Hear, hear from Opposition benches*). If Rs. 500 which is going to be paid to the ministers in Madras is considered to be inadequate payment as salary to the secretaries in the Punjab, I submit that we are asking this House to accept a proposition which is absolutely unacceptable. It is an undesirable proposition. If on the top of Rs. 500 my honourable friend wishes to add the extra Rs. 22-8-0 as allowances for those gentlemen, I submit it will become still more undesirable. What is the principle involved which my learned friend Sardar Hari Singh wishes this House to accept? Let me here state that a personal secretary or private secretary or a parliamentary secretary in the House of Commons does not draw a salary. Mr. Baldwin owed his recent position to the fact that he was Personal Private Secretary to Mr. Bonar Law when he was the Prime Minister of England. But it is an unpaid office. It is an office of great importance, because of its future possibilities, but it is an unpaid office and if my learned friend wishes not to accept that particular convention which is prevalent in the House of Commons and pays a salary, then, I do submit that the amount he has asked for in the budget is adequate. The principle that Sardar Hari Singh wishes this House to adopt is this that any officer of the Crown who is in receipt of a salary—it does not matter what it is—but if he is in receipt of a salary—he shall not draw any extra allowance by virtue of being a member of this House. That is the sole principle.

My friend says that this is a whole time job. I can lay my hand on my heart and with a clean conscience assert that at least three weeks before this Assembly started I had wholly and solely given my time in helping to frame rules and you know, Mr. Speaker, the enormous amount of work that we have done in the Rules Committee. Having done that, we cannot turn round and say, please pay us a salary because ours has been a whole time job. By all means give salaries to your secretaries. Do not think we are against it. By all means do so, but do not burden the tax payer still more by adding to that salary these allowances. There is no reason why you should pay those allowances. There is no necessity and I do submit that the budget demand is ample for the purpose for which my learned friend has demanded it.

Mr. Speaker : The question is—

That the question be put.

The motion was carried.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural): Mr. Speaker, during the course of his reply to my speech on my amendment to the Bill the Premier was pleased to say that I was labouring under some misapprehension. Let me tell him that I have no misapprehension and I am as definite and clear-headed on my point as he is or anybody else is. The question is a question of principle. That principle is whether a secretary who is a member of this House like the Minister is entitled to allowances over and above the salary he receives. We want to put the parliamentary secretaries, the Ministers, the Speaker and the Deputy Speaker who are all of them members of this House receiving salaries and holding offices of profit under the Crown, in a class by themselves and separate from those who are not receiving any salary at all.

In the second place when the House voted this sum of Rs. 50,000 for parliamentary secretaries, the House did it under the impression that this amount included the salaries as well as any extra allowances that might have to be paid to the parliamentary secretaries. This thing was not made clear at the time that the parliamentary secretaries would be receiving this sum by way of salaries and over and above this amount they will be receiving allowances. Had that been made clear on that day that amount might have been reduced by a substantial amount.

In the third place, Mr. Speaker, the Premier has been pleased to say that he has not decided upon the number of parliamentary secretaries and the emoluments they will be receiving. May I just draw his attention to an A. P. I. message published in the papers just this morning saying that it has been decided definitely that such and such a person (three persons sitting in the second, third and fourth benches behind the Ministers) have been appointed secretaries by the Cabinet or by the Premier?

Premier: It might possibly be an effort at intelligent anticipation, but it is not a fact.

Sardar Hari Singh: Sir, when the House voted this sum of Rs. 50,000 for the pay of parliamentary secretaries, it did not do so because it was enamoured of the reasons and arguments given by the Premier. It did so more because it took pity on the Premier when he said: "Gentlemen," "I have to work very hard,—because I have no parliamentary secretaries, I have to work up to 2 o'clock in the morning." He said he wanted parliamentary secretaries to assist him in his work as Premier and to assist him in other parliamentary work that he had got to undertake as the Leader of the House. Sir, the sum of Rs. 50,000 was voted because the Premier wanted assistants in order to carry on the parliamentary work, on the floor of this House. When these parliamentary secretaries are going to be paid for the parliamentary work on the floor of this House, I fail to understand, it is beyond my comprehension, mortal as I am, how they require us to sanction members' allowances for parliamentary secretaries. By what logic, by what reasoning do they want us to agree to allowances for them, after they have got us to sanction Rs. 50,000 as salaries for eight months? With these remarks I resume my seat.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I know my limitations and I am afraid I have not been able to make myself quite

clear. I tried to explain to the House that while the salaries of other officers mentioned here have already been fixed, the salaries of the secretaries have not been decided upon, and these will be fixed commensurate with the work and responsibility which they may have to undertake. We have not yet decided what their duties will be. It may be that the whole of Rs. 50,000 may not be necessary for their salaries in which case we will be able to save something. It may be that that amount will not be sufficient in which case, as I said on the last occasion, I will have to come to this House with a supplementary demand and ask the House to give me more money. My point is that if we had included their names also in this clause, it would have meant that we would have had to fix their salary at a higher scale than we would if they are excluded from the receipt of daily allowance. In the circumstances I do not see why so much emphasis has been laid by the the honourable member on pressing this point. Supposing, normally we fix their total emoluments at Rs. 600—I am assuming, we have not done so—but supposing we fix them at Rs. 600, since they will be getting Rs. 20 a day we will reduce that Rs. 600 to Rs. 400, so as to take into consideration the amount which they will be getting as ordinary members.

Another point which I should like to impress on my honourable friends opposite is that we have not yet decided whether they are going to be whole time officers or part time officers.

Chaudhri Krishna Gopal Dutt : Or honorary ?

Premier : Or may be honorary. I am certain that there are enough public spirited gentlemen in this House who would be prepared to work honorarily, if they could afford to do so—

Sardar Hari Singh : Has any minister set an example ?

Premier : You are also aware that recently in Parliament they have also fixed a certain amount of salary for the Leader of the Opposition, because he has to undertake a certain amount of work both outside and inside the Parliament to the detriment of his professional or private work and suggestions were made to me from my side that we also should provide something for the Leader of the Opposition, but I dared not do anything because I thought perhaps the whole Anand Bhavan would come down upon me if I suggested something so sacrilegious as that for the Leader of the Opposition, but I assure the House that if the proposal is acceptable to my honourable friends opposite, and if a proposal comes from the other side, it will receive very sympathetic consideration from me (*laughter*). I do not think it is necessary to say anything more on that point.

Dr. Gopi Chand Bhargava : I thank you.

Mr. Speaker : The question is—

* In clause 2 (b) after the word "Speaker" substitute the word "or" by a comma and for the full stop at the end substitute "or a parliamentary secretary if and when appointed."

(When the division bell was ringing Chaudhri Kartar Singh stood up to raise a point of order.)

Mr. Speaker : When a division is going on, a point of order may be raised by an honourable member while sitting.

The Assembly then divided: Ayes 98, Noes 87.

Ayes-

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Ghulam Hussain, Khawaja.
Gokul Chand Narang, Dr. Sir.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.

Lal Singh, Sardar.
Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Hassan, Chaudhri.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Narotam Singh Siddhu, Sardar.
Partap Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Ram Narain Virmani, Seth.
Rur Singh, Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

Noes-

Abdul Haye, The Honourable Mian.
Abdul Bab, Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur
Nawab Malik.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Atma Ram, Rai Sahib Lala.
Badar-Mohy-ud-Din Qadri, Mian.
Balbir Singh, Rao Bahadur Captain
Rao.
Balwant Singh, Sardar.
Bhagwant Singh, Rai Sahib.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable Chau-
dhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
Faqir Hussain Khan, Chaudhri.

Farman Ali Khan, Subedar-Major.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fazal Ali, Khan Bahadur Nawab
Chaudhri.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Ghulam Rasul, Chaudhri.
Girdhari Das, Mahant.
Gopal Das, Rai Sahib Lala.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib
Sardar.
Habib Ullah Khan, Malik.
Haibat Khan Daha, Khan.
Hans Raj, Bhagat.
Harnam Das, Lala.
Harnam Singh, Lieutenant Sodhi.
Het Ram, Rai Sahib Chaudhri.
Indar Singh, Sardar.
Jagjit Singh, Sardar.
Jagjit Singh Bedi, Tikka.

Jahan Ara Shah Nawaz, Mrs.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 Jugal Kishore, Chaudhri.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major
 Malik.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarak Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Faiyaz Ali Khan,
 Nawabzada.
 Muhammad Hassan Khan Gurehani,
 Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.
 Muhammad Saadat Ali Khan, Khan
 Sahib Nawab.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Yasin Khan, Chaudhri.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Muzaffar Ali Khan, Sardar.

Muzaffar Khan, Khan Bahadur Cap-
 tain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din, Chaudhri.
 Pritam Singhi Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Santokh Singh, Sardar Sahib
 Sardar.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Sita Ram, Lala.
 Sundar Singh Majithia, The Honour-
 able Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Ujjal Singh, Sardar Sahib Sardar.
 Umar Hayat Khan, Chaudhri.
 Uttam Singh Dugal, Sardar.
 Wali Muhammad Sayyal Hiraj,
 Sardar.

Sardar Sohan Singh Josh : Is there any rule under which action can be taken against any one using physical force to make a person vote in a particular direction ?

Mr. Speaker : If any such incident takes place and my attention is drawn to it I will take notice of it.

Raja Ghazanfar Ali Khan : I deny that any physical force was used by any one.

Mr. Speaker : Question is—

That Clause 2 as amended stand part of the Bill.

The motion was carried.

Clause 3.

Salaries and allowances of members.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
 Sir, I beg to move—

That in clause 3, line 2, between the words 'section 4' and the word 'allowances' the words 'salaries and' be inserted.

Sir, as I have already submitted, in legislative enactments it is essential that we should adhere to the niceties of form. If you turn to section

[S. Hari Singh.]

72 of the Government of India Act under which this Bill has been placed before us, it says :—

“Members of provincial Legislative Assemblies and Legislative Councils shall be entitled to receive such salaries and allowances as may from time to time be determined by Act of the Provincial Legislature”.

So the words are ‘salaries and allowances’. It is not ‘salaries or allowances’. If it is so desired the salaries may be fixed at zero. But the words ‘salaries and allowances’ must appear together. With these words I commend this amendment for the acceptance of the House.

Diwan Chaman Lall : This is purely a drafting amendment, I take it, the amendment moved by my honourable friend Sardar Hari Singh. What he means is, I take it, that section 72 refers to the words ‘salaries and allowances’ and therefore the expression should be ‘salaries and allowances’ in the body of the Bill as well as in the title. It is purely a drafting amendment.

The Advocate-General : My submission is that at this stage it is not legally necessary to put in both the words ‘salaries’ and ‘allowances’. You are making a provision now for allowances. It may be at another stage you may wish to make a provision for salaries. You have already made provision for salaries in the case of Deputy Speaker and in the case of parliamentary secretaries. Therefore, whenever occasion arises you may use both or one as the case may be. At present we are dealing with allowances and therefore it is not necessary to insert the word ‘salaries’ at this stage. It is not legally necessary.

Mr. Speaker : In view of the opinion of the Advocate-General, I rule that the amendment is out of order.

Premier : Raja Muhammad Akram Khan may now move his amendment. He is now in his seat. (*An honourable member* : The next amendment has been disposed of. He cannot move it now). This is only with the idea to have the Act as perfect as possible. And we are still on that clause.

Chaudhri Krishna Gopal Dutt : But is it a correct procedure?

Sardar Hari Singh : On a point of order. If the suggestion made by the Premier is accepted, it would be setting a very bad precedent, because the honourable member who tabled the amendment was not in his seat when he was called.

Premier : If the honourable members do not want it I will not mind it because there is another amendment of which notice has been given by Thakur Ripudaman Singh. I only thought that this amendment will suit better.

Khan Bahadur Raja Muhammad Akram Khan (Jhelum, Muhammadan, Rural) : Sir, I beg to move—

That in clause 3, lines 2 to 4 for the words “allowances shall be paid to members at the following rates” the words “members shall be entitled to receive the following allowances” be substituted.

Diwan Chaman Lall : May we ask the honourable member to explain to us the difference.

Mr. Speaker : Clause under consideration, amendment moved is—

That in clause 3, lines 2 to 4, for the words "allowances shall be paid to members at the following rate" the words "members shall be entitled to receive the following allowances," be substituted.

Premier : I believe, Sir, that my honourable friend's intention in moving this amendment is more or less to adhere to the words of section 72 of the Government of India Act which says that members "shall be entitled". Personally I think that it is unnecessary because if there is any public spirited gentlemen who have any objection to draw the allowance they can give it back to the exchequer or to the nation. It may be that the honourable member had probably in view some gentlemen who might have conscientious qualms in drawing the allowances—the so-called heavy allowances—and they need not draw it if they do not want. Personally I do not think it is necessary. As I have already stated public spirited gentlemen who do not wish to avail themselves of the allowances can always give back to the exchequer or not draw them at all. It might be difficult for the Assembly office to decide, since there is the word 'shall', whether it be given to somebody else or be left to the exchequer. (*Sardar Hari Singh:* Give it to whom?) If any one of honourable members have any conscientious qualms they should leave it with the exchequer and not give it to some body else.

Thakur Ripudaman Singh : Sir, some members of the House who have certain objections to travelling in a higher class may not wish to draw allowance above a certain rate. The rates proposed by this Bill are maximum. If any member wishes to draw less he should be allowed to do so.

Diwan Chaman Lall : It seems to me that both the Honourable the Premier and Thakur Ripudaman Singh are suffering from an inferiority complex because they seem to think that the charges levelled by this side of the House against their seeking high salaries seemed to deserve on their part some sort of reply and the reply, a most puerile reply which they can offer in this House, is that honourable members on this side of the House should not be compelled if they have any conscientious objection to receiving Rs. 22-8-0 a day, when they themselves are quite content with Rs. 48,000, a year. That makes no difference. My honourable friend over there Thakur Ripudaman Singh himself has no objection to pocketing these allowances. I understand that he is a candidate for secretaryship. He has no objection to receiving those allowances. My honourable friend suddenly takes upon himself the mantle of the conscientious objector and worries about the consciences of the honourable members sitting on this side of the House without having been told to worry about them. I may tell him that our consciences are quite clear and he need not worry about them.

I submit that there is no need to change the original draft of the Bill so as to prevent anybody sitting on this or that side of the House turning round and saying we will not accept the allowance. (*Premier:* That is what I said). There is no need for this particular amendment. It is absolutely puerile and unnecessary. The laugh is at their expense and not at our expense. I do submit that the time of the House should not be wasted on this sort of thing. (*Hear, hear, from Opposition Benches*).

Mr. Speaker : The question is—

That in clause 3, lines 2 to 4, for the words "allowances shall be paid to members at the following rates" the words "members shall be entitled to receive the following allowances", be substituted.

The motion was carried.

Residence Allowance.

Lala Duni Chand (Ambala and Simla, General, Rural): Sir, I rise to move—

That in clause 3, line 5, for the word "twenty" the word "ten" be substituted.

Sir, I venture to think that my amendment is the most important amendment. It is a touch stone on which one could test the claims and pretensions of the Government party to serve the people of the Punjab. I beg to say that I am not actuated by considerations of mere show or playing to the gallery in moving this amendment. I felt the urge in me to move this amendment. Had I thought that there was the least justification for the Government party to give Rs. 20 on account of residential allowance to the members of the House, I would not have proposed this amendment. I know there are heavy odds on the other side and they can carry away anything by sheer force of numbers. All the same I may be able to convert those people who are difficult to be converted and hence with this faith I am moving this amendment. I shall deal with the different stages through which the proposal to fix the allowances of members has passed. When a proposal was made in this House to set up a committee to consider the question of fixing the residential allowance and other allowances of the honourable members of this House an offer was made to this side of the House to send a representative or representatives on this committee. We consulted together and decided to refrain from taking any part in so far as the deliberations of this committee were concerned. We knew it full well that we will not be serving any purpose by going on the committee in view of the attitude of the Congress and in view of the declared intentions of the Congress that no officer howsoever high he may be will be allowed to accept more than Rs. 500 a month. We thought it unnecessary to go to this committee. Then we received communications from the committee asking for a representation in connection with the question before the Committee. Again we decided to decline to send any representation on the subject. Afterwards this proposal went through several stages in the meetings of the Unionist Party. We know that at one time the proposal was to fix the salary at Rs. 1,200 a year. That fact appeared in the Press and it is known to all. It appeared that there was some trouble over it. Then another proposal was made—this also appeared in the Press—that the honourable members of the House will get Rs. 1,500 a year. Thereafter it seems that Government was confronted with good many difficulties. I believe I am not disclosing any secret, because all these facts are known to all. Good many members of the Unionist Party who constitute the backbone of the Government wanted a share in the spoils.

Premier : Question.

Lala Duni Chand : I am perfectly certain of the correctness of the statement that I am making on the floor of the House.

Premier : The statement made by the honourable member is absolutely incorrect.

Lala Duni Chand : I thought that the word 'spoils' was a perfectly parliamentary expression and that nobody would take any exception to it. But if the Premier takes exception to it—

Mr. Speaker : The honourable member is requested to proceed with his speech.

Lala Duni Chand : What I have stated is a fact which cannot be denied by the Honourable Premier. At one time there was a proposal to fix salaries. That proposal was dropped and another proposal was substituted, namely, the fixing of daily allowances. A good deal has been said in the Press with regard to what has been happening in the conclaves of the Unionist Party. Government is generally interested in issuing contradictions and avoiding wrong impressions that might arise in the public mind, but notwithstanding all those things that appeared in the Press the Government in the present instance has not published any repudiation of what has been suggested in the Press.

Let us now consider what the fixing of these allowances means. I submit that if the figures regarding residential allowances, conveyance allowance and railway fares are properly worked, they will come to nearly a thousand rupees a month for the working period of the Assembly. It means that every member will be getting nearly one thousand rupees a month for the period that the Assembly is in session.

Premier : May I know what the Congress members in the central legislature are getting to-day?

Finance Minister : How does the honourable member arrive at the figure Rs. 1,000 a month?

Lala Duni Chand : I arrive at the figure thus. At the rate of Rs. 20 a day each member will get Rs. 600 a month and the conveyance allowance will give him Rs. 75 at the rate of Rs. 2-8-0 a day. Then each member is entitled to one and two-thirds first class railway fare and this will bring him about Rs. 325 a month. (*Voices : No, no.*)

Taking the average distance between the headquarters of a member and the place of meeting of the Assembly, the railway fare for going and coming back comes to something like Rs. 80; and supposing a member goes four times to his headquarters and comes back, the total railway fare comes to Rs. 320.

Premier : May I ask whether the honourable member is assuming that honourable members travel without tickets? How else can they make Rs. 80 on each trip?

Lala Duni Chand : I am saying that this is the gross income that every member will be making. (*Interruption.*) I am told that in that case the member will not be entitled to daily allowance. I am aware of that. In that case Rs. 86 or if the honourable member absents himself for two days Rs. 24 will have to be deducted.

Minister for Education : The rule is, railway fare or daily allowance whichever is less.

Lala Duni Chand : I understand that he is entitled to railway fare as prescribed in the rules. If the Minister for Education corrects me I am prepared to accept the correction. (*Hear, hear*). All that I want to say is that every member will be getting for a period of five months in the year at the rate of Rs. 1,000 a month, or very nearly Rs. 900. (*An honourable member : How ?*) I say, including railway fare. I do not say that every member will be making a net income of Rs. 1,000 or Rs. 900. My arithmetic is as undisputable as the science of mathematics. (*Hear, hear*). The question is whether this is a fair amount to which every honourable member can lay claim. I consider the question of salary or allowance in the light of the criterion that nobody is entitled to get from the country what it is beyond the means of the country to pay. So often has it been proclaimed on the floor of this House that ours is a poor country. Lurid picture has been drawn of the poverty-stricken condition of the people of this country. I submit that in other countries the people may be able to pay more without any difficulty. But the question of questions is whether taking into consideration the condition of our country, the amount provided in the Bill is fair or just.

There is another question that might be considered in connection with the amendment that I have proposed. I know that there are honourable members in this House who are big landlords, big capitalists, millionaires. I can understand that in their case it is perfectly immaterial to them whether they get Rs. 10 a day or Rs. 20 a day. I also know that it is their idea of importance, their idea of service that has prompted them to come to this House. Therefore, this class can be disregarded in considering the question of allowances. There is another class of honourable members who might be getting just Rs. 800 or Rs. 900 a month or a little more. There is yet another class, and without meaning any discourtesy or disrespect to them, I say that there is a majority of this class of honourable members who cannot get as much as Rs. 700 a month outside this House. The House should take this into consideration whether it will be justified in voting this money for such honourable members. I submit that it appears to be a hard fact. The Honourable Premier may have realised this matter, it is an undeniable fact that the object of allowing these big allowances is to keep the flock of the faithful sheep of the Unionist Party together. (*Cheers*). I know this party is called the Unionist Party but I dare say that at times they are on the verge of war. They give out that they will be no more unionists and they will be no more by the side of the Government unless some of their terms are accepted. (*Minister for Education : Question*). They said that if it was desired to keep them in the Unionist Party, certain terms of theirs should be complied with.

Chaudhri Krishna Gopal Dutt : They wanted more.

Lala Duni Chand : The story has gone abroad that they are saying in this way:—"Look here, the honourable ministers are getting from three thousand to three and a half thousand rupees a month besides the allowances. What are we going to get? We are as good honourable members of this House as the honourable ministers." Their argument was

that they must get something on the basis of the proportionate share of the salaries of the ministers.

Khan Bahadur Nawab Muzaffar Khan : I am sorry to say that these are grave insinuations against the Unionist Party.

Chaudhri Krishna Gopal Dutt : Something was said about the Opposition as well this morning. Ask your Leader first.

Lala Duni Chand : I am giving expression to my views in a very moderate way but if you give me a certain amount of latitude, I shall condemn your party in a much stronger language than I have done. I say that the Unionist Party is no party. It is a party that tries to hoodwink this province. What this party is really doing and is going to do is really not service to this province but dis-service to this province.

Mr. Speaker : Opinions always differ. The honourable member will, therefore, please proceed with his speech without being personal.

Chaudhri Krishna Gopal Dutt : Let opinions differ and let the other party deny.

Lala Duni Chand : The members of the Unionist Party and the members of the Government party claim to be the sole custodians of the interests of the peasantry.

Mr. Speaker : May I request the honourable member to be relevant ?

Lala Duni Chand : My respectful submission is that I always, without much demur, accept your ruling but I do claim that every word that I have uttered so far as perfectly relevant not only within the meaning of the Evidence Act—(laughter).

Mr. Speaker : Will the honourable member please speak to the motion ?

Lala Duni Chand : If you had waited for one second—

Mr. Speaker : I have waited for minutes.

Lala Duni Chand : The Government benches claim to be the custodians of the interests of the peasants and other humble classes when they are giving as much as six, seven or eight hundred rupees to an honourable member of the House who is to be appointed parliamentary secretary. Can their claim to be the sole custodians of the interests of the peasants hold good ? I submit that any government that is so extravagant with the money wrung out of the people, cannot put forth a claim of being the custodians of the interests of the people. I wanted to make out this point as a relevant point in this way. I might cite the instances of England to which the Government members owe a good deal and we also confess that we have also derived some benefits from some of the teachings that England has given us. Till recently the members of the House of Commons were not getting a penny as allowances or salaries. It is only recently that the members of the British Parliament have become entitled to certain allowances. (Voices : What, recently ?) I think about fifteen or twenty years ago, the members of the British Parliament were not getting any kind of allowance. Sometimes capital is made here of the schemes of the Congress.

[L. Duni Chand.]

They call the congressmen as impractical people and refer to Mahatma Gandhi and say that he is content only with a loincloth. It is the aim of the Congress that the rulers of this country should do service to the country and not draw fat emoluments or fat salaries. I think so far as the question of setting an example is concerned, some of us in our presence have set up very high examples (*Hear, hear*). If you care to know about me or about some others, you can easily know that we are here at a great sacrifice. Some of us have sacrificed thousands of rupees outside this Legislative Assembly and we have come to this House with the object of getting an opportunity to serve. Let Sir Chhotu Ram go to my constituency and enquire whether a man like me has or has not made any sacrifice and if some sacrifice is made he should enquire the object thereof. (*Hear, hear*). I have placed different aspects of the question for the consideration of the honourable members of the Government party. I believe that the Government members are capable of appreciating truth. If within the last three or four months they have not grasped the real truth, I am sure within the next nine or twelve months, if they are going to have these big salaries and allowances, they will be found out too soon, in the Punjab.

Minister for Education : You people are drawing first class railway fares.

Lala Duni Chand : I honestly wish that I should be the last person to cause any pain to any honourable member of this House including the honourable ministers. I have every respect for their susceptibilities and for their feelings, but knowing all that, I submit before this House that the payment of Rs. 20 a day for an honourable member is a piece of jobbery, it is a piece of extortion, I should say. I say it is an act of legalised robbery. We have been saying that some of the laws of the present Government are lawless laws and as you have the majority you can have any number of lawless laws accepted by this House. I look upon this provision of the Act as a lawless provision. I have proposed a very fair amount, i. e., Rs. 10 a day. It comes to exactly Rs. 300 a month for the period for which this Assembly will be in session.

I have only one last word to submit before you. As I submitted in the beginning, I felt a kind of urge within me to put forward this motion, and I request you to accept that expression of my mind, that expression of my feelings in the spirit in which it has been made. The Government members have been proclaiming at the top of their voice, in season and out of season, on opportune occasions and on inopportune occasions, that they are the best friends of the country, that they are going to improve the conditions of the poor people of this country. I say, if this is their genuine and honest claim consistently, Government members cannot play the part that they are playing in connection with this matter. Sometimes we have indulged in poetic expressions and I say only one word and I have finished.

ہم خدا خواہی و ہم دایاے دین
 این خیال است و معال است و جوفون

Mr. Speaker : Clause under discussion, amendment moved—

“ That in clause 3, line 5 for the word ‘ twenty ’ the word ‘ ten ’ be substituted.

Khwaja Ghulam Hussain (Multan Division Towns, Muhammadan Urban) : It has already been pointed out, that the matter is one of great importance which will have a far reaching effect on this Assembly. I do not make sentimental appeals that the occupiers of the Treasury benches should look to the miserable plight of the zamindar nor would I say that this is a lawless law which is going to be imposed upon the Assembly. I propose to place before this honourable House certain facts and my submission is that before taking a final decision in the matter those facts may kindly be looked into. I am perfectly prepared to concede that the gentlemen occupying the Treasury benches are equally anxious for the miserable plight of the peasants. I do not want to call myself the sole custodian of their rights and the sole protector of their privileges. The facts which I wish to place before the honourable members of the House are very simple. It is common knowledge that the daily allowance which was allowed hitherto to the members of the Legislative Council was Rs. 12 per day. This is the allowance which is actually being drawn now by the members of the Assembly. The number of members drawing allowance in the Punjab Legislative Council was 68, and the number of sittings was from 40 to 45, and at the rate of Rs. 12 per day Rs. 60,000 was the annual expenditure of the Punjab Government by way of allowances to members. Now the number of members who will draw the allowances will be 168 (excluding the Ministers, Speaker and the Deputy Speaker). The expected number of sittings will be about 90. This was given in the papers as the approximate number of sittings. Now at the old rate, that is, if Rs. 12 is permitted to members, let us see what will be the total amount. For approximately 90 sittings each member will be getting about Rs. 1,100 by way of daily allowance and Rs. 400 by way of travelling allowance. This is at the old rate. The total expenses for 168 members at the old rate of Rs. 12 per day will come up to about Rs. 3 lakhs (Rs. 2,71,000 to be exact). The rates proposed by this Bill are Rs. 22-8-0 per day. At these rates the total amount comes up to Rs. 5,00,000. The sole thing which I wish to place before this honourable House is that formerly members got Rs. 60,000 annually by way of allowances. Now they will be getting Rs. 5,00,000 per annum. My simple question is what is it which has necessitated this extraordinary rise in the daily allowances of the members? Rs. 12 was being given to members for the last several years and my submission is that that was quite enough. It is not in order to create any dramatic effect that I am making this suggestion. This suggestion is perfectly honest and I place it before the House for their consideration. In my opinion Rs. 12 at the old rates is quite enough and there is absolutely nothing which justifies the increase in that Rs. 12 per day.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : I have nothing much to say with regard to the speech made by my honourable friend who has just now resumed his seat, but I must admit that I was very much shocked to hear the speech of my honourable friend and old colleague, Lala Duni Chand.

Lala Duni Chand : Your constituency will be more shocked at your speech.

Raja Ghazanfar Ali Khan : I am surprised that my friend Lala Duni Chand seems to know more about our constituencies than we ourselves know. What I was going to submit was that I was very much shocked not with the subject matter of my honourable friend's speech, but with the language used and the most objectionable way in which he tried to attack the Treasury benches and the members of the Unionist Party who are supporting the Government. He concluded his speech with a Persian verse. I would like to begin my speech with a Persian verse :

اعظان کین جاره بر عسراب : ممبر میکنند
چون بغلو = ممبرانند آن کا دگر میکنند

I was surprised to find that such a cut should be moved by my friend who has been drawing an allowance of Rs. 20 per day for a number of years.

As a member of the Central Assembly he used to draw at the rate of Rs. 20 plus Rs. 5 per day as daily and conveyance allowance and I do not remember a single occasion when he made a speech that travelling allowance was a robbery or a legalized robbery—

Lala Duni Chand : On a point of personal explanation.

Raja Ghazanfar Ali Khan : I refuse to give way at this stage. I was surprised that the Congress party themselves who command a majority in the Central Legislature while they have defeated the Government on almost all important points have never tried to cut down the allowances from 20 to Rs. 10.

Chaudhri Krishna Gopal Dutt : Angel quoting the scripture.

Raja Ghazanfar Ali Khan : Here is my friend the young baby angel from Sialkot (*laughter*).

Chaudhri Krishna Gopal Dutt : Is this parliamentary? If I say that my age is as much as his uncle's, will he accept it?

Mr. Speaker : I think "a baby angel" is not worse than "a blooming darling" (*laughter and cheers*).

Raja Ghazanfar Ali Khan : Instead of indulging in these cheap interruptions I would like to see the honourable member get up and say that it is wrong and that the Congress are not drawing travelling allowances at the rate of Rs. 20 per day for the meetings of the Central Legislature and the Council of State or that they made an attempt to reduce the travelling allowances from Rs. 20 to Rs. 10. Although they command a majority in the House they have never tried to do anything of that sort. But here is my friend who gets up and says, the people are poor and peasants are poor, why do you charge Rs. 20 per day? But I may tell you that if the Congress did not know fully well that the cut would be defeated, I can assure you that they would not have moved it (*Hear hear from ministerial benches*) (*Voices of No from Opposition benches*). Mr. Speaker, if you will be kind enough to permit us we can still with your permission move an eleventh hour amendment and if my honourable friends and particularly Lala Duni Chand will think of some way, by which the Congress members only will draw Rs. 10 we will be glad to support it.

(Voices : Why this difference?). They know that the Bill will be passed, it is a reasonable amount, it is an amount which the Central Legislature has been paying to the members for so many years, they know that their amendment will be defeated and they will have the pleasure of a few Congress papers putting it in big headlines that the Congress members have great sympathy for the poor masses and thus will earn cheap popularity. I am sorry that my honourable friend in the heat of argument said so many things about members who are occupying the front benches on this side of the House. He made certain statements which are absolutely wrong and entirely untrue. He said that members on these benches could not make even Rs. 500 a month, if they were not here. He forgets, but there is no honourable member on this side who does not know, that the Leader of the House himself was drawing about Rs. 6,000 a month and probably he may have been drawing about Rs. 10,000 a month if he had not come over here. He has come here at a sacrifice (*hear, hear*). An argument repeated *ad nauseum* does not become strong, but it becomes ridiculous.

Diwan Chaman Lall : May I ask the honourable member if he considers that Rs. 6,000 a month was a reasonable salary? (*Laughter*).

Raja Ghazanfar Ali Khan : That depends on the circumstances and the duties performed. My honourable friend has interrupted me, therefore, I must remind him that unless we are in a position to control the incomes of all classes of people conveying different trades and businesses, it is ridiculous to take only one class of people, that is the services for attack. When we know that there are people making millions at the expense of the poor peasants, there are men who are rolling in wealth sitting in the bazars of Bombay at the expense of poor peasants in the Punjab, is it fair to attack a few services alone? (*At this time there were interruptions from many members*). I wish one member interrupts me at a time, because I would like very much to reply, but unfortunately, twenty members speak at a time.

Sardar Sohan Singh Josh : Now that you have the power, why not attack the incomes of these millionaires? (*Hear, hear*).

Raja Ghazanfar Ali Khan : I have no doubt that such proposals will be brought before this House separately and the honourable members opposite will be called upon to give proof of their genuine spirit of sacrifice and sympathy and love for the masses and I hope that they will support us. I have nothing more to add excepting simply to request the honourable members and particularly my honourable friend from Ambala for whom I have very great regard and respect, I really appeal to him kindly not to look at every matter from the point of view of money. He seems to be working under the impression that every honourable member who is present in this House not by nomination, but because he enjoys the confidence of his constituency, every honourable member who is present here is here because he wants to make Rs. 20 a day. This is an insult to the House and I think it is most improper on the part of any member to get up and make such a suggestion (*hear, hear*). Again it is said that the members are entitled to go about and draw travelling allowances and he said that by this method a member can make so much money per month. I am

[Raja Ghazanfar Ali Khan.]

really surprised. Does he consider that honourable members of this House undertake journeys not because there is some important work but because by undertaking journeys they will make a little money.

Lala Bhim Sen Sachar : He never said that.

Raja Ghazanfar Ali Khan : I would really request the honourable members opposite through you not to make statements which are likely unnecessarily to irritate all the self-respecting members of this House (*hear, hear*), because I can assure him that the only criterion of being a well-wisher of the people is not being a member of the Congress. Can he really and honestly say that all members occupying seats on the other side are angels and that they have no other consideration in view. What was that verse which my friend read ?

Chaudhri Krishna Gopal Dutt : Ask the Premier (*laughter*).

Raja Ghazanfar Ali Khan : If all those honourable members sitting here instead of looking after the interests of themselves, are only looking at the interest of the people, they should be sitting on the heights of Himalayas. With these words I close my speech and hope that while discussing the merits of the amendment they will not indulge in cheap attacks on the honourable members on this side.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : Sir, the honourable gentleman, who has just resumed his seat, has asked my honourable friend from Ambala not to look at every question from the money point of view. I shall accept his advice. I do not want to look upon this question purely from monetary point of view, because I know that Rs. 10 or Rs. 20 are not going to make a poor-man rich and all these members here do not care so much whether they get Rs. 22-8-0 per day or they get Rs. 10 per day. They have spent thousands on their elections. I am sure this Bill is not going to compensate them for thousands that have been spent on their elections. If they can afford to spend thousands, I am sure they can afford to forego any increase in their daily allowances. I would, therefore, not look at the thing from the point of view of money alone.

There is such a thing as what I may call a sort of moral estoppel and I think we are bound by a sort of moral estoppel in this case because most of the members on this side and some on the other, have been saying that the expenditure of the Government should be reduced, because the province is poor. Some of the honourable members, particularly, on this side attacked the Ministers for drawing high salaries. They overlooked the fact that the Ministers have voluntarily reduced their salaries by 33 per cent.—an act of sacrifice on their part. Reference has been made to the Honourable Premier that he has sacrificed an office of six thousand rupees monthly and has come to serve his province on a salary of four thousand rupees monthly. I think due appreciation has been given to this act of sacrifice on his part. Then the question arises “are the members justified in asking for an increase in their daily allowances ?” I wish I could speak in Punjabi, so that I could impress upon those members, who are not familiar with the English language, the unreasonableness of this measure. I think

they have looked at the thing from purely money point of view alone and not from the moral point of view. They should not care for an increase in their daily allowances or any other allowance. That is the first thing which I wanted to say.

Then, Sir, perhaps, it does not occur to them that the old Council was spending only Rs. 816 per day on daily allowances. Sixty-eight by 12, comes to Rs. 816. If I am wrong I shall accept the correction. Now the number of members who will draw allowances has been more than doubled. From 68 it has come to 167 and if you multiply 167 by 22-8-0, the amount comes to Rs. 3,757-8-0 per day. If you add to it the expenditure on account of the secretaries which are new features in this House, the daily expenditure would be very nearly Rs. 4,000 per day, which is nearly 5 times what this province was spending on its legislature.

Minister for Education : Do you then want the old system ?

Dr. Sir Gokul Chand Narang : I am not enamoured of this expansion of the Assembly because if the Assembly becomes more *chauri* or more *lambi*, it does not bring salvation to the province ("hear, hear" from the *Opposition Benches*). We want men of sterling worth. Quantity is a secondary thing. It is quality that we want. If my honourable friend, I wish he had not spoken, thinks that by expansion of the Assembly, the salvation of the province is in sight, I think, he is sadly mistaken, the larger the number of members the greater are going to be their difficulties, as they must be experiencing even during this session. So, mere addition to the numbers does not necessarily mean an improvement or reform of the old system. We shall judge the new system when it has had time to work. I have scrupulously refrained from criticising the Government, as the honourable Government members must have seen. I have not said a word either against their salaries or against the constitution or against anything, because a baby is not to be blamed, if it cannot show any result. It is a baby Government. It requires yet to be cleaned and washed. I think it was rather unfair to condemn those gentlemen. It may be true, as my honourable friend Diwan Chaman Lall said that even after some time there will be no result. But let us wait and help them in everything that is calculated to advance the interest of the province. I have, therefore, been listening with amusement to all the criticisms that have been made for or against it. Criticisms and encomiums have been both out of place, because the time has not yet advanced sufficiently far to enable us to form an opinion about the competency or incompetency of the present Government, or about its success or failure to do proper service to the province. I am not, therefore, enamoured of this numerical expansion. It has only brought more trouble and more expense to the province.

Then again, there is another thing which I want to bring to the notice of the members of this House and that is that the Ministers have made sacrifices—honourable members may not agree to it—but that is a great sacrifice—reducing their salaries by 33 per cent. What sacrifice have we, the members, made? They have reduced their salaries and you want to increase your allowance! Can you justify it on moral grounds? If you had followed the example of the Ministers, you should have come forward to

[Dr. Sir Gokul Chand Narang.]

reduce your allowance to Rs. 8 per day, because 33 per cent. reduction in Rs. 12, if I am not mistaken, means Rs. 8 a day. That would have been very fair. I tell you that the whole province would have been praising your sacrifice and your good sense. Then your criticisms against the Government and your cry for reduction in provincial expenditure would have been justified. Now the people will say "with what face can you ask the Government to reduce their expenditure, and reduce the salaries of its officers who have to work from 12 to 16 hours a day sometimes, when you are yourself asking for 50 or cent. per cent. increase in your allowances." This is what your voters will ask you. They know what is happening in this House. They will certainly tell you, 'you great patriots, you have been promising that you will go and try to reduce the expenditure of the province, you will make a cut in the salaries of officers and will try to turn out those Indian Civil Service and Imperial Service men, who are drawing such fat salaries; but you are asking the Government for Rs. 22-8-0 instead of Rs. 12 per day that you are getting now.' Are you justified yourself in their eyes? I am talking from honour point of view. You are honourable men, representing your constituencies. With what face can you go and justify this increase in your allowance.

Then again, Sir, a point was made by my honourable friend Raja Ghazanfar Ali Khan. He says those people are addicted to *kar-i-digar* when they are in *khilwat*, they talk differently when they come to Councils, and when they are by themselves they act quite differently.

He quoted the instance of my honourable friend Lala Duni Chand and his Congress colleagues in the Central Assembly, who have never hesitated to draw Rs. 20 per day. If Raja Ghazanfar Ali Khan were here he would have certainly appreciated what I am going to say that if the Congress is blamed for not reducing their allowances, you will be blamed much more for asking for an increase in your allowances. The Congress can certainly look after itself. The Congress Party will try to defend it. There is some force in the charge. I am sure the Congress people now perhaps will think of reducing their travelling and daily allowances. The proposal before you now is not to reduce your allowance but to increase your allowance. If you can accuse the Congress for not reducing their allowance, cannot they accuse you for asking for an increase in your allowance? These are the two points, which I would respectfully ask you to consider. It is not a question of putting a little more money in your pocket. It is really a question of honour, prestige, and as I said, of a sort of moral estoppel.

Several Honourable Members : The question may now be put—

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Lala Duni Chand : I want to make a short reply. I would not have done so if Raja Ghazanfar Ali Khan had not indulged in certain irresponsible language. He quoted a couplet of Hafiz. Well I can give him a reply. When we were in the Central Legislative Assembly we were giving a little

trouble to the Government Benches. What did we do? When we go outside many of us—

وہ بیگموت ہے۔ یہ وہی کار۔ دیگر مہنگند

When we think of serving the country we do other things in *Khilwat*. Whether in the *Khilwat* of jails or outside we can show what we can do and what mettle we are made of.

I would like to say a word with regard to what Dr. Sir Gokul Chand Narang has said. I confess I am not as judicially minded as Dr. Gokul Chand is. I wish I could cultivate that spirit of judicial mindedness. He is a trained man and a very high placed man. He has been occupying those benches. He made a very valuable suggestion. If the Government benches are going to accept Rs. 8 or Rs. 10 or 12 I shall be at one with them and so will be the members sitting on this side. I must repudiate some absolutely wrong things which Raja Ghazanfar Ali Khan has said. I never said that men like the Honourable Sir Sikander Hyat-Khan had not made any sacrifice. I said there are certain members, big landlords, big capitalists and so on to whom it is nothing whether they get Rs. 15 or Rs. 30 or Rs. 40. I can understand the Honourable Sir Sikander Hyat-Khan was getting six thousand rupees a month. I can assure him that if now as the head of the Government he goes to America on a lecturing tour he will be making Rs. 50,000 a month. Raja Ghazanfar Ali Khan said that I was a member of the Legislative Assembly at one time drawing Rs. 20 a day. Let me tell him one thing with regard to my earnings. Several months before we were due to retire there was an order to walk out and we walked out and I was one of those who had walked out and after that I never had a look at the Central Legislative Assembly. I may quote another instance. Once a Bill was prepared for me for Rs. 3,000 by the Central Assembly Office. When I had a look at it, I thought it was wrong and that I was entitled to only Rs. 1,700 and I drew the attention of the office to this fact.

Mr. E. Few : Is the honourable member speaking to the motion or eulogising his own doings?

Mr. Speaker : In other words he is saying that the honourable member is not speaking to the motion.

Lala Duni Chand : I am making a reply to the gratuitous attack that the honourable member Raja Ghazanfar Ali Khan has made. The Congress party has never been in the majority in the Central Legislative Assembly, neither in 1923 nor in 1926 nor even now. It may be the largest single party but it does not constitute the majority. Give a majority to the Congress party in the Central Legislative Assembly and then you will see what they are capable of. Raja Ghazanfar Ali Khan always used to humour Pandit Motilal Nehru. If he could ever talk about the members of the Congress he could get correct information. Considerations of fair play require that the honourable Government members should accept this motion and I for one shall not feel in any way flattered by that. I assure you there are men who are capable of appreciating the earnestness on our side. I shall publicly acknowledge that they have given one proof of being real friends of the people. With these words I appeal to the

[L. Duni Chand.]

members of this House and to all the members of the Unionist Party to support this motion.

An attempt has been made to create a certain amount of prejudice against this motion by Raja Ghazanfar Ali Khan. I have got as much respect for the members on that side as I have got for members on this side. But in the course of the debate it is absolutely necessary to draw up a picture of all the parties. After all, all of us have not got the same kind of views, the same mentality, the same attitude. I never said a word with regard to any member or that any member makes money out of the railway fare. I said they might have important work to go to headquarters often. I am sorry that my old friend Raja Ghazanfar Ali Khan should have made these gratuitous attacks that he has made on me.

Raja Ghazanfar Ali Khan : After this assurance from my honourable friend I withdraw what I said on this point.

Premier (The Honourable Major Sir Sikandar Hyat-Khan) : I have listened with great interest to the learned and lucid speech made by my honourable friend opposite and I am glad and I have much pleasure in conceding that he and other honourable members like him have made great sacrifices in coming to this House, especially an able advocate like him making Rs. 100, coming and giving his service for the sake of the province as also several other members on that side. It was in consideration of that particular point of view that we thought it necessary to fix a sum that makes an approach to adequacy. As you are aware, originally it was intended to provide a consolidated annual salary for members, but there are some members who took exception to the idea of a salary. They said "we do not want a salary because after all we come here to serve the people. What we really want is to get something so that we may not be out of pocket." I admit that there are some members who can live on a much smaller sum than Rs. 10, and if they try to reduce our standard of life, it might be a welcome feature. If we all are able to reduce our standard to the previous Indian standards, it might be desirable in many ways. We cannot deny the fact that at the moment the standard of living is high. For instance, my honourable friends living in the Cecil Hotel have to pay more than Rs. 10 a day as minimum hotel charge, and therefore it would not be fair to ask them to be out of pocket. My honourable friend the mover of the amendment has replied to all the various criticisms made against the proposal except one which seems to me to be very important. If some of my friends of the Congress in the Assembly can draw Rs. 20 a day and Rs. 5 a day conveyance allowance without any qualms of conscience I do not think that the honourable members are justified to indulge in humorous hits at the expense of members on this side or for that matter that side of the House. I beg to submit that he has not answered that question.

Dr. Gopi Chand Bhargava : May I ask one question from the Honourable the Premier? The Ministers now in some of the provinces shall be getting Rs. 500 a month. Will the Cabinet of the Punjab follow the Congress?

Premier : My honourable friend has again asked whether the Punjab Cabinet will follow the Congress. I have repeated on the floor of the House several times that the Punjab is not to follow others : it is to lead other provinces (*hear, hear*). We do not believe in this cheap sentimentalism : we believe in real constructive work. So far as the Punjab is concerned we are going to give a lead to other provinces. I hope history will show that the Punjab has given a lead ; and I dare say perhaps the example of the Punjab has encouraged other provinces to accept office. My honourable friends are always restive when they find that the answers to their interruptions are inconvenient from their point of view. I was saying that my honourable friend has not answered that criticism from that part of the House. If my honourable friend Mr. Bhulabhai Desai could without any qualms of conscience draw Rs. 25, why could not Raja Ghazanfar Ali Khan do the same when it costs him Rs. 20 to live in Simla or Lahore ?

Dr. Sir Gokul Chand Narang : They did for 17 years, but conditions have changed now.

Premier : Raja Ghazanfar Ali Khan was getting Rs. 25 in the Council of State.

I need not detain the House any longer. I think my honourable friend has unnecessarily wasted his breath : I do not want to waste my time because the last amendment gives the fullest possible latitude to my honourable friends opposite or my friends on this side that if they do not wish to draw the full amount in the interest of the province or for any reasons of conscience then it is open to them to draw Rs. 15 or Rs. 10 or Rs. 5. They have got the fullest latitude. They can practice what they affect to preach, and win name and fame. I think this amendment is wholly unnecessary. If they do not want to draw the full amount they are welcome to do so. Perhaps if they could give a lead they might be causing other members on the other side of the House to follow them. I, therefore, do not think that in view of the last amendment it is necessary for him to press his amendment.

Mr. Speaker : The question is—

That in clause 3, line 5, for the word 'twenty' the word "ten" be substituted.

The motion was lost.

Conveyance allowance of members.

Mr. Speaker : The question is—

That the first four lines of clause 3 as amended and sub-clause (a) of the clause stand part of the Bill.

The motion was carried.

Lala Duni Chand : I beg to move—

That sub-clause (b) of clause 3 be deleted.

I do not propose to make any speech on this motion. The arguments that I put forward on the other motion apply *mutatis mutandis* to this amendment also.

Mr. Speaker : The question is—

That sub-clause (b) of clause 3 stand part of the Bill.

The Assembly divided : Ayes 93, Noes 30.

AYES.

- | | |
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| Abdul Hamid Khan, Sufi. | Hans Raj, Bhagat. |
| Abdul Haye, The Honourable Mian. | Harnam Das, Lala. |
| Abdul Rab, Mian. | Harnam Singh, Lieutenant Sodhi. |
| Abdul Rahim, Chaudhri (Gurdaspur). | Het Ram, Rai Sahib Chaudhri. |
| Abdul Rahim, Chaudhri (Gurgaon). | Indar Singh, Sardar. |
| Afzaalali Hasnie, Sayed. | Jagjit Singh, Sardar. |
| Ahmad Bakhsh Khan, Mr. | Jagjit Singh Bedi, Tikka. |
| Ahmad Yar Khan Daulatana, Khan Bahadur Mian. | Jahan Ara Shah Nawaz, Mrs. |
| Ahmad Yar Khan, Chaudhri. | Jalal-ud-Din Amber, Chaudhri. |
| Akbar Ali, Pir. | Jogindar Singh Man, Sardar. |
| Ali Akbar, Chaudhri. | Jugal Kishore, Chaudhri. |
| Allah Bakhsh Khan, Khan Bahadur Nawab Malik. | Karamat Ali, Shaikh. |
| Amjad Ali Shah, Sayed. | Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major Malik. |
| Anant Ram, Chaudhri. | Kishan Das, Seth. |
| Atma Ram, Rai Sahib Lala. | Manohar Lal, The Honourable Mr. Mohy-ud-Din Lal Badshah, Pir. |
| Badar Mohy-ud-Din Qadri, Mian. | Mubarik Ali Shah, Sayed. |
| Balbir Singh, Rao Bahadur Captain Rao. | Muhammad Akram Khan, Khan Bahadur Raja. |
| Balwant Singh, Sardar. | Muhammad Ashraf, Chaudhri. |
| Bhagwant Singh, Rai Sahib. | Muhammad Faiyaz Ali Khan, Nawabzada. |
| Binda Saran, Rai Bahadur. | Muhammad Hassan Khan Gurehani, Khan Bahadur Sardar. |
| Chhotu Ram, The Honourable Chaudhri Sir. | Muhammad Hayat Khan Noon, Nawab Malik Sir. |
| Dasaundha Singh, Sardar. | Muhammad Nawaz Khan, Major Sardar. |
| Dina Nath, Captain. | Muhammad Saadat Ali Khan, Khan Sahib Nawab. |
| Faiz Muhammad, Shaikh. | Muhammad Sarfraz Khan, Chaudhri. |
| Faqir Chand, Chaudhri. | Muhammad Sarfraz Khan, Raja. |
| Faqir Hussain Khan, Chaudhri. | Muhammad Shafi Ali Khan, Khan Sahib Chaudhri. |
| Farman Ali Khan, Subedar-Major. | Muhammad Yasin Khan, Chaudhri. |
| Fateh Khan, Raja. | Muhammad Yusuf Khan, Khan. |
| Fateh Muhammad, Mian. | Mushtaq Ahmad Grumani, Khan Bahadur Mian. |
| Fazal Ali, Khan Bahadur Nawab Chaudhri. | Muzaffar Ali Khan, Sardar. |
| Fazal Din, Khan Sahib Chaudhri. | Muzaffar Khan, Khan Bahadur Captain Malik. |
| Fazal Karim Bakhsh, Mian. | Muzaffar Khan, Khan Bahadur Nawab. |
| Ghazanfar Ali Khan, Raja. | |
| Ghulam Rasul, Chaudhri. | |
| Girdhari Das, Mahant. | |
| Gopal Singh (American), Sardar. | |
| Gurbachan Singh, Sardar Sahib Sardar. | |
| Habib Ullah Khan, Malik. | |
| Haibat Khan Daha, Khan. | |

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| Narendra Nath, Diwan Bahadur Raja. | Sikander Hyat-Khan, The Honourable Major Sir. |
| Nasir-ud-Din, Chaudhri. | Sita Ram, Lala. |
| Pritam Singh Siddhu, Sardar. | Sundar Singh Mejithia, The Honourable Dr. Sir. |
| Ram Sarup, Chaudhri. | Suraj Mal, Chaudhri. |
| Ranpat, Chaudhri. | Talib Hussain Khan, Khan. |
| Ripudaman Singh, Thakur. | Tara Singh, Sardar. |
| Roberts, Professor W. | Ujjal Singh, Sardar Sahib Sardar. |
| Santokh Singh, Sardar Sahib Sardar. | Umar Hayat Khan, Chaudhri. |
| Shahadat Khan, Khan Sahib Rai. | Uttam Singh Dugal, Sardar. |
| Shah Nawaz Khan, Nawab Khan. | Wali Muhammad Sayyal Hiraj, Sardar. |
| Sham Lal, Rai Bahadur Chaudhri. | |

NOES.

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| Ajit Singh, Sardar. | Mazhar Ali Azhar, Maulvi. |
| Bhagat Ram Choda, Lala. | Muhammad Abdul Rahman Khan, Chaudhri. |
| Bhim Sen Sachar, Lala. | Muhammad Hassan, Chaudhri. |
| Chanan Singh, Sardar. | Mula Singh, Sardar. |
| Deshbandhu Gupta, Lala. | Muni Lal Kalia, Pandit. |
| Duni Chand, Lala. | Narotam Singh Siddhu, Sardar. |
| Ghulam Hussain, Khawaja. | Partab Singh, Sardar. |
| Gokul Chand Narang, Dr. Sir. | Prem Singh, Mahant. |
| Gopi Chand Bhargava, Dr. | Raghubir Kaur, Shrimati. |
| Hari Singh, Sardar. | Ram Narain Virmani, Seth. |
| Harjab Singh, Sardar. | Rur Singh, Sardar. |
| Kabul Singh, Master. | Sant Ram Seth, Dr. |
| Kapoor Singh, Sardar. | Sohan Singh Josh, Sardar. |
| Kartar Singh, Chaudhri. | Sudarshan, Lala. |
| Kartar Singh, Sardar. | |
| Krishna Gopal Dutt, Chaudhri. | |

Travelling allowance of members.

Lala Duni Chand (Ambala and Simla, General, Rural) : I move—

That at the end of clause 3 (c) the following be added—

“ Provided that members shall not be entitled to more than second class rail way fare.”

Sir, I move the amendment without any speech.

Mr. Speaker : Clause under consideration, amendment moved—

That at the end of clause 3 (c) the following be added :—

‘Provided that members shall not be entitled to more than second class rail-way fare.’

Premier (The Honourable Major Sir Sikandar Hyat-Khan) : I suggest to the honourable members that this is a matter for the committee which will frame rules. When they have framed the rules, those rules will come before the House and then the honourable members will be at liberty to move an amendment to the rules.

Lala Duni Chand : Sir, I want that the committee should make rules subject to this proviso.

Premier : You will be able to get the verdict of the House on that issue when the rules have been framed.

Mr. Speaker : The question is—

That at the end of clause 3 (c) the following be added:—

'Provided that members shall not be entitled to more than second class railway fare.'

The motion was lost.

Mr. Speaker : The question is—

That sub-clause (c) of clause 3 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That clause 3 as amended stand part of the Bill.

The motion was carried.

Clause 4.

Allowances of members — Committee to make rules.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural)
I beg to move—

That in clause 4, line 1, between the words 'may' and 'make' the following be inserted—

'On the report and recommendations of a committee representative of the Assembly.'

The object of the amendment is to make sure that before the Government draw up rules, the views and wishes of all sections of the House may be placed before the Government. I am not unaware of clause (2) of section 4 which is to the effect that rules when framed shall be laid on the table of the Assembly and then they will be passed subject to such amendments as the Assembly may make in these rules. While not unaware of this sub-clause (2), I am also not unaware of the fact that once Government has arrived at a decision with regard to these rules and placed them before the House, the minority will not be able to alter or amend those rules, however reasonable those amendments may be. At least that is our experience up to this time.

Mr. Speaker : Clause under consideration, amendment moved—

That in clause 4, line 1, between the words 'may' and 'make' the following be inserted—

'On the report and recommendations of a committee representative of the Assembly.'

Premier (The Honourable Major Sir Sikander Hyat-Khan): I think it would be premature to appoint a committee at this stage. The rules will have to be framed in consonance with the Act itself. They cannot go beyond the scope of the Bill, so they will have to be in conformity with the provisions of this Bill when it is passed into an Act. The rules will be very simple, merely with regard to the travelling allowance and the days on which members will be entitled to draw their residential allowance. I do not think it is necessary to appoint a committee. Government will ask its experts to frame the rules and they will be placed on the table of the House. If any honourable member wants to alter them in the House, he will be at perfect liberty to do so at that stage.

Mr. Speaker : Question is—

That in clause 4, line 1, between the words 'may' and 'make' the following be inserted—

'On the report and recommendations of a committee representative of the Assembly.'

The motion was lost.

Raja Ghazanfar Ali Khan : I beg to move—

That in clause 4, line 2, for the words "to determine" the word 'regarding' be substituted.

The motion was put and carried.

Raja Ghazanfar Ali Khan : I beg to move—

That in clause 4, sub-clause (1) (a), line 1, for the word 'during' the word 'for' be substituted.

The motion was put and carried.

Mr. Speaker : Question is—

That sub-clause (1) (a) of clause 4 as amended stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That sub-clause (1) (b) of clause 4 stand part of the Bill.

The motion was carried.

Raja Ghazanfar Ali Khan : I beg to move—

That in clause 4, sub-clause (1) (c) for the words 'are to' the word 'may' be substituted.

The motion was put and carried.

Mr. Speaker : Question is—

That sub-clause (1) (c) of clause 4 as amended stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That sub-clause (1) (d) of clause 4 stand part of the Bill.

The motion was carried.

Mir Maqbool Mahmood : I beg to move—

Mr. Speaker : The honourable member's amendment has been handed over to me just now ; but as it is an important one, I permit it to be moved.

Mir Maqbool Mahmood : I beg to move—

That in clause 4 (2), line 2, the semi-colon be deleted and for the words beginning with 'they shall' in line 2 to the end of the sub-clause, the following be substituted :—

'and shall only take effect when they have been passed with such amendments, if any, as the Assembly may make therein.

This amendment has been moved for the reason that if and when the Assembly wants to amend them, they need not pass a resolution but when the rules are before them, they can amend them by means of a single resolution.

Mr. Speaker : The question is—

That in clause 4 (2), line 2, the semi-colon be deleted and for the words beginning with "they shall" in line 2 to the end of the sub-clause, the following be substituted :—

'and shall only take effect when they have been passed with such amendments, if any, as the Assembly may make therein.

The motion was carried.

Mr. Speaker : Question is—

That sub-clause (2) of clause 4 as amended stand part of the Bill.

The motion was carried.

Sardar Hari Singh : I beg to move—

That in the last line of sub-clause (3) of clause 4, for the word 'to' the words 'in the case of' be substituted.

Mr. Speaker : Question is—

That in the last line of sub-clause (3) of clause 4, for the word 'to' the words 'in the case of' be substituted.

Premier : I suggest to the honourable member that word 'to' is better than the words 'in case of'.

At the request of the honourable member the motion was by leave withdrawn.

Mr. Speaker : Question is —

That sub-clause (3) of clause 4 stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That the whole clause 4 as amended stand part of the Bill.

The motion was carried.

Preamble.

Sardar Hari Singh : I beg to move—

That in line 4 of the preamble between the words 'provincial' and 'Assemblies' the word 'legislative' be inserted.

Premier : It seems to be unnecessary, but since the honourable member wants me to accept his amendment I do so (*laughter*).

Mr. Speaker : Question is—

That in line 4 of the preamble between the words 'provincial' and 'Assemblies' the word 'legislative' be inserted.

The motion was carried.

Mr. Speaker : The question is—

That the preamble as amended be the preamble of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That the title be the title of the Bill.

The motion was carried.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I beg to move—

That the Punjab Legislative Assembly (Allowances of Members) Bill as amended be passed.

Mr. Speaker : Motion moved—

That the Punjab Legislative Assembly (Allowances of Members) Bill as amended be passed.

Chaudhri Ram Sarup (Central Rohtak, General, Rural) (*Urdu*): Sir, I do not understand why such a hue and cry has been raised in the Assembly

by the Opposition benches. The fact is that we are acting on the principles enunciated by them. The proceedings of the Assembly are being carried on in accordance with the wishes of the Opposition and the Government has drafted this Bill, keeping in view the wishes of Pandit Jawahar Lal Nehru. The Congress wants to raise the standard of living of the poorer classes and desires to keep down the capitalists. The present Government too has acted in a similar manner. (*Hear, hear*). The Government has reduced the salaries of high officials and has given the poor members a leg-up. (*Laughter*). Under these circumstances if fail to understand why the Congress Party is opposing this Bill, when everything is being done in accordance with its wishes.

There is a proverb which fits the present situation.

نو سو چوٹے کہا کے بلی حج چلی

We are blamed for wasting the money of poor zamindars. My reply to this criticism is that we will not accept these allowances provided they return the money which they have extorted from the poor zamindars. (*Laughter*). Are they prepared to return the money which they have taken from the pockets of the poor? Thirdly, I beg to state that we spent about Rs. 20,000 each on our election campaigns. If we are given allowance at a higher rate, some of the money spent by us poor people would be returned to us, and the money spent by capitalists would also go back to their pockets. In this matter the Government has really acted in accordance with the principles of the Opposition.

Before I resume my seat I would like to make a suggestion to my honourable friends opposite that whereas their ministers have accepted Rs. 500, they should accept an allowance of Rs. 5 and whereas our ministers have accepted Rs. 3,000 we should be allowed to earn treble the amount that would be paid to them. (*Laughter*). With these words, I request the Opposition not to oppose this Bill. I whole heartedly support this Bill.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Sir, I rise to oppose the passage of this Bill. I would not have stood to oppose it, but I stand because it is said that we people here are opposed to the principle of elevating the poor and, therefore, we should not oppose this Bill. When my honourable friend, Lala Duni Chand moved an amendment, in reply to his speech it was said that it was not proper on his part to say that people come here only from monetary point of view. To advance such arguments against us is not justified. My submission is that the honourable member should not have said so, because he has insulted the whole House by saying that people come here to earn money and not to serve the people even at a sacrifice. (*"Hear, hear" from the Opposition benches*).

I oppose this Bill from another point of view also. It has been said that the members of the Central Assembly have been drawing Rs. 20 a day when they are in session—and because certain Congress members are there—when Congress people draw Rs. 20 a day, there is no reason why we should oppose here. I am really surprised to hear this argument. It is said that the Central Assembly is not a popular responsible body as this House is. The old Assembly follows old rules and if they draw any allowance, it should not be taken as a precedent for us. We here feel that this new constitution under which we are working, is becoming top-heavy and, therefore, if we

[Dr. Gopi Chand Bhargava.]

increase the expenditure, further I am afraid, provincial autonomy shall be a failure and we shall be accused of it. It is no fault of ours if under the constitution certain salaries have been fixed for certain set of people ; but whatever expenditure lies in our hand, I think, it is our duty to reduce it as much as we can.

Next, it has been said that we can draw less if we like and that only the maximum is being fixed. What I want is that this maximum which any member can draw should not be high. We feel that Rs. 20 a day is too much. If the members on the other side, who have supported this measure, are prepared to work honorarily, I am prepared to do so. ("Hear, hear" from the Opposition benches). Though I am a poor man, I have to earn my livelihood by working daily, even in that case I am prepared to work honorarily, not only during the session but even throughout the year, if the other party, which wants Rs. 20, is also prepared to do so. ("Hear, hear" from the Opposition benches). What I want is this. I want to fix a maximum which a member can draw. If we fix it at Rs. 10 or Rs. 12 it does not mean that we shall draw that 10 or 12 rupees. Had it been adopted you would not have been able to draw such a big sum as Rs. 20 a day. There are some people who do not get a single pie, but still work for the service of the country. Therefore, the argument that those who want to take less can take less does not satisfy us.

We want that the maximum should be reduced and that maximum should not be more than Rs. 10 or 12. But the House has adopted Rs. 20 and that is why I rise to oppose the Bill. Further, it was stated that there are people who now say, we work in the interests of the peasants, but when they were doing their professional work they took a lot of money from the poor people and if they are going to return it they should first do so and then work in the interests of the peasant. My submission is, let those big landlords who enjoy, who live a very luxurious life at the cost of the poor come forward and not only preach but practise equality. Let them do acts which would alleviate the condition of the poor people and then when they are ready to return their money, then I think those on this side who earned anything from the people will return it. Next it was said that people on the other side spend all the money they earn from the peasants, for them. During the election time they say they spent thousands and that was only helping the poor. They are satisfied with it. They say that they have spent thousands ; they earned it from the poor and it has gone back to the poor. I do not know how. Does every pie they spend on their clothes, etc., go to the poor people ? It does not. It goes to the foreign country. Does every pie they spend themselves go to the pockets of the poor ? It is not right to say that because they spend thousands on elections they have got a monopoly of serving the poor or representing the poor.

Chaudhri Ram Sarup : I would like to ask the honourable member whether those who do not receive allowances do not wear clothes.

Dr. Gopi Chand Bhargava : I appreciate the sacrifice which has been made by most of those who are here, giving up their work at their places and trying to serve the people in their own light. I do appreciate it but when it is said that they cannot meet their expenses if their daily allowance-

is less than Rs. 20 and they will be out of pocket, I think they are minimising the sacrifice which they are making. It was argued that the Honourable Premier was drawing Rs. 6,000 a month and he has made a great sacrifice by accepting this office and giving up his previous post. I appreciate it and I shall appreciate it further when I find that he begins to live a poor man's life because he feels for the poor. He may not reduce it to Rs. 500 or Rs. 1,000, but let him reduce it to a very substantial amount and at the same time as Leader of this House and as Leader of the majority party let him issue a whip that all members of his party should draw less and thus reduce the expenditure.

Premier : I am prepared if you give me *roti* and *kapra* for me and my children, a sufficient wherewithal to live.

Dr. Gopi Chand Bhargava : I guarantee him as much money as would enable him to live a poor man's life, and thus enable him to serve as Premier of this province honourably and set an example to others. I am not one of those who shall be ashamed of drawing an allowance for the sake of maintenance out of public fund or a Government fund, because Government fund is after all public fund. Every man has to live. But what we want is this that we should live like a poor man because we represent the poor people. Then, again, it has been said that the Punjab leads other provinces and therefore we should give a lead here also. I know that Punjab has given a lead, but that lead does not bring credit to us. We are a poorer province than many others, but we are making our Government more top-heavy. Therefore it is not the right lead that we are giving to other provinces in the country. Therefore my submission is that we should not adopt this Bill and not bring shame to our province. (*Cheers*).

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural). (*Urdu*): Mr. Speaker, my honourable friend Lala Duni Chand quoted the following Persian verse in his speech:—

حکم ۱۰ خدای دہم نیائی دہم
ایں خیال است و مجال است و جنوں

It means that a person cannot be a saint and a worldly man at the same time or in other words virtue and worldly affairs do not go together. I do not agree with my honourable friend's philosophy. My own idea is that the greatest virtue is to serve one's fellow beings in the world. I think my honourable friend has been influenced by the political career of the great Mahatama in forming this opinion and he thinks that spiritualism and political leadership should not go together. He had better tender this advice to the great Mahatama of the Congress (*laughter and cheers*).

Lala Duni Chand : What I said was this that either serve the people of the Punjab or take salaries.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : How can my honourable friend tender this advice to us when he and his co-workers have been receiving remuneration for their services to the country? As a matter of fact most of them live on public charity and subscriptions.

Mr. Speaker : The honourable member should not be personal.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I have no intention to be personal. I was answering my honourable friend's remarks. It has been remarked by the Opposition benches that the Unionist Government has increased the allowance of the members while it should have been reduced in order to effect economy. My honourable friends of the Opposition seem to be labouring under a misunderstanding which I would like to remove. Section 72 of the Government of India Act, 1935, lays down that members of provincial legislative assemblies and legislative councils shall be entitled to receive such salaries and allowances as may from time to time be determined by act of the provincial legislature and until provision in that respect is so made allowances at such rates and upon such conditions as were immediately before the commencement of this part of this Act applicable in the case of members of the legislative councils of the province. Sir, the phraseology of this section clearly shows that the word "salaries" has been deliberately included in this section and that the British Parliament was aware that the members of the provincial legislatures did not receive any salaries at the time of passing this Act, but only drew an allowance for the days on which the legislature was in session. In all democratic countries the members of Parliament receive salaries. The principle underlying the payment of legislative salaries is to enable a poor man to devote himself to public life if he has the talents and capacity to do so. It would be not only undemocratic, but also unwise to allow only rich persons to have a monopoly in politics. After all politics is a business of complicated detail in which the knowledge and experience of the trained men as well as the energy and commonsense of the public spirited amateur are needed. Politics should, therefore, cease to be an occupation or an amusement for only those persons who have leisure, wealth and ambition. The association of the money-power with politics, is an evil which may lend itself to grave abuses unless carefully controlled. It is, therefore, in the best interest of good Government to have a representation of talented persons from all sections of the population in the Government machinery. The British Parliament realised that with the lowering of the franchise the provincial legislatures will include a sufficient number of persons of moderate means. A provision for legislative salaries was, therefore, made to enable them to take part in the public life of their country and discharge their duties effectively. We must also take into account the difference between the last constitution and the present constitution. The legislative councils under the last régime were irresponsible bodies and the Government under the old constitution was not responsible to the members of the legislatures. The voters in the constituencies realised that it was not obligatory upon the Government to accept the advice of their representatives in all administrative matters. Under a system of diarchy the elected representatives of the people therefore, were not answerable to the electorate for all the doings of the Government. The new constitution has laid the foundations of a responsible Government. The present Government is responsible to the people for every action. A popular Government must, therefore, be alive to the needs and requirements of the people and should be aware of public opinion. The present members of the legislatures who are elected representatives and spokesmen of their respective constituencies must have a close contact with the masses in order to represent their points of view truly and faithfully. In order to acquaint themselves with the needs and problems of the people they will

have to go about in their constituencies more often than their predecessors used to do in the past. This will not only entail a sacrifice of their professional work, but they will also have to incur additional expenses in touring. The members will have to devote a considerable time in organising public opinion and in creating political consciousness in the masses in addition to the time spent in their parliamentary duties. Under the new constitution the responsibilities of the members have greatly increased. They will have to devote much more time in the performance of their duties as members of the legislature than their predecessors. The present Government is responsible to the legislature and the members will, therefore, be answerable to the electorate for the doings of the Government. (*An honourable member* : The present Government is as irresponsible as the one preceding it. No one listens to the members even now.) This remark of my honourable friend is unfounded. The present Government always welcomes constructive suggestions and sensible counsels (*cheers*). But you can hardly expect the Government, to pay any heed to unreasonable and absurd suggestions and destructive criticism (*laughter*). Sir, the Government placed its proposals regarding the salaries and allowances of members before the members of the Government Party and the proposals were carefully examined by them in a private meeting. I hope I am not divulging any secret when I say that the Government originally proposed an annual salary for the members and railway passes for their travelling. Keeping in view the financial position of the province the salary proposed was not commensurate with the status and the position of the members. Some of the members, therefore, objected to name it as a salary, as they thought it would be inconsistent with their position to be in receipt of a senior grade clerk's pay. They, therefore, suggested that the proposed amount may be given to them in the form of daily allowance. After estimating the number of days on which the assembly will be in session every year the daily allowance was fixed at the present rate which does not exceed the proposed amount of salary. I make bold to say that the amount proposed to be given to the members of the Punjab Legislative Assembly will work out to be much less than the salaries and allowances, which will be given to the members in the six Congress provinces. As I have already explained the allowance proposed is not being given to the members only for the days of Assembly meetings, but also to meet at least some portion of the out-of-pocket expense which the members will have to incur in the performance of their parliamentary duties, apart from attending meetings of the legislature. This provision will stimulate and encourage the inclusion of a large body of talented persons of moderate means in the legislature. Those members who have plenty of money and private means need not take the allowance, and I am sure the provincial exchequer will be grateful to them for their generosity. Moreover, we do not possess large party funds like the Congress, to support our members by under-hand means. Our poor members will have to depend on their allowances for their out-of-pocket expense which they will have to incur in the performance of their duties. We believe in straight-forward and clean methods (*cheers and laughter*).

Chaudhri Krishna Gopal Dutt : Then why not give them Rs. 30 a day ?

Begum Rashida Latif : If you wish to organize your province you should not forget the women and do something for them as well.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, I have not excluded the women from the term "people" and I can assure my honourable sister that we shall be glad to do all that lies in our power for her sex. Do my honourable friends of the Opposition wish that the Government of this country should always remain a monopoly of the capitalists? Do they wish that the poor sections of the population should have no representation in the administration of the country? Do they wish to deprive the masses of their birthright of self-government? Do they intend to shape the responsible Government in this country on the lines of the capital-ridden Congress?

Mr. Speaker : The honourable member is not speaking to the motion.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : In a democratic system of Government every capable person should be afforded equal opportunities to take part in the public life of the country irrespective of his social or financial position. I would now place before the House some figures with regard to salaries which members of the parliaments receive in other countries. In England a member of the House of Commons received a salary of £400 per annum free of income-tax which has lately been increased to £600 per annum. He is also provided with free railway or steamer tickets between London and the constituency.

Lala Deshbandhu Gupta : You should also take into account the income per head in that country.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : My honourable friend should realise that our allowance is much less than what the members of the British Parliament get. They always bring in the question of income per head. Do they mean that all salaries and wages in India should be based at 6 pice a day? I do not believe in the Congress doctrine of receiving a pocket money from the State and making a living on public subscriptions. In Canada a member gets 4,000 dollars a session or 25 dollars a day for a session of less than 50 days along with actual travelling expenses to and from his home. In Australia a member gets a salary of £1,000 per annum and free passes over all railways to members, as well as free passes for wives of members to and from their home during a session. In South Africa £700 per annum are paid to a member with free railway pass for their journey. In Irish Free State a member receives £360 per annum and free travelling by railway train, bus and motor cars. In South-West Africa a member gets £120 per annum and free railway travelling throughout the year.

Chaudhri Krishna Gopal Dutt : What is the *per capita* income in those countries?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : If my honourable friend will allow me to proceed, I shall also quote him the figures for those countries whose income *per capita* is not more than in India. Let us take the case of Ceylon. There a member gets Rs. 400 a month in addition to a free first class all stations railway pass and a third class servant pass throughout the year and also free conveyance of car and chaffeur by train

when travelling on Council business. In New Zealand a member receives £ 865 per annum and a free railway pass for himself and his wife. In the Indian Legislative Assembly and the Council of State a member receives a daily allowance of Rs. 20 plus Rs. 2-8-0 as conveyance allowance. He is entitled to a daily allowance for 3 days before and after the session in regard to Assembly and seven days in regard to the Council of State. The member of the Central Legislature also gets free conveyance of car and chauffeur by rail when attending a session and 1½ first class railway fare.

Begum Rashida Latif : Do some people die of hunger in Ceylon ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : What to say of Ceylon, people die of hunger and cold even in the heart of London. We and our Congress friends are not on the same footing. They are for destruction while we are for construction. They have entered the legislatures to wreck the constitution while we have come to work it. There must be a difference between the wages of a labourer who is engaged in pulling down the edifice and a mason who is engaged in the construction of a building. The destructive work which is before the Congress does not require much talent while we have a gigantic task of building up a new Punjab. We are faced with serious problems of making every person in the Punjab literate, removing unemployment, developing industries, increasing the income and standard of living of the masses and uplifting the oppressed and down-trodden sections of the society. For a task of this nature we require a whole-hearted and whole-time co-operation of our members through whom we wish to organise public opinion and create a political and social consciousness in the masses.

With these words, I support the motion under consideration.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (Punjab) : Sir, while opposing the Bill now before the House I would like to make only two observations. The first point which I wish to bring to the notice of the House is as clear as daylight and that is that a further burden is being laid on the shoulders of the poor. The Unionists claim to be the well-wishers of the poor people but their actions are quite contrary to their professions.

Mir Maqbool Mahmood : Is the honourable member in order in repeating the same arguments.

Sardar Sohan Singh Josh : I am in order because I am not repeating any argument. The second point which I want to make is that I do not like to quarrel about the daily allowance, because I have not spent a pie from my pocket on my election campaign.

Premier : You better forego it.

Sardar Sohan Singh Josh : The Honourable the Premier has remarked that I should better forego it.

Mr. Speaker : I request the honourable member to speak to the motion.

Sardar Sohan Singh Josh : I was submitting that the Honourable Premier asked me to forego my allowance. In reply to that remark I would say that I will not forego a single pie of my allowance. (Laughter.) Do you know why I propose to do that? Simply to use it against the Unionist Party. (Laughter.) I will form batches of labourers and farmers, and when the next general election takes place, I will use

[S. Sohan Singh Josh.]
them against the said party. When the Congress comes into power with a majority at its back, even then I will fight for these labourers and farmers just as I am doing now.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : The question is—

That the Punjab Legislative Assembly (Allowances of Members) Bill as amended be passed.

The Assembly divided : Ayes 83, Noes 27.

AYES.

| | |
|--|---|
| Abdul Hamid Khan, Sufi. | Hans Raj, Bhagat. |
| Abdul Haye, The Honourable Mian. | Harnam Singh, Lieutenant Sodhi. |
| Abdul Rabim (Gurdaspur), Chaudhri. | Het Ram, Rai Sahib Chaudhri. |
| Abdul Rahim (Gurgaon), Chaudhri. | Indar Singh, Sardar. |
| Afzaalali Hasnie, Sayed. | Jagjit Singh, Sardar. |
| Ahmad Yar Khan Daulatana, Khan Bahadur Mian. | Jagjit Singh Bedi, Tikka. |
| Ahmad Yar Khan, Chaudhri. | Jahan Ara Shah Nawaz, Mrs. |
| Akbar Ali, Pir. | Jahangir Khan, Chaudhri. |
| Ali Akbar, Chaudhri. | Jalal-ud-Din Amber, Chaudhri. |
| Amjad Ali Shah, Sayed. | Jogindra Singh Man, Sardar. |
| Anant Ram, Chaudhri. | Jugal Kishore, Chaudhri. |
| Badar Mohy-ud-Din Qadri, Mian. | Karamat Ali, Shaikh. |
| Balwant Singh, Sardar. | Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major Malik. |
| Bhagwant Singh, Rai Sahib. | Kishan Das, Seth. |
| Binda Saran, Rai Bahadur. | Manohar Lal, The Honourable Mr. Maqbool Mahmood, Mir. |
| Chhotu Ram, The Honourable Chaudhri Sir. | Mubarik Ali Shah, Sayad. |
| Dasaundha Singh, Sardar. | Muhammad Akram Khan, Khan Bahadur Raja. |
| Dina Nath, Captain. | Muhammad Ashraf, Chaudhri. |
| Faiz Muhammad, Shaikh. | Muhammad Faiyaz Ali Khan, Nawabzada. |
| Faqir Chand, Chaudhri. | Muhammad Hassan Khan Gurehani, Khan Bahadur Sardar. |
| Faqir Hussain Khan, Chaudhri. | Muhammad Nawaz Khan, Major Sardar. |
| Farman Ali Khan, Subedar-Major. | Muhammad Saadat Ali Khan, Khan Sahib Nawab. |
| Fateh Muhammad, Mian. | Muhammad Sarfraz Khan, Chaudhri. |
| Fazal Ali, Khan Bahadur Nawab Chaudhri. | Muhammad Shafi Ali Khan, Khan Sahib Chaudhri. |
| Fazal Din, Khan Sahib Chaudhri. | Muhammad Yasin Khan, Chaudhri. |
| Fazal Karim Bakhsh, Mian. | Mushtaq Ahmad Gurmani, Khan Bahadur Mian. |
| Few, Mr. E. | Muzaffar Ali Khan, Sardar. |
| Ghazanfar Ali Khan, Raja. | |
| Ghulam Rasul, Chaudhri. | |
| Gopal Das, Rai Sahib Lala. | |
| Gopal Singh (American), Sardar. | |
| Gurbachan Singh, Sardar Sahib Sardar. | |
| Habib Ullah Khan, Malik. | |

| | |
|--|--|
| Muzaffar Khan, Khan Bahadur Captain Malik. | Santokh Singh, Sardar Sahib Sardar. |
| Muzaffar Khan, Khan Bahadur Nawab. | Shahadat Khan, Khan Sahib Rai. |
| Narendra Nath, Diwan Bahadur Raja. | Shah Nawaz Khan, Nawab Khan. |
| Nasir-ud-Din, Chaudhri. | Sham Lal, Rai Bahadur Chaudhri. |
| Nur Ahmad Khan, Khan Sahib Mian. | Sikander Hyat-Khan, The Honourable Major Sir. |
| Pritam Singh Sidhu, Sardar. | Sita Ram, Lala. |
| Ram Sarup, Chaudhri. | Sundar Singh Majithia, The Honourable Dr. Sir. |
| Ranpat, Chaudhri. | Suraj Mal, Chaudhri. |
| Ripudaman Singh, Thakur. | Talib Hussain Khan, Khan. |
| Roberts, Professor W. | Tara Singh, Sardar. |
| | Umar Hayat Khan, Chaudhri. |
| | Uttam Singh Dugal, Sardar. |

NOES.

| | |
|--------------------------|---------------------------------------|
| Ajit Singh, Sardar. | Krishna Gopal Dutt, Chaudhri. |
| Bhagat Ram Choda, Lala. | Mazhar Ali Azhar, Maulvi. |
| Bhim Sen Sachar, Lala. | Muhammad Abdul Rahman Khan, Chaudhri. |
| Chanan Singh, Sardar. | Muhammad Hassan, Chaudhri. |
| Deshbandhu Gupta, Lala. | Muni Lal Kalia, Pandit. |
| Duni Chand, Lala. | Narotam Singh Sidhu, Sardar. |
| Ghulam Hussain, Khawaja. | Partab Singh, Sardar. |
| Gopi Chand Bhargava, Dr. | Prem Singh, Mahant. |
| Hari Singh, Sardar. | Raghubir Kaur, Shrimati. |
| Harjab Singh, Sardar. | Rur Singh, Sardar. |
| Kabul Singh, Master. | Sant Ram Seth, Dr. |
| Kapoor Singh, Sardar. | Sohan Singh Josh, Sardar. |
| Kartar Singh, Chaudhri. | Sudarshan, Lala. |
| Kartar Singh, Sardar. | |

STATEMENT *RE.* OUTBREAK OF TYPHOID IN LAHORE.

Minister for Education (The Honourable Mian Abdul Haye): When I was replying to the short notice question of my honourable friend the Leader of the Opposition, I had many a supplementary question and I stated that anticipating those questions I had asked for fuller information which was on its way but had not, till then, been received. It has now been received and it contains all the possible information on the subject. I want to make it available to the honourable members and accordingly I lay it on the table¹ of the House.

The Assembly then adjourned till 11 A. M. on Friday, 16th July, 1937.

¹Kept in the Assembly Library.

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PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 16th July, 1957.

The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

INTRODUCTION OF REVISED SCALES OF PAY AND ESTIMATE OF SAVINGS.

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

- (a) the saving affected hitherto by the introduction of the revised scales of pay for the provincial services ;
- (b) the approximate time it would take the employees in services mentioned in (a) who are entitled to the old rates of pay to retire ?

The Honourable Mr. Manohar Lal : I refer the honourable member to the reply given by me to his question No. *450.¹

HOUSE BUILDING ADVANCES, ETC.

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

- (a) the total sum of money lent to the Government employees during the last ten years for house building and purchase of cars, year-wise ;
- (b) the total amount of interest realized for the sum of money so lent ?

The Honourable Mr. Manohar Lal : A statement is laid on the table.

[Minister for Finance.]

Statement showing advances made to Government servants for house building and for the purchase of motor cars and the amount of interest realized on such advances during the years 1927-28 to 1936-37.

| Year. | AMOUNT OF ADVANCES FOR | | INTEREST REALIZED ON ADVANCES FOR | |
|---------|------------------------|-------------------|-----------------------------------|-------------------|
| | House building. | Purchase of cars. | House building. | Purchase of cars. |
| | Rs. | Rs. | Rs. | Rs. |
| 1927-28 | 75,873 | 1,69,850 | 448 | 4,769 |
| 1928-29 | 1,21,947 | 1,97,307 | 3,368 | 12,653 |
| 1929-30 | 1,21,117 | 2,00,971 | 4,876 | 11,614 |
| 1930-31 | 2,11,984 | 1,67,530 | 7,128 | 10,069 |
| 1931-32 | 1,72,775 | 97,429 | 6,154 | 9,073 |
| 1932-33 | 1,21,822 | 79,522 | 11,264 | 10,763 |
| 1933-34 | 1,16,792 | 1,01,244 | 11,420 | 9,841 |
| 1934-35 | 1,39,302 | 1,96,341 | 14,911 | 7,433 |
| 1935-36 | 1,24,629 | 1,67,356 | 15,461 | 7,899 |
| 1936-37 | 1,36,638 | 1,30,641 | 23,496 | 6,704 |

Note.—Interest is recovered in one or more instalments as laid down in Articles 155 (a) V and 156(4) of the Civil Accounts Code, Volume I, after the whole of the principal has been repaid, that is, after four years in the case of house-building advances and three years in the case of motor car advances. The interest figures against any year in the above statement do not, therefore, represent the interest on the sums advanced in that year.

REALIZATION OF LAND REVENUE AFTER DUE DATE.

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

- the total amount of land revenue, *abiana* and rent for temporary cultivation realized during the last year after the date due for the realization of the same;
- the main reasons for this realization after the due date;
- the steps Government proposes to take to help the destitute zamindars in this direction?

The Honourable Dr. Sir Sundar Singh Majithia: I regret the information is not yet ready.

SLIDING SCALE SYSTEM OF LAND REVENUE.

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

- (a) whether it is a fact that sliding scale system of land revenue assessment was introduced in the Lyallpur district some years ago ;
- (b) if the answer to (a) be in the affirmative, the total amount of remissions necessitated by the introduction of the said system ;
- (c) whether the Government contemplates introducing the said system throughout the province, if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, since *Kharif* 1936.

(b) A statement is laid on the table.

(c) The desirability of introducing the sliding scale system of assessment in other parts of the province will be considered as and when each district comes under re-settlement.

Statement.

| Assessment circles. | Harvests during which the new system has been in force. | Rates of remission allowed on the new assessment. | REMARKS. |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| Jaranwala and Lyallpur tahsils circles. | (i) <i>Kharif</i> 1936 (ii) <i>Rabi</i> 1937.. | (i) Re. 0-6-6 per rupee of land revenue. (ii) Re. 0-7-0 per rupee of land revenue. | In <i>Kharif</i> 1936, the remaining circles were allowed a remission of four annas per rupee on their old assessment. |
| Samundri and Toba Tek Singh circles. | (i) <i>Rabi</i> 1937 .. | (i) Re. 0-6-6 per rupee of land revenue. | The extensions circle of the Toba Tek Singh tahsil, in which the new assessment has not yet been introduced, has been allowed a remission of 4½ annas per rupee on the old assessment for <i>Rabi</i> 1937. |

Note.—As a result of the concessions noted in columns 3 and 4 of the statement, the revenue payers of the Lyallpur district have benefited, as compared with the old assessment to the extent of Rs. 24·74 lakhs on account of land revenue, *malkana* and cesses. This figure also includes the remission allowed on account of hailstorm and gram-blight.

**EXCHANGE OF WATERLOGGED LAND IN SHEIKHUPURA FOR
BETTER LAND.**

***455. Sardar Jagjit Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether Government is aware of the fact that in Sheikhpura district, an extensive area of land has been severely damaged by waterlogging ;
- (b) the total amount of such land ;
- (c) how much, if any, of such land has been exchanged for better land ;
- (d) the action the Government proposes to take in connection with the land which has not been so far exchanged ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, about 8·8 per cent. of the total area of the Sheikhpura district is affected by waterlogging.

- (b) 180,725 acres (cultivated 19,457 ; uncultivated 111,268 acres).
- (c) So far nil.

(d) It is not proposed to effect any exchanges of land, but seepage drains are being constructed with the object of reclaiming as much of the land as possible. In a few hard cases relief has been given by the grant of land on temporary cultivation terms.

EXTRA WATER FOR GARDENS.

***456. Sardar Jagjit Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) what facilities Government intends to extend to the fruit-growers in the province ;
- (b) whether he is aware of the fact that the Government has been giving extra water for the areas under gardens ;
- (c) whether he is aware of the fact that since the last 4 or 5 years extra water, as specified in (b) above, has been discontinued ;
- (d) what action he proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (d) Government is examining the case at present and it is hoped that some facilities will be given. Government is sympathetic to the hopes of fruit-growers, but has to consider the claims of the ordinary cultivators in deciding the extent of additional water that can be made available.

(b) Yes.

(c) No.

ALIENATION OF LAND BELONGING TO STATUTORY AGRICULTURISTS.

***457. Khan Bahadur Raja Muhammad Akram Khan :** Will the Honourable Minister for Revenue be pleased to state the number of temporary alienations of land belonging to statutory agriculturists in the Gujrat district, in execution of decrees made during each of the years subsequent

to the period for which figures were provided in answer to question No. *3612¹ of 1984, in the Punjab Legislative Council ?

The Honourable Dr. Sir Sundar Singh Majithia : The number of cases in which temporary alienation of land was made is indicated below :—

| Year. | | | | | Number of cases. |
|------------------------|----|----|----|----|------------------|
| 1984 | .. | .. | .. | .. | 52 |
| 1985 | .. | .. | .. | .. | 41 |
| 1986 | .. | .. | .. | .. | 20 |
| 1987 (up to 10th July) | | .. | .. | .. | 4 |

USUFRUCTUARY MORTGAGE OF LAND.

***458. Khan Bahadur Raja Muhammaad Akram Khan :** Will the Honourable Minister for Revenue be pleased to state the total acreage of land in the Jhelum and Gujrat districts, belonging to members of notified agricultural tribes and the total acreage of such land out of it which is under usufructuary mortgage to non-agriculturists ?

The Honourable Dr. Sir Sundar Singh Majithia : A statement is laid on the table.

Usufructuary mortgage of land.

| District. | Area owned by members of notified agricultural tribes. | Area owned by notified agricultural tribes which is under usufructuary mortgage. |
|--------------|--|--|
| 1 | 2 | 3 |
| | Acres. | Acres. |
| Gujrat | 1,120,201 | 98,948 |
| Jhelum | 1,110,534 | 39,388 |

Note.—It is not known how much of the area shown in column 3 is under usufructuary mortgage with non-agriculturists.

DEBT OF AGRICULTURISTS OF JHELUM AND GUJRAT DISTRICTS.

***459. Khan Bahadur Raja Muhammad Akram Khan :** Will the Honourable Minister for Development be pleased to state so far as Government has estimated the total debt of the agriculturists of Jhelum and Gujrat districts due to—

- (i) Co-operative societies and banks and,
- (ii) money-lenders ?

The Honourable Chaudhri Sir Chhotu Ram :

(i) Gujrat 19,28,248.

Jhelum 10,56,626

(ii) Not known.

LAW LECTURERS EMPLOYED BY THE PUNJAB UNIVERSITY.***460. Khan Bahadur Raja Muhammad Akram Khan :** Will the Honourable Minister for Education be pleased to state —

(a) the number of new appointments made during each of the years 1920, up to date in the staff of the University Law College, Lahore, and the number of those during each of the years mentioned above which were given to members of notified agricultural tribes ;

(b) community-wise the present strength of the teaching staff of the University Law College, Lahore, and the number of lecturers in other University institutions and the total number of notified agriculturists under each head ;

(c) the total number of appointments made for the session commencing October, 1937, and their distribution community-wise, stating in the case of each community the number of such appointments as have been given to members of notified agricultural tribes ;

(d) whether the appointments were advertised before they were made ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.**CASES UNDER CERTAIN SECTIONS OF INDIAN PENAL CODE AND CRIMINAL PROCEDURE CODE.*****461. Khan Bahadur Raja Muhammad Akram Khan :** Will the Honourable Premier be pleased to state —

(a) the total number of cases (complaints and police challans) instituted under sections 403, 406, 408 and 420, Indian Penal Code, and 107/151, Criminal Procedure Code, in the various courts in the province, from the date of the enactment of the Punjab Relief of Indebtedness Act, up to 31st May, 1937 ;

(b) the total number of those cases which ended in conviction ;

(c) the total number of such cases, if any, in which the order of the trial court was upheld on appeal ;

(d) the total number of cases under (a), (b) and (c) above for the corresponding period previous to the enactment of the said Act ?

The Honourable Major Sir Sikander Hyat-Khan : I am afraid that this information could not be collected without an expenditure of time and labour out of all proportion to the results to be obtained.

RELIGIOUS PROCESSIONS.

***462. Khan Muhammad Yusuf Khan :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware of the fact that Mussalmans of Rawalpindi have not taken out procession on the occasion of Id-i-Milad this year as was usually done, as a protest against the new route proposed ;
- (b) whether Government is also aware of the fact that the Sikhs of Rawalpindi, too, have refrained from taking out any procession on the 11th instant, as was annually done, on similar grounds ;
- (c) if the replies to (a) and (b) be in the affirmative, what action, if any, is contemplated to be taken to bring about a reconciliation between the two communities, Muslims and Sikhs ?

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

(c) On the 10th January, 1937, representatives of the Muslims, Hindu and Sikh communities arrived at an agreement fixing the various routes to be followed by the processions to be taken out by the two communities in Rawalpindi city in future. Government is always ready to assist the two communities if they wish to take out a procession by the agreed route.

ATTENDANCE ON SUNDAYS AND OTHER HOLIDAYS OF CLERKS OF
ROHTAK DIVISION.

***463. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the clerks in the office of the Rohtak division of the Irrigation Department attend office even on Sundays and other gazetted holidays ;
- (b) whether these clerks attend the office on such days voluntarily ;
- (c) if the answer to (a) above be in the affirmative, and to (b) above, in the negative, the reasons why they are asked to attend office on such days ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) A few keen clerks of Correspondence Branch occasionally attend for a short time on Sundays and gazetted holidays to keep their work up-to-date.

(b) Voluntarily.

(c) Does not arise.

Pandit Shri Ram Sharma (Urdu) : Who made inquiries into this complaint ?

Minister : Is there any question of *shikayat* ? I have given my reply.

Pandit Shri Ram Sharma (Urdu) : If there were no complaints, I would have never asked you about it.

Minister : Clerks might themselves make complaints to their immediate officers.

Pandit Shri Ram Sharma (Urdu): And if this complaint is against the immediate officers ?

Minister : That is a question which is not to be answered just at present.

Mr. Speaker : These questions do not arise from the answers given.

Mr. E. Few : Is it the function of this House to supervise the working of the clerks of the whole province ?

Mr. Speaker : The next question.

CASES AGAINST ZAMINDARS BY THE IRRIGATION DEPARTMENT.

***464. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of cases filed by the Irrigation Department in 1936 and 1937 against the zamindars in the Rohtak Division of that department and the number of cases out of these, so far decided and still pending, separately ;
- (b) the total amount realized as penalty by the Department during this period ;
- (c) whether it is a fact that the Executive Engineer remarked in a case last year that was filed against the zamindars of village Kharak that there was no water on the tail for the alleged filling up of a tank ;
- (d) whether it is a fact that the department ever after that remark continued to fight the case, and succeeded in realizing a big penalty ; if so, what action is intended to be taken in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) In the year 1935-36, 141 cases (amount Rs. 4,687) and in the year 1936-37 249 cases (amount Rs. 22,187) were filed which have all been disposed of.

(b) It is not possible to give these figures as the demand is ordinarily realized with water rates. In appeal to the Collector or Commissioner the assessment is reducible.

(c) No.

(d) Does not arise.

VOTERS IN THE ELECTORAL ROLL, MUNICIPAL COMMITTEE,
RUPAR.

***465. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to lay on the table of the House a list of such persons of wards Nos. 2 and 5 of the Municipal Committee, Rupar, whose names were there in the old list of voters and whose names were not reproduced in the new electoral roll together with the reasons for not reproducing their names and the authority who ordered that the names of such persons be not included in the new electoral rolls ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Any person whose name is not on the electoral roll can put in a claim in the ordinary way.

It is not in the public interest to collect this information.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that when the list was prepared, some sort of supervision was done ?

Minister : Yes.

Pandit Shri Ram Sharma (Urdu) : Were some names cut off when the supervision was done ?

Minister : Yes.

Pandit Shri Ram Sharma (Urdu) : How many names were cut off ?

Minister : I have not got the electoral roll with me and cannot give information off hand.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that when complaints are to be heard, their names are called according to the rule ?

Minister : There are rules on the subject and those rules are complied with.

Pandit Shri Ram Sharma (Urdu) : May I read out the rules myself ?

Minister : If the honourable member is aware, he can have that information himself.

Pandit Shri Ram Sharma (Urdu) : If those rules are not being complied with—

Mr. Speaker : Hypothetical questions cannot be allowed.

Pandit Shri Ram Sharma (Urdu) : The revising officers have functioned carelessly in this matter.

Minister : That has not come to my knowledge.

Pandit Shri Ram Sharma (Urdu) : What action does the Government propose to take in connection with the carelessness of the revising officers ?

Minister : I cannot accept that information as correct without any other official information on the subject.

Pandit Shri Ram Sharma (Urdu) : If something happens against the rules, will the Government interfere ?

Mr. Speaker : That again is a hypothetical question.

PROTEST AGAINST THE APPOINTMENT OF THAKAR CHARANJIT
SINGH, ETC.

***466. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state whether Government has received any memorials and representations from the public of Bhiwani protesting against the appointment of Thakar Charanjit Singh as Executive Officer, and Chaudhri Prabhu Dayal, as Secretary of the Municipal Committee, Bhiwani ; if so, what action has been taken or is proposed to be taken on these representations ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes. The matter is under consideration.

Pandit Shri Ram Sharma (Urdu) : By what time will the decision be arrived at ?

Minister : No time can be specified.

Pandit Shri Ram Sharma (Urdu) : In how much time ?

Minister : As early as possible.

Diwan Chaman Lall : What is the definition of 'as early as possible'.

Minister : As the circumstances permit.

Diwan Chaman Lall : What are those circumstances ?

Minister : That does not arise out of the question.

Diwan Chaman Lall : What are the circumstances ? The Honourable Member states "as the circumstances permit" What are those circumstances.

Minister : Certain reports have to be received.

Diwan Chaman Lall : How long will it take for the Honourable Minister to receive the reports ?

Minister : The reports are to come from local officers. I cannot anticipate the time by which they will be in.

Diwan Chaman Lall : How long does the Honourable Minister think it will take ?

Minister : That is a question of guess.

Diwan Chaman Lall : Is that the manner in which the Honourable Minister's Department is working ? Is he running his department on guess work ?

Minister : We cannot anticipate when a particular report will be received.

Diwan Chaman Lall : Has the Honourable Minister thought it advisable to ask for the report within a certain time ?

Minister : That has already been done .

Diwan Chaman Lall : What was the time ?

Minister : As early as possible.

Diwan Chaman Lall : Did not the Honourable Member ask for the report within a specified time ? How can then the Honourable Minister say that the reports will be received within a specified time ?

TEACHING OF ISLAMIC HISTORY IN GOVERNMENT COLLEGE,
LAHORE.

*467. **Syed Afzaalali Hasnie :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that adequate arrangements do not exist in the Lahore Government College for the teaching of Islamic History ;

- (b) whether it is a fact that such students, as offer this subject have to seek instructions in this subject from other local colleges ;
- (c) if the reply to the above be in the affirmative, the action that is proposed to be taken in the matter ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes.

(c) The question is receiving the attention of Government.

THE HONOURABLE MINISTER FOR REVENUE'S VISIT TO LUDHIANA.

***468. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Honourable Minister for Revenue recently visited the Ludhiana District ;
- (b) whether it is a fact that he accompanied the Deputy Commissioner to some villages ;
- (c) whether it is a fact that the Beit *ilaga* people wanted to have an interview with the Honourable Minister with the object of placing their grievances before him, and the Deputy Commissioner declined to arrange for an interview with the Minister ;
- (d) whether it is a fact that the Honourable Minister for Revenue asked the Deputy Commissioner to prepare a list of all those who wanted to have an interview with him and instructed that any one desiring an interview must arrange it through the Deputy Commissioner and the Revenue Assistant ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes

(b) Yes.

(c) No.

(d) Reply to the first portion is in the affirmative. The arrangements had to be made by the local officers but there was no bar to people seeing me if they desired to do so.

Chaudhri Muhammad Hassan : With what object did the Honourable Minister visit the Ludhiana district ?

Minister : You cannot ask me this question.

Sardar Kapoor Singh : How many villages did the Honourable Minister visit ?

Minister : More than ten.

Chaudhri Muhammad Hassan : Did the District Magistrate inform the Honourable Minister of the number of villages affected in the Beit ?

Minister : It was not necessary to make enquiries on the subject.

Sardar Kapoor Singh : Is it a fact that the Honourable Minister visited more than ten villages in twenty minutes ?

Minister : No.

Chaudhri Muhammad Hassan : Did not the Honourable Minister receive reports that the Beit *ilaga* had been affected by hailstorm before he visited Ludhiana ?

Minister : Yes.

Chaudhri Muhammad Hassan : Did he not think it proper to visit the *ilaga* himself ?

Minister : It is not necessary that I should visit every portion.

Sardar Partab Singh : How many minutes did it take him to visit these villages ?

Minister : I did not keep a watch to mark the time.

Sardar Kapoor Singh : Did not the Honourable Minister see all these *Beit* people at Sahnewal while he was there for a short time ?

CONTRIBUTIONS FOR RED CROSS IN RAWALPINDI.

***469. Sardar Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) the amount of funds collected by the Deputy Commissioner, Rawalpindi, who was in charge of the district from April, 1933, to April, 1936, for the Red Cross ;
- (b) the addresses of the principal contributors to the Red Cross in this district during his term of office ;
- (c) the names and addresses of persons who during his term of office were recommended by him either for honorary magistrateships or were nominated members of district boards or municipalities or were recommended for district or divisional darbarship or for licences of different kind ?

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

VILLAGES MARI AND BHAWANPURA IN TAHSIL KASUR.

***470. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that the crops in villages Mari and Bhawanpura of tahsil Kasur were destroyed a few months back by natural calamities ;
- (b) if the answer to (a) above be in the affirmative, what steps the Government have taken to give relief to the zamindars of these villages ;
- (c) if the answer to (b) above be in the negative, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Relief in the shape of remissions of land revenue and *abiana* has been given as under :—

| | | Land Revenue. | Abiana. |
|---------------|-------|---------------|---------|
| | | Rs. | Rs. |
| Bhagwanpura | .. .. | 458 | 810 |
| Mari Nau Abad | .. .. | Nil. | 198 |

(c) Does not arise

STENOGRAPHERS IN THE EMPLOY OF THE LAHORE MUNICIPAL
COMMITTEE.

*471. **Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number and the names of stenographers in the employ of the Lahore Municipal Committee before its supersession in October, 1936 ;
- (b) the number and the names of stenographers now employed by the Lahore Municipality ;
- (c) the dates of appointment of these stenographers ;
- (d) whether any senior stenographer in the permanent employ of the Lahore Municipal Committee was recently discharged from municipal service ; if so, on what ground ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Two, namely M. Riaz Ali and Lala Hira Lal. They were designated as Personal Assistants to the President and Executive officer, respectively, though their duties were similar to those of stenographers.

(b) One, namely M. Muhammad Iqbal.

(c) 16th November, 1936.

(d) No grounds were given in the order of discharge, but it is explained that the post of personal assistant to the president held by him became redundant on the supersession of the Committee. The discharged municipal employees of Lahore have put in petitions to Government and this case will be considered with the others.

Mian Abdul Aziz : Will the Honourable Minister kindly state whether there is any permanent post of personal assistant to the president and the executive officer ?

Minister : There was that post but when the president was there no longer, the post was abolished.

Mian Abdul Aziz : I submit whether it is only according to the information which the Honourable Minister has received or whether it is in fact the case according to the resolution of the committee ?

Minister : The information we received is in writing.

Mian Abdul Aziz : Was there any post of personal assistant in existence according to the resolution of the committee ?

Minister : I have replied that it was in existence when the president was in existence.

CHAHI RATES.

***472. Sardar Partab Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) the amount of revenue which the Punjab Government derives from *chahi* rates ;
- (b) whether he is aware of the fact that the Punjab Legislative Council once recommended to abolish *chahi* rates ;
- (c) whether he is aware of the fact that cultivators have often protested against the levying of *chahi* rates ;
- (d) whether Government is now prepared to consider the question of abolishing the *chahi* rates ; if not, the reasons therefor ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) It is not possible to give an exact figure, but according to a rough estimate made in 1929 the additional revenue derived from *chahi* rates amounts to about Rs. 42 lakhs.

(b) Yes, a cut motion urging the abolition of *chahi* rates was passed by the Punjab Legislative Council in March, 1927.

(c) A few petitions to this effect were received by Government mostly in the years 1928—30. But these do not justify the statement that "cultivators have often protested against the levying of *chahi* rates".

(d) Government consider that the present rules for the assessment of *chahi* rates read with those for the grant of protective leases to wells are sufficiently generous, inasmuch as they allow the remission of the *chahi* rate during a period of 20 to 40 years with the object of enabling the cultivator to recoup at least twice the capital sunk by him in the well. Government are not, therefore, in a position to remit the 42 lakhs of revenue mentioned in part (a) of this reply. In any case, they would await the report of the recently announced Land Revenue Committee which will investigate the best means of affording relief to small holders in the province.

CONSTRUCTION OF A BUND ON THE NORTH OF SADHAURA TOWN.

***473. Khwaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether immediate steps are being taken to build a *bund* to divert the flow of the stream flowing on the north of Sadhaura town, in Ambala district, to protect the life and property of inhabitants residing on the north of the town from immediate danger ;
- (b) whether Government is aware of the havoc and destruction caused by this stream in the past years ; the action the Government propose to take before this rainy season to save the life and property of the people ;
- (c) whether he is aware that the inhabitants of the town had contributed a handsome sum towards the construction of the *bund* and the Municipal Committee of Sadhaura and the District

Board had also sanctioned a sum, the whole amounting to Rs. 17,000, but this sum has been curtailed to Rs. 8,000 ;

- (d) whether the construction of this *bund* has been postponed to the next year ;
- (e) whether it is proposed to have the *bund* constructed before this rainy season ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The earliest date when the work can be taken in hand is the month of October, 1987. It is very risky to undertake the work at this juncture and it would have been equally risky if the work had been started and remained incomplete at the time rains had set in.

(b) Government is quite alive to the seriousness of the situation and have contributed Rs. 3,300 towards the execution of the work.

(c) The District Engineer's estimate of Rs. 17,000 has been modified to Rs. 8,452 by the Superintending Engineer, Drainage Circle, and the contributions are as under :—

| | Rs. |
|-------------------------------------|-------|
| Inhabitants of the town | 1,399 |
| Municipal Committee, Sadhaura | 1,750 |
| District Board, Ambala | 2,000 |
| Government of the Punjab | 3,300 |
| Total .. | 8,449 |

(d) No.

(e) No. The work will be taken in hand in the month of October, 1987.

RELATION OF EXECUTIVE OFFICERS WITH THE PRESIDENTS OF MUNICIPALITIES.

***474. Khwaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to—

- (a) lay on the table a statement showing the appointments and dismissals made by Executive Officers during their regime mentioning therein the names of the Executive Officers, the name and designation of the persons appointed, suspended and dismissed by them ; and
- (b) state whether the relations between the Executive Officers and the Presidents are strained or whether they are amicably and smoothly going on with the work concerning their municipalities ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) It is not in the public interest to collect this information which would involve a considerable amount of labour.

(b) This is a matter of opinion. The honourable member is, however, referred to part Y of the Government review on the Municipal reports for the year 1984-85.

REPRESENTATION OF MUSLIM RAJPUTS OF RAWALPINDI DISTRICT
IN CERTAIN SERVICES.

***475. Raja Fateh Khan :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the number of Muslim Rajputs is the largest of all other communities in the population of the Rawalpindi district ;
- (b) whether it is also a fact that the number of Ghakhars in the population of that district is very small ;
- (c) whether it is a fact that the number of Ghakhar honorary magistrates, extra assistant commissioners (nominated) and zaildars is larger than the combined number of these officers belonging to Muslim Rajput families and to all other communities ;
- (d) if so, what action is proposed to be taken to give the Muslim Rajputs and other communities of the Rawalpindi district their due share in these appointments ?

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

(b) Yes.

(c) No.

(d) Recruitment to services and posts under the Punjab Government is not made on a tribal basis. In this connection the attention of the honourable member is invited to parts (a) (a) and (b) of the reply given to question No. *281.

DRAINAGE SCHEME FOR LAHORE.

***476. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Public Works please state whether the scheme of drainage for Lahore has been examined by experts ? If not, does Government propose to have the scheme so examined before carrying it out ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : *First part.*—Yes. *Second part.*—Does not arise.

Diwan Bahadur Raja Narendra Nath : Will the Honourable Minister kindly name the experts whom he has consulted ?

Minister : Mr. Howell.

Diwan Bahadur Raja Narendra Nath : Is he the only expert consulted ?

Minister : He is an expert who has been sent to Sind.

Diwan Bahadur Raja Narendra Nath : Does he propose to consult experts from other provinces and non-official experts also ?

Minister : There is no idea for the present, but if there is any need, Government will.

UNQUALIFIED PERSONS PRACTISING ALLOPATHY.

***477. Sardar Ajit Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware that unqualified persons who are not registered in all India Medical Council or in the Provincial Medical Council according to the Indian Medical Degrees Act, VII, 1916, resort to practise allopathic system, surgery as well as medicines ;

(b) if the answer to (a) above be in the affirmative, what action the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) None, as Government has no statutory power to prevent unqualified persons from practising as physicians and surgeons, provided they do not pretend to be qualified or registered practitioners.

Sardar Ajit Singh (Urdu) : Will the Punjab Government recommend to the Government of India not to allow any unqualified doctors to practise ?

Minister : Such cases I understand, are very rare.

Sardar Ajit Singh (Urdu) : Not very rare. The fact remains that many deaths are occurring these days. What action do Government propose to take in this direction ?

Minister : If the Government is satisfied that these cases are not rare, they will certainly take action.

LABANA TRIBES OF MULTAN DIVISION.

***478. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the Labana tribes of Multan division are classed as non-agriculturists ;

(b) whether it is a fact that the Labana tribes are classed as *bona fide* agriculturists in all the other parts of the province like Gujrat, Sialkot, etc. ;

(c) if the answers to (a) and (b) above be in the affirmative, what action Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The Labanas have been notified as an agricultural tribe in 12 districts only, i.e., Ambala, Hoshiarpur, Jullundur, Ludhiana, Ferozepore, Lahore, Amritsar, Gurdaspur, Sialkot, Gujrat, Gujranwala and Sheikhpura.

(c) The matter is under consideration.

TERMINAL-TAX.

***479. Sardar Ajit Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether terminal-tax for *toria* seed is three pies per maund in all the new colony markets of the Punjab except in Nili Bar where it is one anna per maund ; if so, reasons for the difference ;

(b) what action Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, except Sargodha, Bhalwal and Phullarwan where it is four pies per maund and Kamalia where it is six pies per maund. It is not possible to fix a uniform rate as the local conditions on the basis of which the rates are fixed, are not uniform.

(b) None.

Sardar Ajit Singh (Urdu) : Are not the zamindars suffering on account of that ?

Minister : I have already stated that circumstances vary.

MAHTAMS OF MONTGOMERY DISTRICT.

***480. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of the Mahtams (Rai Sikhs) of the Montgomery district who are declared members of the criminal tribes ;
- (b) under what circumstances and when they were declared as such ;
- (c) whether according to the reports of the local officers the conduct of the Mahtams is still such as to justify their inclusion in the Criminal Tribes ;
- (d) if the answer to (c) above be in the negative, what action Government propose to take to remove them from the list of Criminal Tribes ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 1,162 ; but out of this number 748 have been de-registered. The information given above is about Mahtams. It could not be said whether Mahtams (Rai Sikhs) mentioned in part (a) of the question are synonymous terms.

(b) The Mahtams of ten villages in the Attari police station area were brought under the Criminal Tribes Act in 1918, being notorious burglars and cattle-lifters. In October, 1926, the Mahtams of village Dhakkar, in the Pakpattan tahsil, who had a bad reputation as professional thieves and illicit distillers, were similarly declared a criminal tribe.

(c) Yes.

(d) Does not arise.

Sardar Ajit Singh (Urdu) : Is the Government prepared to open some reformatory schools for them ?

Minister : I require notice of the question.

PROGRESS OF WORK OF MAGISTRATES PROVIDED WITH STENOGRAPHERS.

***481. Khwaja Ghulam Samad :** Will the Honourable Premier be pleased to lay on the table of the House a comparative statement showing the number of cases disposed of by the ten courts of magistrates in the Punjab who have been provided with stenographers, during the nine years from April, 1919 to March, 1928, i.e., (a) before the appointment of stenographers for them, (b) since the appointment of stenographers for them ?

The Honourable Major Sir Sikander Hyat-Khan : It is regretted that the answer to this question is not yet ready.

INTERNMENT OF JATHEDAR UDHAM SINGH.

*482. **Sardar Partab Singh :** Will the Honourable Premier be pleased to state—

- (a) whether Government is aware of the fact that Jathedar Udham Singh of Nagoke (Amritsar) is interned under Criminal Law Amendment Act in his village ;
- (b) the reasons for his internment ;
- (c) whether the said Jathedar was interned by orders of the present Government ;
- (d) whether he is now prepared to review Jathedar Udham Singh's case and cancel the internment order ;
- (e) whether Government is aware of the fact that Jathedar Udham Singh is a member of the Shiromani Gurdwara Parbandhak Committee, a statutory religious body constituted under Sikh Gurdwaras Act to manage and control the sikh gurdwaras ;
- (f) whether Jathedar Udham Singh was not permitted to attend the last general meeting of the Shiromani Gurdwara Parbandhak Committee held in the month of March by the District Magistrate of Amritsar ;
- (g) whether in similar cases in the same district and in other places, the permission to attend the meeting of the Shiromani Gurdwara Parbandhak Committee, was ever refused in the past ;
- (h) if the answer to (g) be in the negative, the reasons why discrimination has been made in the case of Jathedar Udham Singh ?

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

(b) For having acted in a manner prejudicial to the public safety and peace.

(c) His activities were restricted from the 28th September, 1936.

(d) The cases of all restricted persons are examined by Government periodically.

(e) Yes, he is a member of the Shiromani Gurdwara Parbandhak Committee.

(f) Yes.

(g) No. The honourable member himself applied for permission to attend meetings of the Shiromani Gurdwara Parbandhak Committee, when his movements were restricted under the Criminal Law (Amendment) Act, in October, 1934 and March, 1935. Permission was granted on two occasions.

(h) No discrimination has been made. The District Magistrate in his discretion refused permission in this case as he had reason to believe that the privilege would be abused.

Sardar Partab Singh : How does the Honourable Premier think that privileges would have been abused by attending the Shiromani Gurdwara Parbandhak Committee ?

Premier : I have nothing to add to my answer.

Chaudhri Kartar Singh (Urdu) : Is it a fact that district magistrate sometimes grant leave to detenues ?

Premier : I have already stated so in my reply.

CONFISCATION BY GOVERNMENT OF LAND OWNED BY LAHORE
CONSPIRACY CASE PRISONERS.

***483. Sardar Sohan Singh Josh** : Will the Honourable Premier be pleased to state—

- (a) whether any land belonging to the prisoners of the Lahore Conspiracy Case was confiscated by the Punjab Government in 1914-15 ; if so, the area of the land ;
- (b) whether any land was ever returned to any of the prisoners on release ; if so, to whom ;
- (c) whether the Government now intends restoring the land to the original owners ; if so, when ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The honourable member is asked to see the reply given in 1927 to question *3497, printed at pages 1205-1206 of Punjab Council Debates (Volume XI).

(c) Government would be ready to give consideration to any particular cases in which the sentences could be shown to have caused unnecessary suffering, on the application of the persons affected ; but are not prepared to take any general action to modify the orders passed.

Sardar Sohan Singh Josh (Urdu) : A reference to the year 1927 is given ; while the Government being new, they should have given some recent reference.

Premier : The honourable member has asked the question about 1914-15 and he says that I should be expected to answer a question which relates to an incident in 1914-15, and yet he would not take the trouble of going to the library and finding out what the proceedings of the House were with regard to that very matter.

Chaudhri Kartar Singh (Urdu) : If a question is asked about 1914-15, is the Honourable Premier in order to refer to files and not give a reply outright ?

Mr. Speaker : When answers to questions are printed in the proceedings of this House, to refer to them is only fair when identical questions are asked again.

Sardar Sohan Singh Josh (Urdu) : How many *bighas* of land were confiscated ?

Premier : How does it arise from this question ?

DAMAGE TO GRAM CROP IN AMRITSAR DISTRICT.

***484. Sardar Sohan Singh Josh** : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the gram crop in the Amritsar district has been completely damaged owing to some natural cause this year ;

- (b) whether this fact was brought to the notice of the District Magistrate, Amritsar, by a deputation of peasants with big bundles of gram stalks very soon after the damage done to the crop ;
- (c) whether it is also a fact that the District Magistrate admitted the damage to the crop and informed the peasants of his intention to recommend their case to Government for a remission of 5 annas in the rupee ;
- (d) whether he has received any such recommendation from the said District Magistrate ; and if he has, the action he contemplates taking thereon ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Some damage was caused to the gram crop on account of gram-blight.

(b) Yes.

(c) Government has no information.

(d) It is against constitutional practice to divulge such information.

A remission of Rs. 1,798 in land revenue and Rs. 7,612 in *abiana* has been granted in the Amritsar district.

CAR TAX BY SMALL TOWN COMMITTEE, HARIANA.

***485. Rana Nasrullah Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Small Town Committee, Haryana, district Hoshiarpur, apart from levying the taxes on the agriculturists charge cart tax ;
- (b) if so, whether it is also a fact that the local agriculturists of Haryana have to pay the cart tax on the produce of land that they bring to their houses in the carts ;
- (c) if the answer to (b) above be in the affirmative, the action authorities are ready to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No separate tax is charged from the agriculturists but a personal town rate is levied on all residents of the small town. A tax of the nature of a toll is also imposed on all loaded carts (including tongas, etc.), and pack animals entering the limits of the small town.

(b) Yes, if the produce is brought from outside the small town limits on carts, tongas or on pack animals.

(c) No action is contemplated. The tax recovered is spent on the improvement of roads and sanitation of the town.

***486. Cancelled.**

HYDRO-ELECTRIC CURRENT FOR AGRICULTURAL PURPOSES IN THE VICINITY OF FEROZEPURE.

***487. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state by what time the Government intends to supply Hydro-Electric current for agricultural purposes in the vicinity of Ferozepore ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : As soon as sufficient applications have been received to make the building of the lines economically sound, power for agricultural purposes in the vicinity of Ferozepore will be made available.

OLD AND NEW RATES OF LAND REVENUE.

*488. **Lieutenant Sodhi Harnam Singh**: Will the Honourable Minister for Revenue be pleased to state—

- (a) the names of the districts where settlement operations have been carried out after 1926 ;
- (b) the rates of land revenue realized in each of the districts referred to in (a) above before the settlement operations were carried out ;
- (c) the rates of land revenue proposed for each of these districts by the settlement officers, and sanctioned by Government ;
- (d) the rates of the market price of the agricultural produce before 1926 and after 1926 respectively ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Lower Bari Doab Canal Colony (Montgomery and Multan districts), the Lyallpur district and the Rakh Branch colony circle of the Sheikhpura district.

(b) and (c). A statement is laid on the table. The rates sanctioned on resettlement and shown in column (3) of the statement are subject to the sliding scale system of remissions.

(d) The honourable member is referred to the fortnightly returns of prices published in the *Punjab Government Gazette*, Supplement No. I (statistical). After 1926, the prices experienced a fall and it is mainly because of the uncertainty of the future course of prices that recent settlements have received the benefit of the sliding scale system of assessment.

Statement.

| District or area concerned. | Rates in force before settlement. | Rates sanctioned on resettlement on the proposals of the Settlement Officer. |
|---|--|--|
| 1 | 2 | 3 |
| 1. Lower Bari Doab Canal Colony. Okara tahsil .. | Rs. 2 per matured acre on nahri and Re. 1-2-0 per acre matured on all non-nahri. | (Rates are per acre matured subject to the sliding scale remission). Chahi Re. 1, Barani Re. 0-12-0, and other non-nahri Re. 1-8-0. <i>Nahri Bet Circle.</i> Class I. Class II. Class III. Class IV. Class V. Rs. A. Rs. A. Rs. A. Rs. A. Rs. A. 3 2 2 14 2 4 <i>Gugera Circle.</i> 3 12 3 4 2 8 <i>Ganji Bar Circle.</i> 4 0 3 12 3 8 3 0 2 0 <i>Beas Circle.</i> 3 12 3 8 2 8 2 0 1 8 |

| District or area concerned. | Rates in force before settlement. | Rates sanctioned on re-settlement on the proposals of the Settlement Officer. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|--------|----------------|--------|----------------|--------|------------|-----|----------|-----|-------------|-----|-------------|-----|------------|-----|------------|-----|-----------|-----|-----------|-----|----------|-----|--|--|--------|--|------|--|-----|--|-----|--|------|--|-----|--|-----|--|------|--|-----|--|-----|--|-----|--|-----|
| 1 | 2 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. Lower Bari Doab Canal Colony—conold. Montgomery tahsil. | Rs. 2 per matured acre on nahri and Rs. 1-2-0 per acre matured on all non-nahri. | Barani Re. 1 and other non-nahri Re. 1-8-0. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | <p style="text-align: center;"><i>Nahri Bet Circle.</i></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td>Rs. A.</td> <td>Rs. A.</td> <td>Rs. A.</td> <td>Rs. A.</td> <td>Rs. A.</td> </tr> <tr> <td>3 8</td> <td>3 0</td> <td>2 0</td> <td>..</td> <td>..</td> </tr> </table> <p style="text-align: center;"><i>Ganji Bar Circle.</i></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td>4 0</td> <td>3 8</td> <td>3 4</td> <td>2 8</td> <td>1 8</td> </tr> </table> <p style="text-align: center;"><i>Beas Circle.</i></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td>3 8</td> <td>3 4</td> <td>2 8</td> <td>1 8</td> <td>..</td> </tr> </table> | Rs. A. | Rs. A. | Rs. A. | Rs. A. | Rs. A. | 3 8 | 3 0 | 2 0 | .. | .. | 4 0 | 3 8 | 3 4 | 2 8 | 1 8 | 3 8 | 3 4 | 2 8 | 1 8 | .. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Rs. A. | Rs. A. | Rs. A. | Rs. A. | Rs. A. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 8 | 3 0 | 2 0 | .. | .. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 0 | 3 8 | 3 4 | 2 8 | 1 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 8 | 3 4 | 2 8 | 1 8 | .. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Khanewal tahsil | Ditto | <p>Barani Re. 1-2-0 and other non-nahri Re. 1-12-0.</p> <p style="text-align: center;"><i>Nahri.</i></p> <p><i>Bet Circle.</i>—a flat rate of Rs. 3.</p> <p style="text-align: center;"><i>Tulamba Circle.</i></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td>4 8</td> <td>4 4</td> <td>3 8</td> <td>2 0</td> <td>1 8</td> </tr> </table> <p style="text-align: center;"><i>Ganji Bar Circle.</i></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td>4 0</td> <td>3 8</td> <td>2 8</td> <td>1 8</td> <td>1 0</td> </tr> </table> <p style="text-align: center;"><i>Beas Circle.</i></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td>3 8</td> <td>2 8</td> <td>2 0</td> <td>1 0</td> <td>..</td> </tr> </table> | 4 8 | 4 4 | 3 8 | 2 0 | 1 8 | 4 0 | 3 8 | 2 8 | 1 8 | 1 0 | 3 8 | 2 8 | 2 0 | 1 0 | .. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 8 | 4 4 | 3 8 | 2 0 | 1 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Lyallpur district and Rakh Branch Circle of Sheikhpura district. | <table border="0" style="width: 100%;"> <tr> <td></td> <td style="text-align: right;">Rs. A.</td> </tr> <tr> <td>Town rate A ..</td> <td style="text-align: right;">10 0</td> </tr> <tr> <td>Town rate B ..</td> <td style="text-align: right;">7 0</td> </tr> <tr> <td>Class I ..</td> <td style="text-align: right;">6 0</td> </tr> <tr> <td> " II ..</td> <td style="text-align: right;">5 8</td> </tr> <tr> <td> " III-A ..</td> <td style="text-align: right;">5 0</td> </tr> <tr> <td> " III-B ..</td> <td style="text-align: right;">4 8</td> </tr> <tr> <td> " IV-A ..</td> <td style="text-align: right;">4 0</td> </tr> <tr> <td> " IV-B ..</td> <td style="text-align: right;">3 8</td> </tr> <tr> <td> " V-A ..</td> <td style="text-align: right;">3 0</td> </tr> <tr> <td> " V-B ..</td> <td style="text-align: right;">2 8</td> </tr> <tr> <td> " VI ..</td> <td style="text-align: right;">2 0</td> </tr> </table> | | Rs. A. | Town rate A .. | 10 0 | Town rate B .. | 7 0 | Class I .. | 6 0 | " II .. | 5 8 | " III-A .. | 5 0 | " III-B .. | 4 8 | " IV-A .. | 4 0 | " IV-B .. | 3 8 | " V-A .. | 3 0 | " V-B .. | 2 8 | " VI .. | 2 0 | <table border="0" style="width: 100%;"> <tr> <td></td> <td style="text-align: right;">Rs. A.</td> </tr> <tr> <td></td> <td style="text-align: right;">12 0</td> </tr> <tr> <td></td> <td style="text-align: right;">9 0</td> </tr> <tr> <td></td> <td style="text-align: right;">7 8</td> </tr> <tr> <td></td> <td style="text-align: right;">6 12</td> </tr> <tr> <td></td> <td style="text-align: right;">6 0</td> </tr> <tr> <td></td> <td style="text-align: right;">5 6</td> </tr> <tr> <td></td> <td style="text-align: right;">4 12</td> </tr> <tr> <td></td> <td style="text-align: right;">4 4</td> </tr> <tr> <td></td> <td style="text-align: right;">3 8</td> </tr> <tr> <td></td> <td style="text-align: right;">3 0</td> </tr> <tr> <td></td> <td style="text-align: right;">2 4</td> </tr> </table> | | Rs. A. | | 12 0 | | 9 0 | | 7 8 | | 6 12 | | 6 0 | | 5 6 | | 4 12 | | 4 4 | | 3 8 | | 3 0 | | 2 4 |
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| Town rate A .. | 10 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Town rate B .. | 7 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| " III-B .. | 4 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Note.—(1) New rates for the extensions circle of the Toba Tek Singh tahsil of the Lyallpur district have not yet been sanctioned.

(2) The new rates will not be applied in full unless the current prices reach the level of commutation on which the rates have been based.

KILLABANDI IN FEROEZPORE AND ZIRA TAHSILS.

***489. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state by what time *killabandi* will be started in the Ferozepore and Zira tahsils?

The Honourable Dr. Sir Sundar Singh Majithia : There is no proposal before Government at present to carry out *killabandi* operations in the Ferozepore and Zira tahsils.

ADDITIONAL HIGH COURT JUDGES.

***490. Lieutenant Sodhi Harnam Singh :** Will the Honourable the Premier kindly state—

(a) whether it is a fact that the High Court of Judicature at Lahore has not got so much work at present as it used to have previously ;

(b) if the answer to (a) above be in the affirmative, whether the Government proposes to effect economy by reducing all the Additional High Court Judges ; if not, reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No.

(b) This does not arise, but I may mention that there are no longer any Additional Judges in the Court.

ENCOURAGEMENT OF INDUSTRIES.

***491. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state the means by which the Government intends to encourage industries in this province ?

The Honourable Chaudhri Sir Chhotu Ram : A copy of "Note on the progress of the Industries Department, Punjab," dated 24th February, 1937, is placed on the table. It will show the directions in which assistance to industries has been, and will be, given by the Punjab Government through the Department of Industries.

SUGAR INDUSTRY.

***492. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development kindly state—

(a) the number of acres under sugarcane crop in 1930 and 1936, separately ;

(b) if the answer to (a) above show that the acreage under sugarcane crop has increased in 1936, whether the Government is prepared to encourage sugar industry in the Punjab to consume the sugarcane production locally ; if not, reasons for the same ?

The Honourable Chaudhri Sir Chhotu Ram :

| | Acres. |
|------------------|---------|
| (a) 1930 | 306,696 |
| 1936 | 474,200 |

(b) The situation is practically the opposite, in that there is room for much more cane to be grown within economic distance of sugar-factories and for cane of varieties that will give more sugar over a longer season to be grown.

PASTURE LANDS AND TREES IN THE PROVINCE.

***493. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) whether the Government is aware of the fact that pasture lands, and the number of trees on such lands are being reduced in this province day by day ;
- (b) if the answer to (a) above be in the affirmative, the action Government propose to take to increase the area of pasture lands and the number of trees on them ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government is not aware of it.

(b) Does not arise. With regard to pasture lands, the honourable member's attention is, however, invited to the answer given to question No. *145¹ in February, 1927.

PROTECTION OF WILD BIRDS AND ANIMALS.

***494. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) whether the Government is aware of the fact that the number of wild birds and animals is decreasing every year ;
- (b) whether the Government is aware of the fact that the Wild Birds' and Wild Animals' Protection Act has not proved of much help in protecting the increasing wild birds and animals ;
- (c) what further steps Government propose to take to protect the lives of wild birds and animals ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b). This is a very difficult matter to judge but various indications suggest that there is not only no decrease but probably some increase, and that this is the result of the Wild Birds' and Wild Animals' Protection Act.

(c) Does not arise.

HALTING ALLOWANCE TO OFFICERS.

***495. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Finance be pleased to state the scale of halting allowance granted to officers of the Punjab Government ?

The Honourable Mr. Manohar Lal : The honourable member's attention is invited to paragraph 2·18 of the Travelling Allowance Rules, a copy of which is available in the library of the House.

REPRESENTATION OF SIKHS IN EDUCATION DEPARTMENT.

***496. Sardar Ajit Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the total number of departmentally called English teachers communitywise working as headmasters! or senior grade English teachers in the Government high schools of the Multan division ;
- (b) whether it is a fact that the Sikh community is not duly represented in this cadre of the Education Department ;
- (c) if the answer to (b) be in the affirmative, what action the Government proposes to take to give the Sikh community due representation in the division and when ?

The Honourable Mian Abdul Haye : (a) and (b) The honourable member is referred to the Departmental lists, copies of which are placed in the Assembly Library.

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

RURAL DISPENSARIES IN MONTGOMERY DISTRICT.

***497. Sardar Ajit Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of the rural, district board and municipal dispensaries in the Montgomery district ;
- (b) the average number of patients attending each such dispensary every day ;
- (c) the distance at which these dispensaries are located from one another ;
- (d) whether it is a fact that there is no dispensary in Chak 168 and that the nearest dispensary is situated at a place not less than 11 miles from the said chak ;
- (e) whether it is also a fact that in this important chak there are located a district board anglo-vernacular middle school, a girls' school and a sub-post office ; if so, whether it is intended to open a rural dispensary in the said chak in the near future ?

The Honourable Mian Abdul Haye : (a), (b) and (c). Two statements giving the required information are laid on the table.

(d) There is no dispensary at Chak No. 168/9-L., but the nearest rural dispensary from that chak is at Chak No. 45/12-L., which is situated at a distance of 9 miles. There is also a canal dispensary at Okanwala, which is located at a distance of 8 miles from Chak No. 168/9-L., and is open to the public.

(e) Yes, there is a district board vernacular middle school with optional English classes, a girls' school and a sub-post office at Chak No. 168/9-L. The question of opening a rural dispensary at that chak was considered by the District Board, Montgomery, on the 16th July, 1936, but owing to financial stringency it was decided to consider it again when funds were available.

Sardar Ajit Singh : Is it a fact that there are certain dispensaries in the Montgomery district where the attendance of patients does not reach even ten, but in this well-known chak there is no dispensary ?

Minister : Does the honourable member want me to close certain rural dispensaries ?

Sardar Ajit Singh : What we want is that it may be shifted and not closed.

Minister : If the honourable member gives me further particulars I shall certainly look into this matter.

Statement "A."

| No. | Name of dispensaries. | Daily average attendance. |
|-----|---|---------------------------|
| 1 | Municipal Dispensary, Okara | 191.28 |
| 2 | Ditto Pakpattan | 132.09 |
| 3 | Notified Area Dispensary, Chichawatni | 147.18 |
| 4 | Ditto ditto Arafwala | 122.37 |
| 5 | District Board Dispensary, Hujra | 81.81 |
| 6 | Ditto ditto Haveli | 146.20 |
| 7 | Ditto ditto Boyleganj | 70.57 |
| 8 | Ditto ditto Gugera | 101.44 |
| 9 | Rural Dispensary, Kabir | 66.08 |
| 10 | Ditto Nurshah | 79.66 |
| 11 | Ditto Kamand | 52.35 |
| 12 | Ditto Chak 45/12-L | 67.32 |
| 13 | Ditto Chak 8/11-L | 73.37 |
| 14 | Ditto Pirghani | 86.14 |
| 15 | Ditto Gobindpore | 16.96 |
| 16 | Ditto Burj-jewe-Khan | 33.63 |
| 17 | Ditto Chak 77/5-R | 49.63 |
| 18 | Ditto Mohdpore | 74.85 |
| 19 | Ditto Belidilawar | 46.29 |
| 20 | Ditto Gagoo | 57.13 |
| 21 | Ditto Mirshank | 58.89 |
| 22 | Ditto Malka Hans | 86.85 |
| 23 | Ditto Kassowal | 78.02 |
| 24 | Ditto Kulliana | 42.45 |
| 25 | Ditto Shah Yakka | 30.05 |
| 26 | Ditto Jandraka | 36.24 |
| 27 | Ditto Achari | 50.28 |
| 28 | Ditto Dhulliana | 48.27 |
| 29 | Ditto Jaboka | 82.30 |
| 30 | Ditto Kohia | 63.52 |
| 31 | Ditto Kue-ko-Bahawal | 54.38 |
| 32 | Rural Type Dispensary, Shergarh | 46.02 |
| 33 | Ditto ditto Basirpur | 38.85 |
| 34 | Subsidised Dispensary, Saighara | 30.57 |
| 35 | Ditto ditto Harappa | 11.00 |

[Minister for Education.]

Statement " B."

| Location of the dispensary. | Name of nearest dispensary. | Distance in miles. |
|-----------------------------|-----------------------------|--------------------|
| Kamand | Kassowal | 20 |
| Do. | Chak No. 45/12-L | 18 |
| Kassowal | Ditto | 10 |
| Do. | Chichawatni | 10 |
| Chak No 45/12-L | Do. | 7 |
| Chichawatni | Chak No. 8/11-L | 7 |
| Chak No. 8/11-L | Harappa | 13 |
| Harappa | Mohdpore | 14 |
| Mohdpore | Nurshah | 13 |
| Nurshah | Chak No. 77/5-R | 9 |
| Do. | Burj-Jewe-Khan | 6 |
| Chak No. 77/5-R | Chak No. 73/5-L | 10 |
| Burj-Jewe-Khan | Gugera | 9 |
| Ditto | Okara | 11 |
| Gugera | Jandraka | 11 |
| Do. | Jaboka | 8 |
| Do. | Okara | 13 |
| Okara | Jaboka | 11 |
| Do. | Satghara | 9 |
| Jandraka | Kohla | 7 |
| Kohla | Satghara | 8 |
| Do. | Jaboka | 7 |
| Shergarh | Hujra | 8 |
| Hujra | Dhulliana | 10 |
| Dhulliana | Attari | 12 |
| Attari | Basirpur | 12 |
| Basirpur | Hujra | 12 |
| Do. | Kue-ki-Bahawal | 5 |
| Do. | Haveli | 12 |
| Haveli | Kue-ki-Bahawal | 9 |
| Do. | Boyleganj | 9 |
| Do. | Pirghani | 10 |
| Boyleganj | Shah Yakka | 8 |
| Do. | Gobindpore | 7 |
| Shah Yakka | Do. | 8 |
| Gobindpore | Malka Hans | 11 |
| Pirghani | Pakpattan | 12 |
| Do. | Boyleganj | 9 |
| Pakpattan | Malka Hans | 11 |
| Do. | Kulliana | 12 |
| Kulliana | Arafwala | 10 |
| Arafwala | Gagoo | 15 |
| Gagoo | Belidilawar | 13 |
| Arafwala | Kamir | 12 |

CONTRIBUTIONS BY PUNJAB GOVERNMENT TO GOVERNMENT OF INDIA.

*498. **Sardar Ajit Singh :** Will the Honourable Minister for Finance be pleased to state whether it is a fact that a sum of rupees one crore was contributed to the Government of India by the Punjab Government in the days of its prosperity ; if so, whether it is intended to ask for the return of the contributions so made ; if not, why not ?

The Honourable Mr. Manohar Lal : The Punjab Government surrendered one crore of rupees in 1914 out of its surplus balance to the Government of India, receiving in return from Imperial revenues an annual assignment of Rs. 8½ lakhs, representing interest at the rate of 8½ per cent. per annum. In the arrangements relating to the consolidation of debt on the introduction of provincial autonomy, the pre-1921 irrigation debt owed by the Punjab Government to the Government of India has been reduced by this sum of one crore. The obligation of the Government of India in respect of one crore of rupees has, therefore, been discharged.

RAILWAY POLICE CHARGES.

***499. Sardar Ajit Singh :** Will the Honourable Premier kindly state whether it is a fact that the Railway Police is charged from the Punjab Government revenues and not from the Central Revenues ; if so, why ?

The Honourable Major Sir Sikander Hyat-Khan : No, this is not correct. The cost of what is known as the Order Police is now defrayed by the railway administration. The provincial Government have only to pay for that part of the Railway Police which is engaged in the detection of crime. I am placing on the table a paper showing the duties which are regarded as Order duties to be performed by the Order Police.

Duties performed by the Order Police.

(1) Control of passenger traffic inside the station premises more particularly on the platforms, in the booking offices, waiting halls, at the entrance and exit gates and wherever specially required on emergencies by the station officials.

(2) The control of vehicular and other traffic in the station compound

(3) The maintenance of order in standing passenger trains, prevention of overcrowding, etc.

(4) Watching loaded passenger trains when standing in station.

(5) The arrest of those found committing nuisances or suffering from infectious diseases and keeping the station premises clear of idlers and beggars.

(6) The examinations of all empty carriages on arrival at terminal stations for property left behind by passengers and to see the carriage fittings have not been tampered with.

(7) The removal of bodies of persons dying in the train and on station premises and conveyance to hospital of sick passengers.

Diwan Chaman Lal : What are the respective costs of the two departments ?

Premier : You will find the figures in the budget.

SHARE OF DUTY OF SALT FROM KHEWRA MINES.

***500. Sardar Ajit Singh :** Will the Honourable Premier be pleased to state whether it is a fact that the Punjab Government is not getting anything out of the duty on salt from Khewra Salt Mines ; if so, the reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : Punjab Government has no hand in the allocation of the monies realised from the salt duty, as salt is a Central subject.

Diwan Chaman Lall : Has the Honourable Member decided to represent to the Government of India that a portion of the revenues should be handed back to the Punjab ?

Premier : No official reference has been made to the Government of India yet.

Diwan Chaman Lall : Does the Honourable Member intend to raise this matter which is very important ?

Premier : Yes, when a suitable opportunity offers itself.

Sardar Ajit Singh : Is it a fact that the *ilaga* adjoining Khewra has been damaged owing to salt mines ?

Revenue Minister : My colleague has answered that question already.

APPLICATION FOR ADVERTISEMENT BY MESSRS. KAHAN SINGH-
MOHAN SINGH.

***501. Sardar Sohan Singh Josh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Messrs. Kahan Singh-Mohan Singh, perfumers of Amritsar, applied on the 13th March, 1937, to permit them to advertise their hair oils by means of their advertisement lorry No. P1787C in Simla Hills ;
- (b) whether the permission was refused ; if so, on what ground ;
- (c) whether the Sunlight Soap or any other British company's lorry was ever granted the permission ; if so, why ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes. Lorries are not allowed on the roads in Simla Hills except with special permission, in special circumstances. The local officers decided, rightly, that there were not sufficient grounds for the grant of permission in this case.

(c) The firm Lever Brothers were permitted to bring an advertising lorry up to Simla in special circumstances last year. They applied for permission again this year but it was refused.

ENLISTMENT OF FIELD KANUNGOS IN LUDHIANA DISTRICT.

***502. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of field kanungos enlisted by the Collector, Ludhiana, in 1936 and 1937, with their names, parentage, places of residence, ages, and qualifications ;
- (b) the time when the vacancies occurred, and the time when they were filled ;
- (c) the names of those who were rejected with their parentage, places of residence and educational qualifications ;

(d) the grounds on which those who were accepted were given preference ;

(e) the number of agriculturists among them ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Two—

(1) Jogindar Singh, son of Bhagat Singh, Subedar-Major of village Jartauli, tahsil Ludhiana. Age 31 years, Matric, Jat Agriculturist.

(2) Narsher Singh, son of Ratan Singh, Patwari, resident of village Hans, tahsil Jagraon. Age 24 years. B.Sc., Jat Agriculturist.

(b) These vacancies occurred on the 24th March, 1936, and were filled on the 20th December, 1936, and 23rd December, 1936, respectively.

(c), (d) and (e) It is not in the public interest to collect information of this nature.

RECRUITMENT OF PATWARIS IN DISTRICT LUDHIANA.

***503. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the number and names of patwaris recruited by the present Collector of Ludhiana from the agricultural tribes, with their educational qualifications, places of residence, parentage and dates of recruitment ;

(b) the number and names of patwaris recruited by the said Collector from the non-agricultural tribes with their educational qualifications and dates of recruitment ;

(c) the number of those who were rejected with the reasons why they were rejected ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Two—

(1) Muhammad Usaf, son of M. Ali Muhammad, Jat of village Shamaspur, tahsil Samrala, Middle passed.

(2) Ranjit Singh, son of Badan Singh, Jat of village Jodhan, tahsil Ludhiana, F.Sc.

Both were recruited on the 14th April, 1937.

(b) Three—

(1) Rattan Chand, B.A. (Hons.) ;

(2) Krishen Gopal, Matric ; and

(3) Inder Singh, Matric.

They were recruited on the 14th April, 1937.

(c) It is not in the public interest to collect information of this nature.

PAY AND PENSION OF PATWARIS.

***504. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government propose to increase the pay of the patwaris whose work is of a complicated nature ;

[Ch. Muhammad Hassan.]

(b) the present grades and the maximum pay of a patwari ;

(c) whether the Government is prepared to make patwaris' post a pensionable one ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) 1st grade on Rs. 26 per mensem (maximum).

2nd grade on Rs. 23 per mensem.

3rd grade on Rs. 20 per mensem.

(c) No. Patwaris have already been admitted to a special provident fund and it is not feasible on financial grounds to make the post pensionable.

Chaudhri Muhammad Hassan : Is it on account of lack of funds that the Honourable Minister does not want to increase the pay of the patwaris ?

Minister : My reply is quite clear.

Chaudhri Muhammad Hassan : Your reply is plain about (c). But what about (a) ?

Minister : That applies to (a) also.

PATWARIS.

***505. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the number of patwaris who have been promoted to the posts of kanungos in the Ludhiana district during the last five years ;

(b) whether any of the vacancies thus caused have been filled from outside the district ; if so, reason for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Two.

(b) No.

TAQAVI LOANS TO BEIT ILAQA IN DISTRICT LUDHIANA.

***506. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the amount of taqavi loans advanced to the people of the Beit ilaqa in district Ludhiana ;

(b) the names and places of residence of those who received taqavi loans in the said ilaqa during the last ten years ;

(c) the steps Government have taken so far to popularise the taqavi scheme among the small landholders of the said ilaqa.

(d) whether Government are prepared to reduce the rates of interest on taqavi loans and also the amounts of instalments in the said ilaqa ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Rs. 20,900.

(b) The amount of time and labour involved in collecting the information would not be commensurate with the results.

(c) Taqavi loans are liberally advanced in suitable cases and the zamindars are by now generally familiar with the taqavi system in every tract of the province.

(d) Government have already reduced the rate of interest for taqavi loans to 4 per cent. and provision exists for re-payment in convenient instalments. For obvious reasons they are not prepared, at the expense of the general tax-payer, to discriminate in favour of any particular tract or class of persons in a matter of this kind.

***507.—Cancelled.**

REPRESENTATION OF SIKHS IN POLICE DEPARTMENT.

***508. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

(a) the total strength of sub-inspectors, inspectors and deputy superintendents of police in the Ferozepore district and the number of the posts held separately by Muhammadans, Hindus and Sikhs ;

(b) whether it is a fact that the number of Sikhs holding these posts is unduly small ; if so, the steps, if any, that are proposed to be taken to give the Sikhs fair representation in these posts ?

The Honourable Major Sir Sikander Hyat-Khan : I do not propose to give an answer to the question here, but it can be shown to the honourable member if he wants to see it.

REPRESENTATION OF SIKHS IN POLICE DEPARTMENT.

***509. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

(a) what is the percentage of Sikhs, Hindus and Muhammadans in the Punjab police below the rank of assistant sub-inspectors ;

(b) what is the percentage of Sikhs, Hindus and Muhammadans, in the Punjab Police above the post of head constables ;

(c) whether it is a fact that the number of Sikhs in these ranks is very small, if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in these ranks ?

The Honourable Major Sir Sikander Hyat-Khan : My answer is the same as to question No. *508 (above).

Sardar Sohan Singh Josh (Urdu) : May I know whether this statement will be placed on the table of the Assembly for the benefit of all members ?

Premier : I can show it to the honourable member if he wants to see it.

STRAINED RELATIONS BETWEEN HINDUS, SIKHS AND
MUSLIMS.

***510. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

(a) whether the Government is aware of the fact that relations between the Hindus, Sikhs and Muhammadans are not cordial at Zira in the Ferozepore district ;

(b) if so, what precautions the district authorities have taken in view of the possibility of a communal riot ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, but the latest information received by Government was to the effect that the contending parties at Zira were arranging to compose their differences.

(b) The district authorities are alive to the situation at Zira.

SHORT NOTICE QUESTION AND ANSWER.

VISITORS TO SIMLA.

Sardar Hari Singh : Will the Honourable Premier be pleased to state the rule under which visitors to Simla are required to give their names, etc., on their entry to the town and the penalty for refusing to do so ?

The Honourable Major Sir Sikander Hyat-Khan : Paragraph 2 (a) of the Punjab Government Order No. 631-M-37/8058 (P. H.), published for general information with Punjab Government notification No. 631-M-37/8059, dated the 26th February, 1937, and issued in exercise of the powers conferred by section 2-A of the Epidemic Diseases Act, 1897. Any person disobeying the order shall be deemed to have committed an offence punishable under section 188 of the Indian Penal Code.

Sardar Hari Singh : Are the names of the new arrivals reported to the Criminal Investigation Department headquarters at Simla ?

Premier : Not under this notification.

Sardar Hari Singh : What use is made of the names registered ?

Premier : To find out whether anybody gives a false statement.

Diwan Chaman Lall : Will the Honourable Premier tell the House, if not under this notification, whether in actual practice the names are handed over to the Criminal Investigation Department ?

Premier : Not to my knowledge.

Diwan Chaman Lall : Will the Honourable the Premier make enquiries and find out whether that is a fact ?

Premier : If the honourable member will write to me I will certainly make enquiries ?

Diwan Chaman Lall : Will the Honourable Premier please state if the names thus registered are sent to the medical officer or anybody else ?

Premier : I cannot answer that question without notice. I believe they are sent to the medical officer.

Lala Deshbandhu Gupta : What is my honourable friend's own personal impression ?

Premier : I myself have been signing the book since 1923 or 1924.

Dr. Sir Gokul Chand Narang : Is any doctor posted at the barrier ?

Premier : Yes. I find that under the notification not only a male doctor but a lady doctor is to be posted there.

Dr. Sir Gokul Chand Narang : Is any doctor posted there ?

Premier : I am sure there must be under this notification, otherwise how can the notification be effective ?

Lala Deshbandhu Gupta : Is it not a fact that the Criminal Investigation Department is also posted at the barrier ?

Premier : I am afraid I cannot answer that question off-hand. The Criminal Investigation Department is posted at various places.

Dr. Sir Gokul Chand Narang : Does any medical examination take place at the barrier ?

Premier : I could not give you a recent instance ; but I remember that there were several complaints in the papers of the unnecessary harassment of the passengers by keeping them for a very long time to examine them medically. Therefore under this notification provision is made that the inspection should be restricted to such matters only to which the passenger agrees.

Sardar Hari Singh : Is it not a fact that this practice is devised in order to safeguard against terrorists ?

Premier : No, Sir.

Sardar Hari Singh : Are Honourable Ministers also required to give their names ?

Premier : I have already stated that I have been writing in the book since 1923 or 1924.

Sardar Hari Singh : Has any exception been made in any case ?

Premier : Not to my knowledge.

Mr. E. Few : Is it a fact that this system was first instituted to keep out people coming from plague infected areas ?

Premier : Yes, and infected with other diseases.

Sardar Hari Singh : Where did the Government go for a precedent for such a practice ?

Premier : The Punjab Government is not in the habit of seeking precedents from other provinces.

Sardar Hari Singh : Has this practice got a parallel elsewhere in the Punjab ?

Premier : If the honourable member will give me notice I will try and find out the information for him.

Sardar Kapoor Singh : Was the Honourable Premier ever examined medically at the barrier ? (*Laughter*).

Sardar Hari Singh : Is this practice resorted to in Lahore ?

Premier : I do not think that notification is applicable to Lahore.

Sardar Hari Singh : What special considerations apply to Simla as contrasted to Lahore ?

Premier : Because it is a health resort and people come from all over India.

Sardar Hari Singh : Has Government considered the question of putting a stop to the practice, if you do not like the phrase 'obnoxious practice'?

Premier : A practice which is in the interest of the general public cannot be called obnoxious.

Sardar Hari Singh : How is it in the public interest ?

Premier : Because it is in the interest of public health.

Pandit Muni Lal Kalia : Has any representation been made by the public to the effect that such a practice should be adopted ?

Premier : Do you mean to say that Government should wait until representation comes from the public ?

Pandit Muni Lal Kalia : Has any representation been made so far ?

Premier : Why should they make a representation ? It is the duty of Government to look after their health.

Sardar Hari Singh : Is the Honourable Premier aware that the honourable members of the House resent the application of this rule ?

Premier : I am afraid the resentment is uncalled for.

Sardar Lal Singh : Has there been any instance of a person suffering from any infectious disease having been detained at the barrier ?

Premier : I am afraid I cannot give the information off-hand.

Sardar Hari Singh : Has the Honourable Premier considered the attitude to be taken if honourable members of this House refuse to give their names at the barrier ?

Premier : They would then be breaking the law and must be prepared to take the consequences.

Diwan Chaman Lall : In view of the strong feelings evinced by the honourable members on the floor of this House that this is a device meant for the purposes of the Criminal Investigation Department—

Premier : I may assure the honourable member that that is not so.

Diwan Chaman Lall : May I ask the Premier to investigate the matter with a view to finding out whether this is merely meant to help the Criminal Investigation Department ?

Premier : If the honourable members will write to me I shall make enquiries. Will the honourable member suggest any other device by which we can keep off infectious diseases from Simla ?

Chaudhri Kartar Singh (Urdu) : Is it a fact that at the barrier instead of doctors, Criminal Investigation Department people are appointed ?

Premier : No.

Sardar Lal Singh : In view of the fact that certain areas are stricken with infectious diseases and it is well-known, why did His Excellency invite members of this Assembly to Simla from those areas? (*Laughter*).

Premier : I may assure the honourable member that if any member were suffering from any infectious disease he would have been isolated and kept in the Isolation Hospital before he was allowed to enter Simla.

Pandit Muni Lal Kalia : How many cases have been brought to the Isolation Hospital so far?

Premier : I cannot be expected to give that information off-hand.

Mian Muhammad Iftikhar-ud-Din : Is it a fact that the names are taken even at Kalka?

Premier : Not so far as I am aware.

Mian Muhammad Iftikhar-ud-Din : People wearing Gandhi Caps have to give their names even at the barrier at Kalka?

Premier : I am not sure that that is correct, but if the honourable member will write to me I shall make enquiries.

An honourable member : Where is the Isolation Hospital?

Premier : In Tara Devi.

MOTIONS FOR ADJOURNMENT.

RECOMMENDATIONS OF ROYAL COMMISSION ON PALESTINE.

Mr. Speaker : The adjournment motion, for discussion of the unjust recommendations of the Royal Commission on Palestine, was handed over to me yesterday. For many reasons it is out of order, but the first and the foremost reason for which it cannot be allowed even to be read to the House is that His Excellency the Governor's consent under Rule 35 is necessary for discussing the motion and His Excellency has decided, acting in his discretion, that the motion should not be moved.

Raja Ghazanfar Ali Khan : May I know whether His Excellency was communicated with?

Mr. Speaker : When I say that His Excellency has refused to allow the motion to be discussed, the honourable member must take it that His Excellency was communicated with.

Raja Ghazanfar Ali Khan : I want to know whether this matter was referred to His Excellency by you or by the honourable member who gave notice of it.

Mr. Speaker : The honourable member is supposed to know rules. If he will refer to rule 35 he will find that it is the duty of the Speaker to refer such motions to His Excellency.

Diwan Chaman Lall : May I draw your attention to rule 35 according to which—

“No resolution shall be moved save with the consent of the Governor acting in his discretion in regard to any of the following subjects, namely:—

(i) any matter connected with the relations between His Majesty or the Governor-General and any foreign State or Prince.

But the subject of the motion is not governed by this particular rule.

Mr. Speaker : It is governed, because the relations of His Majesty with Palestine, which is a foreign country, are there and no motions about such relations can be moved.

Diwan Chaman Lall : Will you please permit me to put my point of view? Palestine is not a foreign state. It is part and parcel of the British Empire. (*Cheers*). Palestine is governed under a mandate by the British Government and so it is not a foreign State. A British subject can travel to Palestine without a passport.

Mr. Speaker : As the Governor has disallowed the motion, I cannot allow the honourable member to read it to the House. It is out of order for several other reasons as well.

Diwan Chaman Lall : I submit to your ruling. But since a constitutional matter of grave importance is involved, may I draw your attention to two points only and I shall not say another word. One point is this. In the history of the British Empire never has a royal commission visited a foreign State. A royal commission has always visited only British territory. The second point is this. Since this particular motion has been disallowed by His Excellency acting in his discretion, may we request you to communicate with His Excellency and point out to him that this particular rule does not apply to this adjournment motion?

Mrs. J. A. Shah Nawaz : May I point out one other thing? This adjournment motion which was submitted to you yesterday morning—I am very sorry that I am not allowed to read it—clearly shows that those who have given notice of it have no intention of discussing the details of the report. All that they wish to point out to His Majesty's Government through the Punjab Government is this that the acceptance of the Report by the British Government is going to have serious repercussions on the peace and tranquillity of this province. (*Cheers*).

Mr. Speaker : If the honourable lady member wishes to read the motion to enable honourable members to know which motion has been disallowed, I have no objection to its being read.

Mrs. J. A. Shah Nawaz : The adjournment motion reads as follows :—

That the House do now adjourn to discuss a definite matter of urgent public importance, namely, the unfair and unjust recommendations of the Royal Commission on Palestine which is likely to have serious repercussions on the peace and tranquillity of the province.

I beg to submit that the wording of this adjournment motion does not come under rule 35. The representatives of the people sitting here have a right to discuss.

Mr. Speaker : The honourable lady member was allowed to read the motion. She has read it. But she cannot make a speech unless the motion is held to be in order. No adjournment

12 Noon.

motion can be moved unless some administrative responsibility of Government is involved for a definite act. Where is the administrative responsibility of the Punjab Government involved? As there is no administrative responsibility of the Punjab Government involved in the Report, which is considered to be objectionable or unfair, I do not consider that the motion is in order. As regards the statement that it is likely to have serious repercussions on the peace and tranquillity of the

province, that, I think, is only an argument in support of the first part of the motion; but unless the first part is in order, the second part, even if in order, cannot make the motion in order.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu): Sir, we want to express our feelings—

Mr. Speaker: I have given my ruling. So the matter ends. The next motion.

Chaudhri Kartar Singh (Urdu): It was stated by the Honourable Premier that His Excellency the Governor had assured him that he would not interfere. I think His Excellency the Governor should not have interfered in this matter.

Mr. Speaker: Certain things have to be done by the Governor.

Chaudhri Krishna Gopal Dutt: A point of order, Sir. You have just now remarked that there are certain powers—

Mr. Speaker: That is not a point of order. Have I violated any rule of procedure?

Chaudhri Krishna Gopal Dutt: But that was not a correct statement.

Mr. Speaker: If my statement is incorrect the honourable member is welcome to correct me.

Chaudhri Krishna Gopal Dutt: I wanted to rise on a point of information.

Mr. Speaker: But a point of information is different from a point of order.

Chaudhri Krishna Gopal Dutt: I want to know whether His Excellency has disallowed the motion with the consent of the Punjab Government.

Mr. Speaker: How does that question arise?

Chaudhri Krishna Gopal Dutt: Because His Excellency the Viceroy has issued a statement that so far as the—

Diwan Bahadur Raja Narendra Nath: The honourable member should discuss that point with His Excellency the Governor and not with the Speaker.

SPEECH DELIVERED BY THE MINISTER FOR DEVELOPMENT AT
KHARAR.

Diwan Chaman Lall (East Punjab, non-Union Labour): I beg for leave—

To make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the serious situation created, which may result in a breach of peace, by the speech delivered by a responsible Minister, Sir Chhotu Ram, on the 14th instant at Kharar while electioneering for Sardar Gurbakhsh Singh, a candidate for the Punjab Legislative Assembly.

In regard to this matter I will, with your permission, read out to you the telegram that has been received in regard to this particular matter.

Mr. Speaker : I hope the honourable member is not going to make a speech.

Diwan Chaman Lall : I do not intend to make a speech. I hope the Honourable Minister for Revenue will forgive me if I do not add the titles to the names because the telegram does not add the titles that he is entitled to.

“Majithia did not speak. Extracts from Chaudhri's speech follow. We both have come to help Sardar Gurbakhsh Singh because we are sure he will join our party which is for the benefit of zamindars. When we replied to Dr. Gokul Chand's motion about Land Alienation Act, the Congressmen rushed upon us like mad dogs. Look at the appearance of Mahatama Gandhi and Pandit Nehru. What can we expect from them? We can never expect help from Congress people.”

Two very objectionable statements are contained in this particular telegram. I think you will agree with me that it is a matter of very great importance when a responsible minister makes a statement of this nature. Therefore, I beg to request you to allow me to move this motion of adjournment.

Premier : I think the honourable member, before moving his motion, should have asked my honourable colleagues, as a matter of courtesy, whether those words had been used. (*Voices: Does he deny now?*) The honourable member will forgive me when I say that people outside might think that it is merely another stunt to gain cheap publicity or notoriety. If the honourable member is going to move an adjournment motion on every telegram received from any quarter without verifying its authenticity and correctness and without any responsible man vouching for its accuracy, I think it is unfair to this House and the honourable member himself. Since he has made that motion and read out extracts from a telegram purporting to be from somebody, I would ask my honourable colleague to say whether he did make any of those statements or not.

Diwan Chaman Lall : Before the honourable minister says what he has got to say in the matter, may I, with reference to his remark, say one thing? The Honourable the Premier says that this telegram may have been received from anybody without any sense of responsibility. May I remind him that this telegram is from a member of this House who is the leader of a party. If you want me to name him, he is Sardar Sampuran Singh M. L. A., an important member of this House. He is a responsible person and I have no reason to doubt his word.

Premier : May I ask the honourable member to explain whether Sardar Sampuran Singh was present at that meeting?

Diwan Chaman Lall : When I knew the attitude of honourable members opposite in regard to another matter which arose a little while ago regarding Sir Chhotu Ram's remarks about *nokili topi wallahs*, I could not, for a moment, take the word of Sardar Sampuran Singh as incorrect. I am sure that what he has told me is certain and correct to his knowledge. If the Honourable Minister now denies the accuracy of this statement, I am quite willing to accept his word that he never uttered it. If he uttered it I want him to stand up like a man and face the music.

Premier : That is what I suggested.

Mr. Speaker : Practically the motion is being discussed. I think both the honourable ministers may be allowed to make statements, if they wish, otherwise the motion is out of order and cannot be allowed to be moved, inasmuch as the conduct of ministers cannot be discussed by a motion for adjournment.

Premier : My honourable friend will certainly make a statement in the interests of the public outside and I shall request him to make a statement. But I want to make it clear that if you are going to have adjournment motions on hearing by a telegram that such and such a person heard so and so to say something which he had heard somebody else to say, then I am afraid the time of the House will be wasted and I do not think it will be in accordance with the dignity and decorum of the House. If the honourable member had verified before making this motion from my honourable colleague, then he would have been perfectly justified in making this motion.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : The telegram that has been received by my friend Diwan Chaman Lall comes from a gentleman who was not at all present when I delivered my speech.

Diwan Chaman Lall : Do you know that he was not present ?

Minister for Development : I understand that he was not present.

Minister for Revenue : He was not present there. He met us on the way when we were coming back.

Chaudhri Krishna Gopal Datt : This is not facing the music, this is dancing to the music. (*laughter*).

Minister for Development : I went to Kharar specifically to help my friend Sardar Gurbakhsh Singh in the elections. It is true that while there I made a long speech which probably lasted for more than an hour. A few words taken out of the context may be made to bear almost any meaning. But I admit that I did use the expression 'like mad dogs'. (*Interruption*).

Mr. Speaker : That is not fair. Honourable members should first listen to the Honourable Minister and then form their opinion.

Minister for Development : I did use these words, but so far as I can recollect they were not in connection with the motion which was made by Dr. Sir Gokul Chand Narang in respect of the Land Alienation Act. So far as I can remember my reference was to the impatience which was shown by certain members in standing up, three or four at a time, in respect of questions relating to the Jhang Conciliation Board.

Diwan Chaman Lall : Mr. Speaker, instead of making matters better far from corroborating the moral indignation shown by the Honourable the Premier when he said that we must satisfy ourselves about the truth of our allegation, the Honourable Minister has corroborated every word of the statement sent to me by telegram. May I with your permission say that the Honourable Minister sits there laughing instead of being thoroughly ashamed of himself. (*Cries of Shame*).

Mr. Speaker : This is inconsistent with the dignity of the House. I have ruled the motion to be out of order, because the conduct of a minister cannot be discussed, except on a substantive motion and there the matter ends.

Diwan Chaman Lall : May I ask you whether you are prepared to uphold the dignity and privilege of the members of this House by preventing an honourable member who calls himself a responsible Minister from calling members of the Opposition 'mad dogs'?

Mr. Speaker : The honourable member is again discussing a matter which has been closed.

Diwan Chaman Lall : No, I am asking whether it is parliamentary for an honourable member to use on the floor of this House the corroboration of a remark made by him outside which is to the effect that he calls members opposite 'mad dogs'?

Mr. Speaker : That point I will consider. It certainly deserves consideration.

THE PUNJAB UNEMPLOYMENT INSURANCE BILL.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I beg to move—

That leave be granted to introduce the Punjab Unemployment Insurance Bill.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : I beg to object to leave being granted for the introduction of this Bill.

Point of order re Opposition to introduction of a Bill.

Diwan Chaman Lall : On a point of order, Mr. Speaker. It is rather an important point of order. Since the Honourable Minister—I do not quite know his designation, I think, he calls himself the Minister for Development—since he has raised an objection to leave being granted to the introduction of this Bill, it is a matter regarding which I request you to give me your indulgence, because it is a matter of very great importance in reference to the constitutional procedure to be adopted by this House. If I have your permission, I might dilate upon this point of order so that we may have your considered ruling on this point which will guide the proceedings of this House for a considerable time to come. The general practice in the central legislature is that when leave is asked to introduce a Bill, that leave is not opposed. That has been the considered practice in the central legislature for a considerable time. The procedure adopted by this House in the past has varied. This procedure has at times been held to be similar to the procedure adopted in the central legislature and at other times held to be not similar to the procedure adopted by the central legislature. I have before me one reference. It is a reference in relation to the Punjab Fisheries (Amendment) Bill (*Punjab Debates, Volume IV, page 907*). There a similar objection was raised when Mr. E. R. Abbott,

Financial Commissioner, said : I beg to move that leave be granted to introduce the Punjab Fisheries (Amendment) Bill. The President ruled and said :—

Before putting the question to the House, I think I might say that it is not the practice in the House of Commons that Bills should be thrown out at this stage and I think it would be undesirable that this House should adopt such a practice of throwing out Bills at this stage as a general course of procedure. The Standing Order only allows some ten minutes for the Member of Government, who introduces the Bill, to set forth its advantages, and it only allows a very short time to anybody who wishes to oppose to say that he opposes it, and nobody else is allowed to speak at all. Therefore, if the Bill is thrown out at this stage, the House would be called on to make a decision on very inadequate material. In case leave to introduce is given, it will have a further opportunity at which many members can take part in the debate. I think it would be a bad practice to throw out Bills at this preliminary stage which is really only a formal stage.

This was the attitude adopted by the President of the Council in regard to the Punjab Fisheries (Amendment) Bill. The reason why this rule has been in general practice is this. If you will kindly look at May, page 394, you will find :—

“ It is a general principle of legislation that a public bill, being of national interest, should be debated in Parliament upon the grounds of public expediency; and that the arguments on either side should be restricted to members of the House, while peculiar interests are represented by the petitions of the parties concerned.”

Being a public Bill of national importance it is desirable that it should be discussed on the floor of the House on the grounds of public expediency. That is the reason why the House of Commons procedure is of this nature that very rarely, let me use the exact expression, very rarely the first stage of the Bill is opposed in the House of Commons.

Premier : The second reading.

Diwan Chaman Lall : The Honourable the Premier refers me to the second reading. The procedure in the House of Commons is different to the procedure adopted in the Indian legislatures. The second reading is the most important reading. The first stage is the formal stage, the third stage also, what is known as the third reading is of very great importance to us here in the Assembly. The third reading is of very little importance in the House of Commons. I am laying down the general principles, namely, the grounds on which objection is not taken. You will find it in the second sentence in paragraph 2 on page 394. I was referring to that merely for the reason that the grounds on which objections are not taken are that when a public Bill is brought forward which is of national interest it is necessary that it should be discussed on the floor of the House and that when it is discussed on the floor of the House honourable members who have come here to legislate should be allowed the expression of their opinion one way or the other. My honourable friend, the Premier, refers to the second reading of the Bill. There is a further distinction, Mr. Speaker, in the procedure adopted by the House of Commons and the procedure adopted by us in the Indian legislatures. The difference lies in the meaning of a private Bill or a public Bill. We here call a private Bill, a Bill which is moved by non-official members and a public Bill, a Bill which

[Diwan Chaman Lall.]

is moved by the Treasury benches. But in the House of Commons that distinction is of no account. A private Bill is a Bill, in the House of Commons which refers to a particular interest or to a particular person or persons and it may be moved by a non-official member or even by the Treasury benches. Therefore the analogy regarding the public and private Bills would not be applicable here. But let us have a look at the analogy in regard to private Bills in reference to another matter and that is the procedure adopted in regard to private Bills. An individual interested outside the House of Commons might promote a particular private Bill through a non-official member—

Mr. Speaker : Why is the honourable member discussing private Bills? We are not concerned with them here.

Diwan Chaman Lall : I am giving the analogy of the procedure which might be equally applicable here and the reasons why that procedure is laid down and the various stages regarding circulation through advertisement regarding notice to be given to all sorts of interests regarding the vetting of the Bill by the Private Bill Office regarding the presentation of the Bill before the Committee or before the Chairman of Ways and Means the Counsel to the Speaker and those preliminary stages which are of great importance in the life of a Bill are gone through. I submit that this particular convention should be adhered to by my honourable friends opposite instead of summarily dismissing a Bill of very great importance to this province. (*Interruption*). My honourable friend says "Very grave". It is only a question of opinion. We want honourable friends to adopt this procedure and enable this House to discuss this Bill without tying down the House to any particular principle. By permitting leave to introduce this Bill my honourable friends over there are not committing themselves to any particular opinion and principle.

Minister for Development : Why waste the time of the House?

Diwan Chaman Lall : My honourable friend asks "why waste the time of the House?" My honourable friend sitting over there did not consider that days and days taken up in discussing their own remunerations was wasting the time of the House but suggesting a practical way adopted by every civilized country in the world to alleviate unemployment is a waste of the time of the House. (*Opposition cheers*). This is the mentality of the honourable members opposite. I have not come across in my whole experience a mentality worse than this against the interests of the people of the province ("*hear, hear*", *from Opposition*). I want to draw my honourable friend's attention to the fact that in the year 1925 I moved a Bill called the Weekly Payments of Wages Bill in the central legislature. That Government supposed to be a bureaucratic Government did not take up this exceedingly bureaucratic attitude and throw out the Bill at the very mention of it. It permitted that Bill although it was an extravagant Bill, it was a Bill which even I considered extravagant in its scope. It permitted the Bill to be moved and permitted it to go for circulation. (*Laughter*). My honourable friend laughs very easily. It is the way of a puerile—a childish.

mind ("hear, hear," from the Opposition). I want him to pay some attention to what I am saying. The Government of India allowed it to go to circulation and to-day that Bill in a modified form is an Act of the central legislature. I hold it in my hand and it is called the Weekly Payment of Wages Act, 1936. I withdrew that Bill at the third reading after Government had stated that if they are satisfied that the subject needs legislation they would bring in a Bill of their own, and they did bring in a Bill of their own. I ask the Honourable the Premier to agree to this convention being created and the Bill being discussed on the floor of the House without the Treasury benches being tied down to the principles of the Bill. I know my honourable friends over there will turn round and say that in the year, I believe, 1933, Col. Joshia Wedgewood moved a particular Bill to which leave was refused. Here, Mr. Speaker, I want to point out the distinction in the House of Commons in reference to such matters and I think it would be better if my honourable friends opposite were to bear that distinction in mind always that when Bill is opposed in the House of Commons, it does not die. All that happens is this that leave to move the Bill then is refused. In a sense a postponement takes place that it should be read three months hence or six months hence. The death of the Bill does not take place and such a Bill can be moved again at any stage. I may draw your attention, Mr. Speaker, to May, page 390. The ordinary practice is to move an amendment to the question of leaving out the word now and adding the words three or six months hence or any other time beyond the probable continuation of the session.

Mir Maqbool Mahmood : Read the next sentence.

Mr. Speaker : I need not correct the honourable member at this stage ; but I may say that he is not quite correct.

Diwan Chaman Lall : True, if the session ends. But what I am driving at is this. I would refer to pages 390 and 392 of May :—

"It must be borne in mind, however, that the resolution, if agreed to, does not arrest the progress of the bill, the second reading of which may be moved on another occasion. The effect of such an amendment is merely to supersede the question for now reading the bill a second time ; and the bill is left in the same position as if the question for now reading the bill a second time had been simply negatived or superseded by the previous question. The house refuses, on that particular day, to read the bill a second time, and gives its reasons for such refusal : but the bill is not otherwise disposed of."

The procedure in the House of Commons is a little different, but at the same time, Mr. Speaker, ordinarily such refusal is not contemplated by the House of Commons. I admit that it exists under standing order 10 of the House of Commons, but it is, I submit, an almost obsolete rule and I do submit that honourable members opposite need not in any way be nervous about these Bills that are going to be presented to the House. They should allow public opinion to be expressed on these Bills and allow themselves also the opportunity to exercise their opinion as to the validity and usefulness of these Bills.

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2-30 P. M., of the clock. Mr. Speaker in the chair.

SPEECH OF MINISTER FOR DEVELOPMENT AT KHARAR.

STATEMENT BY THE MINISTER.

Minister for Development (Honourable Chaudhri Sir Chhotu Ram) : Considerable misunderstanding has arisen about what I said at Kharar and my version of the incident in the House this morning. I ascribed nothing to the Congress. The information received by the honourable members here was based on hearsay and wrenched from the context. The telegram in their hand was not from a gentleman actually present. In my speech there while calling upon the electors to give their support to Sardar Gurbakhsh Singh, I had occasion to refer to how members of the Opposition, on the occasion when the Jhang Conciliation Board was under discussion, rose three or four at a time more than once to express their unrestrained anger and indignation and it was furthest from my thought in any manner to use words that might give offence. I am sure that if my words were not torn from the context—and my speech covered a large field that lasted for an hour—they did not contain anything but an energetic protest against the manner in which the Opposition sometimes attack Government. If the meaning of any specific words of mine has been misunderstood, I have no hesitation in withdrawing them. I should be unhappy if I felt that I had created an unfortunate impression. No manner of offence was expressed and none was intended when I repeated the same expression in this House.

Diwan Chaman Lall : With your permission, Mr. Speaker, I may be allowed to say that I am very glad that the Honourable Minister for Development has seen wisdom at this late hour and made an apology for what has happened.

Mr. Speaker : He has learnt it from the honourable member.

Diwan Chaman Lall : When I am in the wrong I am always willing to apologise. I wish this statement had been differently worded. Let me state straight-away that there is no misunderstanding about this matter as the Honourable Minister seems to think. If now the Honourable Minister is sorry for having used that expression—(*Minister for Development* : No). The Honourable Minister says 'no.'

Premier : On a point of order, Sir. Is the honourable member in order in discussing the statement made by my colleague ?

Diwan Chaman Lall : I say it is not a correct statement.

Mr. Speaker : It is enough. If he used offensive words, he has withdrawn them.

THE PUNJAB UNEMPLOYMENT INSURANCE BILL.

Point of order re Opposition to introduction of a Bill.

Premier : Sir, my honourable friend, Diwan Chaman Lall, sought to make that refusal at this stage would not be justified and he quoted Parliamentary practice and referred to convention. He himself admitted, while raising his point of order, that the practice in Parliament is not on all fours with the practice here or with our rules. The practice in Parliament regarding classification of Bills, which also he admitted, is quite different. There are various stages in the Parliament, which stages, so far as we are

concerned, do not occur at all under our present procedure or practice; in several important particulars they differ from both our rules and practice. So far as the practice in the central legislature is concerned, I have submitted on the floor of this House before, that we should not draw from conventions set up in the central legislature, which is an irresponsible body and that where our own rules are silent, we should, if possible, try to adapt if possible the practice followed in the British Parliament. You are aware that in the Parliament the corresponding practice is contained in standing orders 31 (2) and 32 (2). The old standing order was modified. It was under that order that Bills could be presented in the House of Commons without leave to introduce being granted by the House. But that order has been amended and our present standing order No. 40 is in consonance with the present Parliamentary standing order. My honourable friend referred to certain incidents in the Parliament where he said that leave to introduce had been opposed, but that eventually the honourable member was allowed to introduce his Bill. There are instances of both kinds—of the kind which the honourable member has suggested and also to the contrary, where leave to introduce was not only refused, but the matter was carried to a division and was voted down by the House. There were at least two instances in 1922, if I recollect rightly, where on one day two Bills were moved—one with regard to Unemployment Insurance, where the leave to introduce was opposed, but eventually no division was called. On the same day another Bill was introduced and leave was opposed and the matter was taken to division and the thing was stilled there—I refer to the Abandonment of Capital Punishment Bill. I submit that since our rule with regard to this particular matter is quite clear, it is not necessary for us to look to the Parliamentary convention and practice. Had our practice been on all fours, there would have been some justification for looking into Parliamentary convention. In this respect our rules are quite clear. I may submit—you know better than I do—that the practice in our old Council was also in accordance with rule No. 40. At one time, in 1928, I believe, a convention was sought to be set up that Bills should not be opposed at 'leave to introduce' stage. That convention was not accepted. Now, the practice of the House is that we can, if we so desire, refuse leave to introduce at this stage. If my honourable friend wants to alter that convention or rule, there is ample opportunity for him to do so, because there is a Committee of the House which is now considering new standing orders and rules. It is for them to make specific provision to bring the rules into conformity with Parliamentary practice or in conformity with the wishes of my honourable friend opposite, if they want to do so. Pending revision of these rules and in view of the fact that we have been following the practice or convention set up by the old Punjab Legislative Council and in view of the fact that the rule is quite clear on the subject and the practice in Parliament and our own practice are not on all fours, I beg to submit that the point of order raised by my honourable friend opposite should be ruled out.

Lala Deshbandhu Gupta : May I ask one question, with your permission? The Honourable the Premier has just remarked that the central Assembly is an irresponsible body and we therefore should not follow the practice of that House but in the same breath he has remarked that we

should follow our own practice, namely, the practice of the old Legislative Council. May I know if that body also was not an irresponsible body?

Premier : It was partially irresponsible.

Mr. Speaker : This criticism is unnecessary.

Lala Bhim Sen Sachar : Another consideration which I want to urge in addition to the very weighty considerations that have been put forward by my honourable friend, Diwan Chaman Lall, is this. When we gave notices of certain resolutions we were told by you that when a certain resolution makes it necessary for certain legislation being provided for before Government can be asked to take action on that resolution, that resolution could not be admitted or could not be allowed to be discussed on the floor of this House, as it is open to a member to give notice of a Bill. Your ruling goes in this connection to establish or to say that the members of this House have got free opportunities of giving notices of Bills and of bringing those Bills before the House for the consideration of the House. Now if we are going to be opposed even at this very initial stage, a stage when merely leave is being asked to introduce the Bill, there cannot possibly be any opportunity for the members of this House to go ahead with their legislation. The absence of such a convention which is sought to be established in this House will very effectively kill all initiative in this section of the House, because as is perfectly clear to honourable members of this House and to everybody else outside, unless a certain thing is desired by the Treasury benches and those who constitute the following of the Government, nothing can be got done in this House.

Premier : Why?

Lala Bhim Sen Sachar : The Honourable Premier has always said, "if we want a certain thing to be done we have a majority and we can get it done". He has repeated it on the floor of this House. So there is nothing that should prevent the Honourable Premier from creating such a healthy convention. After all, what is this? We come forward with a constructive proposal for the amelioration and the betterment of the condition of the people and it should not be anybody's desire that we should not be allowed to initiate any legislation.

Secondly the Honourable the Premier has said that we must look to the House of Commons and no precedent that has been set up in the central legislature should avail here, the reason being that the central legislature was an irresponsible body; and in the same breath we are being taken back to the Punjab Legislative Council. Now, was it a responsible body in the sense in which the Honourable the Premier wants the word to be understood?

Premier : It was more responsible than the central legislature.

Lala Bhim Sen Sachar : Can the Punjab Council be considered in any sense a responsible body if the central legislature is not a responsible body? Now this attitude will not be at all in consonance with the spirit which is being exhibited or given expression to so many times by the Honourable the Premier, namely that he is very anxious to set up healthy conventions on the floor of this House. Here is an opportunity to create a very healthy convention, which will enable the Opposition to put forward constructive and definite proposals for the betterment and amelioration of the condition of the people.

Dr. Sir Gokul Chand Narang : I would ask the Honourable Premier to answer one question if he can. Is it not the practice in the House of Commons that introduction of Bills is not opposed as a rule and in fact the present practice is that even dummy Bills are allowed to be put in and it is the representatives of the Government who fill in details and Bills are taken as introduced as a matter of course? Is not that the practice?

Premier : It is only in regard to Bills presented and not introduced. The honourable member is confusing two things. In the case of dummy Bills the procedure is different. We have not got that stage here. Our first stage is quite different from theirs. Our first stage is their second stage.

Dr. Sir Gokul Chand Narang : If circumstances were identical no dispute would arise. We are discussing the question of principle, propriety, of being fair to the Opposition and to the minority. Of course it is open to the Government who have got a solid phalanx of votes to say, "we do not care a hang for you. Away with your Bills."

Mir Maqbool Mahmood : Sir, as has been indicated by the Honourable Premier, the question at issue before us resolves into two specific questions, (1) whether we have anything in our rules and practice which will help us to deal with the present case and (2) if not, what is the practice of the Parliament from which we may draw light and inspiration for the present case. Now, my honourable friend, the mover of the Bill, suggested three specific arguments in favour of his proposition that the Bill should not be opposed at this stage. He referred first to the convention in the central legislature. With regard to that I would submit two points, firstly that he will bear me out that the convention in the central Assembly is a double barrelled one. It suggests first that the Bills shall not be opposed at the leave to introduction stage and secondly that no further motion dealing with the Bill shall be tabled on the day when leave to introduce the Bill is sought. What is more important is that this convention did not spring up over night by a single speech or by a ruling of the Chair, that was a convention established by the House with the concurrence of the House.

Diwan Chaman Lall : It is not correct. It is the ruling of the Chair.

Mir Maqbool Mahmood : Much as I respect my honourable friend's knowledge of that legislature, I am prepared to quote chapter and verse that the ruling of the Chair cannot establish a convention. Conventions can only be evolved by the House.

Diwan Chaman Lall : It was first the ruling of the Chair that was followed afterwards.

Mir Maqbool Mahmood : I refer the honourable member to pages 369 and 396 of 1927. I also refer him to page 1630 of 1929, where the Speaker definitely stated, he gave a definite indication that it was for the House to establish a convention. Now what I was submitting is that in the central Assembly they established a double barrelled convention—established by the House. We here can establish a convention if you so like. But the fact that the central Assembly has established a particular convention is not binding on us. Secondly, my honourable friend will bear me out that the double barrelled convention, to which I referred, of the central Assembly

[**Mir Maqbool Mahmood.**]

has been ignored by us in the Punjab Legislative Council. It has been ignored in the present motion of my honourable friend the mover of the Bill who has tabled both the motions with regard to the introduction and also with regard to the circulation of the Bill on the same day. You cannot say heads I win and tails you lose. If you rely on the convention of the central Assembly, then act on it and if you do not act on the central Assembly convention in all its bearing you cannot say "so long as it suits us we will choose it and where it does not suit us we will ignore it."

Mr. Speaker : Motions relating to introduction and circulation were put on the agenda under my orders.

Diwan Chaman Lall : And so are the Bills arranged under your instructions.

Mr. Speaker : They are balloted.

Mir Maqbool Mahmood : That strengthens my point. You as the custodian of the House acted on what was the convention of this House and not of the other House.

I now come to the second point raised by my friend the mover of the Bill. He referred to certain remarks made by your predecessor in 1923 with regard to the Fisheries Bill when it was introduced. Let me tell him that it was a Government measure and when the Bill was moved the Honourable President's remark was an *obiter dictum* : it was not a ruling, it was a suggestion to the House. He said :

I think it would be a bad practice to throw out Bills at this preliminary stage which is really only a formal stage.

That was a government measure and it was only a recommendation made by the President of the Legislative Council.

Diwan Chaman Lall : Sir, may I correct the honourable member. The Honourable President did not say that. The honourable President said—

Before putting the question to the House, I think I might say that it is not the practice in the House of Commons that Bills should be thrown out at this stage ; and I think it would be undesirable that this House should adopt such a practice of throwing out Bills at this stage as a general course of procedure. The Standing Order only allows some 10 minutes for the Member of Government, who introduces the Bill, to set forth its advantages, and it only allows a very short time to anybody who wishes to oppose to say that he opposes it, and nobody else is allowed to speak at all. Therefore, if the Bill is thrown out at this stage, the House would be called on to make decision on very inadequate material. In case leave to introduce is given, it will have a further opportunity at which many members can take part in the debate. I think it would be a bad practice to throw out Bills at this preliminary stage which is really only a formal stage."

Therefore it was a ruling.

Mir Maqbool Mahmood : I welcome the full quotation read out by my honourable friend. In that case it was a Government measure. I am responsible for the statement that I am making that with one exception leave to introduce a non-official Bill was always opposed ; and I have here before me a list on which I do not want to waste the time of the House but I am prepared to give it to my honourable friend the mover of the Bill. I myself was the first victim and I was the first person privileged to have an advantage

of the new convention which the House wanted to set up. When I introduced the Money Lenders Bill it was opposed by my honourable friend, Dr. Sir Gokul Chand Narang, now sitting opposite. Thereafter in 1924-25, 1931, 1932 and 1935 several times when any non-official measure came up, leave to introduce was opposed. That was the convention which was set up by the Punjab Legislative Council. That is so far as reference from the quotation of the last Speaker read out by my honourable friend. I will not waste the time of the House by making certain references to May's Parliamentary Practice when you yourself rightly pointed out that they all referred to the second reading of the Bill.

Sir, there is just one point which I would submit. It has already been indicated by the Honourable the Premier and I wish to develop it because that is the real crux of the matter. There is a real confusion with regard to the Parliamentary practice. In Parliament they have a double avenue open to members to bring forward their Bills. One is under the old Standing Order 31; now Standing Order 32, sub-section (2) under which no leave to introduce is required. A Bill is merely presented without any leave. When it is presented there is that formula of the dummy Bill to which my honourable friend referred. The Bill is not read for the first time but it is taken as having been read the first time.

Dr. Sir Gokul Chand Narang : It strengthens our arguments.

Mir Maqbool Mahmood : If my honourable friend would only have patience he would get a reply to his remarks. The second point which I was urging was that the procedure in the House of Commons is exactly the procedure analogous to our own. Leave to introduce is sought under the old Standing Order 11, now Standing Order 10. When leave to introduce is sought the Standing Order provides that the Bill can be opposed. It has several times been opposed in the case of a government measure—leave aside a non-official measure—by moving amendments of various types hostile to the purpose of the Bill. The Honourable the Premier referred to specific cases in which leave to introduce was opposed. I invite the attention of the House to a later case. In 1932 when leave to introduce the Rating Bill was sought it was opposed and the motion was negatived.

Diwan Chaman Lall : What was the result? Could it not be proceeded with later?

Mir Maqbool Mahmood : So far as the Parliamentary practice is concerned it could not be proceeded with until a later session.

My honourable friend said that the Bill could be taken up later on. May I refer him to page 390 of May's Parliamentary Practice wherein it is stated that the postponement of a Bill is regarded as the most courteous method of rejecting a Bill. What I was trying to submit is this that our rules on the point are clear. It is open to any member to move to oppose the leave to introduce. I am not concerned at the time with giving arguments about the Bill; but I am sure my honourable friend will make out a good case if he feels satisfied. All we are concerned is whether we have a right to oppose the Bill at the introduction stage. The Parliamentary practice, though not on all fours with ours, has been that if a member desires

[Mir Maqbool Mahmood.]

he can oppose the introduction of the Bill. There is only one point before I resume my seat. It is this that reference has been made to the Parliamentary practice of the right of minority. My honourable friend Lala Bhim Sen suggested that when certain resolutions of the members of the House were thrown out it was open to them to bring in a Bill. I am afraid he is confusing it with the right to pass a Bill, because even if it is moved he cannot force the House to pass it. It is only a matter which can be brought before the House, and once it is brought it is the right of the House to decide whether to pass it or not. A reference was made to the right of minority. If my honourable friend will refer to the Parliamentary practice for the last 5 years he will find that it is not usual for private members of the Opposition to bring in important legislation without consulting the Government and giving a chance to Government to bring forward such a legislation. It should be the right of the majority to initiate such an important legislation. If my honourable friend had any useful measure which deserved to be encouraged he may rest assured that our fair-minded Premier will give him every encouragement.

While the rule making committee is just now sitting it is open to the committee to frame such rules as it may consider desirable. Meanwhile it is the right of every member to oppose the Bill at the introduction stage.

Sardar Hari Singh : I readily agree with the opinion expressed by my honourable friend opposite that our procedure is not clear as can be judged from the rulings of the Chair. But in spite of the references made by him to the practice in Parliament the fact remains that in the House of Commons and in the daughter parliaments of Canada, South Africa and New Zealand the convention is that leave to introduce a Bill is rarely opposed. According to the rules any member is at liberty to oppose the introduction of a Bill, but they have established a convention that advantage should not be taken of this provision.

3 P. M.

Premier : Where ?

Sardar Hari Singh : It is a convention in the House of Commons, the mother of Parliaments, and in the daughter parliaments.

Premier : So far as the mother of Parliaments is concerned the honourable member is not correct.

Diwan Chaman Lall : You are only a step-daughter (*loud laughter*).

Sardar Hari Singh : I disagree with the Premier when he says that we should have for this purpose a hard and fast rule.

Premier : The rule is there.

Sardar Hari Singh : The standing order in our legislature, in the Central Legislature, in the mother of Parliaments and in the Parliament of Canada is the same. The standing order is identical in language. The difference lies in the fact that in those legislatures they have established a convention not to oppose the introduction (*hear, hear*). May I remind the Premier of his own remark when he said that he doted on the liberty which

the people of England enjoyed and not the freedom enjoyed by the people of Germany or Russia? He ought to know better than I do that the liberty of the people of England is guaranteed by the parliamentary system of democratic government. May I also tell him that the success of parliamentary system of Government depends upon the proper working of the apparatus of party system? Its success depends upon a body of mutual understandings, conventions and compromises. (*Hear, hear*). The success of party system of government depends upon the extent of confidence and co-operation of the minority party which the majority party can win for itself. (*Hear, hear*). If to-day the majority party refuses to establish a convention, which is favourable to the minority party, to-morrow the majority party will be requesting the opposition to create a convention which will be favourable to them. The present attitude of the majority tantamounts to condemning the Opposition without hearing it. (*Hear, hear*). It is tantamount to absolute non-co-operation which attitude on the part of the Congress Party the Government is never tired of condemning. May I ask the Premier a simple and direct question? If he has decided to non-co-operate with the Opposition, if he has decided to condemn us without hearing us, what are we here for? The Government sometimes complains that we look only at one side of the picture and that we criticise the Government in an irresponsible way without looking at the other side of the picture. But now the Government is assuming the attitude which it condemns on the part of the Opposition. The Government refuses to give leave to the introduction of the Bill because it looks only at one side of the picture and not the other. It does not want to hear what we have got to say in favour of the Bill. Let the House give a hearing to both sides and then come to a conclusion whether the measure is good or bad. In the interests of the tender plant of parliamentary system which has been implanted in the Punjab I would appeal to the Leader of the House not to act in a—what shall I say—rash or dictatorial way. I appeal to him that in the interest of the establishment of a sound parliamentary system in the province he should establish a healthy convention on this point.

Advocate-General (*Dewan Ram Lal*): I shall take only very few minutes to discuss a very narrow and what seems to me to be a very central part of the whole question. It is this. What is the law under which we are working? When that law is explicit, is it open to the Leader of the House or of the Opposition or even to you, Mr. Speaker, to go outside the terms of that law? What is the law? The law is contained in Standing Order 40. That Standing Order gives power to the House to either vote down a measure or not.

Lala Bhim Sen Sachar: The point before the House is not what the law permits. The question is whether a convention should be established or not. So far as the law is concerned the Advocate-General is quite correct. But the question is whether the Leader of the House and his party are prepared to establish a convention which is not barred by law.

Dr. Sir Gokul Chand Narang: So far as the law is concerned, there is no difference of opinion.

Advocate-General: I am glad to see that Dr. Sir Gokul Chand Narang agrees with me on the legal question. What the other side wants

[Advocate-General.]

is that the law should be set at nought and a convention should be established (*An honourable member* : No, no).

An Honourable Member: Is there any mandatory provision that the introduction of a Bill should be opposed?

Advocate-General: The Leader of the House is asked to set up a convention which I submit it is not in his power to do. The convention has to be set up not by the Leader of the House but by the whole House. Whether the House will establish such a convention can be ascertained only by putting the question to the vote of the House.

Raja Ghazanfar Ali Khan: I want to ask one question from Diwan Chaman Lall. This convention of not opposing the introduction of a Bill was not honoured by the honourable member himself. As a matter of fact I have just now come across an instance when Diwan Chaman Lall himself was guilty of opposing the introduction of a Bill.

Diwan Chaman Lall: Was it accepted?

Raja Ghazanfar Ali Khan: The Honourable Sir Charles Innes said—

“I move, Sir, for leave to introduce a Bill to provide for the fostering and development of the bamboo paper industry in British India.”

and Diwan Chaman Lall got up immediately and said—

“Sir, I rise to oppose the introduction of this Bill.”

Diwan Chaman Lall: Read on, read on (*laughter*).

Raja Ghazanfar Ali Khan: He then went on speaking for twenty minutes in opposition of the Bill and then he was pulled up by the Chair (*hear, hear*). Wait and see what happened further. The Chair said—

“The honourable member must be aware that this is a motion for leave to introduce the Bill and he has no right to speak for more than ten minutes, which he has already exhausted”

and so he was asked to wind up his speech and he said—

“I agree with your statement, Sir, that I have only ten minutes on the introduction of the Bill and since that is so I shall reserve my remarks for a subsequent occasion when the Bill is taken into consideration.”

If he wants to read the exact words that were uttered by him and the Chair, I have got the book before me and he can very well read them.

Lala Deshbandhu Gupta: A point of order. Is the honourable member discussing the conduct of Diwan Chaman Lall?

Raja Ghazanfar Ali Khan: So it was Diwan Chaman Lall himself who opposed the introduction of the Bill.

(*Diwan Chaman Lall rose to speak.*)

Mr. Speaker: The honourable member (*Diwan Chaman Lall*) need not give any explanation. He did not act wrongly.

Dr. Sir Gokul Chand Narang : Sir, a great deal of learning has been displayed and I regret to say wasted on the floor of this House. They have been trying to establish that two *plus* two make four which nobody denies. The learned Advocate-General got up to give the legal exposition of the question which did not arise (*laughter*). I pointed out to him that there was no difference of opinion so far as the legal aspect of the question was concerned. They have a right to oppose. The only thing that we are urging on this side is that it is not right to oppose (*hear, hear*). My honourable friend has the right to go and make himself drunk absolutely, but as a friend I would tell him not to do such a thing. Every one has a right to go and hang himself and drown himself but if we have regard for the person, we shall warn him not to do such a thing. But the question is whether these gentlemen are going to drown themselves or hang themselves or are we dealing with people who are drunk or are willing and anxious to make themselves drunk and whether it is not the duty of members of this House on this side or on any other side to warn them against the suicidal step that they are contemplating to take ? (*Hear, hear*). My honourable friend Mir Maqbool Mahmood said that it is not open to the Chair to establish conventions. Technically he may be right but it is the Chair that guides the House to set up conventions. It is the learning of the Speaker that comes to the rescue of the laymen who constitute the bulk of the House. Do you think these gentlemen are going to set up conventions ? (*Loud applause*).

Mr. Speaker : The honourable member will please resume his seat. His remark is not fair. (*Hear, hear*).

Dr. Sir Gokul Chand Narang : You have misunderstood me. (*Voices : Withdraw*). I am not afraid of these things. I have passed through such stages.

Mr. Speaker : I would request honourable members not to speak slightly of their colleagues. Honourable members should always remember that they are members of parliament. (*Hear, hear*). They may hold and express different views ; but should not treat each other in a slighting manner.

Dr. Sir Gokul Chand Narang : Sir, you took the sentence out of my mouth and you, let me say respectfully, were rather too hasty in getting up because the very next sentence I was going to say was this. I did not mean any disrespect at all to any honourable member of this House (*hear, hear*). I was discussing a legal proposition and you would remember the previous sentence was , "it is the learning of the Speaker that comes to the rescue of the House and it is the Chair that we look to for learned expositions of the propositions of law and not to every member of the House." The convention would be set up by them, but only when they are guided by you and by others who understand the law. I did not mean any disrespect and there is no disrespect when I say that every member of the House is not capable of throwing light on propositions of law. No disrespect in any way is conveyed. You took the sentence out of my mouth while I was myself going to explain myself. So, as I have explained already there was no disrespect at all implied (*hear, hear*).

[Dr. Sir Gokul Chand Narang.]

My honourable friend Mir Maqbool Mahmood pointed out that conventions are set up by the House and not by the Chair. I do not quarrel with this proposition. I am asking the House to set up a convention with your assistance and guidance. And what does it matter who sets up the convention so long as the convention is there? We are not to look to the origin or history of the convention. If it is a fact that there is a convention, then we have the right to ask these gentlemen in their own interest and in the interest of the province to follow that convention. This is the proposition. Otherwise nobody denies and the Standing Order is clear on the point that they have every right to oppose, but the question is, as I have said, is it right to oppose? Do they want to bring about harmony in the province, or do they want to lay the foundations of bitterness? Do they want to create a feeling on this side of the House that they do not care at all for them? There are probably 15 or 16 Bills notice of which has been given by members on this side of the House. Are you going to brush them aside with one fell swoop and create the impression that this side is full of fools who do not understand their duties, who do not understand the requirements of their province?

There is another point which the members on this side have to bear in mind. The learned Government Advocate-General pointed out with great zeal that it was not open to the Leader of the House to set up this convention; it is the right of the House. But he forgets that the Leader of the House represents the House; it is he who represents the majority in the House, it is he who has the confidence of the majority. If he does not enjoy the confidence of the majority and if he does not have their confidence he has no right to be there. He cannot sit there for a minute. He knows and knows correctly and rightly and with all legitimate pride that the whole of this phalanx is at his back and is prepared to follow the sign that he makes with his little finger. It is as the representative of the House, as the mouth-piece of the House that we can appeal to him. We cannot appeal to every individual though sometimes we do appeal to individuals also, but it is to the House that we appeal through the Leader, because *ex hypothesi* he is the embodiment of the wisdom of the House and is the representative of this House. Therefore, there was no force really in what the learned Advocate-General said on this point that the Leader of the House has no right to set up conventions. He was laying down a very technical proposition of law when he said that he as an individual, as Sikander Hyat-Khan, has no right to set up a convention, but as the Premier, as the leader of the majority party in the House, he has a right and he has the power to set up this convention because what he suggests would certainly be followed by his party. As I have already stated, if he has no confidence in himself or if his party has no confidence in him, then he had better come to this side of the House and let him who can have the confidence of the party take his place. He has been setting up other conventions with the agreement of the Opposition. I am a poor individual living in a neutral zone and I have to give advice to this side and sometimes to that side. On occasions this side follow my advice and on occasions that side will also follow my advice. Then if the motion for leave is opposed and leave is refused, how is the Opposition, which is *ex hypothesi* in a minority, to expose

the majority Party? (*A voice*: So the cat is out of the bag.) How are we to instruct the electorates? How are we to tell them that the majority party that now occupies the Government benches and which is ruling the province is not competent to rule? I do not say that they are not competent. I am not saying that. But if they want to show that they are incompetent, that is one of the methods and a very efficient method. They can say, "look here, here are some of the most necessary measures, very useful measures, we wanted to bring forward and these gentlemen would not even allow us to introduce those measures." If they are allowed and are considered, they will give their arguments in support of their measures. The other side will give arguments opposed to the measures and the public will judge whether the majority party is in the right or the minority party is in the right. How else can this very desirable object be achieved? Therefore, this is also a very strong argument. If they have confidence in themselves, they should have said, "there is no question of opposing the leave, come forward. Let us see what proposals you have got. Let us discuss them and let the House judge."

Again I do not mean any disrespect but I am not at all sure if all the honourable members have even read the Bills which these gentlemen want to introduce. When they are discussed, they will also come to know what it is that is being discussed on the floor of the House. Now judgment is being passed, as Sardar Hari Singh pointed out, against this party without giving an opportunity of stating their case to them, and judgment is being passed on the strength of these gentlemen without informing these gentlemen anything as to the nature of the case on which judgment is being passed. This is a most undesirable procedure and I would submit that the Premier and his followers would be well advised not to oppose the motion for leave to introduce these Bills. I feel confident, I am not talking for the sake of merely talking, I have refrained from talking so far, but I give him my sincere advice that he should not oppose and that he has been wrongly advised in taking up this course and it is not going to lead to good results. I know he is anxious to bring about harmony and peace in the province and to win the goodwill not only of this side of the House but of all parties and communities in the province, but I think if he refused leave to introduce the Bill, he will be defeating himself in that very laudable object with which he started.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): Sir, I desire to join in the very powerful appeal which has been addressed to the Honourable Premier by Dr. Gokul Chand Narang. And my reasons are these. It has been stated to this House that in the mother of Parliaments in England, there are two ways of introducing a Bill. One is that of presenting a Bill and the other is that of seeking leave to introduce a Bill. Now when it is a question of presenting a Bill, no leave of the House is required in any form and manner whatever. The Bill is presented straightaway by any member in the shape of a dummy Bill the form of which he obtains from the clerk of the Public Office. The dummy Bill contains only the title of the Bill and the name of the member presenting it, but the provisions of the Bill are not printed at that stage. In order to understand how the practice of presenting Bills arose, I should like to draw the attention of honourable

[Malik Barkat Ali.]

members to the fact that the practice of presenting a Bill prevailed originally in the House of Lords but not in the House of Commons. In the House of Commons Bills could only be introduced after leave to introduce the Bill had been given by the House. That was the original practice of the House of Commons. In the year 1902 the House of Commons adopted the practice of the House of Lords and therefore, Sir, since 1902, it is perfectly open to any member of the House of Commons to introduce a Bill through the medium of presenting the Bill without any consent of the House in the form of a dummy Bill with only the title of the Bill thereon but without any provisions of the Bill being printed anywhere.

As regards the second method, the old method of the House of Commons, namely, that of seeking leave to introduce a Bill, there is certainly no doubt that this was the provision. But how was this provision observed? We have been asked to remember that law has got to be interpreted as law. Surely the members of the House of Commons and those who laid down the procedure of the House of Commons were more aware of the requirements of law than we here are in this country. And my respectful submission is this that the House of Commons throughout its history has regarded this second method of introducing a Bill by the leave of the House as a purely formal stage, a stage where even the provisions of the Bill are never printed, and the leave of the House given without discussion as a matter of courtesy. I want the House to remember that under this procedure the provisions of the Bill are never printed. The House is never in a position to know or study the provisions of the Bill, what to say of discussing them; the Bill is a dummy Bill without any provisions of any kind and leave is granted purely as a formality. It is after the leave has been granted that the Speaker calls upon the member to introduce. He comes at the bar of the House and on being named by the Speaker walks up to the table of the House and delivers to the clerk his Bill. What form of Bill? A dummy Bill, without any provisions. It is after leave has been granted that the provisions of the Bill are ordered to be printed and the members are then in a position to know what the Bill is about. Therefore, if this is the position in the House of Commons at this stage, known as the first reading of the Bill, I certainly join in the appeal made to the Leader of the House, because it is really the Leader of the House who is in a position to bring about those healthy conventions which we want to be introduced in this House. So far as this particular Bill is concerned, if it were a very obnoxious measure, if it were a revolutionary or subversive measure, I could understand the opposition at this stage, but the object is to bring relief to the unemployed. It is an Unemployment Insurance Bill the object of which is to advance the very purpose which is also the purpose of the Treasury benches, namely, the alleviation of unemployment and giving relief to the unemployed. Therefore my respectful submission is this that in regard to a Bill of this character let us start this convention. A Bill may be objected to. There have been cases in the early history of England, when the convention was not soundly built up when Bills at the leave stage were successfully objected to and rejected but what was the effect of that rejection? The effect

of that rejection was not to kill the Bill. I will read out to you the House of Commons procedure :

“ If a motion for leave to introduce a bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion,—

That is exactly our rule.

“ puts the question thereon or the question that the debate be now adjourned ”.

The word ‘now’ is important and it is printed in italics by May at page 385, where the learned author says —

“ It is to be observed that when the question for the first reading of a Bill is negatived the House merely determines that the bill shall not now be read; and the question may therefore be repeated on a future day.

As soon as the House has ordered a bill to be now read the first time, its short title as entered upon the notice paper and endorsed on the bill, is read or supposed to be read by the clerk. This is taken to be a sufficient compliance with the order of the House, and attempts to obtain that a bill should be read to the House clause by clause have been overruled by the Speaker”.

This supports my submission, namely, that at this stage the House is not required to know the text or the provisions of the Bill, and, therefore, this stage is a pure formality. The stage when the House comes to know the provisions of the Bill and can discuss those provisions is a subsequent stage, but not at this initial stage, and my respectful submission is that our standing order is exactly the same except that the last words in our standing order are that the question may be put without further delay. It is within the discretion of the Chair to put the question and I submit that there is absolutely nothing to prevent you, after the motion has been negatived, to say that the question be adjourned to a later day and that the Bill shall not now be read. I request you as the custodian of the rights of this House and as one who is interested in seeing that healthy conventions are built up, to see that a measure of this kind, emanating from the Opposition, howsoever small that Opposition may be—after all it is a very important minority—is not killed outright in that fashion without being discussed. The minority cannot be refused the right to speak. If we are given leave to introduce and the motion is thrown out later, we do not care, but the Opposition must be given the right to open their lips on any question even if it be in the shape of a Bill sought to be introduced by them before this House (*hear, hear*).

Dr. Gopi Chand Bhargava : I am not one of those who are conversant with the practice prevailing in other countries or in other provinces. But I want to place before the House the difficulties which the Opposition shall have to face in making suggestions or criticising the actions of the Government or the majority party. At the time of the budget discussion when we were discussing demands, your ruling was—during the Old Council and I think it stands to-day as well—that we cannot discuss the provisions of the Act but we have to discuss the policy according to the Act as it exists. Then, when we gave notice of resolutions to you, you ruled that because it affects the law, therefore we could not move a resolution but we should move a definite specific Bill to amend that law. Now that we have come before the House with a Bill, are we to be told that no leave to introduce it can be given, however good the proposal may be? My submission, therefore, is that if we are to be opposed at this stage the position that would

[Dr. Gopi Chand Bhargava.]

result would be that the Opposition have no right to move any amendment to a law which exists to-day. We thus have only one occasion to express our opinion and that is only at the time of general discussion of the budget. That is all that seems to be left to us, but then the time is very short and we cannot discuss the whole administration and the laws of the administration within a short period of three days when 175 members have to speak and discuss their own affairs. The establishment of a convention shall not take away the right of opposing the motion for leave; exceptions shall prove the rule. I therefore ask you to ask the Leader of the House to establish the convention so that the Opposition may be able to get the right to ventilate their feelings and express what they feel that the law of the land should be. (*Hear, hear*).

Diwan Chaman Lall : May I make a personal statement in reference to what Raja Ghazanfar Ali Khan said? In that particular instance we did not oppose it eventually when it was pointed out by the Speaker and the motion was carried *nem con*.

Pandit Muni Lal Kalia : Sir, it is provided in the rule that the member who opposes leave being granted should also give an explanatory statement, may I ask that the honourable member should also explain the reasons for his opposition?

Mr. Speaker : That stage has not been reached yet.

Pandit Muni Lal Kalia : This will enable the Opposition to know the grounds on which he opposes.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I am glad to find that there is no difference of opinion so far as the legal aspect is concerned. We both agree that so far as the legal aspect goes this House is entitled to oppose leave to introduce if it so desires. Very eloquent appeals were made by my honourable friends, Sir Gokul Chand Narang, and Malik Barkat Ali, mostly addressed to me and this part of the House, asking us to set up a convention by which leave to introduce a Bill may not be refused. My position is that there is a convention which has already been set up in the previous Council and that convention is, I venture to point out, in consonance with the convention of the mother of Parliament (*Voices from the Opposition* : No). It is therefore not necessary for us to set up a new convention. The whole thing boils down to this. My honourable friends opposite want me to set up a convention which goes beyond even the convention set up by the Parliament. I have quoted chapter and verse to show that in the House of Commons leave to introduce has been refused and leave to introduce has been granted. But the inherent right of the House is there to oppose or not to oppose such a request. Therefore, the convention is that each Bill must be considered on its merits. We on this side of the House will also be prepared to consider each Bill on its merits. This is the convention which this House has set up and which is in consonance with the practice in Parliament. We are not setting up any new convention and the honourable members will not like me to depart from that convention merely because a few gentlemen here want to depart from it.

Diwan Chaman Lall : It is very rarely opposed in the House of Commons.

Premier : I am glad that he has pointed it out. It is rarely opposed in the House of Commons. May I also point out that in the House of Commons Bills are rarely brought by the Opposition (*"hear, hear", from the Ministerial benches*).

Diwan Chaman Lall : Only the other day, Mr. A. P. Herbert brought in a Divorce Bill which is of far reaching effect and which the Government did not oppose.

Premier : One swallow does not make a summer, but I may point out to my honourable friend that that Bill was brought in with the consent of the majority party.

Diwan Chaman Lall : No.

Premier : Do you think that the Bill would have gone through without the consent of the majority party in the House of Commons ?

Diwan Chaman Lall : Government did not oppose it.

Premier : Because the convention in the Parliament is that if the Opposition wants to bring in a public measure—there is a difference between a private Bill and a public Bill—it must do so with the concurrence of the Government. My honourable friend was reading out certain quotations from the Parliamentary practice. He must remember that he was there again referring to the first reading, quite a different stage from what the procedure here is. It is not analogous.

Dr. Sir Gokul Chand Narang : What is the first reading ?

Premier : There dummy Bills, as you know, are brought into the House and sometimes money Bills also which are prohibited—

Malik Barkat Ali : This procedure does not apply to money bills.

Premier : I am talking of several other conventions which are analogous. A private member can bring in a money Bill and he can put in italics what is called 'blank' under the Parliamentary convention. That 'blank' is subsequently endorsed by a resolution of the House. It is before a Bill can be proceeded with. There are several conventions which are not analogous to our procedure here and which are not applicable here, until you amend your law and rules and regulations. I was submitting that our convention here, set up by the previous Council, is in consonance with Parliamentary practice and I do not see any reason for departing from that practice. My honourable friend pointed out that leave to introduce is rarely opposed in Parliament. I submit that it is perfectly true and I agree with him that the first reading is rarely opposed, but, there, the Bill from the Opposition is a rare phenomenon.

Malik Barkat Ali : Because the Government anticipates all that legislation there and for the obvious reason that Government there is a responsible Government not in the nominal sense but in the truest sense of the term. (*Interruptions*).

Premier : If the honourable members will let me proceed I will come to that point.

Dr. Sir Gokul Chand Narang : I just want to ask a question which would relieve tenseness on this side. Is this Opposition going to be a rare Opposition? It may change the attitude of the House on this side to certain extent to have a reply to this question.

Premier : Sir, if my honourable friends opposite follow Parliamentary conventions and democratic conventions of rarely bringing in Bills from the Opposition side we on this side are not likely to oppose the motion for leave.

Diwan Chaman Lall : This is the first occasion.

Premier : Let me now point out why the convention was established in England that the Opposition very rarely bring in a measure which affects the public. It is for the simple reason that no measure can go through the House unless it is endorsed by the majority party, that is, the Government in power. There those people are so public spirited as not to waste the time of the House or public money by bringing a Bill merely, as my honourable friend pointed out, to criticise the Government. The cat was out of the bag when he pointed out that they want this convention to be adopted to point out that Government is not doing anything at all. If this is the spirit in which Bills are brought in this House and if this is the spirit in which legislation is to be discussed in this House, I am very sorry, my honourable friends opposite will not expect me to accept their point of view or to countenance their proposal. But, as I pointed out, I am prepared to concede and accommodate the Opposition as far as possible. I am prepared to set up conventions which are in consonance with Parliamentary practice and which are in the interest of the public. But in this case, may I submit that a convention of this kind to renounce our rights of refusing consent might lead to abuse? Even in the present agenda paper, you will find that notices of no less than 19 Bills have been given. Now the Opposition must realise that it is not their duty to legislate. It is a primary function of the Government of the time to legislate for the requirements of the public.

Malik Barkat Ali : If the Government does not like to do so?

Premier : My honourable friends have got various opportunities of bringing to the notice of the Government their points of view, or the view of their constituents, by means of resolutions, by means of motions during the budget discussion, through the Press or from platforms. They can go to their constituencies and pronounce their opinions with regard to legislation. But I am sure they will agree with me that I would not be acting in consonance with the interests of this province if I accepted the views they are now pressing upon the House. We have to set up conventions, not only for the present House—I may not be here to-morrow, my honourable friend may not be there to-morrow—we have to set up conventions which would do credit not only to this House to-day but also to posterity. (“*Hear, hear*”, *from the Treasury benches*). I hope my honourable friend opposite will concede that it will not be in the interest of this House or the province as a whole to set up a convention which even the House of Commons has not set up so far.

Dr. Saif-ud-Din Kitchlew : May I know from the Leader of the House whether after leave is granted he and his party cannot at a later stage throw the Bill out?

Premier : Of course, and that is the very reason why we want to kill this Bill in its initial stage. When we conscientiously believe that we are not going to support the Bill, why allow the time of this House to be wasted? I might for his information point out that apart from this objection, we could have taken other objection and pointed out to you that this Bill is out of order for the simple reason that it has serious financial implications. I would have submitted to you that it should have been ruled out earlier under the Government of India Act. But I did not want to do so, because I wanted the House to have the fullest opportunity to understand our position. We are not going to throw out every Bill blind-folded. We will consider every Bill on its merits. If the Government finds that it is in conformity with its principles and in the interests of the province, it can take up a legislation of that kind. It will bring that legislation itself. As I pointed out, it is not for the Opposition to bring any such Bill in Parliament. It is rarely and only non-controversial measures that are brought forward by the Opposition. All important public measures are brought in from the Government side and the Treasury benches and that is why we want to set up that convention in this House also.

Lala Bhim Sen Sachar : May I know whether it is open to the members of this House to suggest to the Government, by means of resolutions, etc., the desirability of initiating certain legislation?

Dr. Saif-ud-Din Kitchlew : May I put one question to the Leader of the House, just for the sake of information, to get some light from him? The Leader of the House has been pleased to remark that he and his party want to kill this Bill at its initial stage.

Premier : I did not say anything of the kind. I did not mention the present Bill at all.

Dr. Saif-ud-Din Kitchlew : Very respectfully and with your permission, Sir, I beg to say that I understood the Leader of the House to remark, that in regard to this particular measure or Bill he and his party were willing and were anxious to kill it at the initial stage. But if he says he did not say so, I am prepared to take his word for it. Now, may I know this? The Bill as it stands is in the interest of the unemployed and they are to be insured. May I know if the party to which he has the fortune or privilege to belong does not want the unemployed to be insured or he wants to bring another Bill on these lines?

Premier : The honourable member is asking me a question on the merits of the Bill itself. I am not going to enter into the merits of the Bill or to commit myself to any opinion at this stage. Every one of us has got sympathy with the honourable mover of the Bill. But the question is whether this particular Bill is going to do them any good or whether we could find funds to give effect to this Bill, that is a different matter altogether. What I said was there was another aspect, the financial aspect, on which by taking objection, I could have asked you to rule it out of order. But I did not do so because I wanted to give them an opportunity of discussing this other aspect which is more important, namely the aspect of establishing a convention. I have also said that we shall consider each Bill on its merits.

Dr. Saif-ud-Din Kitchlew : Have you considered this Bill on its merits?

Lala Deshbhandhu Gupta : The Honourable Premier has taken his stand on the analogy of the House of Commons and he says the Opposition there behaves in a particular manner and that, it rarely brings in private bills. But is he aware of the fact that the present Government of our province is neither national in the sense the Government of England is, nor is free to legislate on all matters.

Mr. Speaker : This is not a point of order.

Lala Deshbhandhu Gupta : I only want to remove a misunderstanding. They want to have the same privileges as are enjoyed by the Governments of free countries, while it is a fact that we are really not free.

Premier : If that is the position my honourable friends should have less occasion to bring in such Bills.

Lala Deshbhandhu Gupta : More, because you cannot have the courage to bring in certain legislation. (*Hear, hear*).

Mr. Speaker : The point of order raised by Diwan Chaman Lall has been discussed at length. My view is that the convention, proposed to be established, is not inconsistent with Standing Order 40 (*hear, hear*) or any other standing order or rule of this House, or of the House of Commons (*Hear, hear*). The Standing Order 40, when carefully read, leaves no doubt that the House is well within its rights to establish any such convention, if it likes to do so. A convention is nothing but an agreement to start a certain usage or practice. Standing Order 40 corresponds with the latter part of the Standing Order 10 of the House of Commons and article 74 of the Central Assembly Manual of business and all these are identical. Standing Order 40 runs as follows :—

If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may put the question without further debate.

It does not lay down that every motion for leave to introduce a Bill should be opposed. It leaves it to the discretion or option of members to oppose a motion or not. Consequently, there can be no legal objection to the establishment of the proposed practice or convention. But a convention that no Bill shall be opposed at all, shall be clearly against the Standing Order (*hear, hear*) and illegal.

There was a time when in the mother of Parliaments every Bill was introduced after obtaining leave of the House on a motion to that effect. But in the course of time this procedure was considered to be irksome and difficult. Therefore, in the year 1888 the so-called ten-minutes rule was made and it is in force up to this day. Ten minutes are given to the mover, if his Bill is objected to, and ten minutes to the opposer of the motion. After both of them are heard, the motion for leave to introduce the Bill is put to the vote of the House. This rule also having been found to be irksome, as sometimes it precluded the introduction of certain Bills, in the year 1902, another Standing Order [31(2)] was made providing that any member may, without seeking leave to introduce a Bill, present a dummy Bill. But in practice even the Government has not been taking advantage of the new rule of 1902 and has been moving some important measures under the old rule of 1888, with the leave of the House, and such motions have sometimes

been discussed for 3, 4 or 5 days. (See note on page 380 of *May's Parliamentary Practice*). When a motion is made for leave to introduce a Bill there is absolutely no difference between our procedure and the procedure of the House of Commons. For the last 13 years, during which I have been in this Chair, Bills have been opposed; but with the exception of one, if I remember aright—no motion for leave to introduce a Bill has been ever refused. (*Hear, hear*).

Now I will read out a paragraph from Redlich's standard work on *Parliamentary Practice* (volume 3, pages 86 and 87) :—

" A bill may be introduced either in pursuance of an order of the House or without an order. The former method, that of obtaining by special motion leave from the House to introduce a bill, is the old practice which has been in use for centuries. Under a standing order passed in 1888, popularly known as the "ten minutes rule" (Standing Order 11) an abbreviated mode of procedure is authorised for the introduction of bills. Under this rule the question is put after "brief explanatory statements" by the proposer and (in case of opposition) by one member who opposes. Introduction under the "ten minutes rule" is often adopted in the case of minor Government bills, when an explanation is considered desirable at the first stage, and occasionally it is used by private members. A further simplification was made on the 17th of February, 1902 by an amendment of Standing Order 31, under which a member may introduce a bill by simply presenting it at the table, after previous notice, but without any order of the House. This procedure, which was borrowed from the House of Lords is now almost invariably adopted in the case of private members' bills and frequently in the case of departmental measures introduced by the Government. *

" If the old procedure be adopted the day upon which leave to introduce is to be asked must be specified by previous written notice. On the day appointed the motion is proposed, and is supported by the mover in a speech explaining the subject matter of the Bill. There is no real debate unless there is actual Opposition to leave being granted for the introduction of the Bill. It is exceptional, save in the case of great Government measures, for the minister in charge to go into much detail in explaining to the House what it is being asked to admit to its deliberations. Even if a full summary is given, it is not customary to have a debate at this stage, unless it is desired to prevent the bill even from being introduced. Of course no question of the kind arises on the great majority of bills. In consequence the preliminary stage generally takes but little time, and is attended with few difficulties. But from time to time, the Opposition does take the opportunity of making an attack on some measure, or on the Government generally, when leave is asked to introduce a bill: if so a hostile amendment to the motion for leave is usually proposed; occasionally such motions have been followed by important political consequences. If the motion is not treated in this very exceptional way the whole transaction is merely formal: leave is given and a day is fixed for introduction and first reading.

It appears clear from the passage I have quoted that our Standing Order 40 corresponds with Standing Order 11 (now Standing Order 10) of the House of Commons; but that we have no Standing Order corresponding with Standing Order 31(2) of that House, that is to say, a Bill cannot be introduced in our Assembly without an order of the House for its introduction.

It is further clear that, under our Standing Order 40, the Speaker has got the discretion not only to put a motion for leave to introduce a Bill after permitting two brief speeches, but that it is also in his discretion to have the motion further discussed before putting it to the vote of the House. In other words, a motion for leave to introduce a Bill, may be put not only after two brief speeches; but that, if the Speaker permits further discussion, after a full debate on the motion. According to the following passage

[Mr. Speaker.]

on page 380 of Sir Erskine May's book, this is also the practice of the House of Commons :—

“ In making a motion for leave to bring in a bill, a member may explain the object of the bill, and give reasons for its introduction ; but unless the motion be opposed, this is not the proper time for any lengthened debate upon its merits. When an important measure is offered by a minister or other member, this opportunity is frequently taken for a full exposition of its character and objects : but otherwise, debate should be avoided at this stage, unless it be expected that the motion will be negatived, and that no future occasion will arise for discussion”.

It is further clear from all that has been said above that the convention proposed to be set up is not opposed to any Standing Order or practice of this House or of the House of Commons. So, I shall welcome any arrangement or agreement the honourable members may come to. It is a question of give and take (*Hear, hear*). Now I ask Diwan Chaman Lall to move his motion.

Premier : Before the honourable member is allowed to make his motion, may I point out the convention in Parliament namely that public Bills are rarely introduced by the Opposition ?

Diwan Chaman Lall : Where is that convention ?

Premier : In the mother of Parliaments.

An honourable member : But the Government of the day leaves nothing for private legislation.

Premier : The honourable member may wait and see whether we leave anything for private legislation.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I beg to move—

That leave be granted to introduce the Punjab Unemployment Insurance Bill.

In asking for leave I want to express my gratefulness to you, Mr. Speaker, for giving me this opportunity for saying a few words regarding this particular measure and the necessity for it. My learned friend the Premier stated that there is a convention that public Bills are not moved by private members in the House of Commons.

Premier : Rarely moved.

Diwan Chaman Lall : He says 'rarely'. I have not seen that convention in writing, but I have seen a convention in writing that leave to introduce is very rarely opposed. My honourable friend is probably thinking of the fact that private members—(*Interruption*). I am quite willing to give way to my honourable friend if he wants to say anything.

Premier : I said that public Bills are rarely moved by the Opposition. How does the honourable member assume that when leave is refused all such Bills are moved by the Opposition ?

Diwan Chaman Lall : My learned friend is suffering from a little mental confusion. He said originally that there is a convention that public Bills are rarely moved by non-official members. Now he modifies that statement.

Mr. Speaker : The honourable member will please proceed with his speech.

Diwan Chaman Lal : I am afraid my learned friend has not really considered this point of the urgency of discussing a measure of this nature. The reason why I have brought forward this Bill now—I ask my learned friend to pay some attention to this particular matter—is not to rob him of his fire, not to destroy any opportunities that he may utilize for the purpose of bringing in unemployment insurance legislation. I have brought this measure in with this object in view that my learned friend over there who is not familiar—in fact none of the Treasury benches are familiar—with this sort of legislation as we saw only the other day—my learned friend should be educated in this type of legislation. My learned friend should afford us an opportunity to educate the public in regard to this legislation. The provisions of the Bill are not such as to upset or perturb in the least my learned friend if he had allowed this discussion and the circulation to take place. The provisions are very simple and I may with your permission read the provisions of this measure, as I find that a large number of members of this House are not familiar even with its meagre provisions. This is a Bill—

“ to make provision for compulsory insurance against unemployment of every workman employed in certain trades.

The first clause says—

This Act shall be called the Unemployment Insurance Act.

The second clause deals with the type of workmen who ought to be insured under this legislation. I have stated in clause 2 that workmen shall be defined as persons of 14 years or more—

“ employed wholly and mainly by way of manual labour, clerical or supervisory capacity, whether under private, Municipal or public authority, provided that the total monthly wages of such person in employ whether engaged in manual, clerical or supervisory capacities under private, Municipal or public authority do not exceed Rs. 100.”

This is to provide for that particular class of workmen, whether he is engaged in manual work or in a clerical capacity who is unable to make provision for himself in case he is thrown out of employment. I have thrown the onus for looking after this particular workmen principally not upon the Government but upon the employers and workmen themselves. I have in clause 3 defined the ‘ insured trades ’ to include—

Buildings, carpentry, painting; construction of works, roads and railroads; mechanical engineering including manufacture of Ordnance and firearms; iron foundering; construction of vehicles; saw milling and flour milling; employment in factories of whatsoever nature governed by the Indian Factories Act, 1911, as amended or the Indian Mines Act as amended; employment in hotels, restaurants, insurance, banking and commercial offices, and as accountants, clerks, supervisors, typists and teachers, employed privately or otherwise; transport of all descriptions, etc.

This is not a very comprehensive list of the trades which I wish should be insured under this Bill. But it covers particularly all those trades which we find in actual operation in the Punjab, having left out those of a minor nature which have no great importance in this particular province of ours.

The next principle underlying this Bill is that the Ministry of Public Works will be empowered to control this scheme of compulsory insurance—

The Ministry of Public Works may from time to time by notification in the Gazette extend compulsory insurance against unemployment to other trades or vary the definition of workmen with respect to age and may do so with or without modifications of rates of period of benefits.

[Diwan Chaman Lal.]

The next principle is in regard to payments to be made by the workmen and by the Government and by the employers.

Every workman of the age of 18 or upwards shall pay one anna every week of his employment on remuneration (but if he or she is of an age between 16 and 18, then his or her contribution shall be only $\frac{1}{2}$ anna per week) and every employer of such workmen shall pay three annas for every week that the employer pays the said worker any remunerations.

The next principle underlying this Bill is that the employer in the first instance shall be responsible—as is to be found in every type of legislation of this nature existing in other civilised countries—for collecting the insurance premia to be paid to these insurance funds.

Raja Ghazanfar Ali Khan : On a point of order. Is the honourable member in order in discussing the provisions of the Bill at this stage ?

Mr. Speaker : The character and objects, but not the merits of the Bill, can be discussed at this stage.

Diwan Chaman Lal : I do not wish to draw the attention of the House to the merits of the Bill. I am prepared to concede to my honourable friend if it will please him that it has no merits at all, (*hear, hear*). I want my learned friend who says so glibly 'hear, hear' to pay a little attention to the objects of this Bill, to pay a little attention to the provisions of this Bill, not to the merits of it.

Mr. Speaker : As the honourable member appears to have forgotten so soon the important passage which I quoted a few minutes ago from Sir Erskine May's book, I once more repeat the authoritative passage in the hope that the honourable members while discussing the motion will keep in mind the principles enunciated therein—

In making a motion for leave to bring in a bill, a member may explain the object of the bill, and give reasons for its introduction; but unless the motion be opposed, this is not the proper time for any lengthened debate upon its merits. When an important measure is offered by a minister or other member, this opportunity is frequently taken for a full exposition of its character and objects; but otherwise debate should be avoided at this stage, unless it be expected that the motion will be negatived, and that no future occasion will arise for discussion. —*May's Parliamentary Practice*, page 380.

(*Hear, hear and cheers.*)

Raja Ghazanfar Ali Khan : I would like to read out to you the rulings which have been given by the President of the central legislature in connection with the question raised now that no debate can be allowed at this stage even if the motion is opposed.

Mr. Speaker : I have more than once said from this chair that my first guide is the Government of India Act, 1935, of which this House is a creature. My second guide is the Rules and Standing Orders of this House; and my third guide is the practice of this House, which is not inconsistent with our Rules and Standing Orders and is also supported by the parliamentary practice.

Mir Maqbool Mahmood : On a point of order with regard to parliamentary practice. It is apart from the question whether lengthened debate is permissible or not which shall be taken up later. The first speaker and the second speaker are limited to ten minutes each.

Mr. Speaker: The honourable member has not followed me at all. Ten minutes' rule is followed only when it is almost certain that the motion will not be negatived. Where it is certain that it is likely to be negatived, the debate may extend even to the merits of the Bill.

Mir Maqbool Mahmood: I have not made my point of order clear to the Chair. What I submit is that a very lengthened debate under certain circumstances had been permitted before the year 1819. What was the position after that I shall submit later but the rule with regard to first and second speaker has not been relaxed and more than that—

Mr. Speaker: It has been relaxed; but only two members will speak on the motion now under discussion.

Mir Maqbool Mahmood: Other persons have spoken in certain cases but the first two speakers have been limited to ten minutes each. I beg to invite your attention to your own remarks when I introduced the Money Lenders' Bill and you pulled me up after ten minutes.

Mr. Speaker: For how many minutes did the honourable member speak?

Mir Maqbool Mahmood: For ten minutes, Sir. Unless the first and second speaker have spoken, it is not open to the House to know whether it is opposed or not. It is just possible after the speech of the mover of the Bill that we may be persuaded to agree to the Bill being allowed.

Mr. Speaker: As the discussion, which has taken place to-day, and the fate which the Bill is probably going to meet, cannot be ignored, I allow the honourable member to speak for more than ten minutes.

Premier: I did not make myself clear. What I was submitting was that you have relaxed the ten minutes' rule in this particular case after having gauged the opinion of the House, from what has been said already. I venture to submit that it is impossible for the House to know whether the Bill is going to be allowed and that is why my honourable friend here suggested that the first two speeches should be confined to ten minutes each because it is only after the second speech that you come to know whether leave is going to be allowed or not.

Mr. Speaker: Our Standing Order does not fix any time limit.

Premier: If you study the point at leisure you will find that it is only after the first two speeches that that relaxation is made.

Mr. Speaker: It is not imperative that in every case the first two speeches should be confined to ten minutes. Our Standing Order does not fix any duration and, so far as I know, up till now we have established no such convention.

Premier: I did not make myself clear. What I was submitting was that in this particular case, you have relaxed the ten minutes rule after having gauged the opinion of the House from what has already been said. My honourable friend was perfectly right in saying that the first two speeches are confined to ten minutes in the ordinary case and the relaxation takes place after the second speech because the House cannot be in a position to know whether the motion is going to be allowed.

Diwan Chaman Lall : I think there is again confusion of thought in regard to this particular matter. You have stated, by reading out page 380 of May's Parliamentary Practice, that this particular practice—where the motion is likely to be negatived—of permitting a lengthy discussion is of comparatively recent origin.

Mr. Speaker : May I invite the Honourable Mir Maqbool Mahmood's attention to the bottom of page 380 of May's Parliamentary Practice where it is said :—

“ The lengthened debate on this question is of comparatively recent origin ”.

Mir Maqbool Mahmood : That was exactly the point that I had in view. If the Honourable Speaker would refer to the rulings and specific suggestions given under that page, he will find that they relate to 24th January to 2nd February, 1881, 1886, 1887 and 1893.

Mr. Speaker : Should I understand that there were no lengthy debates after the year 1893 ?

Mir Maqbool Mahmood : Not after the year 1893.

Mr. Speaker : May I invite the honourable member's attention to page 177 of Campion's book, which says that when Bills are introduced, introduction is made in certain cases without preliminaries and in others with preliminaries. In our case it is “ without preliminaries ”.

“(a) In the absence of these preliminaries a motion is made that leave be given to bring in a bill. This question has often led to *protracted debate*, which serves no useful purpose, as it cannot fail to anticipate the discussion of the principle of the bill proper to the second reading.”

Mir Maqbool Mahmood : There appears to be some misunderstanding. What I have already submitted and I submit now is that page 380 of May's Parliamentary Practice makes the statement that protracted debate is not permitted.

Mr. Speaker : That edition was published in the year 1924.

Mir Maqbool Mahmood : But rulings of the years 1891 and 1893 have been given.

Mr. Speaker : Yes, but Sir Erskine May expressed his opinion in the year 1924 ; while Mr. Campion's book was printed in the year 1929.

Mir Maqbool Mahmood : Recent in the life of the Parliament.

Mr. Speaker : However that is what I understand the rule to mean, and I will act according to my lights.

Diwan Chaman Lall : Mr. Speaker, I was on the point of referring to the principal objects of this measure which I have proposed before this House, and I was stating the main provisions. I think all members of this House will agree with me, Mr. Speaker, in expressing their delight at the quick and the correct manner in which you have given your ruling. There can be no doubt that this matter is of very grave importance and being of grave importance I cannot understand for the life of me why my honourable friends are doing their best to throttle discussion. Why ? Are they afraid of the discussion of this matter ? What is worrying them ? Why are they raising technical objections which they have not studied and why do they attempt to throttle discussion of this matter ?

Premier : My submission with regard to this particular Bill is that you have already gauged the opinion of the House and therefore in this particular case you have relaxed the ten-minute rule. I do not challenge that ruling. I only hope that this is not going to be a precedent, because each case will have to be considered on its merits, otherwise the House will not know whether the Bill is going to be passed or not except through some supernatural powers.

Mr. Speaker : When a measure is an important one, like the one to which the motion before the House relates, and there is no likelihood of the motion being carried, unless I give the mover, who perhaps is the only person, who can discuss the *pros* and *cons* of the motion, sufficient time, I shall be gagging his mouth.

Diwan Chaman Lall : I do not intend to abuse the privilege which you have extended to me and I shall attempt to be as brief as possible in my exposition of this measure. The benefits receiveable under this measure are Rs. 2-8-0 per week for the insured person. He will not be entitled to draw this premium unless and until twenty-four contributions have been paid by him. For every dependent eight annas will be payable provided it is proved that the dependent, whether a child or an adult, is wholly maintained by the claimant and payment shall be made for a maximum of two such dependents at any time. The idea underlying this provision is this that if an unemployed person has a large family he should not be robbed of the benefits of the provisions of this Act and that he should not only be able to provide for himself but also for the whole of his family.

The next principle underlying this Bill is this that there are a series of officers appointed—inspectors, a court of referees and an umpire. The inspectors will in the first instance be in charge of discovering the bases for the claims which are made by the insured persons and for finding out whether they are correct claims or not. If there is any dispute it can be referred to the court of referees, and if there is a further dispute another appeal can be made to the umpire whose decision will be final. In respect of this particular provision I have followed the provisions of the English law (the Unemployment Insurance Act) and have based it upon practice which is now followed after many years of experience. Nothing in this measure is contained which is likely to be of a novel character or which is likely to be of such a character which has not been tried either in Great Britain or in other countries of the world. And, Mr. Speaker, I beg to refer to the fact that in practically every civilised country of the world to-day barring the Punjab which my friends do not consider to be civilised—

Chaudhri Kartar Singh (Urdu) : On a point of order. May I draw your attention to the fact that while a Bill of great importance is before the House three Honourable Ministers are absent and unless they are present how will they be able to judge the merits of the Bill?

Minister for Development : The Minister in charge is here.

Diwan Chaman Lall : There is nothing to prevent honourable members from vacating their Treasury benches but we on the Opposition realise fully well that this is the attention that they pay to the real needs of the people of the province. (*Hear, hear.*) When it is a question of their salaries they will sit with whips in their hands and see that the majority

[Diwan Chaman Lall.]

are present and not one member leaves the House, but when it is the question of feeding the hungry mouths of the province then they do not care. (*Cheers*).

My honourable friends do not consider the Punjab civilised and they have no regard for the unemployed of this province. In practically every civilised country in the world there is a provision of this very nature of compulsory insurance or of voluntary insurance. Let me give a list of a few countries: Austria, Germany, Belgium, Bulgaria, Czecho-Slovakia, Denmark, France, England, Norway, Italy, Switzerland, Great Britain and now many States in the United States of America. You will find that the problem of unemployment is of a very serious and of a very grave nature. It affects every country of the world. There is not only permanent unemployment in our own country but periodic waves of intensified unemployment and all that Government has so far possibly done for the unemployed is to utilise what is known as the Famine Fund for the purpose of relief to those who are without a job. Even that particular Fund, my honourable friends, have raided to the tune of nearly ten lakhs of rupees and there is no provision to-day to give any support to the unemployed in this province of ours. My honourable friends have appointed a committee for the purpose of discussing the question of unemployment. We had a committee in the year 1927 appointed by the Government. Twenty witnesses were examined by this committee and this committee dismissed the question of unemployment amongst the working classes in a paragraph of twenty lines. And the conclusion it came to as far as that question was concerned, was that there really was no important problem of unemployment to be solved. The other attempt that has been made is the attempt that my honourable friends have made through the appointment of a committee. My learned friends may get up and say, why bring in a Bill at this stage since we have appointed a committee? First of all, I want my friends to realise that this Bill was given notice of long before my friends announced the personnel of a committee of unemployment. This Bill was brought in because no question of policy was laid down by the Ministry in any of the statements made on the floor of this House since they took office. Besides, bringing in this measure and asking the House to discuss this measure, asking my honourable friends to allow this measure to go to the public for eliciting its opinion does not tie my honourable friends down to any principle, nor does it tie the Unemployment Committee to any principle underlying this particular measure. I do not know the reason why my honourable friends over there should have opposed this motion with such vigour and persistence. I can only guess the reason for their opposition. It may have been merely this that either they do not understand the measure or possibly there was an *arriere pensee* in their minds in regard to this particular measure. I do submit to the treasury benches that we have had no other thought in our minds except to try and bring some relief to the unemployed of our province. If my friends over there after public opinion has been elicited or after they have discussed this measure come to the conclusion that they should let the measure rest where it is until such time as they have made up their own minds regarding the provisions of the Bill which they would like to bring forward to solve the problem of the people, nobody would be happier than

I am to make a present of the provisions of this Bill to them. Let them do what they chose with it but let them not sit silently and ignore the important needs of the province in regard to the question of the unemployed. It is not sufficient for them to say that we have appointed a committee who will no doubt report. It is true that you have no statistics to go on. It is perfectly correct that the Government of India and the Government of the Punjab have never attempted to collect statistics although they have been pressed time and again to collect statistics in regard to unemployment. But it is a patent fact, Mr. Speaker, a fact which does not require elucidation by any committee whether there is or there is not any unemployment in this country. What is needed now is that my honourable friend should consider the provisions of this measure with due care and thought and give a guarantee to this House that after he has considered this measure and all the implications of this measure, he will be prepared either to oppose it on merits or support this measure at least the provisions which the Government are willing after consideration to support. This is a sensible view to take. As I explained a little while ago on the occasion when I moved the Weekly Payment of Wages Bill that that measure was sent to the public for eliciting public opinion thereon and it took eleven years for that measure to become the law of the land. If a bureaucratic Government, an irresponsible Government as my honourable friend over there calls the Central Government can do a thing like that, what is there to prevent my honourable friend here to send this Bill to the public to elicit its opinion and wait to take action after the committee that they have appointed reports? That would have been a straightforward policy in the interests of the working classes of this province. That would have been a policy which every public man in the province would have supported, that would have been a policy which would have redounded to their credit. But instead of that a mean and miserable opposition has been set up by honourable members opposite to a problem which requires such elucidation as one can give it, which requires the attention, and the immediate attention of the honourable members of this House. There is one other point left and that is the financial aspect of the question. It is quite possible that my honourable friends opposite may object to this particular measure on the ground of finances. (*Interruption.*) My honourable friend over there says that is the crux of the matter. Certainly that is the crux of the matter and I have put in that particular matter on the basis of actuarial estimates made in other countries and not one pie more than the actual actuarial estimates made in other countries in regard to the contribution to be made by the State. Even there I am subject to correction. Let them turn down the thing but let them not turn a deaf ear without even having looked into the provisions of this measure. Let them not turn this measure down without considering its implications. I submit they are not tied down to this measure until this measure goes back to the House after public opinion has been elicited and when it goes back to the House my honourable friend over there is at liberty to turn round and say we will not have it, we will not touch it as this measure is not acceptable either from the point of view of policy or from the point of view of finance. The financial provisions in my opinion would not mean more than two annas per week in respect of a very limited number of people in the province.

Minister for Development : What is that number ?

Diwan Chaman Lall : What is that number ? Let the Bill go to the public, let a select committee be appointed on it to take evidence, let this matter be enquired into and then my learned friend will get the number. There is no difficulty in that. But, Mr. Speaker, my learned friend cannot get the number by saying I will not allow a discussion of this Bill or I will turn the Bill down. My honourable friend does not know the number and I confess neither do I. Time and again on the Royal Commission on Labour, I put questions all over India to important employers, to important officials about the number of unemployed in a particular area or a presidency or a province. Time and again I was unable to get correct figures. Approximate figures, yes, which meant nothing at all, but here is a scientific measure which if properly enquired into will give you the scientific estimate of the unemployed in this province and will bring to light the tragedy of a man because he is a citizen of the Punjab dying of starvation merely because there is no unemployed insurance. That is the great tragedy which this Bill will bring to light. This measure does not ask the honourable members to give only doles to the working classes out of the exchequer. It merely says that every workman shall insure himself and pay towards his own insurance with the help of the State and employers and I have not the slightest doubt those employers in this House who have got some regard for their own countrymen will support this measure and support it with all the strength at their command, because it will mean a better Punjab, a happier Punjab, a more peaceful and a more prosperous Punjab (*hear, hear*).

Mr. Speaker : Motion moved is that—

Leave be granted to introduce the Punjab Unemployment Insurance Bill.

Minister for Development : (The Honourable Chaudhri Sir Chhotu Ram) : I am extremely sorry that I have to oppose leave being granted to the introduction of this Bill.

Chaudhri Krishna Gopal Dutt : Why are you sorry ?

Minister for Development : Because so far as the question of helping the unemployed is concerned, I am at one with my honourable friends that it should be done.

Chaudhri Krishna Gopal Dutt : Crocodile tears.

Minister for Development : In the absence of resources which will be required to put any legislation of this kind into effect, it will be useless for us to have this Bill discussed in this House or passed eventually. My friend has said that every civilized country on the face of this earth has enacted a law of this kind. May I, with your permission, invite the attention of the House to the fact that the statement of my honourable friend is entirely wrong unless he confines the designation of civilised countries, only to those 18 countries which he has named. Let me inform the House that not a single Asiatic country, not excepting even Japan, has undertaken any legislation of this kind. Does my friend mean to contend that Japan is not a civilised country ? (*A voice : Then give a lead.*) We are giving a lead in India, and, what is more, we are giving a lead in matters where that lead ought to be adopted and can be followed by others, with advantage. If any unsalutary suggestion is made we are not going to adopt

that suggestion. So far as India is concerned, I am sure that everybody will admit that Bombay is far more advanced industrially than our own province. We cannot seriously maintain that Bombay is in the least less civilised than our own province. Our local patriotism notwithstanding, we shall have to admit that Bombay is, at least, a few paces ahead of us in the matter of civilisation, while, it is miles ahead of the Punjab in respect of industrial growth. That province has not so far thought of undertaking any legislation of the kind which my honourable friend seeks to introduce in this House.

Diwan Chaman Lall : May I inform the Honourable Minister that every Congress Ministry is likely to introduce a Bill of this nature and he will be surprised when it is passed into law.

Minister for Development : It does not necessarily follow that we should also undertake a legislation of this kind. If need arises and circumstances permit, we will not shirk our duty to do so.

Diwan Chaman Lall : Will the Honourable Minister give an undertaking that if Congress Ministries do so, he will introduce such legislation ?

Minister for Development : I am not going to give any kind of undertaking.

Now, Sir, in 1931, the Royal Commission on Labour came to India and my honourable friend was a member of that Commission. That Commission came to a unanimous conclusion and that conclusion was :—

“ So far as relief of the unemployment is concerned we received some suggestions for the establishment of statutory system of unemployment insurance, but we cannot regard any national system of insurance with which we are familiar, as feasible at present.”

Diwan Chaman Lall : National for the whole of India.

Minister for Development : My friend did not raise any protest against this recommendation. He concurred in that recommendation.

Diwan Chaman Lall : On a point of personal explanation, Sir. The Honourable Minister should know that the term is “ national ” it means that the question of undertaking legislation has been left to the provinces.

Minister for Development : Yes, national. Do I take it, Sir, that under a national system of unemployment insurance the province of the Punjab could have been excluded ? If my honourable friend was going to devise legislation favouring a national system of unemployment insurance, the Punjab would inevitably have been there. My own feeling is that either he had not the courage of his conviction to express his views freely at that time or he has now put forward views, which he does not entertain in fact.

Again, Sir, I may draw the attention of the House to the fact that this Bill covers only certain categories of the population. They are 10 in number. Agricultural population has been entirely left out. (*Diwan Chaman Lal :* Where ?) Agricultural population, I beg to contend, has been excluded.

Diwan Chaman Lall : Where ? Just read through the Bill and you will find that it is not excluded.

Mr. Speaker : I will request the honourable member not to interrupt the gentleman who is in possession of the House.

Minister for Development: I was submitting, Sir, that agriculturists are not included. Tenants are not here, peasants are not included and agricultural labour is not included. If my honourable friend contends that agricultural tenants, peasants and agricultural labour are all included under the provisions of this Bill, then let me assure the House, that the total annual Bill will run, perhaps, into 40 crores of rupees. Where is this money to come from? Has my honourable friend suggested any way in which we can find money to provide for people falling within even the limited scope which I am inclined to ascribe to this Bill? I think the agricultural population has been cut out. The agricultural population is not in any way suffering less from unemployment than other classes of the population? (*"Hear, hear" from the Treasury Benches*). The agricultural population has been suffering from neglect on the part of past Government, perhaps, for centuries. Will it be fair to neglect the interest of that agricultural population over again? If, however, the agricultural population is not excluded, or is supposed to fall under the provisions of this Bill the annual Bill of expenditure will, as I have already submitted, run into crores. It may be 10 crores, 15 crores or 20 crores for all I know. I have not made any calculations in this connection. But even if this Bill is confined to the population which I consider to fall under it, the number will not be thousands, but a whole million. Two annas per head per week means Rs. 6-8-0 every year, and the Bill will run into 65 lakhs of rupees. Sir, I can reasonably put a question to the honourable mover of the Bill and his supporters, where is this money to come from? Have they made any suggestions of any kind as to the source from which this money is to come?

Again, my honourable friend suggested that he had given notice of this Bill before the idea of an Unemployment Committee was given out by the party-in-power or by the Honourable Premier. If my memory serves me aright, I think it was on the 1st April that the Honourable Premier made a statement in which he announced his intention to appoint two committees, one to go into the question of retrenchment and fresh revenue, and the other to cope with the problem of unemployment. I am not prepared to accept the statement of my honourable friend that he gave notice of this Bill before the 1st April. Therefore, he cannot claim the credit of having been the first in the field to think of the unemployed. Government had already anticipated this. But Government is not prepared to adopt the precipitate course, which my honourable friend suggests. The Unemployment Committee has been appointed of which my honourable friend is himself a member. That committee will go into the question of unemployment in this province. If he suggests any means of affording relief to the unemployed, and adduces grounds to show that it is possible and feasible to give effect to any proposals which he may put forward in this behalf Government will be perfectly willing to give his proposals a very careful consideration. (*"Hear, hear" from the Treasury benches*).

I have to say just one word more. My honourable friend and his supporters have made a grievance to the effect that we are refusing even the leave for introduction of this Bill. The reason for this attitude is plain. We are sure that we cannot allow this Bill to be passed into law. Therefore, it would be a sheer waste of time and public money to allow this Bill to get

on to the next motion, and it is on this ground that I oppose leave being granted to the introduction of this Bill. (*Cheers*).

Diwan Chaman Lall : Mr. Speaker, before you put the motion, may I be permitted to say one word of personal explanation. My honourable friend, the Minister, stated two things, one in relation to agriculturists' interests not being included in this Bill. He attributed to me a wrong motive. In the first three lines of the Bill it is stated "every manual worker." It does not exclude any manual worker, agricultural or industrial. The second point is—there again my learned friend made a mis-statement—he referred to the Royal Commission on Labour. I ought to know, having been a member of the Royal Commission, what the recommendation was and I did it with my eyes open. One entire scheme for the whole of India was turned down, because of its colossal nature. The provinces were left to legislate for themselves.

Mr. Speaker : Question is—

That leave be granted to introduce the Punjab Unemployment Insurance Bill.

The Assembly divided : Ayes 26, Noes 71.

AYES.

Abdul Aziz, Mian.
Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram, Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deashbandhu Gupta, Lala.
Gokul Chand Narang, Dr. Sir.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.

Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Mazhar Ali Azhar, Maulvi.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Partab Singh, Sardar.
Prem Singh, Mahant.
Saif-ud-Din Kitchlew, Dr.
Sant Ram Seth, Dr.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Badar-Mohy-ud-Din Qadri, Mian.
Balbir Singh, Rao Bahadur Captain Rao.
Balwant Singh, Sardar.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable Chaudhri Sir.

Dasaundha Singh, Sardar.
Dina Nath, Captain.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
Faqir Husain Khan, Chaudhri.
Farman Ali Khan, Subedar-Major.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Ghazanfar Ali Khan, Raja.
Girdhari Das, Mahant.
Gopal Das, Rai Sahib, Lala.

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| Gopal Singh (American), Sardar. | Muhammad Sarfraz Khan, Chau- dhri. |
| Gurbachan Singh, Sardar Sahib Sardar. | Muhammad Wilayat Hussain Jee- lani, Makhdumzada Haji Sayed. |
| Habib Ullah Khan, Malik. | Muhammad Yusaf Khan, Khan. |
| Hari Chand, Rai. | Mushtaq Ahmad Gurmani, Khan Bahadur Mian. |
| Harnam Das, Lala. | Muzaffar Ali Khan, Sardar. |
| Harnam Singh, Lieutenant Sodhi. | Muzaffar Khan, Khan Bahadur Cap- tain Malik. |
| Het Ram, Rai Sahib Chaudhri. | Muzaffar Khan, Khan Bahadur Nawab. |
| Jagjit Singh, Sardar. | Narendra Nath, Diwan Bahadur Baja. |
| Jagjit Singh Bedi, Tikka. | Nur Ahmad Khan, Khan Sahib Mian. |
| Jahan Ara Shah Nawaz, Mrs. | Pritam Singh Siddhu, Sardar. |
| Jahangir Khan, Chaudhri. | Ram Sarup, Chaudhri. |
| Jalal-ud-Din Amber, Chaudhri. | Ranpat, Chaudhri. |
| Jogindar Singh Man, Sardar. | Ripudanan Singh, Thakur. |
| Jugal Kishore, Chaudhri. | Roberts, Professor W. |
| Karamat Ali, Shaikh. | Shah Nawaz Khan, Nawab Khan. |
| Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major. | Sham Lal, Rai Bahadur Chaudhri. |
| Kishan Das, Seth. | Sikander Hyat-Khan, The Honour- able Major Sir. |
| Manohar Lal, The Honourable Mr. | Sumer Singh, Chaudhri. |
| Maqbool Mahmood, Mir. | Sundar Singh Majithia, The Honour- able Dr. Sir. |
| Mubarik Ali Shah, Sayed. | Talib Hussain Khan, Khan. |
| Muhammad Akram Khan, Khan Bahadur, Raja. | Tara Singh, Sardar. |
| Muhammad Faiyaz Ali Khan, Na- wabzada. | Ujjal Singh, Sardar Sahib Sardar. |
| Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar. | |
| Muhammad Hayat Khan Noon, Nawab Malik Sir. | |

THE PUNJAB CRIMINAL LAW (INDIAN PENAL CODE)
AMENDMENT BILL.

Mr. Speaker : Is anybody going to oppose this Bill ?

Raja Ghazanfar Ali Khan : I oppose it.

Mr. Speaker : Sardar Hari Singh may move his motion.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
Sir, I beg to move—

That leave be granted to introduce the Punjab Criminal Law (Indian Penal Code)
Amendment Bill.

Sir, I rise to speak in favour of this motion most reluctantly and most un-
enthusiastically because I have been told—

Mr. Speaker : The honourable member will speak for 10 minutes
only.

Sardar Hari Singh : I would like to speak for one hour.

Mr. Speaker : I cannot give the honourable member more than 15 minutes.

Premier : May I point out that only 15 minutes are left ?

Mr. Speaker : I do not propose to put off the motion.

Sardar Hari Singh : I have come to the conclusion that the fate of this measure will be the same as was the fate of the Bill sought to be moved by my friend Diwan Chaman Lall. The necessity for this measure arises out of the "mighty constitutional changes" that have been inaugurated in this province as in the rest of India. The necessity for the measure arises out of the keen desire on the part of Honourable the Premier to bring about in this province freedom and liberty of the British brand. The object of the measure is to make a feeble effort to approximate the law as it stands in India to the law as it stands in England. Before I address, with your permission, the Honourable the Premier who is in charge of the department of law and order and other members of the House to peep into the history of the law of sedition in India. I should like to institute a contrast between the law in England and the law in India on the subject. In the first place, in England the law of sedition is interpreted like this, that nothing short of direct incitement to disorder and violence is sedition, while in India we know that speeches and writings are held to be causing disaffection or discontent against government whether they incite to violence or not. They are held to be seditious irrespective of their visible effect. In the second place in England the intention of the accused is of the essence of crime and intention is judged by all the environmental circumstances of the case while in India intention is judged from the literal meaning or the internal evidence of the writing or speech. In the third place there is a safeguard in the form of a jury in England. Without the unanimous verdict of the jury the accused cannot be convicted. This is the safeguard in the words of Sir Stephen who was a great authority on criminal law in England who was also a member in the Government of India in the last century. This safeguard is utterly lacking in the case of India. (*An honourable member : We have for Europeans*).

In the fourth place, coming to the penal part of this law, as regards punishment, in England the maximum punishment is two years and that punishment too is simple imprisonment. Those convicted of sedition are placed in the first division. They are entitled to all facilities and amenities of life which they would enjoy outside the jail. In India as everybody knows, the fate of the ordinary prisoner who is the victim of sedition law is hard labour, rigorous imprisonment, deprivation of all facilities and amenities which ought to be given to a man.

In the next place since the Reforms Act of 1831 this law has been rarely used in England while in India it is one of the most abused, one of the most misused sections of the Indian Penal Code. Allow me, Sir, to take the honourable members of this House just for a peep into the history of this section. The historian tells us that it was originally drafted as section 113 of the Indian Penal Code, but somehow, it is said inadvertently, when the Indian Penal Code was written in the year 1860 this section was left out. However, this omission was repaired ten years later in the year 1870. Sir Stephen said that this measure was enacted to meet the events arising out of what is known

[S. Hari Singh.]

as wahabi conspiracy at that time. Sir Stephen gave also a guarantee that this measure would not be used against a person whose speech or utterance did not lead to public disturbance. That was the intention of the honourable mover of that measure. But when once the section found a place in the Indian Penal Code it was wrongly interpreted by the courts. From the Tilak case up to the Bangobasi case in Calcutta, different interpretations were placed in this section till in the year 1898 it was again redrafted in its present form as we have it in the Indian Penal Code. At the time when it was redrafted the British Indian Association, the European Chamber of Commerce, the whole of the educated community, majority of the members of the Calcutta High Court, the whole of the Bar Association of Calcutta were opposed to this measure. The opposition inside the legislature, in the Imperial Legislative Assembly was led by the Maharaja of Dharbanga. This gentleman and others fought tooth and nail according to their own methods in all the stages through which the Bill passed in the legislature. He and his Indian friends in the legislature said, "we want the sedition law in India to be of the same kind, to be of the same character and to have the same scope as the law of sedition in England." What did the sponsors of the measure say? The Lieutenant-Governor of Bengal said, "Do you want to have the same law of sedition as the people of England have? Do you not know the difference between the Government in England and the Government in India? In England people are living under a democratic form of Government. Here you are living under a foreign Government. The force behind this Government is the force of the sword. The first duty of the Government here is self-preservation". Sir Griffith Evans also made a speech in the same strain. He said, "if you have the same form of Government here as you have in England then you can have the same law of sedition too". Now, we are living in the year 1937, the year of introduction of provincial autonomy when according to friends opposite we have got a democratic form of government, the power behind the government being the will of the electorate and not the naked sword. The justification with which this measure was introduced in the Indian Penal Code no longer exists. I therefore propose that the law of sedition in India should approximate the law of sedition in England. The measure I have brought forward is a very simple one to attain the object I have just stated. I do not ask for anything more. (*Cheers*).

Mr. Speaker : Motion moved—

That leave be granted to introduce the Punjab Criminal Law (Indian Penal Code) Amendment Bill.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I am obliged to my honourable friend the mover of this motion for his very learned discourse and for tracing the history of this particular section of the Indian Penal Code. I am afraid I am not convinced by his argument for the simple reason that by his amendment he seeks merely to reduce the penalty. He does not want to alter the wording of the section or to repeal the section. If he had the courage of conviction of what he said on the floor of this House he would have said that this particular section in the Indian Penal Code should either be repealed or that some other section should be substituted in its place.

THE PUNJAB CRIMINAL LAW (INDIAN PENAL CODE) AMENDMENT 1605
BILL.

Sardar Hari Singh : The Honourable Premier has misunderstood me. I stated at the very beginning that it was just a short step towards approximating the law in India to the law in England.

Premier : What I am saying is endorsed by the objects and reasons given in the Bill itself. He merely wants to have the penalty now prescribed in the Indian Penal Code reduced. He asks for this change merely on the strength of the argument that the new constitution has been ushered in and therefore it is proper that the maximum sentence should be reduced. May I, with your permission, ask my honourable friend whether with the advent of the new constitution he wishes that all these penal sections be abandoned?

Sardar Hari Singh : When did I say that?

Premier : The honourable member has suggested that the sentence should be reduced so far as section 124 (a) of the Indian Penal Code is concerned, because the new constitution has come into being. I put another question to my honourable friend, is this the only section in which he wants the sentence to be reduced because the new constitution has been ushered in?

Sardar Hari Singh : When did I say that?

Premier : The new constitution would require all these laws so that respect for law and order is duly retained—whether it is my government or the Congress government. (*Voices : Sadly mistaken*). All these penal sections in the Indian Penal Code or any other law cannot necessarily be washed off. They are there to see that if the law is infringed, the Government has in possession a weapon to deal with those offenders who infringe law. The Congress governments in other provinces will have to deal with several cases—not necessarily under section 124 (a)—may be under other sections—but do you want to deprive them of that weapon merely because they happen to form new governments under the new constitution? I do not think it will be logical. (*Voice from Opposition benches : Take care of yourself*). The honourable member has not advanced any arguments in favour of the reduction of the maximum sentence. Had he said that the Punjab courts have been using or abusing a power given to them under this section, I would have been only too glad to consider his proposal. Let me give you figures of a few cases which I have been able to collect for the benefit of my honourable friends the members of the other side of the House. During the last three years the Punjab Government sanctioned 19 prosecutions under section 124 (a) of the Indian Penal Code. Of these 19 prosecutions 16 cases resulted in convictions as follows :—

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|---|----|----|-------------------------------------|
| 2 | .. | .. | 2 years' rigorous imprisonment. |
| 5 | .. | .. | 18 months' rigorous imprisonment. |
| 1 | .. | .. | 16 months' rigorous imprisonment. |
| 2 | .. | .. | One year's rigorous imprisonment. |
| 2 | .. | .. | Nine months' rigorous imprisonment. |
| 4 | .. | .. | Six months' each. |

and 3 were bound under section 562 of the Criminal Procedure Code. Now that is the exact position with regard to the application or use of this law by

[Premier.]

our courts. If the honourable member could have cited one single case where the sentence had been vindictive, or heavy, I would have seen some reason for his argument for getting the maximum sentence reduced. Let me again point out to him that sanction under section 124 (a) for prosecution is given by Government and let me assure him that all these cases are very carefully studied. Let me also assure him that in view of the change in the constitution all those cases will be even more carefully studied in future and no prosecution allowed unless a definitely strong case has been made out. In the circumstances, I beg to submit, there is no logical reason for accepting this Bill.

Mr. Speaker : Question is—

That leave be granted to introduce the Punjab Criminal Law (Indian Penal Code) Amendment Bill.

The motion was lost.

THE PUNJAB MUSLIM AUQAF BILL.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : I beg to move—

That leave be granted to introduce the Punjab Muslim Auqaf Bill, 1937.

The motion was put and carried.

Mir Maqbool Mahmood : I beg to introduce the Punjab Muslim Auqaf Bill.

THE PUNJAB DISTRICT BOARD (AMENDMENT) BILL.

Sardar Hari Singh : I beg to move—

That leave be granted to introduce the Punjab District Boards (Amendment) Bill.

Mr. Speaker : It is past 5-30 P.M. Has Government any objection to the motion being proceeded with?

Premier : I have no objection.

Mr. Speaker : Does the honourable member wish his motion to be proceeded with now?

Sardar Hari Singh : No.

The Assembly then adjourned till 11 A.M. on Monday, 19th July 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 19th July, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11/A.M., of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

PROFIT TO GOVERNMENT FROM SIRHIND CANAL.

***511. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the amount of capital spent by Government on the Sirhind Canal taken out at Rupar ;
- (b) the amount of water rate collected so far in respect of water supplied from the said canal ;
- (c) the amount spent on its management and maintenance ;
- (d) the net profit derived so far by the Government from this project ?

The Honourable Dr. Sir Sundar Singh Majithia :

- (a) Rs. 2,63,55,471.
- (b) Rs. 15,73,50,469.
- (c) Rs. 5,34,23,458.
- (d) Rs. 5,39,27,904.

PATWARIS IN FEROEZPORE DISTRICT.

***512. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total number of patwaris in the Ferozepore district ;
- (b) the number of patwaris among them who are above the age of 55 years.
- (c) the reasons for retaining in service the patwaris who are above the age of 55 ;
- (d) the number communitywise of the patwaris recruited in the said district during the last three years ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 404.

(b) 56.

(c) Patwaris are not required to retire merely on account of age if they are efficiently fulfilling their duties (*See* paragraph 8·55 of the Punjab Land Records Manual).

- (d) Muslims 5.
Hindus 1
Sikhs 4

REPRESENTATION ALLOWED TO DIFFERENT COMMUNITIES IN Co-
OPERATIVE DEPARTMENT.

***513. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) the number communitywise of inspectors and sub-inspectors of the Co-operative department posted to the Ferozepore district ;
- (b) the number communitywise of other staff of the Co-operative department in district Ferozepore ;
- (c) the action, if any, that is proposed to be taken to give due share to each community in these posts ?

The Honourable Chaudhri Sir Chhotu Ram : (a) and (b). In view of the answer to (c) the collection of the information asked for is not necessary.

(c) No action is needed as postings of officers are determined by the exigencies of the service.

RELIEF OF INDEBTEDNESS ACT.

***514. Pir Akbar Ali :** Will the Honourable Premier kindly state the area to which Part II of the Relief of Indebtedness Act has been extended ?

The Honourable Major Sir Sikander Hyat-Khan : To the whole province.

NOTIFIED AREA COMMITTEE, MANDI BAHU-UD-DIN.

***515. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the population of Mandi Baha-ud-Din, district Gujrat ;
- (b) the income of the Notified Area Committee of Mandi Baha-ud-Din ;
- (c) whether it is a fact that public representations have been made by the citizens of Mandi Baha-ud-Din requesting the Government to give the existing Notified Area Committee the status of a municipal committee ;
- (d) the action that is proposed to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 7,414.

(b) The income during 1935-36 was Rs. 52,858.

(c) and (d) The attention of the honourable member is drawn to the answer given to question No. *399.¹

Lala Duni Chand : Is it true that by making Baha-ud-Din a municipal committee, the value of land of this place will increase very much ?

Minister : Does it arise out of the answer ?

Mr. Speaker : From which part of the reply does this question arise ?

Lala Duni Chand : The matter raised in the question is the extension of a full-fledged municipal committee to this place. Therefore, the question regarding the increase of the market value naturally arises.

Mr. Speaker : The next question.

Diwan Chaman Lall : Has he received a telegram from Mandi Baha-ud-Din subsequent to his reply to question No. *399¹ put on the 18th of July ?

Minister : Yes.

Diwan Chaman Lall : What action does the Honourable Member propose to take in regard to that representation ?

Minister : Nothing new is stated in the telegram.

Diwan Chaman Lall : Is he sure that nothing new has been stated ?

Minister : Yes.

Diwan Chaman Lall : Is he aware that the area given by him is incorrect ?

Minister : No.

Diwan Chaman Lall : Has he made inquiries whether it is so or not ?

Minister : Does not arise.

Diwan Chaman Lall : Has the Honourable Minister made enquiries to find out subsequently when the representation was received by him whether the area given by him was correct or not ?

Minister : The area given in the reply and in the telegram is about the same.

Diwan Chaman Lall : Therefore, may I take it that it is incorrect ?

Minister : No.

Diwan Chaman Lall : If there is a different figure, is it not incorrect ?

Minister : Which is incorrect ?

Diwan Chaman Lall : I want the Honourable Minister to tell me if the reply given by him is correct ?

Minister : My reply is correct.

Diwan Chaman Lall : Has the Honourable Minister made subsequent inquiries ? The representation actually stated that in Phularwan there is a municipality and asked why there should not be one in Mandi Baha-ud-Din ? Does he intend to institute an inquiry into the matter ?

Minister : There is no need.

Diwan Chaman Lall : Is he aware that in the body of the telegram a serious allegation of jobbery has been made ?

Minister : No.

Lala Duni Chand : Will he kindly read out the telegram that he has received ?

Minister : Please obtain a copy from the sender .

Seth Ram Narain Virmani (Urdu): Is the Honourable Minister aware that many zamindars have applied for the inclusion of their lands in the limits of certain municipal committees ?

Minister : Does it arise out of the question, Sir ?

Mr. Speaker : No.

Diwan Chaman Lall : Is he absolutely certain that the charge of jobbery has not been made in the telegram ?

Minister : This very question was asked on that day and my reply is there.

Diwan Chaman Lall : Was this question asked that day that a charge of jobbery has been made in the body of the telegram ? How could it be ? May I ask him whether he has made inquiries into the allegations of jobbery made in the subsequent telegraphic representation ?

Minister : That has already been answered.

Mr. Speaker : The next question.

WATERLOGGING TROUBLE IN GUJRAT.

***516. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that a large area in the Gujrat district is water-logged ;
- (b) whether it is also a fact that the area covered by Dinga Town and the area in its vicinity is entirely water-logged and consequently the houses and lands have been greatly damaged ;
- (c) if the reply to above be in the affirmative, what step the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 20,170 acres (5,688 cultivated and 14,487 uncultivated) is reported to be water-logged in the district.

(b) There is some waterlogging round about Dinga town owing to the accumulation of rain water, but no appreciable damage to houses and lands has taken place.

(c) The drains which were dug sometime ago have been deepened and it is hoped that this will greatly alleviate the trouble.

REPRESENTATION ALLOWED TO CHRISTIAN COMMUNITY IN LOCAL BODIES.

***517. Chaudhri Jalal-ud-Din Amber :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the district boards, municipalities, small town committees and notified area committees having representatives from the Christian community in them and the number of such representatives in each of these local bodies ;
- (b) the steps, if any, that Government intend to take to secure proper representation for the Christian community on the local bodies in the province ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) A statement giving the required information is laid on the table. It is presumed that information is required in respect of Indian Christians only.

(b) The matter is being examined.

Local Bodies having representatives of the Indian Christian Community.

| | |
|--|------------------------|
| 1. District Board, Sheikhpura | One Christian Member. |
| 2. District Board, Lyallpur | Ditto. |
| 3. Municipal Committee, Lyallpur | Ditto. |
| 4. Town Committee, Palampur | Ditto. |
| 5. Municipal Committee, Dalhousie | Ditto. |
| 6. Town Committee, Fatehgarh | Ditto. |
| 7. Municipal Committee, Gujranwala | Ditto. |
| 8. District Board, Gujranwala | Ditto. |
| 9. Municipal Committee, Lahore | Ditto. |
| 10. Notified Area Committee, Civil Lines, Gujrat | Ditto. |
| 11. District Board, Hoshiarpur | Ditto. |
| 12. Municipal Committee, Tarn Taran | Ditto. |
| 13. Municipal Committee, Jandiala | Ditto. |
| 14. District Board, Amritsar | Ditto. |
| 15. District Board, Sialkot | Two Christian Members. |
| 16. Municipal Committee, Sialkot | One Christian Member. |
| 17. Municipal Committee, Narowal | Ditto. |
| 18. Town Committee, Baddomali | Ditto. |
| 19. Town Committee, Bhopalwala | Ditto. |
| 20. Town Committee, Daska | Ditto. |

POLICE EXCESSES IN CHAK NO. 98, TAHSIL JARANWALA.

***518. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether any complaint by the residents of Chak No. 89, tahsil Jaranwala, district Lyallpur, has reached the Deputy Commissioner, Lyallpur, and the Inspector-General of Police, against the alleged police excesses on 29th March, 1937, and a subsequent challan under 107/151, Criminal Procedure Code, against certain residents of the said chak; if so, the result of the inquiry, if any, made in the matter?

The Honourable Major Sir Sikander Hyat-Khan : No complaint appears to have been received by the Inspector-General of Police. Government are not aware whether any specific complaint was made to the Deputy Commissioner, but he is in possession of the full facts. Regarding these the honourable member is invited to see the reply given to question 127², put by the honourable member for the Amritsar Sikh Women's Constituency.

¹Under supervision.

²Page 1295 ante.

ALLEGED THREAT BY MUHAMMADANS TO ATTACK SIKHS OF CHAK
No. 26 OF DISTRICT GUJRAT.

***519. Sardar Partab Singh :** (i) Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Shiromani Gurdwara Parbandhak Committee has sent telegrams to the Premier, Chief Secretary to the Punjab Government, Deputy Commissioner of Gujrat, and Superintendent of Police, Gujrat, that the Muhammadans of surrounding villages are threatening to attack and plunder Sikhs of Chak No. 26, Gobindpur, district Gujrat, in the near future ;

(b) whether a series of similar incidents have taken place in the Gujrat district during the last three years ; if so, the action that has been taken in those cases ; if not, the reasons therefor ;

(ii) (a) whether it is a fact that after the unfortunate incidents of 13th and 14th June last in the Gujrat district, prominent Muslims are holding meetings in some villages of the Gujrat district ;

(b) whether Government is aware that a meeting of the Muslims was recently held in camera at Sufipura (suburb of Mandi Baha-ud-Din) ?

The Honourable Major Sir Sikander Hyat-Khan : (i) (a) Yes, but the statement made in the telegrams was found to be without foundation ;

(b) It is not understood what the honourable member means by "similar incidents" but a number of communal incidents have occurred in the Gujrat district during the last three years. The authorities took prompt and suitable action under the appropriate sections of the law against the members of the contending parties on each occasion ;

(ii) (a) and (b). Government have no information.

REFERENCE TO PUNJAB GOVERNMENT BY KHALSA MISSIONARY
COLLEGE, BOMBAY.

***520. Sardar Partab Singh :** Will the Honourable Premier be pleased to state :—

(a) whether it is a fact that the Bombay University or Bombay Government has made a reference to the Punjab Government about the Khalsa Missionary College, Bombay ; if so, when this reference was made ;

(b) the nature of that reference ;

(c) if the answer to (a) be in the affirmative, whether the Punjab Government has replied to that reference ;

(d) if the Government has replied to that reference, whether it will place a copy of its reply on the table of the House ;

(e) if no reply to that reference has been given so far, the reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, the Bombay Government's telegram was received on the 8th June, 1937.

(b) and (d). Government does not consider it to be in the public interest to make public the correspondence with another provincial Government.

(c) Yes.

(e) Does not arise. I might add to allay the anxiety of the honourable member that the Punjab in its reply has, *inter alia*, said that "it sees no objection to permission being granted for the affiliation of the College to the University of Bombay, but thinks that the question should be decided on the usual principles, such as the resources of the college and its teaching capacity."

VOTERS IN THE ELECTORAL ROLL OF MUNICIPAL COMMITTEE, RUPAR.

***521. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to lay on the table of the House a list of those persons of wards Nos. 2 and 5 of the Municipal Committee, Rupar, whose names were there in the old list of voters and whose names were not reproduced in the new electoral roll together with the reasons for not reproducing their names and the authority who ordered that the names of such persons be not included in the new electoral roll?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The attention of the honourable member is invited to the reply given to question No. *465.¹

Lala Duni Chand : Will the Honourable Minister please state how many names were entered in the old lists relating to wards Nos. 2 and 5 which have been omitted in the new lists of 1936? This information has been asked repeatedly. Is the Honourable Minister now in a position to give it?

Minister : I do not carry the whole electoral rolls of the municipality with me but I can collect that information.

Lala Duni Chand : Is it not the very object of the question that the Honourable Minister should point out the difference between the lists?

Minister : The honourable member can buy a list and compare the names to find out the difference.

Pandit Shri Ram Sharma (Urdu) : Has the Honourable Minister enquired from the Rupar Municipal Committee about the difference that lies in the lists of these two wards?

Minister : I have already replied that question.

Pandit Shri Ram Sharma (Urdu) : Can you not enquire from the Municipal Committee?

Mr. Speaker : The reply given by the Honourable Minister is that voters lists are accessible to the honourable members and if any honourable member wants any information he can buy a list and refer to it himself.

Pandit Shri Ram Sharma (Urdu) : As there is a great difference between the two lists, it is necessary to bring this fact to the notice of the Government.

Mr. Speaker : The requisite information might have been collected first and then this question might have been based on it.

Lala Duni Chand : Is it not the duty of the Government and its Ministers to give information that is asked for in the question ?

Mr. Speaker : No. That is not the duty of the Honourable Ministers. No question can be allowed about information that is available in documents which are accessible to honourable members.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that in 1983 there were 350 voters in ward No. 2 and that in 1986 in the same ward the number of voters was less by 106 ? Is it also a fact that in ward No. 5 the number in 1986 is less by 176 ?

Minister : The honourable member is giving me information.

Pandit Shri Ram Sharma (Urdu) : I am asking whether it is a fact ?

Minister : Make sure yourself.

Pandit Shri Ram Sharma (Urdu) : I want to find out whether Government itself knows these things. There are 176 voters less now in ward No. 5 than there were in 1983. I ask the Honourable Minister the reasons for this difference between the number of voters in the present lists and in the old lists ?

Minister : The remedy is there under the rules. They should have put in claims.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that the Revising Officer did not act according to the rules ?

Minister : I have no information on the subject.

Pandit Shri Ram Sharma (Urdu) : Will you ask for the information ?

Minister : If you give me proper notice.

Lala Duni Chand : May I appeal to the Honourable Minister that it is not a reply ? That is a clear evasion.

Mr. Speaker : The Honourable Minister can be expected to collect information which he is bound to collect and not such information as the members can easily obtain themselves.

Pandit Shri Ram Sharma (Urdu) : Is it a fact that the Revising Officer did not call the names of the claimants by number ?

Minister : I have already stated that if you give me notice I will try to obtain the information.

Lala Duni Chand : Does the Honourable Minister think that this is a glaring omission in the answer ?

Minister : I have no reason to believe so.

FILLING OF TANKS IN HISSAR DISTRICT.

***522. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the permission granted by the Irrigation Department to fill the tanks on the *rajhbahas* in the Hissar district is in most cases ultimately withdrawn and especially so when the tanks are to be filled from the Masudpur *rajbaha* in the Hansi tahsil ;
- (b) how many times the permission so granted has been ultimately withdrawn, and the reasons for its withdrawal ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. Permission has been withdrawn in 89 cases of which one was a private tank and 88 were outside the Irrigation boundary ; of these latter 5 Tanks relate to the Masudpur distributary.

- (b) Once for the reason given in (a).

ASSESSMENT OF LAND REVENUE IN BEIT *Ilaqa* IN DISTRICT
LUDHIANA.

***523. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that in *Beit ilaqa*, particularly in villages vulnerable to *burd-baramadgi* the land revenue is assessed permanently ;
- (b) the names of the villages in this *ilaqa* which are likely to undergo the process of *burd-baramadgi*.
- (c) the number of villages in which land revenue was assessed on *baramad* lands, stating when it was assessed and at what rates
- (d) at the time of the assessments what crops were sown in those lands ;
- (e) whether the revenue authorities recommended the reduction in the land revenue with the change of crops in these lands ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The land revenue in the villages exposed to river action is liable to vary in accordance with the injury or improvement to land caused by the river action. Attention of the honourable member is invited in this connection to the rules in Appendix II to the Final Settlement Report of the Ludhiana district.

- (b) A statement is laid on the table.

(c) The honourable member has not specified the period for which information is required. During the last two years there has been no such case.

(d) and (e). Do not arise. The procedure for the assessment of *baramad* lands is, however, explained in the rules referred to in the reply to part (a) above.

[Minister for Revenue.]

List of villages under Burd Baramad in Ludhiana district.

- | | |
|-----------------------|----------------------------|
| 1. Mohal Ghamana. | 51. Shafipura. |
| 2. Hadiwal. | 52. Sidhwan Bet. |
| 3. Chak Dangan. | 53. Bhamal. |
| 4. Mand Chaunta. | 54. Salempur. |
| 5. Gopalpur. | 55. Bhaini Araian. |
| 6. Dholanwal. | 56. Kiri. |
| 7. Salempur. | 57. Gorsian Khan Muhammad. |
| 8. Kalewal. | 58. Gorsian Qadar Buz. |
| 9. Sekhewal. | 59. Talwara. |
| 10. Garhi Fazal. | 60. Shaikh Qutab. |
| 11. Mattewara. | 61. Lodiwala. |
| 12. Raur. | 62. Munawarpura. |
| 13. Buthgarh. | 63. Kakar. |
| 14. Burj Mattewara. | 64. Turf Kotli. |
| 15. Haidar Nagar. | 65. Patti Multani. |
| 16. Maohhian Kalan. | 66. Shahbazpur. |
| 17. Gadapur. | 67. Mand Tihara. |
| 18. Sasrali. | 68. Walipur Kalan. |
| 19. Bunt. | 69. Maniwal. |
| 20. Mangat. | 70. Ghamnawal. |
| 21. Chaharwala. | 71. Walipur Khurd. |
| 22. Sattowal. | 72. Talwandi Naubad. |
| 23. Dheri. | 73. Aliwal. |
| 24. Sirah. | 74. Abbupura. |
| 25. Shajawatwala. | 75. Giddarwindi. |
| 26. Kasabad. | 76. Sherpur. |
| 27. Jamalpur Lohi. | 77. Khanpur. |
| 28. Qutbewal Araian. | 78. Rajewal Jattan. |
| 29. Fatehgarh Gujran. | 79. Aslana. |
| 30. Talwandi Khurd. | 80. Rajewal Rajputan. |
| 31. Majara Khurd. | 81. Mubarakpur. |
| 32. Chhawala. | 82. Bairsal Khurd. |
| 33. Karaike. | 83. Jodhwal. |
| 34. Bounkar. | 84. Burj Sherpur. |
| 35. Goindwal. | 85. Sekhewal. |
| 36. Alowal. | 86. Ghaungarh. |
| 37. Bholewal Qadim. | 87. Sherian. |
| 38. Majara Kalan. | 88. Mand Fatehgarh. |
| 39. Kharak. | 89. Mand Jodhwal. |
| 40. Razapur. | 90. Daulatpur. |
| 41. Gorsian. | 91. Mand Jharondi. |
| 42. Bholewal Jadid. | 92. Isapur. |
| 43. Kbaira. | 93. Rurewal. |
| 44. Rajjowal. | 94. Malakwal. |
| 45. Chahar. | 95. Musafarwal. |
| 46. Jaspal Khadar. | 96. Sansowal Khurd. |
| 47. Bhundari. | 97. Sansowal Kalan. |
| 48. Kot Mana. | 98. Udhawal Kalan. |
| 49. Kot Umrā. | 99. Udhawal Khurd. |
| 50. Bhaini Gujran. | 100. Mand Udhawal. |

ILAQA BEIT IN DISTRICT LUDHIANA.

***524. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the condition of the Beit ilaqa in the Ludhiana district and the poverty of its people ;
- (b) what steps Government propose to give relief to the people of this ilaqa ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The condition of the residents of the Beit ilaqa of the Ludhiana district is the same as of those of the riverain tracts of other districts.

(b) Relief is always given by Government whenever there is occasion for it.

PICKETING OF HINDU SHOPS AT TANDLIANWALA.

***525. Seth Ram Narain Virmani :** Will the Honourable Premier be pleased to state whether his attention has been drawn to a note in the Press that some members of the Ahrar Party are picketing the shops of the Hindus at Tandlianwala, district Lyallpur; if so, the action he has taken or proposes to take to protect the Hindu shopkeepers from the picketers?

The Honourable Major Sir Sikander Hyat-Khan : Government have ascertained that the Press report regarding the alleged picketing of Hindu shops by the Ahrar Party at Tandlianwala is incorrect. The actual facts are that some time ago members of the Ahrar Party of Tandlianwala approached some of the *Janghi* Muhammadan women on the roads outside the town and dissuaded them from going to the *mandi*, unaccompanied by their men-folk. The women stopped going to the *mandi* alone and the Ahrar Party stopped their activities in this respect. No picketing of Hindu shops took place at Tandlianwala and no action on the part of the Government was necessary.

Seth Ram Narain Virmani (Urdu) : Does the Honourable Premier know that some Muslim villagers, men and women, reported in the Thana that Ahrars abuse them and beat them?

Premier : I have no such information.

Seth Ram Narain Virmani : Does the Honourable Premier know that on the 18th July, 1937, about 1,500 armed Muslims intimidated the citizens of Tandlianwala?

Premier : I have no information on that point.

Lala Deshbandhu Gupta : Will you please collect the information?

Premier : This information embodied in the reply to the question was received by me only yesterday, and if there had been anything of the kind mentioned by the honourable member, the local authorities would certainly have given me that information.

PASSPORT APPLICATION BY SARDAR SHER SINGH.

***526. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether he is aware of the fact that one Sardar Sher Singh, son of Sardar Hukam Singh Kaliana, a landlord of the Montgomery district, applied for a passport for Japan and China in the last week of April last and that the passport has not been granted to him so far;

(b) if the answer to (a) be in the affirmative, the reasons for this delay?

The Honourable Dr. Sir Sundar Singh Majithia : The issue of passports is a Prerogative Function of the Governor-General falling outside the Government of India Act, 1935. This being so, it is suggested that the proper place for questions on this subject would be the Central legislature.

Lala Duni Chand : Will the Honourable Minister be pleased to state whether the attitude of the present Government is in any way different from the attitude of the previous Government with regard to granting passports for foreign countries ?

Minister : That is a matter of opinion.

Lala Duni Chand : Is the Honourable Minister right in saying that it is a matter of opinion ?

Minister : That is what I have stated.

Diwan Chaman Lall : What is the Honourable Minister's opinion ?

TEACHERS OF CLASSICAL LANGUAGES.

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

- (a) the number of Oriental teachers in Government service on the grade of Rs. 55—3—70, Subordinate Educational Service Class 4th who were promoted to the grade of Rs. 80—4—100, on the basis of improved qualifications since 1932 ;
- (b) also the number of Oriental teachers, with their qualifications and length of service who are still working in the grade of Rs. 55—3—70, and have not so far been promoted to the next higher grade ;
- (c) whether in consideration of the qualifications and the length of service of the teachers mentioned in (b) it is intended to include them in the list of teachers possessing improved qualifications for purposes of promotion to the next higher grade ?

The Honourable Mian Abdul Haye : (a) Twelve .

(b) The honourable member is referred to the Departmental List in the Assembly Library.

(c) No.

ELECTRICITY FOR AGRICULTURAL PURPOSES.

***528. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Public Works be pleased to—

- (a) lay on the table of the House, papers, connected with any scheme for the utilization of electricity for working tube-wells for agricultural purposes ;
- (b) state whether the Government proposes to give any facilities for the use of electricity for agricultural purposes for any area other than the one already touched by the said scheme ; if so, what ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) With the exception to a small scheme near Qadian which Government has sanctioned with a view to ascertaining the zamindars' requirements of water, no scheme so far prepared has reached the final stage of securing the sanction of Government. Government has, however, placed an officer on special duty to investigate schemes of this nature in the Punjab.

(b) The attention of the honourable member is invited to part (b) of the reply to question No. *345.¹

Sardar Sahib Sardar Gurbachan Singh : Will it be possible for the Government to make electric energy available to the agriculturists of Doaba for pumping out water ?

Minister : The Government has placed an officer on special duty to investigate the matter, as I have already said.

Sardar Sahib Sardar Gurbachan Singh : Will that special officer be asked to look into this matter also ?

Minister : He is already looking into this matter.

Chaudhri Jalal-ud-Din Amber : Can that officer be sent to backward areas in the Sialkot district where there is no canal irrigation to find out requirements of electricity for pumping out water ?

Minister : That officer is dealing with the entire province of the Punjab.

HEALTH OF COMRADE RAM KISHAN, A STATE PRISONER.

*529. **Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that comrade Ram Kishan, a State prisoner is in a bad state of health ;

(b) whether it is a fact that he contracted kidney and liver trouble and tuberculosis after his imprisonment, if so, the action that is proposed to be taken in the matter ?

The Honourable Major Sir Sikander Hyat Khan : In November, 1935, this State prisoner was found to be suffering from pulmonary tuberculosis, and he has since been under treatment therefor. During recent months his health has shown considerable improvement. There has been no kidney or liver trouble while the prisoner has been in confinement.

Lala Duni Chand : Is the Government prepared to release those State prisoners who are suffering from such serious diseases as tuberculosis, etc ?

Premier : It does not arise out of this question.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to consider the release of this particular prisoner in view of his bad state of health ?

Premier : As I have said, his health has shown considerable improvement. He is now in a hospital.

Lala Deshbandhu Gupta : Does not the Honourable Premier think that if he is released, it will help him in his speedy recovery.

Premier : It may or may not. He is receiving first class treatment.

Lala Duni Chand : Does the Government apprehend any danger if this gentleman is released ?

Diwan Chaman Lall : May I ask the Honourable Premier where this particular prisoner is confined ?

Premier : I cannot give that information off-hand, I must have notice for that. Very likely he is removed to Ambala Jail.

Diwan Chaman Lall : May I ask the Honourable Premier whether he considers it feasible that if this prisoner is not to be released, he should be confined in a place where he should speedily recover ?

Premier : It is the general policy of the Government to place such prisoners where the chances of recovery are best.

Diwan Chaman Lall : Will the Government send that prisoner to a hill station where he may recover quickly ?

Premier : I can make no such promise. I will examine whether it is necessary to remove him to another jail.

Sardar Sohan Singh Josh (Urdu) : For how long has he been suffering from this disease ?

Premier : I am afraid I cannot give that information off-hand.

Sardar Sohan Singh Josh (Urdu) : Does the Honourable Premier know that there is going on an agitation about his release in the country ?

Dr. Gopi Chand Bhargava : Will the Honourable Premier be pleased to consider the proposal of consulting a tuberculosis expert ?

Premier : If it is not already done.

Lala Duni Chand : In what stage of consumption is he ?

Diwan Chaman Lall : May I ask whether it is a fact that his case was reviewed recently ?

Premier : I believe he was one of those whose cases were reviewed recently.

COMRADE TIKA RAM SUKHAN.

*530. **Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Comrade Tika Ram Sukhan was awarded 3 years' imprisonment in July, 1935, under the Arms Act ;

- (b) whether it is a fact that he is being kept in a separate cell since his imprisonment ;
- (c) whether it is a fact that he contracted tuberculosis in the jail and is still suffering from it and that his eyesight has also become weak ;
- (d) if the answer to (c) above be in the affirmative, the action that the Government intends to take in the matter ?

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

(b) He is kept in a separate cell at night, but is allowed to associate with other prisoners in the day time.

(c) No. Clinically he is suffering from tuberculosis of the lungs but so far as no tubercle bacilli have been found in his sputum. The history of the case shows that weakness was contracted before his admission to jail, not afterwards. He suffers from defective vision, but here again there has been no deterioration since the prisoner came into jail.

(d) The prisoner is receiving the appropriate medical treatment, and no special action is contemplated.

Lala Bhim Sen Sachar : Is it a fact that this prisoner was kept in a solitary cell even during summer nights ?

Premier : I should like to have notice of that question. I cannot give information off-hand.

Chaudhri Kartar Singh (Urdu) : In view of his diet difficulties, will it be possible for Government to release him earlier ?

Premier : If his condition is serious and authorities are of this opinion, I shall naturally let him off.

Chaudhri Kartar Singh (Urdu) : When no court sentenced him to solitary confinement, why is he treated as a solitary prisoner ?

Premier : How does the honourable member know that the *adalat* did not do it ?

Chaudhri Kartar Singh (Urdu) : I can prove that he is confined alone in a cell without any order of a court.

Premier : I am afraid, I should like to have some authority on that point before I answer the question.

Chaudhri Kartar Singh : Will the Honourable Premier make enquiries into the matter ?

Premier : If the honourable member will write to me I will make enquiries.

SPEECH BY MAULANA ZAFAR ALI KHAN AT A MEETING AT AMRITSAR.

*531. **Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the fact that a meeting of Muslims was held in Khair Din's Mosque, Amritsar, under the presidency of Shaikh Muhammad Sadiq, ex-Member of Legislative Council, a week or so ago ;

[Ch. Kartar Singh.]

(b) whether it is a fact that the principal speaker in the meeting was Maulana Zafar Ali Khan of Lahore;

(c) whether it is also a fact that the Maulana made a speech tending to create bad blood among various communities;

(d) what steps he has taken or proposes to take in the matter?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (c).—Maulana Zafar Ali Khan made a speech at a meeting of Muhammadans held inside Khair Din Mosque in Amritsar on the 22nd June, 1937; Shaikh Sadiq Hassan and not Shaikh Mohammad Sadiq presided. The speech contained nothing actionable:

(d) No action on the part of Government seems necessary.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to read the extract from his speech wherein he observed that after 10 years the province will be a Muhammadan province or there will be a Muslim *raj*?

Premier : He did not say so in this speech to which this question relates. I have got an extract and I can show it to the honourable member if he so wishes.

Lala Deshbandhu Gupta : Is the Honourable Premier aware that some such speech was delivered in Amritsar by Maulana Zafar Ali Khan?

Mr. Speaker : This is irrelevant.

LAND REVENUE ARREARS.

***532. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to lay on the table of the House a statement giving the figures of arrears of land revenue in the province district-wise, the names of the zamindars including the members of this House who have defaulted in the payment of land revenue so far, the amount of the land revenue standing against the names of such persons and the steps the Government has taken or proposes to take against such defaulters?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member's question is vague inasmuch as he has not given any date or period to which the inquiry relates. A statement showing the figures of arrears of land revenue in the Punjab as they stood on the 31st May, 1937, is, however, laid on the table. Details of the names of zamindars including the members of this House who have defaulted in the payment of land revenue are not available, nor would they be worth the trouble of collecting.

Sardar Sohan Singh Josh (Urdu) : Will he please state whether the Government will be prepared to remit the remaining dues?

Minister : That does not arise out of this question.

Statement showing the figures of arrears of land revenue in the Punjab as they stood on the 31st May, 1937.

| District. | Fixed land revenue. | Fluctuating land revenue. | Total. | REMARKS. |
|-----------------|---------------------|---------------------------|-----------------|----------|
| 1 | 2 | 4 | 4 | 5 |
| | Rs. | Rs. | Rs. | |
| Hissar .. | 524 | 807 | 1,331 | |
| Rohtak .. | 36,722* | 5 | 36,727 | |
| Gurgaon .. | 1,04,722 | 556 | 1,05,278 | |
| Karnal .. | 2,206 | 59 | 2,265 | |
| Ambala .. | 353 | 264 | 617 | |
| Simla .. | .. | .. | .. | |
| Total .. | 1,44,527 | 1,691 | 1,46,218 | |
| Kangra .. | .. | .. | .. | |
| Hoshiarpur .. | .. | 2,174 | 2,174 | |
| Jullundur .. | .. | .. | .. | |
| Ludhiana .. | 60 | .. | 60 | |
| Ferozepore .. | 2,558 | 441 | 2,999 | |
| Total .. | 2,618 | 2,615 | 5,233 | |
| Lahore .. | 29,575 | 3,991 | 33,566 | |
| Amritsar .. | 228 | 168 | 396 | |
| Gurdaspur .. | 20,612* | 1,020 | 21,632 | |
| Sialkot .. | 4,359 | 71 | 4,430 | |
| Gujranwala .. | 6,017 | 1,210 | 7,227 | |
| Sheikhpura .. | 262 | 4,372 | 4,634 | |
| Total .. | 61,053 | 10,832 | 71,885 | |

*NOTE.—The arrears in Rohtak, Gurgaon and Gurdaspur districts also include suspended land revenue which was ordered to be collected in May, 1937.

[Minister for Revenue.]

| District. | Fixed land revenue. | Fluctuating land revenue. | Total. | REMARKS. |
|-----------------------|---------------------|---------------------------|-----------------|----------|
| 1 | 2 | 3 | | 4 |
| | Rs. | Rs. | Rs. | |
| Gujrat .. | 4,446 | 1,026 | 5,472 | |
| Shahpur .. | 5,080 | 2,903 | 7,983 | |
| Jhelum .. | 1,572 | 50 | 1,622 | |
| Rawalpindi .. | 1,439 | 14 | 1,453 | |
| Attock .. | 12,316 | 528 | 12,844 | |
| Mianwali .. | 106 | 1,635 | 1,741 | |
| Total .. | 25,022 | 6,165 | 31,187 | |
| Montgomery .. | .. | 4,087 | 4,087 | |
| Lyallpur .. | 1,571 | 7,138 | 8,709 | |
| Jhang .. | 98 | 1,691 | 1,689 | |
| Multan .. | 5,689 | 29,038 | 34,727 | |
| Muzaffargarh .. | 3,847 | 7,084 | 10,931 | |
| Dera Ghazi Khan .. | 11,499 | 4,489 | 15,988 | |
| Total .. | 24,959 | 6,156 | 31,115 | |
| GRAND TOTAL .. | 2,55,861 | 74,721 | 3,30,582 | |

SARDAR BHOLA SINGH, BABAR AKALI PRISONER.

***533. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state whether it is a fact that Sardar Bhola Singh, a Babar Akali prisoner, confined in the old Multan Jail is not keeping good health and that he has now been put in a solitary cell? If so, what action does he propose to take in the matter?

The Honourable Major Sir Sikander Hyat-Khan : The prisoner is in normal health. It is not correct that he is in solitary confinement. He is kept in a separate cell at night but is allowed to associate with other prisoners during the day.

AMOUNT OF RURAL DEBT IN THE PROVINCE.

***534. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total amount of rural debt at the present time ;
- (b) the amount of such debt as is due to the co-operative societies and banks ;
- (c) the amount of such debt as is due to the money-lenders as far as it can be ascertained ;
- (d) the total amount of interest on the total rural debt as mentioned in (a) above ;
- (e) the total payments annually made by the debtors in respect of principal as well as interest ;
- (f) whether the rural debt is on the increase or decrease and the time it will take under normal circumstances to discharge the above debt ?

The Honourable Dr. Sir Sundar Singh Majithia : (a), (b) and (c). The honourable member's attention is invited to the reply given to parts (a) and (b) of question No. *57¹ in the present session of the Assembly.

(d) No estimate is available.

(e) No estimate is available for principal. For interest attention is invited to the reply given to part (c) of question No. *145² in the present session of the Assembly.

(f) It is impossible to say on the information available whether rural debt is increasing or decreasing, nor can anyone possibly forecast how long it will take to discharge it.

ACTIVITIES OF THE RURAL RECONSTRUCTION DEPARTMENT.

***535. Chaudhri Kartar Singh :** Will the Honourable Minister for Development be pleased to state in relation to the activities of the Rural Reconstruction Department during the last twelve months—

- (a) the number of ventilators installed in the villages ;
- (b) the number of bore-hole latrines dug in the villages ;
- (c) the number of manure pits made ?

The Honourable Chaudhri Sir Chhotu Ram : (a) For the last twelve months, for which figures are available, the total comes to nearly half a million of all kinds, but this figure is far from complete. No new house is now built without some attention being paid to ventilation.

(b) No figures are available but this innovation is proceeding very slowly indeed. Moreover, the department of Public Health deprecates this kind of latrine where the sub-soil water level is high. The problem of the best kind of latrine is not yet solved.

¹Pages 354-55 ante.

²Page 616 ante.

[Minister for Development.]

(c) Figures are incomplete, both of the number of pits in regular use and of those newly dug or reconditioned. The only figures available show 100,000 new pits and 40,000 old pits reconditioned.

Diwan Chaman Lall : Is the Honourable Member aware that the Royal Commission on Labour has reported regarding the best type of bore-hole pits ?

Minister : No, I am not.

Diwan Chaman Lall : Will the Honourable Member look into the recommendations ?

Minister : Yes, I will.

PASSPORT OF MIR ABDUL MAJID OF LAHORE.

***536. Master Kabul Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that Mir Abdul Majid of Majid and Company, Mochi Gate, Lahore, applied for a passport to visit Australia in connection with the business of his firm ;

(b) if the answer to (a) above be in the affirmative, whether a passport has been issued to the applicant ; if not, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : The issue of passports is a Prerogative Function of the Governor-General falling outside the Government of India Act, 1935. This being so, it is suggested that the proper place for questions on this subject would be the Central Legislature.

INTERNEES IN THE LAHORE FORT.

***537. Master Kabul Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that most of those who return from Argentine, Canada, and the United States of America, are arrested on their arrival and taken to the Lahore Fort, under the Criminal Law Amendment Act ;

(b) the names and the number of those who have been so detained during the last five years and also the names and the number of the present internees inside the said Fort ;

(c) the charges against the internees, if any, and whether the Government proposes to produce them before courts of law to stand their trials ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No.

(b) It is not in the public interest to give this information.

(c) *First part.*—Government does not consider it in the public interest to answer this part of the question.

Second part.—No.

Sardar Hari Singh : Can the Government adopt the subterfuge of "public interest" to cover a whole host of sins of omission and commission?

Mr. Speaker : Order, order.

Lala Deshbandhu Gupta : The Honourable Premier has just given a negative reply to part (a) of the question and to part (b) he says it is not in the public interest to give the information. How can the reply to (a) be in the negative if there is something to be withheld as not being in the public interest in reply to (b)?

Mr. Speaker : That is cross-examination.

Premier : Both the parts are quite separate. Part (b) mentions "detained" and the reply is to that.

Lala Deshbandhu Gupta : "So detained"—that is the wording.

Sardar Gopal Singh : Is it a fact that one Hazara Singh was arrested and taken to Lahore Fort?

Premier : I should like to have notice of that question.

Sardar Gopal Singh : Was he not serving an imprisonment of 30 years in a cheating case in America?

Premier : I am afraid I have no information.

(Finding that the honourable member who put the question was also standing when the Honourable the Premier was answering the supplementary question.)

Mr. Speaker : After a question has been put by an honourable member, he should resume his seat and rise again if he wants to put another question.

Sardar Gopal Singh : Was he not the editor of paper *Kirti* of Amritsar for many years?

Premier : I am afraid I cannot answer these questions off-hand. If the honourable member gives me notice, I shall try to give him information.

Diwan Chaman Lall : On a point of order, Sir. Is it proper for an honourable member to make serious charges of this description against an individual who is not on the spot to answer those charges? I wish to draw your attention to the very serious charges made by a member opposite against an individual who is not here to defend himself and questions regarding him put which do not obviously arise out of the questions on the order paper.

Mr. Speaker : Is he a member of the House or an outsider?

Diwan Chaman Lall : Outsider.

Mr. Speaker : As some honourable members do not speak aloud, sometimes I miss their exact words.

Sardar Gopal Singh : I was only trying to get information about that man.

Mr. Speaker : That is a separate matter.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state whether he has set up any machinery to go into cases of this nature and report as to whether anything can be done ?

Premier : A very suitable machinery and that is that I go into every case myself personally.

Lala Deshbandhu Gupta : Has he gone into the cases of these persons detained for the last five years ?

Premier : If the honourable member would have patience he will probably know to-morrow.

CONFISCATION OF THE SECURITY OF " GURMUKHI KIRTI WEEKLY."

***538. Master Kabul Singh:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on account of the forfeiture of security of the Dukhi-Dunya Press, Amritsar, the publication of the *Gurmukhi Kirti Weekly* has been stopped since January, 1937 ;
- (b) whether it is a fact that a security to the amount of Rs. 2,000 was deposited with the Government in the month of August, 1936, by the printer and publisher of the said weekly ;
- (c) whether it is a fact that about two months back the above-mentioned printer and publisher applied for the refund of the said security ;
- (d) whether it is a fact that no response was made to the application mentioned in (c) above ;
- (e) whether it is a fact that the printer and publisher of the said weekly received a notice on or about the 11th June, 1937, informing that the security of Rs. 2,000 had been confiscated on account of an article which appeared in the said weekly in December, 1936 ;
- (f) if the answer to (e) above be in the affirmative why the action was taken after the application mentioned in (c) above was put in ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No. The last issue of the *Gurmukhi Kirti* delivered to Government was dated the 15th March, 1937.

(b) and (c) Yes.

(d) As the question of taking action on the article on the basis of which security was forfeited, was still under consideration, no response to the application could be given.

(e) Yes.

(f) Does not arise, in view of the reply given to (d) above.

Lala Deshbandhu Gupta: Will the Honourable Premier be pleased to state if there are any more papers whose security has been so forfeited in the Punjab and the total amount of security that has been asked for from the newspapers recently ?

Premier : I am afraid I cannot give him figures off-hand. But I do not think we have forfeited any security during the last two or three months.

Lala Deshbandhu Gupta : Will he consider the cases where security has been deposited and see whether he can refund the security, as has been done by other provinces ?

Premier : I have already given instructions that these cases should be examined and except in the case of those papers which are rabidly communal I think very sympathetic view will be taken.

SUB-REGISTRAR'S OFFICE AT BANGA (DISTRICT JULLUNDUR).

***539. Master Kabul Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the inhabitants of village Banga (district Jullundur) and other villages in its neighbourhood made a representation on the 4th November, 1936, requesting that the Sub-Registrar's office at Banga may not be abolished ;

(b) if so, the action taken on it ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No final decision has yet been made about closing the office of Sub-Registrar at Banga. The matter is still under consideration of the local officers from whom a report is awaited.

Sardar Ajit Singh : On a point of order. You have already ruled that no newspapers should be read in the House. At this time many honourable members are looking at a very nice cartoon.

Mr. Speaker : May I request the honourable members not to read newspapers in the Chamber ?

Rai Bahadur Mr. Mukand Lal Puri : Even if it is intended to bring something to your notice ?

Mian Abdul Aziz : Is it any special cartoon, Sir ?

COMRADE TEJA SINGH M.L.A., A STATE PRISONER.

***540. Master Kabul Singh :** Will the Honourable Premier be pleased to state whether the Government proposes to try Comrade Teja Singh, M.L.A., a State prisoner, in an open court ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : No ; it is not in the public interest to give reasons.

Lala Duni Chand : Will the Honourable Premier point out the difficulties in the way of Government starting a regular trial against this man ?

Premier : I have already answered that question. It is not in the public interest to give reasons.

Lala Duni Chand : Will he kindly point out precisely what that public interest in this particular case is ?

Premier : It is not in the public interest to point out precisely what that public interest is.

Lala Deshbandhu Gupta : May I know whether the Honourable Premier has gone personally into this case?

Premier : I regretfully confess that I have gone very carefully into this case and that is one case which is giving me a lot of anxiety and trouble.

Chaudhri Kartar Singh : Is it a fact that the peace of the province has not been disturbed on account of the release of any political prisoner?

Mr. Speaker : The question is not in order.

Lala Deshbandhu Gupta : Short of trying him in an open court, will the Honourable Premier take an opportunity of seeing the prisoner and verifying from him the information that has come to him?

Premier : I hope what I say now will not go into the press. I have a statement of the prisoner himself on record and it is that which gives me so much anxiety and trouble.

Lala Deshbandhu Gupta : Is he sure that that statement is a genuine one?

Premier : I am certain it is.

Diwan Chaman Lall : Will he save himself a lot of anxiety and trouble by simply releasing this gentleman?

Premier : No. My anxiety is because of his own statement.

Diwan Chaman Lall : Take a plunge.

Premier : I might be able to do that later on if the atmosphere changes.

Lala Deshbandhu Gupta : Will the Honourable Premier take the Leader of the Opposition into his confidence so far as this case is concerned?

Premier : I might be prepared to take this House into my confidence, but then it will have to be a secret session of the House. If my honourable friend the Leader of the Opposition wants to see his statement I am prepared to show it to him. I can assure the House that I have looked into it very carefully and have examined various aspects of the case. I am still unable to see my way to take any other decision except what I have already taken.

Chaudhri Kartar Singh (Urdu) : Will the Honourable the Premier think it advisable to consult the Prime Minister of the United Provinces regarding Sardar Teja Singh?

Premier : I do not know if the Chief Minister of the United Provinces had close intimate connection with Sardar Teja Singh.

REPRESENTATION OF INDIAN CHRISTIANS IN LOCAL BODIES.

*541. **Mr. S. P. Singha :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of municipalities and district boards in the Punjab in which Indian-Christians have the right to send an elected

representative on the basis of separate electorate, and also the number of such local bodies in which Indian-Christians are represented by nomination ;

- (b) whether the Government proposes to take any action in the matter of giving representation to Indian-Christians on the local bodies of the province ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Lahore is the only Municipal Committee (now under supersession) where the Indian-Christians have the right to send an elected representative on the basis of separate electorate. Indian Christians are represented by nomination in the following municipal committees and district boards :—

Municipal Committee, Gujranwala.

Municipal Committee, Lyallpur.

Municipal Committee, Sialkot (now under supersession).

Municipal Committee, Narowal.

Municipal Committee, Tarn Taran.

Municipal Committee, Jandiala.

District Board, Sheikhpura.

District Board, Gujranwala.

District Board, Lyallpur.

District Board, Sialkot.

District Board, Amritsar.

(District Board, Hoshiarpur, has an elected Christian member).

- (b) The question is being examined.

RECRUITMENT IN CONNECTION WITH HAVELI PROJECT.

***542. Pir Mohy-ud-Din Lal Badshah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in connection with the Haveli Project, which is about to be undertaken, nearly five hundred and forty-three new vacancies are to be filled in the near future ;
- (b) whether it is a fact that the number of Muslims at present in the Irrigation Department is very small ; if so, whether it is intended to make up this deficiency at the time of filling the vacancies mentioned in (a) above ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) About 400 vacancies will be created excluding menial establishment.

(b) Yes. Endeavours will be made to make up the deficiencies in case of communities which are not properly represented at present; but this depends, however, on suitable candidates being available from those communities.

ALLOWANCE TO TEACHERS IN TRAINING SCHOOL, LALA MUSA.

***543. Raja Fateh Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of teachers belonging to the Rawalpindi district, who have joined the senior vernacular class in the Training School at Lala Musa;
- (b) whether the Government is aware of the fact that the District Board, Rawalpindi, has granted them no allowance or salary, as is done by other district boards of the province in such cases;
- (c) if the reply to (b) above be in the affirmative, what action the Government proposes to take in the matter?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

PAYMENT OF LAND REVENUE BY SARDAR HARJAB SINGH, M.L.A.

***544. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the amounts of land revenue instalments due from S. Harjab Singh, M.L.A., and Sardar Gurbachan Singh, Mahilpur, district Hoshiarpur, were remitted by them to the lambardar concerned by money order in June 1937;
- (b) whether it is a fact that the said lambardar refused to receive the land revenue so remitted; if so, the action that Government propose to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Sardar Harjab Singh, M.L.A., did send a money order to the lambardar, but no money order is reported to have been received by the lambardar from S. Gurbachan Singh.

(b) The lambardar is reported to have refused the money order sent by Sardar Harjab Singh, because the amount was less than the demand for rabi 1937. As the amount due to Government was paid into the treasury by the lambardar no action is required.

EDUCATION IN THE BEIT ILAQA, DISTRICT LUDHIANA.

***545. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether a particular sum has been set apart by the Ludhiana District Board, for the Education of boys and girls in the Beit ilaqa ; if not, why not ;
- (b) if the answer to (a) be in the affirmative, the names of the persons appointed to find out ways and means for the spread of education in the Beit ilaqa ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

EDUCATIONAL FACILITIES FOR THE BEIT ILAQA, DISTRICT LUDHIANA.

***546. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Education be pleased to state—

- (a) the total grant given by the Government for primary education to the Ludhiana district board ;
- (b) whether the Government is prepared to increase the grant proportionately so as to enable the District Board, Ludhiana, to extend educational facilities to the Beit ilaqa ?

The Honourable Mian Abdul Haye : (a) The total grant given by the Government for vernacular education (including primary schools) to the Ludhiana district board during 1936-37 amounted to Rs. 2,48,718.

(b) If the District Board, Ludhiana, extends educational facilities in any area under its jurisdiction and incurs additional expenditure Government will be prepared to pay extra grant subject to a maximum of Rs. 8,000 for the entire additional recurring expenditure during the year.

Chaudhri Muhammad Hassan : Will the Honourable Minister please draw the attention of the District Board to this fact ?

Minister : What fact ?

Chaudhri Muhammad Hassan : That more grant will be given to them.

Minister : This answer will be published.

Sardar Kapoor Singh : Is the Honourable Minister aware of the fact that Rawalpindi gets 75 per cent. of the total expenditure ?

Minister : I am not inclined to increase the grant of the Ludhiana district board until they pay more attention to the Beit ilaqa.

Sardar Kapoor Singh : Is it a fact that the District Board opened many schools, but had to close them down because of funds ?

Minister : Government are not satisfied that the majority in the District Board are behaving properly in the matter of minorities.

Sardar Kapoor Singh : Is it not a fact that the District Board opened 9 schools, but the number of students in those schools did not exceed 23 or 25 in any case ?

Minister : The honourable member has sat on the Board and perhaps would not like me to say more on the subject.

SCHOOLS IN BEIT ILAQA, DISTRICT LUDHIANA.

***547. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Education be pleased to state—

- (a) the total number of primary, lower middle and Anglo-vernacular middle schools in Beit ilaqa, district Ludhiana ;
- (b) the number of such schools in other parts of the district ;
- (c) separately the total costs of maintaining such schools in the Beit ilaqa and those including high schools in other parts of the district ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

EDUCATION IN BEIT ILAQA, DISTRICT LUDHIANA.

***548. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that preferential treatment is accorded to Dhaya ilaqa over Beit in Ludhiana district in the matter of public instruction ;
- (b) who are the majority communities in the Beit ilaqa ;
- (c) the number of teachers belonging to the Beit ilaqa in the service of the District Board, Ludhiana ;
- (d) the present number of scholarship-holders of Beit in the different schools of the District Board, Ludhiana ;
- (e) the total remission of fees enjoyed by the students of the Beit ilaqa at present reading in the different schools of the District Board, Ludhiana ;
- (f) separately the number of students from Beit at present reading in the two district board high schools ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

ADULT EDUCATION IN BEIT ILAQA, LUDHIANA.

***549. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there are any arrangements for adult education in the Beit ilaqa ;

- (v) if the answer to (a) above be in the negative, reasons for the same ; if not, names of the villages where these arrangements exist ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Arrangements for the education of adults exist at Barundi, Mallah and Samrala.

DIFFICULTIES OF PEOPLE OF BEIT ILAQA, LUDHIANA.

***550. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

- (a) whether Government have ever ascertained the difficulties the people of the Beit ilaqa in district Ludhiana experience on account of want of schools, roads and medical relief, if not why not ;
- (b) whether the Government proposes to make inquiries to find out the needs of the people in the matter of agriculture, education, public health and sanitation ?

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

VISITS OF MAGISTRATES TO BEIT ILAQA IN LUDHIANA DISTRICT.

***551. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

- (a) the number of magistrates in Ludhiana district ;
- (b) the number of villages, with their names visited by each magistrate during the last year as well as up till 1st June, 1937 ;
- (c) the nature of work done by them in those villages ;
- (d) the number of days and nights passed by each of them in each village of the Beit ilaqa in question ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member is doubtless thinking of first class stipendiary magistrates. The number of these in the Ludhiana district, including the District Magistrate but excluding the Revenue Assistant (who does no criminal case work) is five.

(b) A statement is laid on the table. The names of the villages given in this are those of the villages in the Beit area visited by the several magistrates. It would scarcely be possible to compile a complete list of all the villages in the district visited by the officers in the course of their tours over a period of seventeen months.

(c) The visits of the two officers who held the appointment of District Magistrate during the period were in the course of ordinary village touring those of the other magistrates in connection with criminal case work.

(d) A statement is laid on the table.

[Premier.]

Villages in Beit area visited by Magistrates.

| | |
|---|---|
| (1) Nawab Saidullah Khan, I.C.S., District Magistrate. | Five villages named Powat, Rattipur, Machhiwara Sidhwan Bet and Behloipur. |
| Sardar Sahib Bawa Nanak Singh, P.C.S., District Magistrate. | Nine villages— Machhiwara, Laudhowal, Majara Hazara, Bholewal, Rajgarh, Balliawal, Powat, Behloipur and Fatehgarh. |
| (2) Sardar Dilbagh Singh, Additional District Magistrate. | Two villages— Balliawal and Miani. |
| (3) Kanwar Shiv Singh, Section 30 Magistrate. | Three villages— Behloipur, Rajewal, and Rattipur. |
| (4) Chaudhri Wilayat Hussain, Magistrate first class. | Two villages— Sidhwan Bet and Shafipur. |
| (5) Chaudhri Mehdi Ali, Magistrate, first class. | Stayed at the Sidhwan Bet Rest House but did not visit any village. |

Periods of visits of Magistrates to Beit area.

| | | | <i>Days.</i> | <i>Nights.</i> |
|---|----|----|--------------|----------------|
| (1) Nawab Saidullah Khan, I.C.S., District Magistrate .. | .. | .. | 7 | .. |
| Sardar Sahib Bawa Nanak Singh, District Magistrate .. | .. | .. | 8 | .. |
| (2) Sardar Dilbagh Singh, Additional District Magistrate .. | .. | .. | 1 | .. |
| (3) Kanwar Shiv Singh, Section 30 Magistrate .. | .. | .. | 3 | 1 |
| (4) Chaudhri Wilayat Hussain, Magistrate, 1st class .. | .. | .. | 17 | 10 |
| (5) Chaudhri Mehdi Ali, Magistrate, 1st class .. | .. | .. | 21 | 14 |

MAGISTRATES OF LUDHIANA DISTRICT.

*552. **Chaudhri Muhammad Hassan** : Will the Honourable the Premier be pleased to state—

- (a) the number of cases decided by each of the magistrates of the Ludhiana district during the last month (May, 1937);
- (b) in how many of the said cases the charges were framed before hearing the entire prosecution evidence;
- (c) separately the number of cases ending in convictions and acquittals in each of the courts of the said magistrates during the last year?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (c). Three statements giving the required information are laid on the table—

STATEMENT A.

Number of cases decided by the various Magistrates in the Ludhiana district during May, 1937.

| Serial No. | Names. | Cases. | Appeals. |
|------------|---|--------|----------|
| 1 | 2 | 3 | 4 |
| 1 | Sardar Sahib Bawa Nanak Singh, District Magistrate .. | .. | 18 |
| 2 | Sardar Dilbagh Singh, Additional District Magistrate .. | 170 | 16 |
| 3 | Kanwar Shiv Singh, Section 30 Magistrate .. | 36 | .. |
| 4 | Chaudhri Mehdi Ali, Magistrate 1st Class .. | 43 | .. |
| 5 | Chaudhri Wilayat Hussain, Magistrate 1st Class .. | 123 | .. |
| 6 | Sardar Udham Singh, Tahsildar, Ludhiana .. | 8 | .. |
| 7 | Lala Har Gopal, Tahsildar, Jagraon .. | 13 | .. |
| 8 | M. Kishan Singh, Tahsildar, Samrala .. | 2 | .. |
| 9 | Khan Fazal Ali, Naib-Tahsildar, Ludhiana .. | 13 | .. |
| 10 | M. Waryam Singh, Naib-Tahsildar, Ludhiana .. | 18 | .. |
| 11 | M. Rup Singh, Naib-Tahsildar, Ludhiana .. | 31 | .. |
| 12 | P. Mazhar Hussain, Naib-Tahsildar, Samrala .. | 4 | .. |
| 13 | S. Karam Ilahi, Naib-Tahsildar, Jagraon .. | 27 | .. |

[Premier.]

STATEMENT B.

Number of cases in which a charge was framed before hearing the entire prosecution evidence.

| Serial No. | Names. | Cases. |
|------------|---|--------|
| 1 | 2 | 3 |
| 1 | Sardar Dilbagh Singh, Additional District Magistrate .. | 7 |
| 2 | Kanwar Shiv Singh, Section 30 Magistrate | 3 |
| 3 | Chaudhri Mehdi Ali, Magistrate 1st Class | 9 |
| 4 | Chaudhri Wilayat Hussain, Treasury Officer | 8 |
| 5 | Lala Har Gopal, Tahsildar, Jagraon | .. |
| 6 | Sardar Udhm Singh, Tahsildar, Ludhiana | .. |
| 7 | M. Kishan Singh, Tahsildar, Samrala | .. |
| 8 | Khan Fazal Ali, Naib-Tahsildar, Ludhiana | .. |
| 9 | M. Waryam Singh, Naib-Tahsildar, Ludhiana | .. |
| 10 | M. Rup Singh, Naib-Tahsildar, Ludhiana | .. |
| 11 | Pir Mazhar Hussain, Naib-Tahsildar, Samrala | .. |
| 12 | Chaudhri Karam Ilahi, Naib-Tahsildar, Jagraon | .. |

STATEMENT C.

Results of cases decided by the Magistrates named in statement A during the year 1936.

| Serial No. | Names. | Cases decided. | Cases ending in conviction. | Cases ending in acquittal. | Cases ending with the discharge of the accused. |
|------------|---|----------------|-----------------------------|----------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1 | Sardar Dilbagh Singh, Additional District Magistrate .. | 991 | 800 | 17 | 174 |
| 2 | Kanwar Shiv Singh, Section 30 Magistrate | 62 | 41 | 10 | 11 |
| 3 | Chaudhri Wilayat Hussain, Treasury Officer | 455 | 272 | 69 | 114 |
| 4 | Chaudhri Mehdi Ali, Magistrate 1st Class | 205 | 100 | 51 | 54 |
| 5 | Sardar Udhm Singh, Tahsildar, Ludhiana | 165 | 64 | 67 | 34 |
| 6 | Lala Har Gopal, Tahsildar, Jagraon | 137 | 56 | 76 | 5 |
| 7 | M. Kishan Singh, Tahsildar, Samrala | 94 | 59 | 24 | 11 |
| 8 | Khan Fazal Ali Khan, Naib-Tahsildar, Ludhiana | 195 | 111 | 71 | 13 |
| 9 | M. Waryam Singh, Naib-Tahsildar, Ludhiana | 556 | 361 | 177 | 18 |
| 10 | M. Rup Singh, Naib-Tahsildar, Ludhiana | .. | .. | .. | .. |
| 11 | Pir Mazhar Hussain, Naib-Tahsildar, Samrala | 66 | 7 | 51 | 8 |
| 12 | S. Karam Ilahi, Naib-Tahsildar, Jagraon | 77 | 36 | 35 | 6 |

DIET MONEY TO WITNESSES IN LUDHIANA COURTS.

***553. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

- (a) whether he is aware that diet money is promptly paid to the prosecution witnesses and in the case of defence such payments are not made promptly in Ludhiana courts ;
- (b) if the answer to (a) above be in the affirmative, whether irregularities have come to the notice of the present District Magistrate, Ludhiana, in this respect ;
- (c) if the answer to (b) above be in the affirmative, action, if any, taken by him ; and if no action has been taken, reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No. There appears to be no basis for the suggestion that delays are allowed to occur in paying defence witnesses.

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

WORKING DAYS OF THE DISTRICT MAGISTRATE, LUDHIANA.

***554. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

- (a) the working days of the present District Magistrate, Ludhiana, in the court ;
- (b) whether it is a fact that the present District Magistrate, Ludhiana, does not work on interview days (*mulaqat* days) ;
- (c) uptill what time in the day the interviews in question continue ;
- (d) whether any record is kept of the time spent in interviews by the said District Magistrate ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Two days in the week for appeal work at headquarters—in addition to work done while in camp.

(b) No.

(c) This depends on the number of visitors and the importance of the visit.

(d) No. This is not considered necessary.

CONSTRUCTION OF A NEW KUTCHERY AT JULLUNDUR.

***555. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) if it is a fact that there was a proposal to build a new Kutchery at Jullundur as the accommodation in the old one is insufficient ; if so, since how long this proposal has been under the consideration of the Government and the reasons for not giving effect to it ;

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(b) whether the Government is aware of the fact that on account of insufficient accommodation some of the magistrates hold their courts in the bathrooms and dressing rooms of a house hired for that purpose ;

(c) what steps Government propose to take to expedite the construction of the new Kutchery ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, the proposal dates from earlier than 1927 and has not been carried out owing to financial stringency.

(b) None of the magistrates holds his court either in a dressing room or in a bathroom of the hired kutchery building.

(c) The work is estimated to cost nearly Rs. 5 lakhs. It may not be possible to consider it till 1939.

RATES CHARGED BY ELECTRIC SUPPLY COMPANY, JULLUNDUR.

***556. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the Jullundur Electric Supply Company is supplying Hydro-Electric energy to its consumers ; if so, since how long they have been supplying the same ;

(b) whether it is a fact that the Government tariff rates are binding on all to whom electric energy is supplied from the Mandi Hydro-Electric scheme ;

(c) the rates charged by the Jullundur Electric Supply Company from the consumers ;

(d) whether it is a fact that they are much higher than the Government tariff rates ;

(e) whether the Government proposes to take any action in the matter ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes ; since 7th July 1936.

(b) No.

(c) A statement is placed on the table.

(d) This is a matter of opinion. The tariff of the Electricity Branch of the Punjab Public Works Department have been placed on the table of the House before this and are available to the honourable member. He can himself make comparisons.

(e) No. The revision of the rates prescribed in licences under the Electricity law is governed by clause XI of the Schedule to the Indian Electricity Act, 1910.

STATEMENT.

The rates actually being charged by the Jullundur Electric Supply Company, Limited are as under—

| | |
|---|---|
| (a) Lights and fans (domestic purposes) | Re. 0-6-0 per unit. |
| (b) Power supply (available at all hours) | Re. 0-2-6 per unit subject to a rebate for prompt payment of Re. 0-0-6, Re. 0-0-9 and Re. 0-1-0 per unit when the monthly consumption exceeds 50, 70 and 100 units, respectively, per H. P. |
| (c) Heating (domestic) | Re 0-4-0 per unit less Re. 0-0-6 per unit for prompt payment. |
| (d) Heating (industrial) | Re. 0-3-0 per unit less Re. 0-0-6 per unit for prompt payment. |

CRIMINAL INVESTIGATION DEPARTMENT AND POLICE SURVEILLANCE OF
THE MEMBERS OF THE PUNJAB LEGISLATIVE ASSEMBLY.

***557. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that several honourable members of this Assembly are kept under strict surveillance by the Punjab Criminal Investigation Department ;
- (b) if so, the names of such honourable members, and the reasons for keeping them under surveillance ;
- (c) whether it is proposed to discontinue this practice ?

The Honourable Major Sir Sikander Hyat-Khan : It is not in the public interest to give the information.

Lala Deshbandhu Gupta : Will the Honourable Premier please state if he has held any consultations with the Inspector-General of Police since the inauguration of the so-called provincial autonomy and told him to take note of the changed conditions and to alter the practice that has so far been observed in this province ?

Premier : He has taken note of the changed conditions.

Lala Duni Chand : Is it in the public interest not to disclose the names of the honourable members who are under police surveillance ?

Premier : Yes, if there are any ?

Diwan Chaman Lall : Do I understand that the Honourable Premier thinks that there are no honourable members who are under police surveillance ?

Premier : I hope the honourable member will forgive me if I refuse to be drawn into the controversy.

Diwan Chaman Lall : As one deeply interested in the matter and as one subject to police surveillance, I ask whether there are members of this House who are under police surveillance. The surveillance extends to this extent that their letters are being opened by the police before they are delivered to the addressees. May I show the Honourable Premier some of such letters ?

Premier : How does the honourable member know that they are opened by the police ?

Diwan Chaman Lall : The Honourable Premier can go to the General Post Office at Lahore and satisfy himself that these letters are being opened by the police. What is the basis of this surveillance ? Has the Honourable Premier satisfied himself that there is no reason for this surveillance ? Will he please issue orders that this surveillance should cease ?

RESERVATION OF SEATS FOR SMALL MINORITIES IN THE KING EDWARD
MEDICAL COLLEGE.

***558. Mr. S. P. Singha :** Will the Honourable Minister for Education be pleased to state—

(a) whether any seats in the King Edward Medical College, Lahore, are reserved for students of any particular community or communities ;

(b) whether any such seats are reserved for small minorities ?

The Honourable Mian Abdul Haye : (a) Yes—

| | Per cent. |
|-----------------|-----------|
| Muslims | 40 |
| Sikhs | 20 |
| Others | 40 |

Two seats are reserved for the admission of European and Anglo-Indian students over and above the usual number of seats.

(b) Not specifically ; but they come under 40 per cent. seats reserved for "Others".

Lala Duni Chand : Is it true that the fixing of communal representation in the King Edward Medical College has led to the deterioration of the medical graduates of the college ?

Minister : No, Sir.

Lala Duni Chand : Has the efficiency increased thereby ?

Minister : Certainly. (*Laughter*).

Diwan Chaman Lall : Is it not desirable that as many vacancies as are required by all communities should be provided for in the college ?

Minister : That will require money. As soon as money becomes available I shall be glad to comply with the wishes of the honourable member.

Lala Duni Chand : Are we to understand that communal representation in educational institutions will lead to efficiency of those who receive education in those colleges ?

Minister : We cannot shut our eyes to stern realities that face us in the province.

Lala Duni Chand : Is it not a stern reality of the country that we should give the best education to our best young men ?

Minister : That is what we are trying to do for all communities. (*Hear, hear*).

Seth Ram Narain Virmani (Urdu) : How many seats have been reserved for the untouchables ?

Minister : They are being liberally treated under the 40 per cent. left for "Others".

Sardar Sohan Singh Josh (Urdu) : How many for unbelievers ?

Minister : I do not believe in unbelievers.

RECRUITMENT IN CONNECTION WITH HAVELI PROJECT.

***559. Sayed Mubarik Ali Shah** : Will the Honourable Minister for Revenue be pleased to state—

- (a) the total number of persons recruited community-wise in connection with the Haveli Project since April, 1937, with the number of those who belong to the statutory agricultural tribes ;
- (b) the amount of money in the shape of monthly salaries each community receives through these newly appointed men every month ; the amount of such money as (i) the statutory agriculturists and (ii) the others will get monthly through these newly recruited men ;
- (c) the reasons for not replying to my question No. 128 put on the 28th June, 1937, so far ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The attention of the honourable member is invited to the reply given to his question No. 128, which furnishes the necessary information. The information re statutory agriculturists is being collected and is not available at present.

(b) In view of the reply to the latter portion of part (a) the information is not available at present.

(c) A copy of the reply to question No. 128¹ is placed on the table.

RECRUITMENT IN CONNECTION WITH HAVELI PROJECT.

***560. Sayed Mubarik Ali Shah** : Will the Honourable Minister for Revenue be pleased to state the number community-wise of clerks to be taken from the present staff of the Irrigation Department for the Haveli Project and also the communal proportions, if any, to be observed while replacing these clerks ?

The Honourable Dr. Sir Sundar Singh Majithia : The following is the approximate number of clerks that will be transferred from the existing permanent staff to the Haveli Project :—

| | | | | | |
|---------|----|----|----|----|----|
| Muslims | .. | .. | .. | .. | 81 |
| Hindus | .. | .. | .. | .. | 81 |
| Sikhs | .. | .. | .. | .. | 16 |

These clerks will be replaced in the circles from which they are transferred ; communal proportions being kept in view.

SUTLEJ VALLEY PROJECT.

***561. Sayed Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state the original estimate of expenditure in connection with the construction of the Sutlej Valley Project, and the amount of money actually spent on this project ?

The Honourable Dr. Sir Sundar Singh Majithia : The original Sutlej Valley Project estimate amounted to Rs. 14,59,90,433, and the total expenditure as shown in the completion report was Rs. 21,30,74,345.

MANDI HYDRO-ELECTRIC SCHEME.

***562. Sayed Mubarik Ali Shah :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the original estimate of expenditure in connection with the Mandi Hydro-Electric Project ;
- (b) the revised estimates in connection with the said project when its actual construction was taken in hand ;
- (c) the amount of money added to the proposed expenditure in connection with the said project every year during the period the project was being completed ;
- (d) the total amount of money actually spent on this project ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Rs. 486 lakhs (the late Colonel Battye's estimate of 1924).

(b) Rs. 448 lakhs (October, 1925).

(c) The honourable member will realise that for such an extensive project comprising innumerable sub-works it could not be possible to assess the position every year. Important stages in the course of each assessment given below—

Estimate placed before the Legislative Council in 1929.

Rs. 540—550 lakhs.

Estimate of the Hydro-Electric Enquiry Committee of 1929-30.

Rs. 625 lakhs (excluding local distribution).

Chief Engineer's revision submitted in 1931.

Rs. 615 lakhs.

Aggregate of sanctions given by Government against the Chief Engineer's estimate of 1931.

Rs. 582 lakhs.

Revised administrative approval given by Government in 1934.

Rs. 710 lakhs (of which Rs. 572 lakhs were for the main scheme).

(d) The attention of the honourable member is invited to the reply given to question No. *844¹.

Sardar Sahib Sardar Gurbachan Singh : Will the Honourable Minister please say whether the original estimate included expenditure for the second and third stages of the scheme ?

Minister : I require notice of the question.

INSTRUCTIONS REGARDING THE MUSLIM EMPLOYEES OF THE IRRIGATION DEPARTMENT.

***563. Sayed Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that instructions were issued by the Honourable Revenue Member a few years back to the Central Irrigation Office and all the Superintending Engineers to the effect that the Muslim employees of the Irrigation Department should be saved from retrenchment in order to secure for them their due representation in the Department ;
- (b) if the answer to (a) above be in the affirmative, whether the Government proposes to lay a copy of the same on the table of the House ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, so long as the Muslims retained were duly qualified and had satisfactory records of service.

(b) The honourable member is referred to the answer given to question No. *1864¹, dated 28th April, 1932.

RE-EMPLOYMENT OF RETRENCHED MUSLIM EMPLOYEES OF THE IRRIGATION DEPARTMENT.

***564. Sayed Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that on an inquiry being made regarding the number and the names of the retrenched employees of the Irrigation Department for purposes of re-employing them in connection with the Haveli Project only the names of non-Muslims were sent up by the clerk concerned in the Punjab Irrigation Secretariat ;
- (b) whether it is a fact that no Muslim employee of the Irrigation Department was retrenched during 1930—34 ;
- (c) if the answer to (b) above be in the affirmative, why their names were not sent up for re-employment on the occasion of recruitment in connection with the Haveli Project ; and whether the Government is prepared to consider the cases of the retrenched Muslim employees of the Irrigation Department in this respect ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No, the honourable member has been misinformed.

(b) No.

(c) Part one does not arise. Appointments of retrenched clerks are being made by Superintending Engineer, Haveli, community-wise. Due proportion of each community is being kept in mind.

REPRESENTATION OF MUSLIMS IN SIRSA MUNICIPALITY.

***565. Khawaja Ghulam Samad:** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Muslims at present hold only three seats out of the 9 elected seats in Sirsa Municipal Committee and that the two nominated seats in that committee have been allotted to non-Muslims ;
- (b) whether he is aware of the fact that one seat out of these two has always been given to Muslims in the past ;
- (c) the circumstances which led the Commissioner, Ambala division, to allot both the nominated seats to non-Muslims this time ;
- (d) whether he is also aware of a circular having been issued by the Commissioner, Ambala division, in 1914 directing that nominated seats should always be given to the community which is in a minority, if by so doing the majority is not converted into a minority ;
- (e) if the answers to the above parts be in the affirmative, the action, if any, that is proposed to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) It is a fact that the Muslims hold only 3 of the 9 elected seats. Of the two nominated seats one has been allotted to a non-Muslim and the other to the Assistant Surgeon, Sirsa, who at present happens to be a non-Muslim.

(b) Yes.

(c) According to the formula of population and voting strength Muslims are entitled to only 3 seats on the Municipal Committee ; hence the nominated seats were allotted to non-Muslims.

(d) No such circular is traceable.

(e) It is not proposed to take any action.

NUMBER OF CUSECS PER 1,000 ACRES FOR IRRIGATION.

***566. Professor W. Roberts :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the basis on which water is supplied, *i.e.*, the number of cusecs per 1,000 acres in the Lower Chenab Canal, Lower Bari Doab Canal and Sutlej Valley Project ;
- (b) whether it is a fact that these figures have been changed during the last 15 years ;
- (c) if the answer to (b) above be in the affirmative, the dates when the changes were made with the details regarding those changes ;
- (d) whether these changes in the figures were submitted to the Council or Assembly for sanction ; if not, reasons for the same ;
- (e) if the answer to (d) be in the negative, whether Government are prepared to give an undertaking that in future the rights of zamindars will not be short-circuited in this manner ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The authorized full supply at outlet heads for the following canals are :—

| | | |
|--------------------|----|---|
| Lower Chenab Canal | .. | } 2·84 cusecs per 1,000 acres of culturable- Lower Jhelum Canal .. } commanded area. |
| Lower Jhelum Canal | .. | |

Lower Bari Doab Canal .. Information called for from local officers.

The figures quoted above apply to new colony villages ; the supply given to old proprietary area usually situated in *Khadir* land is smaller.

The supply to be provided was decided originally, on the assumption that 75 per cent. of the culturable commanded area of the Colony area of the Lower Chenab Canal and Lower Jhelum Canal, and 66·6 per cent. on the Lower Bari Doab Canal area would be irrigated annually. The percentage for old proprietary area of the Lower Jhelum Canal and Lower Chenab Canal was 50 per cent. A further assumption made was that 1 cusec could irrigate satisfactorily a certain area per annum. From these assumptions the discharge for 1,000 acres was computed for each canal. The idea underlying such a water-supply is to provide a certain intensity of irrigation.

The figures of supply quoted above do not apply to some of the areas to which irrigation was latterly extended.

On the Sutlej Valley Canals the authorized discharges at *heads of distributaries* are as follows :—

Perennial areas .. 3·19 cusecs per 1,000 acres.

Non-Perennial areas .. 3·80 cusecs per 1,000 acres share supply.

Non-Perennial areas .. 5·0 cusecs per 1,000 acres maximum supply.

(b) There have been no reductions during the last 15 years in Lower Chenab Canal, Lower Jhelum Canal and Sutlej Valley Canals.

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

(e) Government is prepared to take the Assembly into its confidence through the Standing Canal Committee if and when it is proposed to alter the authorized full supply discharge per 1,000 acres.

—————

COMPENSATION TO INHABITANTS OF VILLAGES WASHED AWAY BY
RIVER SUTLEJ.

***567. Sayed Amjad Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that certain villages in tahsil Zira situated on the banks of the river Sutlej have recently been washed away ;

(b) whether it is a fact that some inhabitants of these villages have been granted compensation, while others have not been granted any compensation ; if so, reasons for the differential treatment and whether the Government is prepared to grant compensation to the latter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Only one village Fatehpur Bhagwan was washed away by flood in the river Sutlej in 1936.

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(b) No "compensation" was granted to the inhabitants of that village, but certain persons who were destitute and homeless were given gratuitous relief which amounted to Rs. 2,920. No question of differential treatment or further grant of "compensation", therefore, arises.

SIKH SUPERINTENDENT FOR THE BUILDINGS AND ROADS BRANCH
OF THE PUBLIC WORKS DEPARTMENT SECRETARIAT.

***568. Sardar Uttam Singh Dugal :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether there has ever been a Sikh superintendent in the Buildings and Roads Branch of the Public Works Department Secretariat ; if not the reasons for the same ;
- (b) whether there is a likelihood of a Sikh being appointed as superintendent in the near future by the ordinary process of promotion from lower ranks ;
- (c) the name of the senior most Sikh in the Branch, and in how many years he will become the superintendent ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The reply is in the negative, the reasons being that there were no Sikhs in the office available for promotion.

(b) The reply is in the negative.

(c) No public purpose will be served by the disclosure of names, nor is it possible to reply to the concluding portion of the question.

SIKH REPRESENTATION IN PUBLIC WORKS DEPARTMENT
SECRETARIAT.

***569. Sardar Uttam Singh Dugal :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether there are any Sikh clerks in the Buildings and Roads Branch of the Public Works Department Secretariat ; if not, reasons for the same ;
- (b) whether at any time efforts were made to secure their representation in the said Branch of the Public Works Department Secretariat ; if not, what steps the Government proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The reply is in the affirmative.

(b) Does not arise.

PURCHASE OF LAND BY MIRZA BASHIR-UD-DIN MAHMUD AHMAD.

***570. Malik Barkat Ali :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that a considerable portion of the estate of village Qadian, tahsil Batala, district Gurdaspur was purchas-

ed on 21st June, 1920, in the name of Mirza Bashir-ud-Din Mahmud Ahmad, and his brothers from one Mirza Akram Beg and his mother who are statutory agriculturists ;

- (b) whether it is also a fact that $\frac{2}{3}$ th of the sale price was in fact paid by the Nazarat-i-Ammor-i-Ama and only $\frac{1}{3}$ th price was paid by the nominal purchasers and that $\frac{2}{3}$ th of the land so purchased is now in possession of the different members of the Ahmadiya community on whose behalf the Nazarat had paid $\frac{2}{3}$ th of the total price ;
- (c) whether it is also a fact that nearly all these members who are now in possession of that land do not belong to any of the statutory agricultural tribes in the said district ;
- (d) whether it is a fact that this evasion of the provisions of the Alienation of Land Act was brought to the notice of the Deputy Commissioner, Gurdaspur, and the Financial Commissioner, Punjab (Revenue), by means of a communication, dated 18th April, 1937 ;
- (e) whether it is also a fact that the said Deputy Commissioner and the Financial Commissioner have so far taken no action on the communication made to them and mentioned in part (d) above ;
- (f) if answers to the above parts be in the affirmative, the action, if any, that the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the reply to this question is not ready.

A AND B CLASS AGRICULTURAL TRIBES AND THE ALIENATION OF LAND ACT.

***571. Malik Barkat Ali :** Will the Honourable Minister for Revenue be pleased to state whether any "B" Class agricultural tribe has, since the passing of the Punjab Alienation of Land Act, been promoted to "A" Class, and if so, the name of such tribe ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member presumably refers to the division of statutory agriculturists in every district into a "general group", for convenience sake marked 'A' and "special groups" for convenience sake marked 'B' in official lists. These divisions merely indicate separate socio-economic bodies of persons of varying economic strength notified as "agricultural tribes"; or "groups of agricultural tribes" under section 4 of the Punjab Alienation of Land Act. The members of each one of these "agricultural tribes" or "groups of agricultural tribes" thus separately notified are regarded as non-agriculturists *vis-a-vis* members of other "agricultural tribes" or "groups of agricultural tribes". Thus a member of what the honourable member calls an 'A' class "agricultural tribe" cannot buy the land of a member of one of the 'B' class "agricultural tribe" and *vice versa*. No question of superiority or inferiority, therefore, arises, nor of "promotion" from one class to another.

2. There has been no instance of any group of persons being transferred from one "agricultural tribe" or "group of agricultural tribes" into another "agricultural tribe" or "group of agricultural tribes" for the purposes of Punjab Alienation of Land Act.

TRAFFIC BRANCH AND MONOPOLY OF ANGLO-INDIAN INSPECTORS.

***572. Malik Barkat Ali :** Will the Honourable the Premier be pleased to state whether it is a fact that the traffic branch of the Police Department is virtually the monopoly of Anglo-Indian Inspectors, and that not a single Cantonment and Civil Lines police station in the Punjab is in charge of an Indian Inspector ; if so, the reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : If the first part of the question relates to the staff employed for the examination of motor vehicles and to the motor patrols, it is a fact that the inspectors employed are all Europeans or Anglo-Indians. These officers have generally been found more suitable for work of this kind. It is also correct that all those Cantonment police stations and Civil Lines police stations where inspectors are posted—actually there are only two Civil Lines stations in the category—are in the charge of European or Anglo-Indian officers. This is due to the fact that in these particular cantonments and towns there is a large European and Anglo-Indian population to be dealt with.

ANGLO-INDIAN AND INDIAN POLICE OFFICERS AT PHILLAUR.

***573. Malik Barkat Ali :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that Indian inspectors, sub-inspectors and assistant sub-inspectors, when at Phillaur for training, are required to live in the dingy rooms of the Fort and are not allowed to go outside the Fort without permission and that Anglo-Indian inspectors and sergeants live outside the Fort in much better quarters ;
- (b) whether it is also a fact that Indian inspectors, sub-inspectors, and assistant sub-inspectors while undergoing training at Phillaur, are not allowed to keep servants and are supposed to do their work themselves such as cleaning shoes, boots belts, etc., and that Anglo-Indian inspectors and sergeants are allowed to keep servants and bearers : if so, the reasons for this distinction ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Sub-inspectors and assistant sub-inspectors under training in the Phillaur School are required to live in quarters inside the Fort. There is no prohibition on their going outside when off duty. Inspectors (both European and Indian) and sergeants have quarters outside the Fort.

(b) There is no distinction of the kind the honourable member seems to have in mind. Inspectors (both European and Indian) and sergeants are permitted to keep servants. Sub-inspectors and assistant sub-inspectors are not.

CYCLING ON CANAL ROADS.

***574. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that persons riding cycles on Upper Bari Doab Canal bank road, especially the canal road

of Subraon branch, are stopped by the Sub-Divisional Officer concerned and his subordinates ;

- (b) whether he is also aware of the fact that the Sub-Divisional Officer and his men remove the nuts of the cycles belonging to persons using that road ;
- (c) whether it is a fact that Sir Fazl-i-Hussain, the late Minister for Revenue, in reply to Sardar Hira Singh Narli Member, Legislative Council's question No. 2907¹ stated that no rule or regulation had been made prohibiting the cyclists from using the canal roads ;
- (d) if the answer to (a), (b) and (c) above be in the affirmative, the grounds for imposing these restrictions on the cyclists using the road in question ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) No.

(c) Yes.

(d) The honourable member is referred to my reply to part (c) of question No. 860² asked by Dr. Sant Ram Seth.

COMPLAINTS AGAINST SUB-INSPECTOR, POLICE, BUDHLADA
MANDI.

***575. Pandit Shri Ram Sharma :** Will the Honourable the Premier be pleased to state—

- (a) whether the Government has received any written complaints from the Budhlada Mandi (Hissar) against the local Sub-Inspector, Police, at present stationed there ;
- (b) whether any allegations of corruption and bribery are made against the said officer in the above-mentioned complaint ;
- (c) whether the applicants have taken upon themselves to prove the allegations ;
- (d) whether they have demanded the appointment of an impartial officer from outside the district for investigating this matter ;
- (e) what steps the Government proposes to take in this connection ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b), (c) and (d) Yes.

(e) The matter is under consideration.

SUB-INSPECTOR, POLICE. PANDIT KISHAN GOPAL.

***576. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that in the Court of Mian Rattan Singh, Magistrate 1st Class, Section 30 at Amritsar, a criminal case No. 148/2 of 1936 was instituted on 1st July, 1936, by the

¹Vol. XV, pages 381-82.

²Page 1164 ante.

[Ch. Muhammad Abdul Rahman Khan.]

Crown against Tirllok Singh, son of Mangal Singh, of village Ghanshyampur, tahsil Amritsar and Hari Singh, son of Janda Singh Jat of village Sherpur, thana Lopoke, district Amritsar, under sections 394/397, Indian Penal Code ;

- (b) how long this case remained pending in the court and whether the culprits were let off on bail and later on acquitted ;
- (c) if the answer to (b) above be in the affirmative, whether he is prepared to lay on the table the judgment of the magistrate ;
- (d) whether the magistrate made any remarks regarding the forgery of a receipt ;
- (e) whether the magistrate made any remarks regarding the Sub-Inspector of Police, Pandit Kishan Gopal's connivance at it ;
- (f) if the answers to (d) and (e) above be in the affirmative, what were these remarks ;
- (g) whether the Government proposes to take any action against the said Sub-Inspector ; if so, what ; if not, why not ?

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

(b) From the 1st July, 1986 to the 30th October, 1986. The accused persons remained in the judicial lock-up throughout until they were acquitted on the 30th October, 1986.

(c) A copy of the judgment¹ is laid on the table.

(d) Yes.

(e) Yes.

(f) The remarks will be found in the concluding paragraph of the judgment.

(g) The judgment was considered by the District Magistrate in accordance with the procedure laid down in the Punjab Police Rules. He did not agree with the magistrate's view of the case and decided, as he was entitled to do, that no further proceedings were necessary.

APPLICATION FOR ADMISSION TO COLLEGE BY SANTOSH BINDRA.

***577. Khawaja Ghulam Hussain :** Will the Honourable Minister for Education be pleased to state —

(a) whether it is a fact that Santosh Bindra, daughter of S. Parhlad Singh, Sub-Judge, Hosbiarpur, who passed the Matriculation Examination this year obtaining 640 marks and winning a scholarship, applied for admission in time to the Lahore College for Women on the prescribed form and that she was refused admission on the pretext that she was below sixteen years of age ;

(b) whether there is any rule prohibiting admission into the College of girls below 16 ;

¹Kept in the Assembly Library.

- (c) whether the father of the girl addressed any complaint to the Education Department against the action of the Principal of the said College ; if so, whether any action has been taken by the Department in the matter ; if not, why not ?

The Honourable Mian Abdul Haye : (a) Government are aware that Santosh Bindra, daughter of S. Prahlad Singh, Sub-Judge, Hoshiarpur, applied in time but was refused admission on the pretext that she was below sixteen years of age.

(b) and (c) No. But the Government has ordered that Santosh Bindra be admitted.

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LICENCE APPLICATION FOR SUPPLY OF ENERGY AT CAMPBELLPUR.

***578. Khawaja Ghulam Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the promoters of the Campbellpur Electric Power Supply Company Limited, applied for a licence to supply electrical energy at Campbellpur ;
- (b) whether it is a fact that the Managing Agent of the Campbellpur Electric Power Supply Company Limited (Mr. Y. R. Puri), has after the expiry of the statutory period of three months referred to in section 3 of the Indian Electricity Act, 1910, and Rule 15 of the Indian Electricity Rules, 1937, requested that the Attock Electric Supply Company Limited, be considered for the grant of licence instead of the Campbellpur Electric Power Supply Company Limited ;
- (c) whether it is a fact that the Attock Electric Supply Company Limited, has entirely a different constitution from that of the Campbellpur Electric Power Supply Company Limited, with a separate managing agency ;
- (d) whether it is also a fact that the returns of the Attock Electric Supply Company Limited, were filed after the expiry of the statutory period of three months ;
- (e) the reasons why applications for the licence were not invited from the general public ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) to (d) As the matter of the grant of licence for Campbellpur is under the consideration of Government, it is not considered in the public interest to discuss at this stage the claims or actions of any of the applicants for the licence.

(e) Supply of electrical energy is a business enterprise, and licences for it are applied for by those who wish to undertake such business. The attention of the honourable member is invited to sections 3 to 8 of the Indian Electricity Act, 1910.

POLICE UNIONS.

***579. Sardar Sohan Singh Josh :** Will the Honourable the Premier be pleased to state—

- (a) whether policemen can form unions on the trade unions lines ;
- (b) whether such unions were formed at any time in the Punjab, if so, the attitude of the Government adopted towards them ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) No. The question raised in the last sentence of part (b) does not arise.

 GOVERNMENT AID TO POLICEMEN TO EDUCATE THEIR CHILDREN.

***580. Sardar Sohan Singh Josh :** Will the Honourable the Premier be pleased to state whether the Government gives any aid to the policemen in the Punjab for educating their children; if so, how much; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : No. The possibility of introducing some form of educational insurance in the police has sometimes been discussed by the officers of the department, but no practicable scheme has yet been evolved.

 UNSTARRED QUESTIONS AND ANSWERS.

CONVICTS OF THE 1914-15 CONSPIRACY CASES.

151. Sardar Rur Singh : Will the Honourable the Premier be pleased to state—

- (a) the names and the number of those persons who were convicted in the 1914-15 conspiracy cases ;
- (b) the number of those who have already served their sentences ;
- (c) among those mentioned in (b) above the number of those who had their properties confiscated ;
- (d) whether the properties of those who have served their sentences been restored to them ; if not, the reasons for the same ?

The Honourable Major Sir Sikandar Hyat-Khan : (a) A statement is laid on the table.

(b) Only two of the persons sentenced in these cases are still in confinement, namely, Parmanand, son of Gaya Parshad and Gurmukh Singh, son of Hoshnak Singh. Regarding the latter a reference is invited to the reply given to question 6¹, put by the honourable member for the Jullundur East (Sikh) Rural Constituency.

(c) and (d) This has been dealt with in question *489² put by the honourable member for the Amritsar North (Sikh) Rural Constituency.

¹Page 269 ante.

²Page 1544 ante.

STATEMENT (a).

| No. | Name. | Father's name. | Original sentence as awarded by the Tribunal. | Sentence as modified by the orders passed by the Punjab Government and the Governor-General in Council. |
|---------------------|--------------------|------------------|---|---|
| 1 | 2 | 3 | 4 | 5 |
| <i>First Trial.</i> | | | | |
| 1 | Baj Singh .. | Chattar Singh .. | 2 years' rigorous imprisonment with forfeiture of property. | 2 years' rigorous imprisonment without forfeiture of property. |
| 2 | Balwant Singh .. | Mir Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 3 | Bakhshish Singh .. | Santa Singh .. | Ditto ditto .. | Sentence maintained. |
| 4 | Bhan Singh .. | Sawan Singh .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |
| 5 | Bihari Singh .. | Jawala Singh .. | Ditto ditto .. | Sentence maintained. |
| 6 | Bihari Singh .. | Kesar Singh .. | Ditto ditto .. | Ditto. |
| 7 | Chuhar Singh .. | Bata Singh .. | Ditto ditto .. | Did not petition. |
| 8 | Dalip Singh .. | Kesar Singh .. | 7 years' rigorous imprisonment .. | Sentence maintained. |
| 9 | Dewa Singh .. | Sahib Singh .. | 4 years' rigorous imprisonment .. | Ditto. |
| 10 | Gurmukh Singh .. | Hoshnah Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 11 | Gardit Singh .. | Gurmukh Singh .. | Ditto ditto .. | Transportation for 10 years without forfeiture of property. |

[Premier.]

STATEMENT (a)—CONTD.

| No. | Name. | Father's name. | Original sentence as awarded by the Tribunal. | Sentence as modified by the orders passed by the Punjab Government and the Governor-General in Council. |
|-----|--------------------------------|------------------|--|---|
| 1 | 2 | 3 | 4 | 5 |
| | <i>First Trial—cont'd.</i> | | | |
| 12 | Harnam Singh Tunda .. | Gurdit Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 13 | Harnam Singh .. | Arura .. | Ditto ditto .. | Sentence maintained. |
| 14 | Hazara Singh .. | Bela Singh .. | Transportation for life with forfeiture of property. | Ditto. |
| 15 | Hari Singh .. | Gurmukh Singh .. | 10 years' rigorous imprisonment .. | Did not petition. |
| 16 | Hirda Ram .. | Gajjan Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 17 | Indar Singh Granthi .. | Ala Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 18 | Indar Singh .. | Ganda Singh .. | Ditto ditto .. | Transportation for 10 years without forfeiture of property. |
| 19 | Indar Singh .. | Mula Singh .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |
| 20 | Jogat Ram .. | Diten Mal .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 21 | Jogat Singh alias Jai Singh .. | Aror Singh .. | Ditto ditto .. | Sentence maintained. |
| 22 | Jamna Das alias Charan Das .. | Hari Ram .. | 3 years' rigorous imprisonment .. | Did not petition. |

| | | | | |
|----|---------------------------------|---------------------|--|--|
| 23 | Jawand Singh | Uttam Singh | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |
| 24 | Jawala Singh alias Sante Singa. | Kanhya Singh | Ditto | Transportation for life without forfeiture of property. |
| 25 | Kala Singh | Ghasia Singh | Ditto | Transportation for 10 years without forfeiture of property. |
| 26 | Kala Singh | Gulab Singh | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 27 | Kartar Singh | Mangal Singh | Ditto | Sentence maintained. |
| 28 | Kebar Singh | Nihal Singh | Transportation for life with forfeiture of property. | Ditto. |
| 29 | Kesar Singh | Bhoop Singh | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 30 | Kharak Singh | Gaula Singh | Transportation for life with forfeiture of property. | 4 years' rigorous imprisonment without forfeiture of property. |
| 31 | Khushal Singh | Suket Singh | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 32 | Kirpal Singh | Narain Singh | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |
| 33 | Kishen Das Sabd | Khazan Singh | Simple imprisonment till the rising of the court. | .. .. |
| 34 | Lal Singh | Mihan Singh | Transportation for life with forfeiture of property. | Sentence maintained. |
| 35 | Madan Singh | Mar Singh | Ditto | Transportation for life without forfeiture of property. |
| 36 | Mangal Singh | Garmukh Singh | Ditto | Ditto ditto. |
| 37 | Nand Singh | Ram Singh | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |

[Premier.]

STATEMENT (a) — CONTD.

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|-----|---------------------------------------|---------------------|--|---|
| 1 | 2 | 3 | 3 | 5 |
| | <i>First Trial—contd.</i> | | | |
| 38 | Nichan Singh .. | Sunder Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 39 | Parma Nand Bhai .. | Bhai Tara Chand .. | Ditto .. | Ditto .. |
| 40 | Parma Nand II .. | Gaya Parshad .. | Ditto .. | Ditto .. |
| 41 | Pritthi Singh .. | Shadi Ram .. | Ditto .. | Ditto .. |
| 42 | Piara Singh <i>alias</i> Karam Singh. | Lakha Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 43 | Puran Singh .. | Hoshlar Singh .. | Ditto .. | 4 years' rigorous imprisonment without forfeiture of property. |
| 44 | Ram Saran Das .. | Sant Ram .. | Death with forfeiture of property .. | Transportation for life with forfeiture. |
| 45 | Roda Singh .. | <i>Not known</i> .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 46 | Ralia Singh .. | Jagat Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 47 | Rur Singh .. | Attar Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 48 | Sawan Singh .. | Khushal Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |

| | | | | |
|----------------------|------------------------------|------------------|--|---|
| 49 | Shiv Singh .. | Munshi Ram .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |
| 50 | Sher Singh .. | Kesar Singh .. | Ditto | Transportation for life without forfeiture of property. |
| 51 | Sohan Singh .. | Karam Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| 52 | Sursin Singh .. | Bur Singh .. | Ditto | Sentence maintained. |
| 53 | Sursain Singh .. | Iahar Singh .. | Ditto | Ditto. |
| 54 | Udham Singh .. | Mewa Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 55 | Vishnu Ganesh Pingle .. | Ganesh Pingle .. | Death with forfeiture of property .. | Sentence maintained. |
| 56 | Wasakha Singh .. | Dayal Singh .. | Transportation for life with forfeiture of property. | Ditto. |
| 57 | Wasawa Singh .. | Mihan Singh .. | Death with forfeiture of property .. | Transportation for life with forfeiture of property. |
| <i>Second Trial.</i> | | | | |
| 58 | Arjan Singh .. | Lal Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 59 | Attar Singh .. | Hira Nand .. | Ditto | Transportation for 10 years without forfeiture of property. |
| 60 | Bogh Singh .. | Natha Singh .. | Ditto | Ditto ditto. |
| 61 | Bir Singh alias Vir Singh .. | Bata Singh .. | Death with forfeiture of property .. | Sentence maintained. |
| 62 | Bishen Singh .. | Wasakha Singh .. | Transportation for life with forfeiture of property. | Transportation for life without forfeiture of property. |
| 63 | Badha Singh .. | Ishar Singh .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |

[Premier.]

STATEMENT (a)—CONTD.

| No. | Name. | Father's name. | Original sentence as awarded by the Tribunal. | Sentence as modified by the orders passed by the Punjab Government and the Governor-General in Council. |
|-----|---|----------------|--|---|
| 1 | 2 | 3 | 4 | 5 |
| | <i>Second Trial—contd.</i> | | | |
| 64 | Dalip Singh | Hamir Singh | Transportation for life with forfeiture of property. | 3 years' rigorous imprisonment without forfeiture of property. |
| 65 | Ganda Singh | Bahadur Singh | Ditto | Transportation for 10 years without forfeiture of property. |
| 66 | Ganda Singh <i>alias</i> Sanga Singh. | Jawala Singh | Ditto | Transportation for life without forfeiture of property. |
| 67 | Gujar Singh | Sham Singh | Ditto | Sentence maintained. |
| 68 | Harbhajan Singh | Fateh Singh | Ditto | 3 years' rigorous imprisonment without forfeiture. |
| 69 | Hari Singh | Amar Singh | Ditto | Transportation for life without forfeiture of property. |
| 70 | Harnam Singh | Narain Singh | Ditto | Ditto ditto. |
| 71 | Harnam Singh <i>alias</i> Thakur Singh. | Bhup Singh | Ditto | Ditto ditto. |
| 72 | Harnam Singh | Sundar Singh | Ditto | Sentence maintained. |
| 73 | Hira Singh | Manna Singh | Death with forfeiture of property | Transportation for life with forfeiture of property. |
| 74 | Indar Singh | Phuman Singh | Transportation for life with forfeiture of property. | Transportation for 7 years without forfeiture of property. |

| | | | | | | |
|----|---------------------------|----------|---------------|----|--|--|
| 75 | Isar Singh alias Singh. | Puran | Sejian Singh | .. | Death with forfeiture of property .. | Sentence maintained. |
| 76 | Jagat Singh | .. | Dewa Singh | .. | Transportation for life with forfeiture of property. | 2 years' rigorous imprisonment without forfeiture of property. |
| 77 | Jammu Singh | .. | Wasoo Singh | .. | 6 months' rigorous imprisonment .. | Sentence maintained. |
| 78 | Jassa Singh | .. | Natha Singh | .. | Ditto | Ditto. |
| 79 | Jindar Singh alias Singh. | Rajindar | Mangal Singh | .. | Transportation for life with forfeiture of property. | Transportation for 7 years without forfeiture of property. |
| 80 | Kahan Singh | .. | Sarup Singh | .. | 4 years' rigorous imprisonment .. | Sentence maintained. |
| 81 | Karam Singh | .. | Sunder Singh | .. | Transportation for life with forfeiture of property. | Ditto. |
| 82 | Kartar Singh alias Singh. | Narain | Bisben Singh | .. | Ditto | Transportation for life without forfeiture of property. |
| 83 | Kesar Singh | .. | Mangal Singh | .. | Ditto | Transportation for 7 years without forfeiture of property. |
| 84 | Kirpa Singh | .. | Jawabar Singh | .. | Ditto | Sentence maintained. |
| 85 | Labbh Singh | .. | Ram Singh | .. | Ditto | Ditto. |
| 86 | Labbh Singh | .. | Bur Singh | .. | Ditto | 5 years' rigorous imprisonment without forfeiture of property. |
| 87 | Lal Singh | .. | Udhe Singh | .. | Ditto | Transportation for 10 years without forfeiture of property. |
| 88 | Mahraj Singh | .. | Nihal Singh | .. | Ditto | Sentence maintained. |
| 89 | Mohindar Singh | .. | Nand Singh | .. | 3 years' rigorous imprisonment .. | Ditto. |
| 90 | Mohindar Singh | .. | Narain Singh | .. | Transportation for life with forfeiture of property. | 5 years' rigorous imprisonment without forfeiture of property. |

[Premier.]

STATEMENT (a)—CONTD.

| No. | Name. | Father's name. | Original sentence as awarded by the Tribunal. | Sentence as modified by the orders passed by the Punjab Government and the Governor-General in Council. |
|-----|-------------------------------|-----------------|--|---|
| 1 | 2 | 3 | 4 | 5 |
| | <i>Second Trial.—conold.</i> | | | |
| 91 | Mangal Singh .. | Mala Singh .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. |
| 92 | Mastan Singh .. | Meltab Singh .. | Ditto | Transportation for 14 years without forfeiture of property. |
| 93 | Nahar Singh .. | Thakar Singh .. | Ditto | 5 years' rigorous imprisonment without forfeiture of property. |
| 94 | Natha Singh .. | Mangal Singh .. | Ditto | Transportation for 10 years without forfeiture of property. |
| 95 | Pakhar Singh .. | Bhan Singh .. | Ditto | Transportation for life without forfeiture of property. |
| 96 | Pala Singh .. | Kala Singh .. | 3 years' rigorous imprisonment .. | Sentence maintained. |
| 97 | Pala Singh .. | Begga Singh .. | Transportation for life with forfeiture of property. | Transportation for 7 years without forfeiture of property. |
| 98 | Phera Singh .. | Lehna Singh .. | 2 years' rigorous imprisonment .. | Sentence maintained. |
| 99 | Ram Singh .. | Sahib Singh .. | Transportation for life with forfeiture of property. | 2 years' rigorous imprisonment without forfeiture of property. |
| 100 | Randhir Singh .. | Natha Singh .. | Ditto | Sentence maintained. |
| 101 | Ranga Singh alias Roda Singh. | Gurdit Singh .. | Death with forfeiture of property .. | Ditto. |

| | | | | | | | |
|-----|------------------------|----|---------------|----|--|--|--------|
| 102 | Rur Singh | .. | Semand Singh | .. | Ditto | .. | Ditto. |
| 103 | Sejian Singh | .. | Mohan Singh | .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. | |
| 104 | Santa Singh | .. | Chambar Singh | .. | Transportation for life with forfeiture of property. | 5 years' rigorous imprisonment without forfeiture of property. | |
| 105 | Sham Singh | .. | Bhola Singh | .. | 3 years' rigorous imprisonment | Sentence maintained. | |
| 106 | Sher Singh | .. | Lehna Singh | .. | 1 year's rigorous imprisonment | Ditto. | |
| 107 | Sucha Singh | .. | Gurdit Singh | .. | Transportation for life with forfeiture of property. | Ditto. | |
| 108 | Sultan Shah | .. | Maghi Singh | .. | Ditto | 5 years' rigorous imprisonment without forfeiture of property. | |
| 109 | Sandar Singh | .. | Rattan Singh | .. | Ditto | Transportation for life without forfeiture of property. | |
| 110 | Saja Singh | .. | Khushal Singh | .. | Ditto | Transportation for 10 years without forfeiture of property. | |
| 111 | Surjan Singh | .. | Mihan Singh | .. | Transportation for life with forfeiture of property. | 5 years' rigorous imprisonment without forfeiture of property. | |
| 112 | Teja Singh | .. | Dayal Singh | .. | Transportation for life with forfeiture of property. | Transportation for 10 years without forfeiture of property. | |
| 113 | Thekar Singh | .. | Suba Singh | .. | Ditto | 3 years' rigorous imprisonment without forfeiture of property. | |
| 114 | Udham Singh | .. | Jwan Singh | .. | Ditto | Transportation for 7 years without forfeiture of property. | |
| 115 | Utam Singh alias Ragho | .. | Jita Singh | .. | Death with forfeiture of property | Sentence maintained. | |
| 116 | Wasakha Singh | .. | Ishar Singh | .. | Transportation for life with forfeiture of property. | Transportation for 7 years without forfeiture of property. | |

[Premier.]

STATEMENT (a) — CONCLUDED.

| No. | Name. | Father's name. | Original sentence as awarded by the Tribunal. | Sentence as modified by the orders passed by the Punjab Government and the Governor-General in Council. |
|-----|----------------------|----------------|--|---|
| 1 | 2 | 3 | 4 | 5 |
| | <i>Third Trial.</i> | | | |
| 117 | Arur Singh | Not known | Death with forfeiture of property .. | Sentence maintained. |
| 118 | Amar Singh | Do. | 2 years' rigorous imprisonment .. | Ditto. |
| 119 | Babu Ram | Do. | Death with forfeiture of property .. | Ditto. |
| 120 | Balwant Singh | Do. | Ditto ditto .. | Ditto. |
| 121 | Batan Singh | Do. | Transportation for life with forfeiture of property. | Transportation for 7 years without forfeiture of property. |
| 122 | Fazal Din | Do. | Ditto ditto .. | Ditto ditto. |
| 123 | Hari Singh | Do. | Ditto ditto .. | Ditto ditto. |
| 124 | Hafiz Abdullah | Do. | Death with forfeiture of property .. | Sentence maintained. |
| 125 | Kartar Singh | Do. | Ditto ditto .. | Transportation for life with forfeiture of property. |
| 126 | Kehar Singh | Do. | Transportation for life with forfeiture of property. | Sentence maintained. |
| 127 | Munsha Singh | Do. | Ditto ditto .. | Ditto. |
| 128 | Naam | Do. | Death with forfeiture of property .. | Ditto. |
| | <i>Fourth Trial.</i> | | | |
| 129 | Mathra Singh | Not known | Death .. | Sentence maintained. |

MEMBERSHIP OF THE INDIAN MEDICAL ASSOCIATION.

152. Dr. Sant Ram Seth : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that no Government servant of Medical and Public Health Department is allowed to become a member of the Indian Medical Association ; if so, why ;
- (b) whether it is a fact that the Government of India some time ago issued instructions to all local Governments for removing the ban prohibiting such Government servants from becoming members of the Indian Medical Association ; if so, what were those instructions ;
- (c) whether the Government intends to lift the ban now ; if not, why not ?

The Honourable Mian Abdul Haye : (a) Yes. The orders were passed in view of the tone of some of the resolutions passed by the Association, particularly those in criticism of measures taken by Government for the suppression of subversive movements in the country.

(b) No.

(c) The matter will be considered.

RECRUITMENT OF ZILLADARS IN 1937.

153. Dr. Sant Ram Seth : Will the Honourable Minister for Revenue be pleased to state the number of persons community-wise nominated for the post of zilladar in the Punjab in 1937 ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret the answer to this question is not yet ready.

METALLING THE KACHA ROAD STARTING FROM
JUNDLU GATE, KARNAL.

154. Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware that the condition of the *kacha* roads starting from the Jundlu gate and leading to the cremation ground as well as to the graveyard of Karnal is bad and causes much inconvenience to the people, particularly in the rainy season ;
- (b) whether it is a fact that a representation signed both by Hindus and Muhammadans of the city was made to the president of the Municipal Committee, Karnal, on 24th August, 1935, and another sent to the District Board, Karnal, in the month of November, 1935 ;
- (c) whether it is a fact that several applications have since then been sent to both these local bodies separately by Hindus and Muhammadans ;

[Lala Deshbandhu Gupta.]

- (d) whether it is also a fact that estimates for metalling the said road were prepared about two years back, but nothing has been done so far ; if so, what action Government proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Yes.

(c) Only one more application was received by the Municipal Committee, Karnal, on the 16th December, 1936.

(d) An estimate for repairs to the said road was prepared and laid at the meeting of the Municipal Committee, Karnal, on 18th February, 1936, when it was resolved that the District Board should be asked to contribute Rs. 914 to cover half the cost of the repairs. These papers were returned by the District Board on 31st March, 1937, with a revised estimate amounting to Rs. 961. The revised estimate was also approved by the Committee and the District Board was requested to contribute at least $\frac{1}{3}$ rd of the estimated cost. The case is now being laid before the Board for consideration.

BUILDING OF DRAINS IN KUCHA PANDIT ATMA RAM,
LUDHIANA.

155. Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Municipal Committee, Ludhiana approached the Public Health Department through its resolutions Nos. 296 and 323 passed on 11th May, 1935, regarding the building of drains in *Kucha Pandit Atma Ram* and leading to the Hospital of the Government Industrial School, Ludhiana ;
- (b) whether a reminder was sent by the committee to the department concerned on 10th January, 1936 ;
- (c) whether the committee through its resolution No. 1919 passed on 25th March, 1936, again requested the department concerned to expedite the work ;
- (d) if the answers to (a), (b) and (c) above be in the affirmative, the action, if any, taken in the matter by the Health Department, and how long the said department will take to do the needful in the matter ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) It was not a reminder which was sent on the 10th January, 1936, but the first request enclosing the resolutions referred to in part (a) of the question.

(c) Yes.

(d) An estimate of the work is under preparation and is expected to be ready in about two months' time.

DRAINAGE SCHEME FOR LUDHIANA.

156. Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the work in connection with the drainage scheme for Ludhiana was taken in hand in the year 1929, and that it is not yet completed ;
- (b) if so, when it will be completed ;
- (c) the amount sanctioned for the said scheme and the amount already spent out of it.

The Honourable Mian Abdul Haye : (a) The main Ludhiana Drainage Scheme which was commenced in 1929 has been completed. Out of the savings of the main scheme some additional works were sanctioned and the work on them is in progress.

(b) The work on the additional schemes is practically completed and accounts will be closed shortly.

Rs.

- | | |
|---|-------------|
| (c) Amount sanctioned for the Main Ludhiana Drainage Scheme (excluding cost of land acquired, viz., 17,882) | 8,45,009 |
| Amount already spent on the main scheme and subsidiary works up to the end of June, 1937 | .. 8,23,175 |

BUND AT SADHAURA, DISTRICT AMBALA.

157. Lala Deshbandhu Gupta : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Government had approved the estimate of Rs. 17,420 in the year 1935 to build a bund on the stream that passes near Sadhaura (Ambala District) and had agreed to contribute Rs. 12,000 out of same if the local bodies concerned were prepared to bear the remaining expenditure ;
- (b) whether it is a fact that the two local bodies concerned and the public of Sadhaura have undertaken to bear the said balance ;
- (c) whether it is a fact that the Government has now changed its mind and proposes to contribute only Rs. 8,500 towards the total expenditure of the project ;
- (d) whether the Government proposes to reconsider the matter in view of their original undertaking ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. Government had not approved of the estimate of Rs. 17,420 prepared by the District Engineer, but on the assumption that the scheme would cost about Rs. 17,000, Government agreed to contribute the balance of Rs. 12,000 if the local bodies concerned contributed Rs. 5,000.

- (b) Yes. The local bodies have contributed Rs. 5,149.
- (c) No. Government have examined the scheme and approved of an estimate for Rs. 8,452 of which Government proposes to pay Rs. 3,300.
- (d) No.

REGISTERS OF WASIKA NAWISAN.

158. Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that there is no control on the registers maintained by the *wasika nawisan* in the province at present ;
- (b) whether he is aware of the fact that in many cases these registers are tampered with and are used by the litigant public for giving false evidence in courts ;
- (c) whether the Government proposes to take some steps to subject the registers of *wasika nawisan* to some effective control so as to avoid their misuse ?

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

RAILWAY DISASTER NEAR PATNA.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, the distressing news of the terrible train tragedy near Patna has shocked the whole country. The disaster was unfortunately one of the worst of its kind which has happened in this country and the sympathy of the whole country goes to the victims of the disaster and to the dependents of those unfortunate people who have lost their lives in this calamity. I thought that this House would naturally like to express their quota of sympathy to those unfortunate victims, and I, as Leader and Representative of this House, and not as Premier, should like to move, with your permission, a resolution of sympathy with those who have lost their lives and their dependents and also request the Government to look into the question of granting relief to the dependents of those who belonged to this province and lost their lives in this disaster (*loud cheers*). With your permission I would now read the Resolution—

12 Noon.

This Assembly expresses its deep regret at the appalling railway disaster which happened on Saturday the 17th July resulting in the death of over 100 persons and causing injuries to over 200 and offer its sympathies to the relations of those killed and requests Government to enquire into the extent to which the dependents of the deceased belonging to this province require help and to make adequate provisions for giving the necessary assistance.

(*Hear, hear*).

I hope, Sir, that the whole House will join with me and support the resolution. (*Voices : Yes, yes*).

Mr. Speaker : The motion moved is—

This Assembly expresses its deep regret at the appalling railway disaster which happened on Saturday the 17th July resulting in the death of over 100 persons and causing injuries to over 200 and offer its sympathies to the relations of those killed and requests Government to enquire into the extent to which the dependents of the deceased belonging to this province require help and to make adequate provisions for giving the necessary assistance.

Dr. Gopi Chand Bhargava (Leader of the Opposition) : Sir, I rise to support the motion which has been moved by the Leader of the House and I also wish to convey the thanks of members on this side of the House to

him, for the action he has taken (*hear, hear*). I have to make only one suggestion and it is that if the Honourable Premier were to depute an officer to go there and make proper personal enquiries into these cases and then decide about the help to be given to the dependents, that would go a long way towards relieving the anxiety. Our experience in the past was that no notice was actually taken of those who fell victims to such disasters. Therefore I think he will agree to my request and depute some officer for the aforesaid purpose.

Premier : I have no hesitation in accepting the proposal put forward by my honourable friend opposite and I am thankful to him for making that suggestion (*hear, hear*).

Mr. Speaker : The question is—

This Assembly expresses its deep regret at the appalling railway disaster which happened on Saturday the 17th July resulting in the death of over 100 persons and causing injuries to over 200 and offer its sympathies to the relations of those killed and requests Government to enquire into the extent to which the dependents of the deceased belonging to this province require help and to make adequate provisions for giving the necessary assistance.

The motion was unanimously carried.

AGREEMENT BETWEEN THE PUNJAB GOVERNMENT AND THE RESERVE BANK OF INDIA.

Minister for Finance (the Honourable Mr. Manohar Lal) : As required by sub-section (4) of section 21 of the Reserve Bank of India Act, 1934, I lay on the table a copy of the agreement between the Punjab Government and the Reserve Bank of India.

Agreement between the Governor of the Punjab and the Reserve Bank of India.

AN AGREEMENT made this 26th day of May, 1937, BETWEEN THE GOVERNOR OF THE PUNJAB of the one part and THE RESERVE BANK OF INDIA (hereinafter called "The Bank") of the other part.

WHEREAS the Bank was constituted and incorporated and is regulated by the Reserve Bank of India Act, 1934 (being Act No. II of 1934) (hereinafter called "the Act") as adapted and modified pursuant to the Authority contained in section 293 of the Government of India Act, 1935, by an Order of His Majesty in Council, dated the eighteenth day of March, 1937, cited as the India and Burma (Burma Monetary Arrangements) Order 1937 with and subject to the various powers, provisions and restrictions in and by the Act set forth and it was thereby *inter alia* particularly provided as follows, *viz.*—

- (1) by section 20 of the Act that the Bank should undertake to accept moneys for account of Provincial Governments and to make payments up to the amount standing to the credit of their accounts and to carry out their exchange, remittance and other banking operations including the management of the public debt, and
- (2) by section 21 (1) of the Act that Provincial Governments should entrust the Bank on such conditions as might be agreed upon with all their money, remittance, exchange and banking transactions in India, and, in particular, should deposit free of interest all their cash balances with the Bank, provided that nothing in that sub-section should prevent Provincial Governments from carrying on money transactions at places where the Bank has no branches or agencies and that Provincial Governments might hold at such places such balances as they may require, and
- (3) by section 21 (2) of the Act that Provincial Governments should entrust the Bank, on such conditions as might be agreed upon, with the management of the public debt and with the issue of any new loans.

[Minister for Finance.]

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

1. This agreement shall be deemed to have come into force on the first day of April, 1937, and the previous agreement, dated the 2nd November, 1935, is hereby cancelled.

2. The general banking business of the Government of the Punjab (hereinafter referred to as "the Government") including the payment, receipt, collection and remittance of money on behalf of the Government shall be carried on and transacted by the Bank in accordance with and subject to the provisions of this agreement and of the Act and in accordance with and subject to such orders and directions as may from time to time be given to the Bank by the Government through any Government officer or officers authorized by the Government in that behalf and at any of the offices, branches or agencies of the Bank for the time being in existence as may from time to time be so directed and for this purpose such accounts shall be kept in the books of the Bank and at such offices, branches or agencies of the Bank as shall be necessary or convenient or as the Government shall from time to time direct in the manner aforesaid.

3. The Government shall employ the Bank as the sole Banker in India of the Government who shall deposit or cause to be deposited with the Bank or allow the Bank to receive and hold as banker the whole of its cash balances at any place at which for the time being the Bank shall have an office, branch or agency and the Bank shall subject to such orders as may from time to time be given by the Government in the manner aforesaid receive and hold for the Government all such moneys as may be or become payable to the Government or on its account and the Bank shall transact at its offices, branches and agencies for the time being existing respectively all such business for the Government regarding the receipt, collection, payment and remittance of money and other matters, as is usually transacted by bankers for their customers. The Bank shall make the said moneys at the said offices, branches and agencies available for transfer to such places and at such times as the Government may direct. No interest shall be payable to the Government on any of the moneys for the time being held by the Bank.

4. The management of the rupee public debt of the Government and the issue of new rupee loans by the Government and the performance of all the duties relating thereto respectively including the collection and payment of interest and principal and the consolidation, division, conversion, cancellation and renewal of securities of the Government and the keeping of all registers, books, and accounts and the conduct of all correspondence incidental thereto shall be transacted by the Bank at its offices in Bombay, Calcutta and Madras and at any of its offices, branches or agencies at which respectively the administration of any portion or portions of the public debt of the Government is for the time being conducted or interest thereon is for the time being payable and the Bank shall also keep and maintain such registers, books and accounts in respect of the said public debt as the Government may from time to time direct and shall audit all payments of such interest and act generally as agents in India for the Government in the management of the said public debt and shall conduct such agency subject to such orders and directions with regard to the general management thereof as may from time to time be given to the Bank by the Government.

5. The Bank shall not be entitled to any remuneration for the conduct of the ordinary banking business of the Government other than such advantage as may accrue to it from the holding of the Government cash balances free of obligations to pay interest thereon, and such balances shall be maintained at an amount not below such minimum as may be agreed upon between the Government and the Bank from time to time.

Provided that if the Government wishes to remit funds outside the area within its jurisdiction except as otherwise provided for in this agreement the Bank shall be entitled to make a charge for such remittances at rates not exceeding those which the Bank charges to Banks referred to as "scheduled banks" in Section 42 of the Act subject to a minimum charge of four annas for each remittance.

6. The Bank shall make ways and means advances to the Government if so required at such rate of interest not exceeding bank rate as may be fixed by the Bank from time to time, provided that the total of such advances outstanding at any one time shall not exceed the amount of the minimum balance prescribed under clause 5 and any subsidiary agreement provided under the clause and provided further that the advances outstanding shall be fully paid off at intervals not exceeding three months.

7. The Government shall employ the Bank as its sole agent for investments by Government either of Government funds or of funds managed by the Government and the Bank shall be entitled to charge commission for sales (but not for purchases or conversions) at the rate of 1/16 per cent. in addition to any further charges which the Bank may have to pay by way of brokerage, etc. The Bank shall collect interest and the maturity values of such investments on behalf of the Government without charge.

AGREEMENT BETWEEN THE PUNJAB GOVERNMENT AND THE 1671
RESERVE BANK OF INDIA.

8. As remuneration to the Bank for the management of the rupee public debt as aforesaid the Bank shall be entitled to charge to the Government half-yearly a commission at the rate of Rs. 2,000 per crore per annum on the amount of the public debt as aforesaid at the close of the half-year for which the charge is made. In calculating this charge the following amounts shall be excluded from the amount of public debt, viz:—

- (a) The amounts of loans discharged outstanding after one year from the date of a notice of discharge.
- (b) The amount of stock certificates for Rs. 50,000 and upwards held by the Government or by any officer or officers of the Government authorised in that behalf provided that such amount exceeds one crore.

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

Provided that loans not directly issued by the Government, but issued under the guarantee of the Government shall not be included in the calculation for the purpose of this clause, but shall be a matter for separate arrangement if the management of such loans is entrusted to the Bank.

9. The Bank shall maintain currency chests of its issue department at such places within the Punjab Province as the Government may, with the previous sanction of the Central Government, prescribe and the Government shall provide sufficient accommodation for such chests as may be required for the deposit of notes or coin and shall be responsible to the Bank for the safe custody of the said chests, notes and coin. The Bank shall keep the said chests supplied with sufficient notes and coin to provide currency for the transactions of the Government and reasonable remittance facilities to the public at the said places. The Government shall supply the Bank with such information and returns as the Bank may from time to time require as to the composition of balances in the said chests and the amount and nature of the transfers to and from the said chests. The Bank shall have access to the said chests at all reasonable times for the purpose of inspecting and checking the contents. The Government shall be responsible to the Bank for the examination and correctness of coin or notes at the time of deposit in or withdrawal from the said chests.

10. The Bank shall not be at liberty to close any of its offices or branches except on Sundays, New Year's Day, Christmas Day, Good Friday and on any other day declared to be a public holiday by any notification published in pursuance of the Negotiable Instruments Act (Act XXVI of 1881) subject nevertheless and notwithstanding to the provisions of that Act to any special orders or directions which may be issued by the Government and the Bank shall be responsible that no one of its agencies doing Government business for the time being existing shall be closed except on Sundays and on public holidays authorised by the Government within whose jurisdiction such agencies may be respectively situated.

11. The responsibility for all loss or damage to the Government which may result from any act or negligence or omission of the Bank or its agents in conducting the business of the public debt aforesaid or the payment of interest or discharge value thereon or the renewal, conversion, consolidation, sub-division or cancellation of any Government security shall rest with and be borne by the Bank provided, however, that it shall not be incumbent on the Bank to verify signatures and endorsements on Government securities which *prima facie* appear to be in order and in the acceptance of which the Bank shall not be guilty of any negligence and in such cases no liability shall be incurred by the Bank in respect thereto PROVIDED ALSO that in regard to the ordinary banking business at the offices, branches and agencies of the Bank of receiving and realising money and securities for money on account of the Government and paying cheques, orders, draft bills and other documents whether negotiable or not in the Bank's capacity of bankers for the Government and whether such business be done by the Bank or by agencies on its behalf the responsibility to the Government shall be that of the Bank and such responsibility shall be that of a banker to an ordinary customer.

12. The Bank shall remit on account of the Government between India and London such amounts as may be required by it from time to time at the market rate of the day for telegraphic transfers, subject to the proviso that if a large transfer has to be effected in connection with the flotation or repayment of a sterling loan or analogous operation, and if it is considered by either party to be inappropriate to apply the rate of a single day, an average rate based on a longer period may be fixed by agreement between the two parties.

[Minister for Finance.]

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

14. In the event of any dispute arising as to the terms and conditions of this agreement or as to the rights or obligations of the parties hereto such dispute or difference of opinion shall, in the event of the parties hereto failing to reach an agreement, be referred to the Governor-General whose decision shall be final and binding as between the parties hereto.

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

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

17. The stamp duty on the instrument shall be borne by the Government.

IN WITNESS whereof RAM CHANDRA, C.I.E., M.B.E., I.C.S., Secretary to the Government of the Punjab in the Finance Department by the order and direction of the Governor of the Punjab has hereunto set his hand and the common seal of the Reserve Bank of India pursuant to a Resolution of its Central Board has been hereunto affixed in the presence of its subscribing officials the day and year first above written.

SIGNED by the said RAM CHANDRA, Secretary to the Government of the Punjab in the Finance Department for and on behalf of the Governor of the Punjab in the presence of

(Sd.) RAM CHANDRA,

Secretary to the Government of the Punjab, Finance Department.

(Sd.) LAL CHAND,

*Assistant Secretary to Government,
Punjab, Finance Department.*



THE COMMON SEAL of the Reserve Bank of India was affixed hereto in the presence of Sir Purshotramdas Thakurdas, Kt., C.I.E., M.B.E., and Kasturbhai Lalbhai, two of its Directors, and Manilal Balabhai Nanavati its Deputy Governor who in token thereof have hereunto signed their names in the presence of

(Signed—

PURSHOTAMDAS THAKUR DAS

KASTURBHAI LALBHAI,

Directors.

Signed—

MANILAL BALABHAI NANAVATI

(Sd.) N. D. NANGIE,

*Reserve Bank of India,
Central Office, Bombay.*

Deputy Governor.

Subsidiary agreement between the Governor of the Punjab and the Reserve Bank of India.

AN AGREEMENT made this 26th day of May, One thousand nine hundred and thirty-seven, BETWEEN THE GOVERNOR OF THE PUNJAB of the one part and the RESERVE BANK OF INDIA (hereinafter called "the Bank") of the other part supplemental to an agreement (hereinafter referred to as "the principal agreement") made on the 26th day of May, 1937, between the parties hereto.

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AGREEMENT BETWEEN THE PUNJAB GOVERNMENT AND THE
RESERVE BANK OF INDIA.

WHEREAS under clause 5 of the principal agreement it is provided that the Government of the Punjab (hereafter referred to as "the Government") shall maintain a daily balance with the Bank not below such minimum as may be agreed upon NOW IT IS HEREBY MUTUALLY AGREED AND DECLARED AS FOLLOWS:—

1. The Bank shall inform the Government by telegram of the Government daily balance with the Bank at the close of each working day.

2. The Government shall take steps by taking a ways and means advance from the Bank or by issuing treasury bills to ensure that the Government balance on each Friday is not less than a credit of rupees thirty lakhs. If a reduction in the Government balance is to be anticipated before the following Friday, e.g. owing to the beginning of the month disbursements, etc., the Government shall also take steps to ensure that this balance does not fall below the said minimum by more than rupees five lakhs.

3. The Government will not repay ways and means advances or invest any surplus of the Government balance unless the said balance exceeds a credit of rupees thirty-five lakhs.

4. Ways and means advances may be taken and repaid on any day without previous notice by telegraphic or such other intimation to such branch of the Bank as the Bank may prescribe provided that such advances shall be for a minimum period of seven days and provided further that such advances shall be in minimum amounts of rupees five lakhs.

IN WITNESS whereof RAM CHANDRA, C.I.E., M.B.E., I.C.S., Secretary to the Government of the Punjab in the Finance Department by the order and direction of the Governor of the Punjab has hereunto set his hand and the common seal of the Reserve Bank of India pursuant to a Resolution of its Central Board has been hereunto affixed in the presence of its subscribing officials the day and year first above written.

SIGNED by the said RAM CHANDRA,
Secretary to the Government of the Punjab
in the Finance Department for and on behalf
of the Governor of the Punjab in the
presence of

(Sd.) RAM CHANDRA,

*Secretary to the Government of the Punjab,
Finance Department.*

(Sd.) LAL CHAND,

*Assistant Secretary to Government,
Punjab, Finance Department.*



THE COMMON SEAL of the Reserve Bank of India was affixed hereto in the presence of Sir Purshotamdas Thakurdas, Kt., C.I.E., M.B.E., and Kasturbhai Lalbhai two of its Directors and Manilal Balabhai Nanavati its Deputy Governor who in token thereof have hereunto signed their names in the presence of

Signed—

PURSHOTAMDAS THAKURDAS

KASTURBHAI LALBHAI

Directors.

Signed—

MANILAL BALABHAI NANAVATI,

(Sd.) N. D. NANGIE,
*Reserve Bank of India,
Central Office, Bombay.*

Deputy Governor.

SUPPLEMENTARY DEMANDS FOR GRANTS.

SCIENTIFIC DEPARTMENTS.

Minister for Finance (The Honourable Mr. Manohar Lal) : I beg to move—

That a supplementary sum not exceeding Rs. 6,180 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Scientific Departments.

Mr. Speaker : Motion moved is—

That a supplementary sum not exceeding Rs. 6,190 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Scientific Departments.

Dr. C. L. Fabri of the Central Museum, Lahore.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : I beg to move—

That the demand be reduced by Rs. 100.

Sir, I move this cut motion in order to discuss the desirability of extending the period of service of the officer concerned. It will look very peculiar to find me standing up opposing a demand when it concerns the appointment of an individual. I have been always criticising the policy of the Government so far as the budget discussions were concerned. In this case also, I only want to discuss a principle and not the merits of the individual in question. It was considered desirable to appoint another man to help the Curator of the Museum in re-cataloguing the articles in the Museum and a certain gentleman was appointed to do this task. The proposal was that the job, on which the gentleman concerned was appointed, would finish in a few months' time. Therefore, the gentleman was appointed for a few months, but now we find that his services have been extended for about one year more. I beg to invite the attention of the Honourable Minister in charge to the fact that now the time has come when we should give preference to the Indians provided they are of the same ability and qualification. I do not know how far my information is correct, but as far as my information goes, the gentleman, whose services have been extended, was employed in the Archaeological Department of India where he was drawing a salary of Rs. 300 a month. We engaged him on Rs. 500 a month and thus gave him a lift of Rs. 200 a month. Now we are increasing his pay by Rs. 30 more after he has completed one year of service. Though not an expert, yet I beg to draw your attention to certain articles written on the subject of cataloguing of articles in the Museum in the *Tribune*. An article was printed on 18th January, 1937 and another appeared in its issue of 4th February, 1937, and, if I am correctly informed, there are other articles also printed in several issues of papers criticising the re-cataloguing of the articles in the Museum. As far as my knowledge goes, the present incumbent, whose services we are going to extend, has not given any reply to this criticism and, therefore, when no reply is forthcoming I can draw only one conclusion that whatever criticism has been made against his method of working is correct. Therefore, if that is correct, I think we should not extend the period of his service.

Then, Sir, as far as my knowledge goes, the present Curator is a very highly qualified man. He is an M.A., Ph.D. He has re-catalogued the Amraoti articles in the British Museum, he has re-catalogued the Indian collection in the Buckingham Palace and the Windsor Palace and he visited and advised and worked in most of the Museums in Great Britain and Ireland. Therefore, Sir, I think that this work of re-cataloguing should be given to the permanent man rather than to a temporary hand and, therefore, his services should not be extended.

If the Honourable Minister in charge is satisfied that it is absolutely necessary for him to keep the man and to continue the services of this officer, then I would suggest that his work should be supervised by the permanent man and this man should not be placed over his head.

With these words I commend this proposition to you.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Minister for Education (The Honourable Mian Abdul Haye) : I have no hesitation in giving this assurance to the honourable members that if a suitable Indian is available for any appointment he shall be given preference (*hear, hear*). But here in this case the honourable members will realise the difficult position in which I was placed. There was an occasion when I looked at this question, from the point of view of a layman and this is perhaps what is now being done by the honourable leader of the Opposition. The facts are that in September last the Punjab Government decided to have the services of Dr. Fabri to re-label and re-arrange and re-catalogue the galleries of the Museum. The permanent Curator was there. If the permanent Curator had been in a position to execute this work satisfactorily, the Punjab Government would not have requisitioned the services of Dr. Fabri. It is true that previously Dr. Fabri was serving under the Government of India. I am not aware of the salary that he was getting, but the reports are that he did useful work there and there was an intention to give him permanent appointment under the Government of India but perhaps his nationality stood in the way and, therefore, a permanent job could not be given to him. Just at that time the Punjab Government required an expert. They had moved in this matter previous to that and they were thinking of organising the galleries of the Museum, and they obtained the services of Dr. Fabri. What worried me in this case was this. When the case came before me, the facts that were disclosed were that originally Dr. Fabri was engaged for a period of eight months and that he had agreed to finish the work in eight months and now he was asking for an extension of eighteen months. As a layman I took strong objection to that and I proposed to adopt a strong line of action. But this was a question of a very important and valuable institution. The work was not completed, only one-third of the work was done and I had a great responsibility in this matter. The only course open for me was to seek the advice of an expert. I invited the Director-General of Archaeology in India to come over to Lahore and inspect the Museum and advise me regarding the work that has already been completed and the future plans of Dr. Fabri. That gentleman, the Director-General of Archaeology in India, is an Indian and in the report submitted by him he commended the work done by Dr. Fabri. Of course he made a slight criticism also and he recommended that it was absolutely essential that at least one year's extension be granted. It was in the interests of the Museum that I had to accept his advice.

As regards the criticism that has appeared in the papers, I have noticed that there have been propaganda and counter-propaganda. Unfortunately ever since the time that Dr. Fabri's services were engaged the permanent Curator and Dr. Fabri have not been seeing eye to eye with one another and it was a matter of extreme regret for me that during the eight months

[Minister for Education.]

that Dr. Fabri had been at his work in the Central Museum, the permanent Curator has not been helping him and has been sitting idle. While accepting the recommendation of the Director-General I made these two officers understand that they have got to co-operate in future and the permanent Curator also readily agreed. As regards the criticism, referred to by the honourable leader of the Opposition, in the *Tribune* I may only say that there is another side of the picture and there have been several articles in the *Civil and Military Gazette*. I have stopped that propaganda and counter-propaganda and the Director-General having commended his work there was no course open to the Government but to extend the period of Dr. Fabri's appointment.

Mian Abdul Aziz : May I suggest one thing to the Honourable Minister? It may not be as is usually done that this one year's extension may again be extended. He should tell both these gentlemen definitely that the period will not be further extended.

Minister for Education : The Ministry of Education have laid very strict conditions and those conditions were revised by the Honourable Minister for Finance and he added further conditions. Both the Ministers are very closely watching the progress of work and we have ordered that quarterly reports be submitted to the Government and the first report is expected early next month. The Government will see that the work is finished within this period and that no further extension is granted to Dr. Fabri.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I had no intention of intervening in this debate but since the debate has taken on a particular aspect it is necessary that I should say a word or two. I did not need to hear the sentiments of the Education Minister in regard to the appointment of Dr. Fabri and the expenditure required for that particular purpose ; I did not need to hear the very unseemly controversy that has been going on in the Press in regard to this particular appointment, to say that I am rather at a loss to understand why the services of an expert if they are required for a purpose of this nature—a cultural purpose—should not be taken on by the Punjab Government irrespective of the nationality of that particular individual. It is an absurd state of affairs that in cultural matters we must be tied down to the appointment of a particular individual, merely because he happens to be a Punjabi or an Indian or a Hungarian or a Muslim or a Hindu or a member of any other community. If a man is available and he is doing good work—according to the Minister he has got a report of the Director-General of his good work—Rs. 500 a month is not an extravagant amount for that post, seeing that my friends are going to pay Rs. 500 a month to a secretary,—a secretary who will merely be an ornamental figurehead on the Treasury benches—

Mr. Speaker : That is not the subject under discussion.

Diwan Chaman Lall : I am only giving an example. If Rs. 500 paid to a secretary is not a waste of money—

Mr. Speaker : As a rule no member should allude to the previous debates of the same session in connection with any question or Bill not under discussion, except under special circumstances and even then with the approval of the House and the Chair.

Diwan Chaman Lall : There is some misapprehension. I am not criticising the action taken by the House. I have no intention of doing so. Under the rules I cannot criticise the action taken by the House. All that I am submitting is a parallel example. I might easily have turned round and said for instances that Jesus Christ had 12 disciples but he did not pay any salary to them and yet they did wonderful good work for Christianity. I might have given that as a good example. But we need not consider the nationality of the 12 disciples and what I am saying is this. In a cultural matter let us not confine our attention to a narrow point of view and let us not say merely because a man is a Hungarian or a Russian we shall not require his services. I do hope my honourable friend the Minister for Education is not going to be tied down to the limit so that if Dr. Fabri's work is not finished within a year he will have to go. I would submit that if he thinks that Dr. Fabri is an able man a desirable man he should try to retain his services permanently for the purpose of the Museum at Lahore, irrespective of the fact whether Dr. Fabri is a Punjabi or not. He is not a Punjabi and I do submit that this principle if once accepted by the Department is likely to injure the cultural development of my province rather than help its advancement.

Dr. Sir Gokul Chand Narang (West Lahore Division, General-Rural) : I happen to know something about this matter and for the benefit of the Education Minister I would like to say a few words. I know both the gentlemen concerned, and I have a very high opinion about the ability of both of them. When the matter came up before the Finance Committee, I was one of those who strongly supported the proposal of the Finance Department and I have no reason to believe that Dr. Fabri has not done useful work (*hear, hear*). But the trouble is in respect of other matters. One was that Dr. Fabri started writing articles in the *Civil and Military Gazette* over the alleged defects in the cataloguing of certain exhibits. This matter was brought to the notice of Government and I am glad that the Government did take notice of it and stopped him from going to the Press and I hope he has accepted that suggestion and no more articles have been written by him to the *Civil and Military Gazette* or any other paper. That was only an indiscretion and it was brought to his notice in proper time. That was, however, a secondary matter. The difficulty about the case is that as both are experts and both are really able men, there is very often a difference of opinion as to what period a certain exhibit should be ascribed. That is not a mere matter of cataloguing, but exhibits have to be classified by ascribing them to a certain period. On these points differences have arisen and I would suggest to the Honourable Education Minister that both these gentlemen may be advised that both of them should act in agreement and co-operation with one another and I am glad that they have agreed to do so.

Minister for Education : I have already said that.

Dr. Sir Gokul Chand Narang : What I am going to point out is this. Where there is a difference of opinion, none should try to thrust his opinion on the other. They should be noted down in a separate note-book and these exhibits should go uncatalogued for the time being until a third authority has been consulted. That is not only in the interests of peace and harmony between those two experts but also in the interests of history and archaeology and I hope the Honourable Minister would act upon this suggestion.

Minister for Education : In view of the speech made by Diwan Chaman Lall, I would like to make one thing clear. The Government have brought it home to Dr. Fabri that there shall be no further extension and we are going to stick to that decision. We have taken an undertaking from Dr. Fabri that during this period he shall truly and well lay the foundations of the Central Museum and further detailed work shall be left to the permanent Curator.

Dr. Gopi Chand Bhargava : I want to assure my friend Diwan Chaman Lall that I never said that in educational institutions people who are experts belonging to any nationality cannot be taken. I never said that an Indian who is not an expert shall be given preference over an expert who is a foreigner or belongs to any other nationality. What I said was that if we have got two people equally expert then preference shall be given to an Indian and not to any other.

Minister for Education : You have that assurance from the Government. Why worry about Diwan Chaman Lall ?

Dr. Gopi Chand Bhargava : In view of the assurance given by the Honourable Minister for Education, I do not wish to press my amendment.

The motion was by leave withdrawn.

Mr. Speaker : The question is—

That a supplementary sum not exceeding Rs. 6,180 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Scientific Departments.

The motion was carried.

AGRICULTURE.

Minister for Finance (The Honourable Mr. Manohar Lal) : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 12,150 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Agriculture.

Mr. Speaker : Motion moved is—

That a supplementary sum not exceeding Rs. 12,150 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Agriculture.

Yusafwala Cattle Farm.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : There are two points in regard to this demand that I want to bring to the notice of the treasury benches. The first point is in regard to the demand itself. I want to ask the treasury benches and the Finance Minister in particular to let me know as to why this particular demand was not included in the budget. Why are these demands now being brought forward as supplementary grants when the information regarding these particular grants must have been available to the department at the time when the budget was presented to us ? It cannot be said that Government came to the conclusion after the budget was prepared that a part of this particular farm was going to be run by the Agricultural Department and the rest otherwise. They must have known it earlier and I do submit that it is a matter of policy and it is incumbent upon the treasury benches to see to it that such supplementary grants are not made available for the decision of the House so soon after the budget

has been presented. If there had been an urgency of a nature unforeseen, I could have understood the difficulty of the Honourable Minister in bringing in this supplementary demand. But I cannot understand why this supplementary demand was not included in the budget. The second point that I wish to raise is this. This particular demand refers to a farm of 3,000 acres. The land has been resumed by the Government and the Government are desirous of offering half of this area as a seed farm. As far as the other half of 1,500 acres is concerned they want to split these 1,500 acres into units of 5 squares and hand them over to private individuals for the purposes of seed farm grants. I do not want my honourable friend to consider that this House is tying itself down to the principle and policy underlying this particular grant. The principle and policy are that the Government by their own sweet will can give away 1,500 acres of land on the ground that it is required for the purposes of seed farming. The reason why they say that they have not given it away is that they have not been able to find suitable persons to whom they can make these grants. I submit there is no necessity for making these grants. I submit that it will lead to a great deal of jobbery on the part of the department concerned. When people know that 5 squares of land are available for the mere asking, there will be hundreds and thousands of applicants for grants of this nature and the Government will be in a position to distribute their largess all round, to people whom they chose. There is always this grave fear that this sort of thing might lead to jobbery on the part of the administrative department and I do submit that if the Honourable Minister gives us an undertaking that this matter of handing over of land for the purpose of seed farm is not to be followed unless the whole question underlying such grants has been carefully considered by the Honourable Minister in charge and the decisions taken will be brought before the House, I have no objection to this grant. But I do submit that in the matter of policy of this nature, Government having taken charge of these departments under provincial autonomy, they should be very careful indeed in laying down principles which may not be accepted by this House and this is one of the most important principles which should be discussed on the floor of the House. Such a large scale distribution of land of this province merely on the sweet will of the administrative departments should not be permitted. It means that 1,500 acres will be distributed by the Government without any hitch. If this can be done, why not 3,000 acres? It is not a series of farms disconnected, it is a unit of three thousand acres and if Government can set up a farm of 1,500 acres, why cannot they set up a farm for the rest of it? I do hope the Honourable Minister when he gets up will throw some light on this particular subject and assure the House that the House will not be tied down to the principle underlying this particular grant.

Minister for Finance (The Honourable Mr. Manohar Lal) : Sir, I want to say only a few words so far as it concerns the Finance Department. You will see that the demand itself does not offend against the principles under which supplementary estimates are presented. But while that is so, I am in a position to assure the House that we have already taken steps to discourage and strongly discourage supplementary grants so far as possible. I have more than once pointed out to the departments concerned that they will have to make out a very strong case before they ask me, as Finance Minister, to place any supplementary demand before this House. As far as the question

[Minister for Finance.]

of merits of this particular grant is concerned, the Honourable Minister for Development will speak about it.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, in the absence of my honourable colleague, who is in charge of the Department of Revenue, I may say a few words with regard to the policy of distributing 1,500 acres of land in units of 5 rectangles each to individuals who will have to be selected by the Department of Revenue. Many members probably do not know that so far as distribution of these squares or rectangles is concerned, the subject is not mine. Distribution rests with the Department of Revenue. But as the Honourable Revenue Minister is away, I may inform the House on his behalf that the question of ear-marking 1,500 acres for distribution had already been decided before the Honourable Minister for Revenue took over charge of his office. Possibly the question was decided as long ago as 18 months. Therefore, he is not responsible for the policy which underlies the reservation of 1,500 acres of land for distribution to individuals for seed producing purposes.

Diwan Chaman Lall : May I take it from the Honourable Minister's speech that this particular grant has not been made so far and the reason why the Honourable Ministers are asking for that special grant is that they are not at the present moment in a position to make this grant to various people? if so, the position can be easily reversed if the Honourable Minister wishes to do so.

Minister for Development : I am absolutely sure that no part of this land has been given away to anybody so far. If any portion of this land had been distributed, then I would not have had to come to the House for the grant of a portion of the money comprised in this demand in order to entertain establishment. The House may take it that the land is still there and selection of individuals will take place probably next winter. But the policy of setting this land apart for distribution to individual seed growers was decided long ago. It does not rest with me to give an assurance to the House that this policy will be re-examined. I can only convey the desire of my honourable friend to my colleague. I am sure that his suggestion will receive careful attention.

Raja Ghazanfar Ali Khan (Pind Dadan Khan, Muhammadan, Rural) : Sir, I want to say a few words. I would request the Government, while deciding this question whether departmental farms should be started or allotments should be made to private individuals, they should bear in mind that one of the objects of the Government should be to encourage private enterprises. Considering the experience that we have of these farms being run departmentally, I am afraid it costs Government more than the income. Well, if this work is given to private individuals, it will not be a burden on the state but will bring in extra income. I would request the Government to try an experiment by giving 1,500 acres to individuals and managing 1,500 acres departmentally and then to find out at the end of one or two years whether the former is profitable or not. I hope that the Government will take this point into consideration. I would further request the Government not to bind themselves down to this allotment of 5 squares or rectangles to one individual, for producing seeds. If he is to produce

the best seeds, naturally a small holder will not be able to invest money and run the farm scientifically. Therefore, it will be better if the allotted land should consist of more than 5 squares. I hope the Government will consider this point also.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban) : Sir, I really do not see the usefulness of splitting up this land into two parts, half to be kept by the Government, and the other half to be distributed to various people. It appears, Sir, that out of these 120 rectangles 60 are now to be kept by the Government and 60 are to be distributed, at the rate of 5 rectangles per individual. It means that it will be distributed between 12 other persons. The first thing which I would submit is that I do not know how this distribution is going to take place. If this distribution is going to take place to a certain extent, as it is observed in various cases, to persons who are in the good books of Government, not only in the good books of Government, but those who are really not entitled, then I certainly strongly object to it. I would submit that splitting of this land into two portions is certainly very bad. The other day we were discussing a certain other question regarding the agricultural department that it would be better if the Government takes the whole of the land. They have already got *mukaddams* and several other people. They can add to their number and they should help other public people by producing seeds themselves.

The other thing which I would submit is, as the Honourable Minister has said, that this decision was arrived at some 18 months ago. It was known to the Treasury benches that this arrangement was going to take place. I can merely endorse the remarks made by my honourable friend Diwan Chaman Lall as to why such things were not brought in the budget. Why has this been brought as a supplementary grant? Am I to understand—as one day the Honourable Finance Minister remarked that I had something in my bosom but did not want to disclose it—would that apply in the same spirit to the Honourable Finance Minister? Has he something in his bosom but wants to keep it as a secret?

The other thing which I would submit is that it is just like the several branches of the Public Works Department, where construction is going on and the repairs bill comes beforehand. In the same way supplementary demands have come in, though only a few days ago we have passed the budget.

I would request the Honourable Minister in charge of Development that he would certainly go into the question and see that the whole property of this land is kept by the Government for the purpose for which it is meant instead of distributing it into half and half.

Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural): I had no mind to take part in the discussion, but there have been one or two points which have been brought forward in the debate on which I also want to express my feeling. So far as the question of presenting the supplementary demands is concerned, I feel Mian Sahib and Diwan Chaman Lall are right when they express their opinion that so soon after the budget we should not bring in these things. The reply which has been given by the Finance Minister that he always discourages such supplementary demands and that his policy is that such things should as far as possible be avoided, is a sufficient assurance that we shall not be bothered any further with such demands.

[K. S. Ch. Riasat Ali.]

As to the distribution of land between private enterprisers and maintaining the farms at the instance of the Government, I want to say one or two words. There was a farm in my district known as the Chakkanwali farm, formed by the Government by taking possession of three villages and after spending a huge capital, the Government felt that it was nothing but a white elephant on the provincial revenues and what has been the result? The result has been that the farm has been discontinued now after a volley of questions from myself and from other members and a lot of criticism from all sides. Now that land is again going to be distributed between private enterprisers I submit that the policy of retaining huge tracts of land for Government agricultural farms is not as much beneficial to the interests of the province as that of its distribution among private individuals. (*An honourable member* : Distribute the whole ?) Yes, if possible the whole might be distributed.

Sardar Ajit Singh : Will it be allotted permanently ?

Khan Bahadur Nawab Muzaffar Khan : Not permanently. It is clear from the note. A very wrong impression is being created. The land will be given out on temporary leases.

Khan Sahib Chaudhri Riasat Ali : It is for the Honourable Revenue Minister to say. But I submit that it is better if it is given on lease for a particular number of years and if the lessee is found to have fulfilled the conditions on which the lease has been given, the lease may further be extended. The honourable Mian Abdul Aziz has also raised an objection so far as the distribution of the land is concerned. I want to reply to that in one word. The land should be distributed not as gentry grant. It should not be given to people in lieu of their good services. The object in view should be to give it to those people who can most efficiently produce the best seed for the purposes of poor zamindars who could augment his income by the use of that seed. Land has been similarly given for horse breeding and cattle breeding purposes and in all these cases the elementary thing which is wanted is whether the particular grantee has fulfilled satisfactorily the conditions on which the land was originally given. I would submit that in this respect also the land should be given only to those people who are most suitable and who would efficiently fulfill the object for which this distribution is being made. The land should be given to co-operators not in the sense in which the word is used as a political term, but those people who are ready to obey the directions and who would co-operate with the Government in carrying out the object for which this land is being distributed. This is not a scheme which is primarily intended to remove unemployment and this land should only be given as I have said to the people who are in a position to produce the best seed for the cultivators of the province.

There is no harm if it is given to people who are unemployed, but the criterion should be the attainment of the object and not the status or the personality of the proposed grantee.

Sardar Sohan Singh Josh : Favouritism may play a part.

Minister for Revenue : How do you know. (*An honourable member* : From past experience). As long as I am sitting here I will see that this does not happen.

Khan Sahib Chaudhri Riasat Ali: It will be very useful if this land is divided into small plots and given to private individuals and not in big rectangles to be given to people who do not want these things and whose purse is always full.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): May I at this stage of the discussion intervene? I am sorry that I was absent from the Assembly Chamber as I had to meet a deputation of some of my honourable friends from Doaba. I think the idea of some of the members of the opposite side is that this land is going to be distributed to well-to-do people. That is not the idea. First of all out of the 3,000 acres, we are handing over 1,500 acres to the Agricultural Department for the purpose of producing good seed for distribution to people. As regards the remaining 1,500 acres we have not yet come to any decision. Consequently we are leaving this area also with the Agricultural Department. Our idea is to start a sort of competition between the Agricultural Department and those private people who get land for cultivation and produce seed of the best quality. They will be required to cultivate this land according to the instructions of the Agricultural Department so that they may not produce inferior or bad seed. We are introducing this sort of competition between the Agricultural Department and the outside people to see whether they cannot also produce good seed. The idea underlying is that we will not give this land as a grant to them permanently but only for a certain period of time, to see that good seed is produced and if the men to whom the land is given show good results then the lease will be extended.

Sardar Ajit Singh: What will be the form of distribution of this land?

Minister for Revenue: If the honourable member had heard what I have said, he will understand that I have not come to any conclusion on the subject. We are considering that question.

Sardar Ajit Singh: Will that be done according to the advice of this House?

Minister for Revenue: No, Sir.

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban): The Honourable Minister was not present when objection was taken to the distribution of the land. The objection precisely was that such distribution is likely to lead to jobbery. The lease may be in the hands of the Honourable Minister here but the distribution, as it is proposed to give 5 rectangles each presumably for the purpose of seed farming, can easily be done as is suggested by Chaudhri Riasat Ali. According to the present proposal only 12 persons will benefit by the grant but if half a square or one square is given to each, then 120 poor peasants will benefit and the similar conditions as proposed by the honourable member can be imposed upon those very people. I would, therefore, suggest that in the interest of better seed farming and in order to benefit a greater number of peasants the land should be so distributed that one or half square should be given to each tenant.

Minister for Revenue: That is not possible.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural): So far as I am aware the purpose of this lease is to ensure a system of getting better seeds for the province. It is a beginning towards that end. With your

[Mir Maqbool Mahmood.]

permission I will take the House into my confidence and say that among other things I had the fortune or the misfortune while graduating at the Oxford University of digging potatoes and milking cows. One of the things I had was to specialise in seed farming. That being the position I speak on the question with something of practical experience. I would submit that the Honourable the Revenue Minister said that Government has not finally made up its mind as to the exact form which they would give to the distribution of these seeds. My submission is that the experience of other countries leads one to the conclusion that the best way to have better seed farming is to make the double barrelled effort. On the one side we should give small plots on economic holding basis to the farmers, i.e., on co-operative basis, under which they would be limited to carry on not only the directions but also the distribution of seeds on certain basis which may be agreed upon. On the other hand, though I am not a believer in capitalistic farming, I believe that so far as scientific farming is concerned, there should be encouragement in scientific seed growing so that both might give a better service to the province.

Pandit Shri Ram Sharma (Southern towns, General, Urban) (*Urdu*) : Sir, I would like to say a few words regarding this supplementary demand. It is generally feared that the Government always sides with big landlords. Again, when during the discussions on the budget, the demand for agriculture was submitted before the House no mention was made of this supplementary demand. What is still more strange is this, that these 3,000 acres of land will be divided into two halves. One half will be made over to the Department of Agriculture for the production of good seeds and the other half will be divided into parts of five squares each which will be allotted to the zamindars for the same purpose.

I would like to amend this proposal and suggest that instead of giving five squares of land to big landlords, one square or half a square each may be given to small landholders.

Mr. Speaker : Repetition is not permissible.

Pandit Shri Ram Sharma : At least 50 members of this House have not followed the arguments advanced by the English speaking members.

Mr. Speaker : The honourable member is not entitled to translate.

Pandit Shri Ram Sharma : I submit that the Government has always laid claim to the fact that they have every sympathy with the small land-holder. Now is the time when they can give a practical proof of it. Moreover it is not desirable that lands should be distributed among the people at large for the production of good seeds, because they do not possess the facilities which are within easy reach of the Department of Agriculture. Once again I submit that the Government should distribute this land among the small land-holders and not among the big landlords just for the sake of winning their sympathy and their votes.

Minister for Revenue The Honourable Dr. Sir Sundar Singh Majithia : Sir, I repeat an old Punjabi proverb— جس دن گھنہ پر جس نہن لکھا— My friends have got something in their minds. They are always putting forward suggestions and have no belief in the good intentions of Government. I can only say that the suggestions made in this House would be fully borne in mind in deciding this question.

Diwan Chaman Lall: May I draw attention to the fact that a large number of members are interested in this question? Probably all that we have heard from the honourable members opposite—

Mr. Speaker: Is the honourable member entitled to make a second speech?

Diwan Chaman Lall: I am not making a speech: I may only making a suggestion to the honourable Minister—

Mr. Speaker: I think the matter has been discussed at length and the question may now be put.

Dr. Saif-ud-Din Kitchlew (Amritsar City, Muhammadan, Urban): Sir, before you finally decide to put the motion to the House for vote, may I with your permission just say one or two words. I will not take too much time of the House unnecessarily. I am a layman. I am not an agriculturist and I do not understand these things. I want to understand the matter exactly as it stands before I am called upon to vote correctly on the subject. With that idea I would like in a few words to put one or two questions to my friend opposite. In the speeches it has been said, Sir, that there should be a kind of competition between a private individual on the one hand and the Government institution on the other. But the learned speakers opposite have not been pleased to explain yet as to how on earth an individual getting only a few squares of land for the purpose of experiment will be able to compete financially or otherwise with the Government. The Government has got extensive resources at its back. The Government can certainly put down the experiment in no time and make the life of the particular individual, who has been given a few squares of land, not worth living, and the experiment would fail. Do I understand that Government, for instance if this experiment fails, wants to monopolise the whole land? If that be the position I can understand it. Otherwise as a layman myself I have not yet been able to understand the explanation placed before the House from the side opposite. There is another point and that is this; my friends on this side of the House of course have made some suggestions and they want information from the side opposite. Eighteen months ago, it has been said, these things were known to the Treasury benches or to the Government which was in power at that time (*Honourable Minister for Revenue*: When we were not here). But your predecessors in office knew that and they have left this heritage to you—it may be a good or bad heritage—I do not know, but it is a sort of heritage. You knew that when you came to office and you knew certainly when the budget was being prepared. Nobody can deny that. If the Minister in charge says that he had no knowledge when the budget was prepared, that 18 months ago this thing was discussed by the Government, I will not take his word for it. It is a matter of principle. I agree with the members opposite when they say that ordinarily these supplementary demands should not be introduced in this haphazard manner. It is the duty of the Government to explain its position on these two points to this side of the House. I should like to have information on these two points before I am in a position to vote.

1 P.M.

Mr. Speaker: The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : The question is—

“That a supplementary sum not exceeding Rs. 12,150 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Agriculture.”

The Assembly divided : Ayes 89 : Noes 29.

AYES :

- | | |
|----------------------------------|----------------------------------|
| Abdul Hamid Khan, Sufi. | Harnam Singh, Lieutenant Sodhi. |
| Abdul Haye, The Honourable Mian | Het Ram, Rai Sahib Chaudhri. |
| Abdul Rahim, Chaudhri (Gurdas- | Indar Singh, Sardar. |
| pur). | Jagjit Singh, Sardar. |
| Abdul Rahim, Chaudhri (Gurgaon). | Jagjit Singh Bedi, Tikka. |
| Afzaalali Hasnie, Sayed. | Jahan Ara Shah Nawaz, Mrs. |
| Ahmad Yar Khan Daulatana, Khan | Jahangir Khan, Chaudhri. |
| Bahadur Mian. | Jalal-ud-Din Amber, Chaudhri. |
| Akbar Ali, Pir. | Jogindar Singh Man, Sardar. |
| Ali Akbar, Chaudhri. | Jugal Kishore, Chaudhri. |
| Amjad Ali Shah, Sayed. | Khizar Hayat Khan Tiwana, The |
| Anant Ram, Chaudhri. | Honourable Nawabzada Major |
| Ashiq Hussain, Captain. | Malik. |
| Atma Ram, Rai Sahib Lala. | Kishan Das, Seth. |
| Bhagwant Singh, Rai Sahib. | Manohar Lal, The Honourable Mr. |
| Binda Saran, Rai Bahadur. | Maqbool Mahmood, Mir. |
| Chhotu Ram, The Honourable | Mubarik Ali Shah, Sayed. |
| Chaudhri, Sir. | Muhammad Akram Khan, Khan |
| Dina Nath, Captain. | Bahadur Raja. |
| Faiz Muhammad Khan, Rai. | Muhammad Faiyaz Ali Khan, |
| Faiz Muhammad, Shaikh. | Nawabzada. |
| Faqir Chand, Chaudhri. | Muhammad Hassan Khan Gurehani, |
| Faqir Husain, Khan, Chaudhri. | Khan Bahadur Sardar. |
| Farman Ali Khan, Subedar Major. | Muhammad Hayat Khan Noon, |
| Fateh Khan, Raja. | Nawab Malik, Sir. |
| Fateh Muhammad, Mian. | Muhammad Saadat Ali Khan, Khan |
| Fateh Sher Khan, Malik. | Sahib Nawab. |
| Fazl Ali, Khan Bahadur Nawab | Muhammad Sarfraz Khan, Chaudhri. |
| Chaudhri. | Muhammad Wilayat Hussain Jee- |
| Fazl Din, Khan Sahib Chaudhri. | lani, Makhdumzada Haji Sayed. |
| Fazal Karim Bakhsh, Mian. | Muhammad Yasin Khan, Chaudhri. |
| Few, Mr. E. | Muhammad Yusuf Khan, Khan. |
| Ghazanfar Ali Khan, Raja. | Mukand Lal, Puri, Rai Bahadur |
| Ghulam Mohy-ud-Din, Maulvi. | Mr. |
| Ghulam Rasul, Chaudhri. | Mushtaq Ahmad Gurmani, Khan |
| Gopal Das, Rai Sahib, Lala. | Bahadur Mian. |
| Gopal Singh (American), Sardar. | Muzaffar Khan, Khan Bahadur Cap- |
| Gurbachan Singh, Sardar Sahib, | tain Malik. |
| Sardar. | Muzaffar Khan, Khan Bahadur |
| Habib Ullah Khan, Malik. | Nawab. |
| Haibat Khan Daha, Khan. | Narendra Nath, Diwan Bahadur |
| Hans Raj, Bhagat. | Raja. |
| Hari Chand, Rai. | Nasir-ud-Din, Chaudhri. |
| Harnam Das, Lala. | Nawazish Ali Shah, Sayed. |

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| Nur Ahmad Khan, Khan Sahib, Mian. | Sikander Hyat-Khan, The Honourable Major Sir. |
| Ram Sarup, Chaudhri. | Singha, Mr. S. P. |
| Ranpat, Chaudhri. | Sultan Mahmood Hotiana, Mian. |
| Rashida Latif Baji, Begum. | Sumer Singh, Chaudhri. |
| Riasat Ali, Khan Sahib Chaudhri. | Sundar Singh, Majithia, The Honourable Dr. Sir. |
| Ripudaman Singh, Thakur. | Talib Hussain Khan, Khan. |
| Roberts, Professor W. | Ujjal Singh, Sardar Sahib Sardar. |
| Sahib Dad Khan, Chaudhri. | Wali Muhammad Sayyal Hiraj, Sardar. |
| Shahadat Khan, Khan Sahib Rai. | |
| Shah Nawaz Khan, Nawab Khan. | |
| Sham Lal, Rai Bahadur Chaudhri. | |

NOES.

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|------------------------------|---------------------------------|
| Abdul Aziz, Mian. | Lal Singh, Sardar. |
| Ajit Singh, Sardar. | Muhammad Hassan, Chaudhri. |
| Bhagat Ram Choda, Lala. | Muhammad Iftikhar-ud-Din, Mian. |
| Bhagat Ram Sharma, Pandit. | Mula Singh, Sardar. |
| Bhim Sen Sachar, Lala. | Muni Lal Kalia Pandit. |
| Chaman Lall, Diwan. | Prem Singh, Mahant. |
| Chanan Singh, Sardar. | Raghubir Kaur, Shrimati. |
| Deshbandhu Gupta, Lala. | Ram Narain Virmani, Seth. |
| Ghulam Hussain, Khawaja. | Rur Singh, Sardar. |
| Gokul Chand Narang, Dr. Sir. | Saif-ud-Din Kitchlew, Dr. |
| Gopi Chand Bhargava, Dr. | Sant Ram Seth, Dr. |
| Harjab Singh, Sardar. | Shri Ram Sharma, Pandit. |
| Kabul Singh, Master. | Sohan Singh, Josh, Sardar. |
| Kapoor Singh, Sardar. | Sudarshan, Lala. |
| Kartar Singh, Chaudhri. | |

The Assembly then adjourned for lunch.

The Assembly re-assembled at 2-15 P.M. Mr. Deputy Speaker in the chair.

HYDRO-ELECTRIC SCHEMES.

Finance Minister (The Honourable Mr. Manohar Lal): Sir, I beg to move—

That a supplementary sum not exceeding Rs. 38,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1938, in respect of capital outlay on Hydro-Electric Schemes.

Mr. Deputy Speaker: Demand moved—

That a supplementary sum not exceeding Rs. 38,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1938, in respect of capital outlay on Hydro-Electric Schemes.

Diwan Chaman Lall (East Punjab, Non-Union Labour): May I request you to ask the Honourable Minister in charge to let us know something about this supplementary demand. As it is, it is necessary that we should have some sort of an explanation from the Government and the explanation I might indicate, should certainly cover the necessity for this particular demand now at this stage.

Minister for Public Works : If the honourable member will look up page 5 of the Supplementary Estimates, he will find there the explanation he wants.

Diwan Chaman Lall : I am afraid the Minister for Public Works is not a lawyer, and that is the reason why he was so eager to get up and say something which he should not have said. The point that I want to refer to him is a legal one. The question that I want to raise, Mr. Deputy Speaker, is this. Was this expenditure incurred before the budget was prepared? If so, why was it not included in the budget? Is it legal now when an opportunity did arise to include it in the budget and it was not included in the budget, is it legal to bring it forward as a supplementary demand? That is the point I wanted to refer to. I want your ruling also after my friend has given his explanation. May I refer to Durrell's Parliamentary Grants? On page 50 it says:—

“Since no expenditure can legally be incurred for which parliamentary provision has not been made, the taking of a supplementary estimate should in theory precede all excess expenditure on a civil vote or on the gross army and navy votes respectively. In practice this is not always possible. It is, however, eminently desirable to do so whenever practicable.”

—and I submit that it was practicable for my honourable friend to do so when the budget was presented to the House—

“As, when once the payment has been made, or the department committed to payment, Parliament is obviously hampered in its decision as to the expediency of such payment. Expenditure so incurred is invalid; but the granting of the supplementary vote and the passing of the Appropriation Act may be held to have a retrospective effect and to cure such invalidity. Though the Appropriation Act embodying a supplementary vote need not be passed within the financial year the supplementary estimates must be passed before the end of the year in order to give legal effect to the expenditure which they authorize. Further, if presented in a subsequent session to that in which the annual estimates were passed they must be followed by a Consolidated Fund Bill, for no issues from the exchequer authorized in a previous session, although for the same financial year, are legally available for grants made in a subsequent session.”

I take it that it is most extraordinary procedure that this item was not included in the budget when it was presented to this House, in view of the fact that he must have known the facts relating to this grant when the budget was prepared. Does it mean that legally my friend can come forward with it now? Is it the fault of my friend's department that this matter was not brought to the notice of my honourable friend when preparing his budget? Is it correct that the facts were not within the knowledge of my honourable friend the Minister for Finance when he presented the budget to this House? These are questions which my learned friend should answer.

May I further draw your attention to the fact—

“The legal appropriation may be effected later, however, and is normally embodied in the Appropriation Act of the financial year following that to which the supplementary estimates relate.”

But further on page 49, Durrell says—

“The fact that circumstances often unexpectedly increase the revenue since the estimates were made does not in itself justify supplementary estimates.”

But it is not a question here of an increase of revenue, it is a question of asking for a supplementary demand which was within the knowledge of the Honourable Member at the time when he presented the budget. The principle

underlying the supplementary grants is a very important one, Mr. Deputy Speaker. It has been laid down in parliament—

“To render Parliamentary control effectual it is necessary that the House of Commons should have the money transactions of the year presented to it in one mass and in one account.”

What I am suggesting to my friends is this that when they had the knowledge of this expenditure, why did they not present this expenditure in one mass and in one account when they prepared the budget?

I want to ask your ruling, Mr. Deputy Speaker, in regard to this particular matter, whether it is competent now for my honourable friend to come forward in this particular manner and present a supplementary demand when the occasion for presenting that demand was necessarily at the time the budget was presented, because there is not a figure which was not available and within the knowledge of the Department, if not within the knowledge of my honourable friend at the time when the budget was prepared.

You will notice on page 500 of May's Parliamentary Practice where this matter is again dealt with and where it is stated—

“Supplementary estimates for the army and navy services have been presented to meet increased expenditure caused by military operations, and to provide for an increase of the numbers of the navy, army and air force. This method of placing before Parliament the demand for increased expenditure created by such an occasion, has been adopted in preference to a vote of credit, when a fairly definite estimate could be formed of the amount that would be required, and of the general heads under which that expenditure would fall.”

Then again—

“A supplementary estimate may be presented either for a further grant to a service already sanctioned by Parliament, in addition to the sum already demanded for the current financial year, or for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the sessional estimates....”

I submit before you, is it the proposition which my learned friends opposite want to lay down that a fresh occasion for expenditure has arisen since the presentation of the sessional estimates? Is that the proposition? If that is so, then they would be within their rights, but I do submit that the facts are otherwise, that it is not a question of a fresh expenditure since the sessional estimates were prepared. In fact the knowledge of this expenditure was within the ken of my honourable friends opposite when the budget was prepared. They knew all about it. In fact my learned friend said this morning that eighteen months ago this policy had been decided upon.

Minister for Public Works : Not this demand. The honourable member is referring to another demand.

Diwan Chaman Lal : I am bringing that particular matter to the notice of the Deputy Speaker also and am examining the matter of policy involved in this matter. Had you or had you not the knowledge? This is what I want to ask the honourable member opposite, through you. Did you or did you not have the knowledge of the expenditure at the time when you prepared the estimate and presented the sessional estimate and presented them at the time of the budget? If you had the knowledge why did you not come forward with these estimates along with the budget? Is it legal or proper now to come forward with this supplementary demand?

Minister for Finance (The Honourable Mr. Manohar Lal) : You will see in the note that the name of the work for which the demand is required

[Minister for Finance.]

is Supply of Power to the Steel and General Mills Company, Limited. I am in a position to inform the honourable member who has just sat down and raised this point that the Government was not able to come to any decision till very late and long after the budget had been prepared, so far as this additional demand is concerned. There was a proposal on behalf of the Company for the use of electricity and the Government considered it at some length and as it was very late when the decision was arrived at, and it could not be earlier, to accept the terms on which it would be possible to supply electricity to the company, it was not possible to include it in the budget. So far as that question is concerned, I have no more to add. Reference has also been made to page 50 of Durrell for the principles on which supplementary demands may be asked. I had an occasion this morning to inform the House that so far as the particular demand then under consideration was concerned, the Government had not in any manner gone against the principles on which supplementary demands are based. I had also occasion to inform the honourable members of this House that we are strongly discouraging supplementary demands. If the honourable members will refer to these demands last year during the session in which the budget was discussed, they will find that the book containing these supplementary demands then was a large one. We have now cut down these demands to barely three. One was a small matter of Dr. Fabri's appointment—I do not wish to refer to these demands in any detail—and the other one has already been debated at great length. The first one could not have been included in the budget in any case, nor could this particular demand have been included in the budget. The general principle if I may say so, it is not really necessary to examine. We are distinctly discouraging these demands, and this is apparent from the fact that we have cut the big book that it used to be to a small affair this year. The general principle that we get from parliamentary literature on these supplementary demands is really not at page 50 of Durrell but at page 47. The general principle is—

“Supplementary estimates, when treated as customary and as a matter of course, instead of being restricted to occasions of unforeseen contingencies, do more to destroy effectual parliamentary control than any other indirect method that could be devised.”

We are perfectly conscious of that general principle.

“They are, however, for one service or another annually recurring necessities.”

That cannot be avoided.

“They may be presented either—

- (i) for a further grant to a service occasion sanctioned and voted for, or
- (ii) for a grant for a further occasion of expenditure arising since the estimates were presented :—
 - (a) for expenditure newly imposed on the executive by statute.
 - (b) to meet an unexpected emergency.

Whether you call it unexpected emergency or whether you call it unforeseen contingency, so far as this particular demand is concerned, it did not arise till after our budget stood compiled. The only other circumstance that need concern us is this that if we had not come up to this House for this particular demand, what would have happened is that we would have lost this custom for the Hydro-Electric Department which we are now getting and the net result of that would have been loss of so

much revenue. This company is taking an amount of supply which is a welcome amount so far as the Hydro-Electric Department is concerned. Therefore whether you look at the matter on merits or whether you look at the matter from the extremely technical point of financial procedure, there is nothing that is open to any kind of objection. The service exists and to that service we have got to add so much. Of course it would have been quite possible just as the budget had been printed there and then to add an appendix to it, but the budget stood printed with all the facts duly worked out and it was only subsequently that we were distinctly in a position to say that this supply of electric energy can be given as it will bring a profit to us. We are not encouraging supplementary grants. My honourable friend need not for a moment think that this is a sort of thing which the treasury benches are going to encourage at all. We are distinctly and strongly discouraging them, and I feel quite confident that there is nothing in principle which excludes the propriety of the inclusion of a grant of this kind.

Diwan Chaman Lall: May I before you give your ruling on this point draw your attention to—

Mr. Deputy Speaker : There is hardly anything to give a ruling on.

Diwan Chaman Lall: The point is this. My learned friend has not dealt with the main problem, namely the difference between an excess grant and a supplementary grant. An excess grant is a grant regarding expenditure already incurred and a supplementary grant is a grant for expenditure to be incurred. This has been brought forward in regard to an expenditure which has already been incurred. Therefore it is not a supplementary grant, but it should be brought in the form of an excess grant. I refer you, Mr. Speaker, to the ruling given in the Central Legislature.

Sardar Sahib Sardar Ujjal Singh : This expenditure has not been incurred.

Diwan Chaman Lall : Thirty thousand has been incurred already.

Pandit Muni Lal Kalia : This kind of demand is only an additional demand. If you see the definition which is given in the Budget Manual of the Supplementary and Additional grants you will see that—

“A Supplementary grant is a grant voted by the Council when the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year.”

In this case as a matter of fact this item was not at all mentioned in the budget, and it should have been an additional grant. The definition of additional grant is—

“Additional Grant is a grant voted by the Council when a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the budget for that year.”

My submission is that as has been explained by Mr. Manohar Lal in this case, the explanation in the Memorandum is not sufficient and does not show at what time the application was made by the company for the contract to be included and what were the terms in regard to the contract. I do not know for what reasons that information has been withheld from the House. Any other name than the supplementary grant should have been given to it.

Mr. Deputy Speaker : Considering the circumstances in which the supplementary demand for grant has been asked the demand is perfectly in order. ("Hear, hear" from Ministerial benches).

Diwan Chaman Lall : I wish to oppose the demand both from the legal point of view and on merits. (*Interruptions*). My honourable friends will exercise a little patience in regard to this matter. They are very anxious to anticipate my arguments which they have not heard. That seems to be a habit with them. The argument which I wish to advance is merely this. It is a very illegal thing that my honourable friends have done in regard to bringing this demand before the House.

Mr. Deputy Speaker : So far as the legal aspect of this matter is concerned, that discussion is closed.

Diwan Chaman Lall : Mr. Deputy Speaker, I am not attacking your legal point, the legal point that you were pleased to discuss a little while ago. If you will kindly be patient and listen to my argument, you will be convinced that I am not, in any way, challenging your ruling, or questioning the validity of your ruling or discussing your ruling. What I am referring to is something quite different and that is this that there is no provision, as far as I know, of the law which enables honourable members opposite to appropriate the surplus amount in the manner in which they have done, in regard to this particular item. There are two items. One which we are called upon to pass and the other which the House has not been called upon to pass. I am referring to the procedure adopted in regard to that particular point. It is a matter of grave legal importance. What the honourable members opposite have done is this. You are perfectly right when, as far as this particular demand is concerned you have ruled that it is subject to discussion in this House and that they are perfectly within their rights in bringing this demand. What I want to draw the attention of the House to is this—

Mr. Deputy Speaker : The honourable member is not speaking to the motion. Is it a new point of order that the honourable member is raising?

Diwan Chaman Lall : I am speaking to the motion. If you will be kind enough to read the note appended to page 5 of Supplementary Estimates, you will see that I am well within my right in criticising the note appended to this demand. I cannot be prevented from expressing my opinion as to the feasibility of this note, nicety of this note, legality of this note and validity of this note. What I mean to suggest at the present moment is this. I will read it to you. It says—

"The Steel and General Mills Co., Ltd.—"

I think this Company is owned by my friend sitting on my left (Dr. Sir Gokul Chand Narang).

Minister for Finance : Is it owned by him?

Diwan Chaman Lall : At any rate he is controlling it.

"—Lahore have applied for power at 11,000 volts to supply their works, situated about two miles from the Shalamar Receiving Station. The Mill consists of an electric furnace, rolling mills and workshops and is capable of an output of 25 tons of finished steel per day.

The connected load will be 1,800 kw. with a maximum demand of 1,500 kw. The annual revenue has been estimated at Rs. 1,29,312 yielding a net return of Rs. 1,20,474 to the Hydro-Electric Scheme."

This is the important portion to which I would draw your attention.

"The Company having completed the installation of their plant were anxious for a supply of energy as early as possible; and in order to avoid their plant lying idle and also to earn revenue for the Hydro-Electric Scheme, an expenditure of Rs. 5,000 was authorized by His Excellency the Governor for the first four months of the year.—"

Perfectly correct. His Excellency the Governor was within his right to do so.

"This sum, with Rs. 25,000, which was found from savings in the 4 months' figures.—"

Minister for Finance : May I inform the honourable member that this refers to 1937-38? It does not refer to the previous year.

Diwan Chaman Lall : Does the sum of Rs. 25,000 refer to previous year? The point to which I am coming is contained in the last paragraph—

"This sum, with Rs. 25,000, which was found from savings in the 4 months figures, has been utilized to give a temporary connection to the Mills. The Works will now be made permanent and an additional expenditure of Rs. 38,300 is required."

Minister for Finance : It is all for current year.

Diwan Chaman Lall : True. The point is this. The sum of Rs. 25,000 that has been saved has been spent before the Government has asked for this demand.

Minister for Finance : By the time that the Government was able to come to a decision that we might supply energy to this Company, which will cost us so much, certain amount had to be spent immediately after the budget, but still within the 4 months' period, for which under the Government of India Act and the transitory rules it is for the Governor to sanction the amount for 4 months. It is out of that amount sanctioned by the Governor that Rs. 5,000 were actually spent. The further Rs. 25,000 the department proposes to spend out of savings within the first four months of 1937-38 and therefore they are asking for so much less. It is nothing spent last year. It relates to the current year, and expenditure has not been made yet.

Diwan Chaman Lall : I take it that the decision is that Rs. 5,000 sanctioned by the Governor was the only sum spent and no more has been spent up to to-day.

Minister for Finance : Yes. The total so sanctioned was Rs. 5,000. Rs. 25,000 is to be met from savings during the first quarter of the current year.

Diwan Chaman Lall : Up till to-day at 40 minutes past 2 o'clock, not more than 5 thousand has been spent in regard to this matter. If this is the position I have nothing to say in regard to this particular legal aspect of the question except to draw the attention of the honourable members on the Treasury benches to the procedure that is adopted in regard to surplus amount, knowing that in future no such procedure should be adopted by them, that is, appropriating certain amounts without any definite intimation given to the House regarding the purpose for which that surplus amount is to be utilised. Ordinary checks for the expenditure of this money available in other Parliaments, are not available to us here in this House. There are no such ways and means committees or finance committees here which can go into this matter. All these checks are not available here.

[D. Chaman Lall.

I do submit that the greatest care has to be exercised by the Finance Department in appropriating certain amounts which may be excess amount from a department for certain specific purposes which are not mentioned before the House either at the budget time or before or after.

Premier: Sir, I am afraid there is much confusion over the technicalities of this demand, and I am not surprised because of technical procedural formalities. My honourable friend opposite is confusing excess vote with supplementary demands. If he had appreciated the difference between the two, I am sure he would not have taken the time of the House, as it is clear from the note that Rs. 25,000 had been spent on temporary installation out of the savings already realised in the current year. The whole permanent installation will cost altogether Rs. 68,000. So Rs. 38,000 more is required. Rs. 25,000 has been found from the savings on the working of Hydro-Electric Scheme in 1937-38 and for the first 4 months an extra Rs. 5,000 has been sanctioned by the Governor. Very likely, when the department concerned put forward their proposal for expenditure on temporary lines, they must have said: We have so much money in our budget for certain purposes, we can perhaps avoid spending money on such and such proposals till next year or till later and therefore, we can appropriate that particular amount of Rs. 25,000 and if we are given Rs. 5,000 more during these 4 months, we will be able to start this scheme, though the cost of the whole scheme would eventually be Rs. 68,000 and therefore we have to ask this House for an additional Rs. 38,000 before the project can be completed. It is for that reason that we have come forward to ask the House to grant the extra Rs. 38,000. That 30,000 has been found from their own budget not from outside. The sanction of this House for this Rs. 38,000 is necessary and we have come up to the House for it, and my honourable friend has no occasion to challenge the action of the Government or the Finance Department. Rs. 30,000 have been spent with the approval of the Government by the department concerned out of its own budget. Twenty-five thousand rupees were provided out of the savings in their budget in the first quarter, and Rs. 5,000 was sanctioned by His Excellency the Governor under his special powers. For the remaining Rs. 38,000, which we have to spend, we have to come to the House. That is the position put in a nutshell, and I hope it will be now easily understood. An excess demand is a demand which relates to the previous year. If the amount sanctioned in any year by this House is exceeded then we have to come to the House with an excess demand. If we do not exceed that demand it is not necessary for us to come to this House. That question of an excess demand does not arise here. The total amount hitherto provided is out of the current year's sanctioned budget and we have come up with a supplementary demand for what cannot be so provided.

Mr. Deputy Speaker: The question is—

That a supplementary sum not exceeding Rs. 38,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of capital outlay on Hydro-Electric Schemes.

The motion was carried.

The Assembly then adjourned till 11 A.M., on Tuesday, 20th July,

1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 20th July, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A.M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

ELECTORAL ROLLS OF MUNICIPAL COMMITTEE, RUPAR.

***581. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that on a resolution passed by the Municipal Committee, Rupar, drawing therein the attention of the Deputy Commissioner, Ambala, to the general complaint of the public in regard to the electoral rolls prepared in connection with the ensuing elections to the said Committee, the Tahsildar, Rupar, was directed to check these electoral rolls ;
- (b) whether it is also a fact that on checking these rolls for many days the said Tahsildar found many important names missing from these ; if so, the reasons for the omission ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) A resolution on the subject was passed by the Committee, but it was not forwarded to the Deputy Commissioner as it should have been. The resolution came to the Deputy Commissioner's notice in the proceedings of the Committee as all such proceedings have to be submitted to him. As the aggrieved persons could file claims and objections the Deputy Commissioner did not take any action in the matter nor did he issue any orders to the Tahsildar.

- (b) Does not arise.

ELECTORAL ROLLS AND OTHER DOCUMENTS RELATING TO MUNICIPAL COMMITTEE, RUPAR.

***582. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to lay the following on the table of the House—

- (a) the copies of the resolutions Nos. 265, dated 3rd October, 1936, and 366, dated 5th December, 1936, passed by Municipal Committee, Rupar, stating therein the action taken by the Deputy Commissioner, Ambala, thereon ;
- (b) the copies of applications made by the public of Rupar to the Deputy Commissioner, Ambala, in 1937, asking for corrections to be made in the voters' list and for the appointment of Revising Authority stating therein the action taken thereon ;

[Pandit Shri Ram Sharma.]

- (c) the copies of Pandit Ganga Ram Sharma's application for enlisting his name as a voter in Ward No. 5, Municipal Committee, Rupar, and order of the Revising Authority on the same and the orders of the Sub-Divisional Officer in revision with a copy of representation made by Mr. Sharma on the subject to the Deputy Commissioner or local Government, if any, stating therein the action taken or proposed to be taken thereon ;
- (d) a copy of application of Baboo Maqsoom Ali Khan to be enlisted as a voter of Municipal Committee, Rupar, with the order of the Revising Authority and Sub-Divisional Officer, Rupar, in revision ;
- (e) a copy of grounds of revision of one of the voters of Ward No. 4, who applied for revision to the Sub-Divisional Officer, Rupar, with a copy of the order on his application ;
- (f) the copies of all public notices sent by S. Lal Shah Esquire, M.A., Revising Authority to the Executive Officer, Municipal Committee, Rupar, for publishing and posting such notices on the wall of the Town Hall, Rupar, under the latter's signature with a copy of the list of persons who put up claims and objections relating to electoral rolls and dates fixed by the court in respect of each application ?
- (g) the copies of the list of voters who applied for minor corrections in the electoral rolls with their names and addresses and also the dates fixed for hearing such applications ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : It is not in the public interest to collect this information which would involve a considerable amount of labour. Some of the documents required can be seen free of charge in Municipal Committee office and others obtained on payment from the Deputy Commissioner's or Sub-Divisional Officer's office.

Lala Duni Chand : The question deals with the request regarding certain documents being placed on the table. So, what objection is there to the putting of these documents on the table ?

Minister : My reply is clear, Sir.

Pandit Shri Ram Sharma (Urdu) : Has the Honourable Minister satisfied himself about these documents ?

Minister : I have stated that the documents can be obtained on payment from the Divisional Officer's or Sub-Divisional Officer's offices.

Pandit Shri Ram Sharma (Urdu) : Is it not necessary to bring them to the notice of the Government ?

Minister : The honourable member can buy them and satisfy himself.

Diwan Chaman Lall : May I know whether the Honourable Minister has read this question and whether it is a fact that he cannot buy the documents mentioned in part (c) of the question ?

Minister : You can see them free of charge in the municipal office.

Pandit Shri Ram Sharma (Urdu) : What difficulty is confronting the Government? What particular public interest is involved therein?

Minister : It involves a considerable amount of labour for nothing.

Diwan Chaman Lall : May I ask the Honourable Minister as to what considerable amount of labour is involved by merely writing a letter to the authorities concerned? You can get all the documents and place them here.

Minister : Why does not the honourable member himself adopt that course? (*Hear, hear.*)

Diwan Chaman Lall : May I draw the attention of the Honourable Minister to the fact that 175 members would be waiting to do the same and the method suggested by me is more expeditious? Is this a fact?

(*No answer.*)

WATERLOGGING IN SHEIKHUPURA TAHSIL.

***583. Maulvi Ghulam Mohy-ud-Din :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that waterlogging has done great harm in the Sheikhpura tahsil;
- (b) if the answer to part (a) be in the affirmative, the steps he intends to take to remove this grievance of the zamindars in this respect?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) I would invite the attention of the honourable member to the reply given by me to part (d) of question No. *455¹.

COMPULSORY RETIREMENT OF LOCAL BODIES EMPLOYEES.

***584. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware that there is a large number of employees on the staff of the local bodies (both municipalities and district boards) in the province above the age of 55 and that these bodies also employ men who have retired from Government service;
- (b) if the answer to (a) above be in the affirmative, what steps the Government proposes to take for the compulsory retirement of such men to relieve unemployment and remove inefficiency caused by the employment of superannuated men?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret that a reply to this question is not yet ready. The information is being collected from the local officers and will be communicated to the honourable member when ready.

REPRESENTATION OF MUSLIMS IN THE EMPLOY OF DISTRICT BOARD,
HISSAR.

***585. Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the financial condition of the District Board, Hissar.
- (b) the amount spent on the general establishment including the Engineering Branch ;
- (c) the share of the Muslims including coolies, chaprasis and the menials in the amount mentioned in (b) above with their names and posts ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The financial position of the Hissar District Board is satisfactory. Its income and expenditure for the year 1936-37 and the balance at the end of that year was Rs. 5,55,668, Rs. 5,35,733 and Rs. 85,104, respectively.

(b) The amount spent on the general establishment including the Engineering Branch during the year 1936-37 is Rs. 35,608.

(c) The share of the Muslims in the amount mentioned in (b) above is Rs. 4,690. A statement showing the names and posts of the Muslim employees is laid on the table.

*Statement showing the names and posts of the Muslim employees
of the Hissar District Board.*

| <i>Name of employee.</i> | <i>Post.</i> |
|---------------------------|--------------|
| 1. Abdul Qadoos | Overseer. |
| 2. B. Hashmat Ali | Do. |
| 3. Fatch Mohammad | Peon. |
| 4. Bhuria | Do. |
| 5. Suleman | Do. |
| 6. Abdul Ghani | Jamadar. |

IRRIGATION OF VILLAGE RATTIA FROM RIVER GHAGGAR.

***586. Sardar Narotam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the bed of river Ghaggar is getting deeper and deeper between villages Jakhal and Rattia ;
- (b) if the answer to (a) above be in the affirmative, what measures Government proposes to take to improve the irrigation of village Rattia ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Does not arise.

A BRIDGE OVER RIVER GHAGGAR.

***587. Sardar Narotam Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there is a large number of villages on either side of the river Ghaggar between Jakhal and Sirsa ;

- (b) whether it is a fact that there is no bridge over the river Ghaggar between Sirsa and Jakhal ;
- (c) whether it is a fact that there is a lot of traffic from Fatehabad to Budhlada through village Rattia ;
- (d) whether it is a fact that tahsildars and the Revenue Assistant have again and again reported that there was a need of a bridge being built near Rattia in Fatehabad tahsil, district Hissar ;
- (e) if so, whether the Government proposes to build a bridge near Rattia ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

- (b) Yes.
- (c) No. The road is of no importance and it is unmetalled.
- (d) The necessity of constructing a bridge near Rattia has not been brought to the notice of the Public Works Department.
- (e) No. Government is considering the proposal of bridging the Ghaggar river in Sirsa tahsil on Arterial No. 6 near Kheraka village which crossing is of much greater importance.

DEBT CONCILIATION BOARD AT KAHUTA.

***588. Raja Fateh Khan :** Will the Honourable the Premier be pleased to state--

- (a) when the Debt Conciliation Board was established in tahsil Kahuta, district Rawalpindi ;
- (b) the annual pay and allowance of the Chairman and members of the Board ;
- (c) the number of applications for arbitration that have so far come up before the Board, and the amount involved in each case ;
- (d) the number of cases in which discharge certificates were given by the said Board to the creditors as well as debtors and the amount involved in each case ;
- (e) the number of applications by the creditors as well as debtors that were dismissed and the amount involved in each case ;
- (f) the number of cases decided under section 20 of the Punjab Relief of Indebtedness Act, and the amount involved in each case ?

The Honourable Major Sir Sikander Hyat-Khan : (a) 18th May, 1936.

| | Annual Pay. | Annual Allowances. |
|---------------------|-------------|--------------------|
| | Rs. | Rs. |
| (b) Chairman .. | 3,000 | 900 |
| Two members each .. | 2,400 | 900 |

(c) 1,553. The preparation of a list showing the sums involved in each case would entail an expenditure of time and labour out of all proportion to the result. The total amount of debt involved was Rs. 86,189.

[Premier.]

(d) I am not certain what the honourable member means by discharge certificates. If he refers to debts discharged under section 13(2) of the Act, the number of such cases is 18. Figures of the amounts involved are not immediately available, but will be obtained if the honourable member specially desires.

(e) 90. A statement is laid on the table.

(f) 12. Here again particulars of the amounts involved are not readily available, but if the honourable member specially requires them they will be obtained and forwarded to him subsequently.

Note.—The figures given in reply to parts (c) — (f) are up to the 15th March last.

Number of applications dismissed in limine—

| | |
|--|----|
| (a) Owing to non-appearance of the debtors | 1 |
| (b) Cases not covered by section 7 | 11 |
| (c) Under section 12 (attempt at settlement not considered desirable) | 3 |
| Since March 15, 3 bogus claims have been dismissed ; very few bogus claims received. | |
| (d) Under section 18 in default of appearance (debtors' cases 47, creditors' cases 27) | 74 |
| (e) Miscellaneous | 1 |
| | 90 |
| | 3 |
| No. of (a) and (d) restored | 3 |

POLITICAL WORKERS UNDER SURVEILLANCE.

*589. **Master Kabul Singh**: Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that political workers and specially the Socialists are shadowed by the police in plain clothes ;
- (b) if the answer to (a) above be in the affirmative, the numbers and names of such political workers as are thus shadowed ;
- (c) the names and number of such political workers as have been put under surveillance after the formation of the present Ministry ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is referred to the reply given to his question No. 71.

Lala Duni Chand : Is it true that all the political prisoners have got certain numbers in the police registers and they are referred to in telegraphic and other communications not by their names but by their numbers ?

Premier : I do not know how this question arises out of my answer.

Lala Deshbandhu Gupta : Does the Honourable Premier refer to the reply not given or to the reply given ?

Premier : To the reply given to question No. 7.

Lala Deshbandhu Gupta : Was there any reply given ?

Premier : Yes.

Lala Deshbandhu Gupta : May I know whether the number of such persons has decreased or increased since he took the reins of office ?

(No answer).

Lala Deshbandhu Gupta : Is there any public interest involved in not answering this question ?

Premier : This question does not arise out of my answer.

POLITICAL ORGANIZATIONS DECLARED UNLAWFUL.

***590. Master Kabul Singh :** Will the Honourable the Premier be pleased to state—

(a) the names and number of such political organizations as have been declared unlawful during the last five years and reasons for so doing in the case of each ;

(b) whether the Government proposes to remove the disqualification now ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is referred to the reply given to question No. 90¹. These organizations were declared unlawful because Government was of opinion that they interfered or had for their object interference with the administration of the law and with the maintenance of law and order and that they constituted a danger to the public peace.

Chaudhri Kartar Singh : Is the Hindustani Seva Dal under a ban ?

Premier : I believe I gave an answer to the question put by my honourable friend the Leader of the Opposition in which I have detailed all the various organizations which are still under a ban ?

Dr. Gopi Chand Bhargava : My question is coming up to-day².

Chaudhri Kartar Singh : When the Congress has taken the responsibility of working the constitution in six provinces, why should the Hindustani Seva Dal in the Punjab be still under a ban ?

Premier : I am not sure whether it is still under a ban . If it is I will look into the matter if the honourable member will give me notice.

Lala Deshbandhu Gupta : May I know whether the present Government also hold the same view which their predecessors did in this respect ?

Premier : I do not know what view my predecessors held ; but my views are well known.

BORING CHARGES.

***591. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state—

(a) the reasons which necessitated the re-introduction of overhead charges at the rate of annas 12 per foot for the boring done by the Boring department in the wells of the zamindars ;

(b) whether the Government is prepared to reconsider its decision ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Overhead charges have not been levied on unsuccessful borings since the middle of 1935. Towards the end of 1935, Government placed at the disposal of the Agricultural Department a sum of approximately Rs. 25,000 to defray the boring charges on successful bores, with the proviso that the owners of wells should be relieved thereby from paying the overhead charges for two years or until the grant had been exhausted. This grant allowed overhead charges to be foregone from the beginning of November, 1935, to the end of April, 1937. Since then, therefore, boring charges have had to be paid by the owners of the wells.

(b) The provision of a further sum for the purpose is even now under consideration.

 REPRESENTATION OF SIKHS IN P. C. S. (EXECUTIVE BRANCH).

***592. Lieutenant Sodhi Harnam Singh :** Will the Honourable the Premier be pleased to state whether it is a fact that the number of Sikhs in the Punjab Civil Service (Executive Branch) is very small ; if so, the action, if any, that is proposed to be taken to allow proportionate representation to the Sikhs in this department ?

The Honourable Major Sir Sikander Hyat-Khan : No.

 REPRESENTATION OF SIKHS IN P. C. S. (JUDICIAL BRANCH).

***595. Lieutenant Sodhi Harnam Singh :** Will the Honourable the Premier be pleased to state whether it is a fact that the number of Sikhs in the Judicial Branch of the P. C. S. is very small, if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this department ?

The Honourable Major Sir Sikander Hyat-Khan : No.

 REPRESENTATION OF SIKHS IN PUBLIC WORKS DEPARTMENT.

***594. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the number of Sikhs in the Public Works Department is very small; if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this department ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member is referred to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

The honourable member's question is not clear whether he wants figures for the Irrigation Department or for Building and Roads ; if he will make his point clear I will try to give him the information he wants.

REPRESENTATION OF SIKHS IN THE FOREST DEPARTMENT.

***595. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the number of Sikhs in the Forest Department is very small ; if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this department ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is drawn to the information given on page 5 of the Consolidated Statement, showing the proportionate representation of the various communities. Any disparity is kept in view and endeavours are made to remove it, provided suitable candidates are forthcoming.

REPRESENTATION OF SIKHS IN LAND REVENUE DEPARTMENT.

***596. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the number of Sikhs in the Land Revenue Department is very small ; if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this department ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is drawn to the information as given in serial no. 6 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937. If there is any marked disparity in the representation of any particular community an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

REPRESENTATION OF SIKHS IN EDUCATION DEPARTMENT.

***597. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the number of Sikhs in the Education Department is very small ; if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this department ?

The Honourable Mian Abdul Haye : No. The honourable member's attention is invited to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1937.

REPRESENTATION OF SIKHS IN LEGAL REMEMBRANCER'S OFFICE.

***598. Lieutenant Sodhi Harnam Singh :** Will the Honourable the Premier be pleased to state whether it is a fact that the number of Sikhs in the office of the Legal Remembrancer to Government is very small ; if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this office ?

The Honourable Major Sir Sikander Hyat-Khan : The figures are given in the Consolidated Statement showing the proportionate representation of the various communities as it stood on the 1st January, 1937. The position is not such as to require special action by Government.

REPRESENTATION OF SIKHS IN HIGH COURT ESTABLISHMENT.

***599. Lieutenant Sodhi Harnam Singh :** Will the Honourable the Premier kindly state whether it is a fact that the number of Sikhs in the High Court establishment is very small ; if so, the action, if any, that is proposed to be taken to allow fair representation to the Sikhs in this establishment ?

The Honourable Major Sir Sikander Hyat-Khan : The figures are given in the Consolidated Statement supplied to all members of the Assembly. The recruiting of this establishment is done by the Honourable Judges.

ROAD BETWEEN FEROZEPURE AND MULLANWALA.

***600. Sayed Amjad Ali Shah :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the kutchra road between Ferozepore and Mullanwala is in such a bad state that it is impossible to ply any sort of vehicle during the rains on it ;
- (b) if the answer be in the affirmative, what action the Government proposes to take in the matter and when ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The road is liable to inundation both from the Sutlej river close by and also from the Grey Canal system ; and is only fit for traffic in fair weather.

(b) As this road runs parallel to and alongside the Railway line from Ferozepore to Jullundur, it is a competitive road. Moreover, traffic on this road is never likely to justify its metalling and there is no prospect of the road being improved in the near future beyond the standard of an unmetalled road.

AID FOR THE ZIRA HOSPITAL.

***601. Sayed Amjad Ali Shah :** Will the Honourable Minister for Education be pleased to state—

- (a) whether any amount has been allotted for the Zira Hospital out of the grant of Rs. 50,000 set aside by the Government to aid existing hospitals, if not, why not ;

- (b) if the answer to the first part of (a) above be in the affirmative, the amount of the aid ?

The Honourable Mian Abdul Haye : (a) Not yet. Applications for grants-in-aid will be invited from local bodies and considered on their merits.

- (b) Does not arise.

COMMUNAL REPRESENTATION IN THE SIMLA MUNICIPAL COMMITTEE ESTABLISHMENT.

***602. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state —

- (a) whether his attention has been drawn to the dissatisfaction prevailing among the Muslims of Simla over the paucity of their representation in the services of the Simla Municipal Committee ;
- (b) whether he is prepared to lay on the table a statement showing the total amount of salaries received by the members of the Hindu, Sikh, Muslim and European communities in the service of the Simla Municipal Committee ;
- (c) the names of the employees of the Municipal Committee of Simla, community-wise ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) and (c) It is not in the public interest to collect this information, which would involve a considerable amount of labour. The honourable member is, however, informed that out of a total number of 1,468 persons employed by the Municipal Committee, Simla, 247 are Muslims.

MUSLIM ELEMENT IN THE MUNICIPAL COMMITTEE, SIMLA.

***603. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total number of members of the Simla Municipality ;
- (b) the number of elected members of the Simla Municipality ;
- (c) whether Government propose to increase the elected element in the constitution of the Simla Municipal Committee ;
- (d) whether it is a fact that not a single Muslim has been elected to the Municipal Committee, Simla, since 1934 ;
- (e) whether the Government proposes to provide for the election of Muslim members of the Municipal Committee of Simla either by separate electorates or by reservation of seats on the basis of joint electorates ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Twelve.

- (b) Three.

[Minister for Public Works.]

(c) Not at present but Government proposes to reconsider the whole matter at the earliest opportunity.

(d) Yes.

(e) No. The Muslims get their due share of seats by nomination.

INDIAN MEDICAL SERVICE OFFICERS.

***604. Malik Barkat Ali :** Will the Honourable Minister for Education be pleased to state—

(a) the number of Indian Medical Service Officers serving in the Punjab at present ;

(b) whether it is a fact that the Secretary of State has allowed the number of Indian Medical Service Officers serving in the Punjab to be reduced to forty.

The Honourable Mian Abdul Haye : (a) 34.

(b) The rules for the reservation of posts for Indian Medical Service Officers under the Government of India Act, 1935, have not yet been received.

REPRESENTATION OF SIKHS IN OFFICES OF DEPUTY COMMISSIONERS AND COLONIZATION OFFICERS OF MULTAN DIVISION.

***605. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to—

(a) lay on the table a list containing the number of office superintendents, head vernacular clerks, head clerks, stenographers sadar kamungos, and English clerks of all the three grades, community-wise, in the offices of the Deputy Commissioners and Colonization Officers of the Multan division ;

(b) state whether it is a fact that the Sikh community is not duly represented in the said offices in the Multan division ;

(c) state if the answer to (b) above be in the affirmative, what action the Government proposes to take to give the Sikh community their due representation in these offices and when ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) The attention of the honourable member is drawn to the information as given in serial Nos. 5 and 25—27 of the Consolidated Statements, showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(c) if there is any marked disparity in the representation of any particular community, an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

SIKH REPRESENTATION AMONG KANUNGOS ETC., MULTAN DIVISION.

***606. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) the number of kanungos, naib-tahsildars and tahsildars recruited in the last 5 years from 1932 to 1937, community-wise from the Multan division ;

- (b) whether it is a fact that the Sikh community was not given their proper representation in the recruitment which was made during these five years in the cadres mentioned in (a) ;
- (c) if the answer to (b) above be in the affirmative, what action the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a)

| | Kanungos. | Naib-Tahsildars. | Tahsildars. |
|------------|-----------|------------------|-------------|
| Muslims .. | 23 | .. | 5 |
| Hindus .. | 10 | .. | .. |
| Sikhs .. | 6 | .. | 1 |

(b) and (c) If there is any marked disparity in the representation of any particular community an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

TAHSILDAR, RUPAR.

*607. **Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the tahsildar of Rupar, invariably remains absent from the court room between 12 and 3 P.M. though the court hours are 10 A.M. to 4 P.M. ;
- (b) whether it is a fact that on the occasion of his last visit the Honourable Mr. Justice Jai Lal, Judge, High Court, paid a visit to the court room of the said tahsildar between 11 and 12 A.M. and found him absent although his presence in the court was required for treasury work, the naib-tahsildar being on tour ;
- (c) the action Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) No.

(c) Does not arise.

Lala Duni Chand : Will the Honourable Minister get this information from Justice Jai Lal who paid a visit to Rupar ?

Minister : That is not my department.

Lala Duni Chand : Is it not a part of the duty of the Honourable Minister to get this information from whatever source it is possible to get ?

Minister : How could I ask the Judge about this matter ?

Lala Duni Chand : A certain information has been asked for. Is it not the duty of the Honourable Minister to get that information and supply that information to this House ?

Minister : You know what had happened.

Lala Duni Chand : I know what is stated in the question is absolutely correct and I also know what the statement which the Honourable Minister has made is an incorrect statement (*cries of order, order*).

Minister : It is not.

Lala Duni Chand : The information which the Honourable Minister has received is incorrect.

Minister : It is not so.

COMPLAINTS AGAINST SARDAR KAHAN SINGH, SUB-INSPECTOR
OF POLICE.

***608. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that since the posting of Sardar Kahan Singh, Sub-inspector of Police, to the Police Station, Kharar, Ambala District, several criminal cases have been filed by certain persons against him and one by him against others and that there have also existed acute differences between him and the people of his *thana* on account of his official acts ;
- (b) whether it is a fact that several representations and requests for inquiry into his conduct have been made to the Superintendent of Police and they have proved of no avail ;
- (c) whether it is also a fact that complaints have also been made that Sardar Jaimal Singh, Tahsildar, has been taking the side of the Sub-inspector, Sardar Kahan Singh, and consequently he has been further encouraged in his doings against the public of Kharar ;
- (d) the steps that Government proposes to take to relieve the above situation ?

The Honourable Major Sir Sikander Hyat-Khan : (a) During the last eighteen months a number of complaints have been lodged against the officer named. Since two of these are still *sub-judice*—the others have already been dismissed—I am precluded from making any observations regarding them, but there is no reason to believe that relations between the officer and the people of the area generally are in any way unsatisfactory.

(b) Yes. On enquiry it has been found that these were filed with the object of putting pressure on the officer in connection with an important case which he had investigated.

(c) No complaint of this kind seems to have been made to the Superintendent of Police.

(d) Does not arise.

Lala Duni Chand : Is it a fact that charges have been framed in criminal cases against this official and according to the standing police rules any police officer against whom charges have been framed should be suspended ; if so, has he been suspended ?

Premier : This supplementary question does not arise out of my answer.

Lala Duni Chand : I appeal to the Chair to see whether this question arises or not.

Mr. Speaker : Will the honourable member please state from which answer of the Premier does his supplementary question arise ?

Lala Duni Chand : The question has been put whether a number of cases are still pending against a certain sub-inspector. A reply has been given to this question and out of that reply the supplementary question arises.

Mr. Speaker : What is that reply ?

Lala Duni Chand : The reply says that certain cases are pending and some cases have been decided. This is the reply.

Mr. Speaker : Will the honourable member's question really elucidate further information if it is answered ? Facts stated in answer to a question have to be elucidated further ; that is the object of a supplementary question.

Lala Duni Chand : The Honourable the Premier admitted that certain cases are still pending against the sub-inspector. He admits this fact. Now the question arises whether charges have been framed in some of those pending cases or not.

Mr. Speaker : Had the honourable member's question related to charges, he would have been welcome to ask it. The question whether the sub-inspector has been suspended, pending trial of cases in which he has been charged, does not arise out of the answer given.

INTERVIEW WITH PRISONERS AND BLACK LIST MAINTAINED BY
GOVERNMENT.

***609. Lala Bhagat Ram Choda :** (i) Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that Sardar Kabul Singh, Member, Legislative Assembly, has only recently been refused permission to interview Sardar Hari Singh, Sundh, an undertrial prisoner in Hoshiarpur sub-jail ;
 - (b) whether it is also a fact that the said Sardar Kabul Singh has been refused this permission on the ground that his name is entered in the black list ; if so, the reasons for entering his name in that list ?
- (ii) will the Honourable the Premier be pleased also to state the number and names of the other members of this Assembly on that black list and the period for which it is intended to continue to include such names in that list ?

The Honourable Major Sir Sikander Hyat-Khan : A reference is invited to the reply given to question *377¹ put by the honourable member for the Kangra and Northern Hoshiarpur (Sikh) Rural Constituency on the 12th July, which contains a complete answer to the present inquiry.

EXCESSES BY PUNITIVE POLICE POST AT VILLAGE TEKRI IN GURGAON DISTRICT.

***610. Master Kabul Singh :** Will the Honourable Premier be pleased to state--

- (a) whether he is aware of the fact that a committee was set up by the Punjab Provincial Congress Committee to inquire into the alleged grievances of the peasants of the Ingram Estate in Gurgaon District ;
- (b) whether it is a fact that the punitive police post at village Tekri Brahmanan prevented the distribution of handbills of the Inquiry Committee in the Ingram Estate ;
- (c) whether it is a fact that at the instigation of the police the estate employees threw mud and dust at the members of the Inquiry Committee ;
- (d) whether it is a fact that the police threatened shopkeepers and others with arrest in case they offered or supplied drinking water or food to the members of the Inquiry Committee ;
- (e) if the answers to any of the (b), (c) and (d) above be in the affirmative, the action Government proposes to take in the matter ?

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

(b) No.

(c) No.

(d) No.

(e) Does not arise.

NOTICE TO THE SECRETARY, LOCAL CONGRESS COMMITTEE, BY THE MUNICIPAL COMMITTEE, HODAL.

***611. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state whether the Government is aware of the fact that the Municipal Committee, Hodal (Gurgaon), has served a notice on the Secretary, Local Congress Committee, through the local police forbidding Congress public meetings ; if so, under what authority ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No notice has been served on the local Congress Committee by the Municipal Committee, Hodal, forbidding Congress public meetings.

LAND REVENUE ASSESSMENT IN KASUR.

***612. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state--

- (1) (a) the incidence of land revenue assessed at the last assessment in Kasur tahsil, district Lahore ;
- (b) the average amount of land revenue collected in Kasur tahsil per year since the last assessment ;
- (2) (a) the yield per acre of different crops in Kasur tahsil since the last assessment ;

(b) the average prices of different crops per maund since the last assessment ?

The Honourable Dr. Sir Sundar Singh Majithia : (1) (a) Rs. 1-3-4 per acre cultivated.

(b) Rupees 4,37,309.

(2) (a) the average yield of crops in seers per acre of which the crop experiments were conducted is reproduced below :—

| Crops. | Irrigated. | Unirrigated. |
|-----------------|------------|--------------|
| Bajra | .. | 256 |
| Cotton | 147 | .. |
| Wheat | 528 | 244 |
| Gram | 487 | 362 |
| Sarshaf | .. | 224 |
| Toria | 245 | 200 |
| Tobacco.. .. . | 531 | .. |
| Maize | 386 | .. |
| Barley | 405 | .. |

(b) The average price per maund of principal crops since last settlement is given in the statement below :—

| Principal crops. | Rs. | A. | P. |
|----------------------------|-----|----|------|
| Rice unhusked | .. | 3 | 14 4 |
| Jowar | .. | 3 | 11 6 |
| Bajra | .. | 3 | 7 6 |
| Maize | .. | 3 | 5 5 |
| Mung and Mash | .. | 5 | 2 6 |
| Cotton <i>desi</i> | .. | 9 | 5 11 |
| Wheat | .. | 4 | 1 2 |
| Barley | .. | 3 | 0 0 |
| Gram | .. | 3 | 6 10 |
| Toria | .. | 5 | 14 8 |
| Tobacco | .. | 5 | 2 0 |

The average price of *Ponda* and *Katha* sugarcane per kanal was Rs. 32-0-5 and Rs. 15-15-5, respectively.

REMISSION OF LAND REVENUE IN KANGRA DISTRICT.

*613. **Captain Dina Nath :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that there were hail-storms in the months of April and May last in the Kangra district ;

[Capt. Dina Nath.]

- (b) if the answer to (a) above be in the affirmative the extent of the damage done to the crops in that area ;
- (c) the measure, if any, the Government has adopted so far to give relief or remissions of land revenue to the zamindars of the area concerned ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, in the month of April only.

- (b) The damage done was slight and affected an area of 112 acres.
- (c) A sum of Rs. 107 was remitted in land revenue.

REMISSION GRANTED IN AMRITSAR DISTRICT.

***614. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) if any remission in the Amritsar district has been given on account of recent hail-storms and the damage done to grams by lightning ;
- (b) if the answer to (a) above be in the affirmative, the total amount of remission in the land revenue and canal water rate separately in respect of the area mentioned in (a) above showing the name of each village with the amount remitted to it ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The attention of the honourable member is invited to the answers given to part (d) of Assembly question No. *484¹ and part (e) of question No. *448.²

AINDRI SUMMER HILL, SIMLA.

***615. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Director of Public Health, Punjab, submits a report annually to the Government of India regarding the sanitary conditions of Simla after visiting the town, if so, did he visit Aindri Summer Hill during his last official visit ;
- (b) whether the Government proposes to lay a copy of the report of the recommendations made by the Director of Public Health, Punjab, regarding the improvement of the sanitation of Aindri Summer Hill on the table of the House ?

The Honourable Mian Abdul Haye : (a) Yes, the Director of Public Health went into the question of sanitation of Aindri Summer Hill in September, 1936, and made a mention in his last report of May, 1937, of 7 village communities which have been brought under the Simla Municipal area and Aindri Summer Hill was one of them ;

¹Page 1544-45 ante.

²Page 1455 ante.

(b) A copy of the observations made by the Director of Public Health in his report is laid on the table.

An extract from the report of the Director of Public Health.

There are seven village communities which have been brought within Simla municipal area. Sanitary conditions in these villages leave much to be desired and in consequence flies breed prolifically. Rupees 3,000 has been granted by the Municipal Committee for sanitary improvements but the villagers strongly resent any interference. The introduction of properly constructed manure and refuse pits is a hopeful measure, but constant supervision is necessary for these to prove fully effective.

AINDRI SUMMER HILL, SIMLA.

***616. Sardar Hari Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that all the defaulters in the villages in the Punjab were fined Rs. 50 for not complying with the instructions issued by the Rural Uplift Commissioner regarding the removal of rubbish, manure, etc., by the tahsildars concerned ;
- (b) if so, the reasons why in Aindri Summer Hill situated within Simla Municipality rubbish and manure have been allowed to remain as before in spite of several representations and complaints made by the tax payers and the residents of the locality ?

The Honourable Chaudhri Sir Chhotu Ram : (a) So far as Government are aware, no defaulters have been fined, but if the honourable member has reason to believe that they have been fined in any area, enquiries will be made from the Deputy Commissioner concerned.

(b) Does not arise.

CONSOLIDATION OF HOLDINGS IN DISTRICT JULLUNDUR.

***617. Master Kabul Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that consolidation of holdings has been effected in village Garhi Mohan Singh, tahsil Phillaur, district Jullundur ;
- (b) if the answer to (a) above be in the affirmative, whether the consolidation of holdings was effected with the consent of the owners of the holdings concerned ; if not, reasons for the same ;
- (c) whether it is a fact that the Department levies *tawan* in case any of the parties to the consolidation of holdings retracts ;
- (d) whether any *tawan* was imposed on Ganda, Kartar Singh, Bakhshi and others of village Garhi Mohan Singh, tahsil Phillaur, if so, the authority under which it was imposed ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes.

(b) It was carried out with the consent of the right-holders.

(c) No *tacon* is levied by the department.

(d) Does not arise.

DOABA BUS SERVICE AND LICENCE TO PLY FOR HIRE.

***618. Master Kabul Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether he is aware that Doaba Bus Service (Jullundur- Hoshiarpur section) applied for licences to ply for hire at the rate of Re. 0-0-6 per mile on Una, Bharwin and Santokh Garh sections of Hoshiarpur District Board roads ;

(b) whether he is aware that the said bus service has been called upon to ply on these sections only during great traffic rush caused by various festivals ;

(c) if the answer to (a) and (b) above be in the affirmative the reasons why the present licence-holders were granted licence to ply for hire at a higher rate of Re 0-0-9 per mile in preference to Doaba Bus Service ;

(d) whether it is a fact that another contractor also applied for licenses to ply for hire on these sections on still better terms for the District Board concerned ;

(e) if the answer to (d) above be in the affirmative, the reasons for which his application was rejected ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) It is believed that the honourable member is referring to the three hill roads—

(i) Hoshiarpur-Bharwin (being a section of the Hoshiarpur-Gagrit-Dharamsala road).

(ii) Hoshiarpur-Una.

(iii) Garhshankar-Santokhgarh.

An application of the kind described was made to the District Magistrate, Hoshiarpur, in respect of the first of these three roads, not in regard to the other two. (This particular road is a Public Works Department road, not a District Board one.)

(b) Yes.

(c) The local officers were of opinion that an efficient service could not be maintained on this difficult road at a rate lower than that approved.

(d) and (e) Several applicants offered lower terms, but the local officers were of opinion that they would not be able to operate an efficient service.

ENGINEER, WATER WORKS, SIMLA.

***619. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) the pay that the present Engineer, Water Works, Simla Municipal Committee, was getting elsewhere before his appointment as such ;

- (b) the salary on which he was taken ;
- (c) the salary that he is now getting ;
- (d) the further increase that he now demands ;
- (e) whether it is a fact that salaries and grades of the temporary staff were reduced by the said Engineer, Water Works in April, 1936, a few months before he was given special promotion ;
- (f) the allowances, if any, that he is getting at present ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Rs. 475.

(b) He was appointed on a pay of Rs. 600 in the grade of Rs. 600 to Rs. 1,200 plus Rs. 100 as fixed travelling allowance.

(c) Rs. 700.

(d) He has not demanded any definite increase but has put up his case for consideration by the Committee.

(e) No reduction in salaries was made by the said Engineer. Before his promotion all the grades were reorganised by the Committee in consultation with the Superintending Engineer, Public Health Circle, with a view to bringing them in line with those prevailing in local Public Works Department. Some grades were improved and excessive ones were reduced by the Committee unanimously.

(f) Rs. 100 fixed travelling allowance.

Lala Duni Chand : Will the Honourable Minister please state whether any reductions were made as a matter of fact or not ?

Minister : My reply to part (e) of the question is clear. Reductions were made by the Municipal Committee.

Lala Duni Chand : Was the Engineer consulted in the matter ?

Minister : It is the Committee that decided the issue. It must have consulted its officers.

SIMLA MUNICIPAL EMPLOYEES.

*620. **Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state :—

- (a) the number of subordinates related to the higher officers in the employ of Municipal Committee, Simla ;
- (b) the names of departments to which the officers and their relations mentioned in (a) above belong, respectively ;
- (c) the dates and the nature of their appointments ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Two.

(b) The officers to whom they are related are working as tax-superintendent and octroi superintendent. Their relatives are working in the Electricity department.

(c) One is a temporary meter reader appointed in 1936 and the other is an assistant accountant in the Electricity department appointed in 1917.

Lala Duni Chand : Will the Honourable Minister please issue instructions that before anybody who is related to any officer is appointed in the committee reference should be made to the head of the department?

Minister : There are already rules on the subject. No instructions from Government are necessary.

Lala Duni Chand : Was a reference made in this case where a certain relative was appointed?

Minister : This is an old case. I think the rules must have been complied with.

FRUIT ORCHARDS IN CATCHMENT AREA AT PETTI (SIMLA).

***621. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state:—

- (a) whether it is a fact that fine and extensive fruit orchards situated in the catchment area at Petti, Plang Plangir and Seo in Simla district were destroyed, under the orders of Mr. Gipson several years ago, on sanitary grounds;
- (b) whether it is also a fact that the present Engineer, Water Works, Simla, has got fresh orchards planted in the same catchment area at Cherot, Seog and Chauki No. A and, for this purpose, has obtained from abroad plants worth about Rs. 500; if so, the reasons for the same?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. The plants were destroyed many years ago mainly because they had contracted a disease which would have spread to private orchards.

(b) No plants have been planted at Cherot. Chauki No. A cannot be identified. At Seog a dozen apple and other fruit trees were planted in front of the Rest House. It is outside the area from which water is collected though within the jurisdiction of the catchment area. The total cost of fruit trees recently put in the catchment area amounts only to Rs. 84. The plants were obtained from abroad with the Committee's sanction in the interest of aesthetic amenities and the fact that fruit trees are just like other trees as water-breaks.

Lala Duni Chand : Two years ago certain orchards were considered to be dangerous to the health of the area. Will the Honourable Minister please explain why an orchard of the same kind has been planted now? Is it not regarded as unhealthy now?

Minister : I am afraid the honourable member has not followed my reply. The trees that were uprooted were diseased, but the ones that are now planted are fresh ones.

Lala Duni Chand : Is it not a fact that the entire orchard was destroyed?

Minister : Yes, because the trees were diseased.

Lala Duni Chand : Is it not a fact that an orchard on an extensive area existed there some years ago? That entire orchard was removed.

Minister : Not at all. The trees that were diseased were considered dangerous as the disease might spread to private orchards. Only the diseased trees were destroyed and not all trees in the area.

PREFERENCE TO OUTSIDERS IN MUNICIPAL COMMITTEE, SIMLA.

***622. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that in the matter of appointments to the various posts under the Municipal Committee, Simla, no preference is given to the local and provincial claims contrary to the policy of the Committee as expressed in a resolution on the municipal records on the subject ; if so, the steps if any, that the Government proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The resolution giving preference to local and provincial claims was passed by the Committee only on 16th June, 1937.

The latter part of the question does not arise.

Lala Duni Chand : Is the resolution of the Municipal Committee being given effect to ?

Minister : It was passed only on the 16th of last month. It is being given effect to and will be given effect to.

ENGINEER, WATER WORKS, SIMLA.

***623. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the predecessors of the present Engineer, Water Works Department, Simla, used to hold the charge of all the pumping stations when any of the Superintendents used to go on leave ;
- (b) whether the present Engineer, Water Works Department, also discharges the duty that his predecessors used to discharge ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No ; except once when the then Engineer, Water Works and Drainage, took charge of a pumping station and that at a season when very little pumping was done.

(b) The necessity of the present Engineer to take charge of a station has never arisen.

INDUSTRIAL RESEARCH LABORATORY, SHAHDARA.

***624. Lala Duni Chand :** Will the Honourable Minister for Development be pleased to state—

- (a) the period for which the Industrial Research Laboratory, Shahdara, has been in existence ;
- (b) the scope of its work ;
- (c) industries, if any, the said laboratory has fostered or helped ;

[L. Duni Chand.]

- (d) whether it is a fact that the working of the said laboratory has been adversely commented upon in the Press as being a costly affair without being of any good to the province ; if so, the steps that the Government proposes to take to meet these charges ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The Industrial Research Laboratory has been in existence since 18th November, 1931.

(b) The scope of work of the Laboratory includes—

- (i) research into raw materials with a view to their economic exploitation and industrial utilisation ;
- (ii) experimental work to help the existing industries and to solve problems concerning manufactures referred to it by industrialists ;
- (iii) analytical work on behalf of the public and Government departments, and
- (iv) technical advice and assistance to Government departments and the public.

Subject to accommodation being available, the Laboratory takes in a few students for training in chemical industries.

(c) The research work done by the Laboratory has been instrumental in the establishment of the industries mentioned below—

- (i) Sand paper manufacture (Universal Sand Paper Mills, Rawalpindi).
- (ii) Starch (Eastern Products Company, Batala).
- (iii) Paint and varnish manufacture (Ravi Paints and Varnish Works, Shahdara).
- (iv) Pottery (Punjab Pottery Works Limited, Jhelum).
- (v) Artificial slates and pencils (Punchnad Pen Factory, Shahdara).
- (vi) Capsuling cement and thinner manufacture (Amritsar Distillery Limited, Amritsar).

In addition to the above as a result of the experimental work done at the Laboratory and the advice tendered by the Industrial Chemist, the following industries have been set up in the province :—

- (1) Absorbent Cotton and Antiseptic Dressing Company, Limited, Amritsar.
- (2) Punjab Celluloid Works, Ichhra, Lahore.
- (3) Modern Industries, Amritsar.
- (4) Miscellaneous Chemical Industries, viz., disinfectants toilet goods, oil refining, soap manufacture, ink and other articles of stationery.

(d) Articles have appeared in the Press both for and against the Laboratory. Government considers that it is the work of certain interested persons to get the articles against the Laboratory published in the Press. More responsible bodies and industrialists have actually expressed appreciation

of the valuable work done by the Laboratory. For instance in the *Civil and Military Gazette*, dated the 27th May, 1937, there appeared an article under the signature of Sardar Sahib Sardar Sampuran Singh, Chawla, President, Northern India Chamber of Commerce, in which he has praised the work of the Laboratory. The Assistant Secretary of the Indian Chamber of Commerce and Khan Bahadur Sardar Habib Ullah, President, Indian Chamber of Commerce, have also written in terms of praise of the work of the Laboratory in the *Civil and Military Gazette* during the last month.

It will interest the honourable member to know that the Leader of the Opposition Dr. Gopi Chand Bhargava paid a visit to the Industrial Institution, Shahdara, recently and published his impressions in the *Tribune*, dated the 18th June, 1937, wherein he has in particular expressed his appreciation of the useful work which is being done by the Industrial Research Laboratory.

The Industrial Research Laboratory has been placed on a permanent footing by the Punjab Government in response to the demand from the public. The Indian Chamber of Commerce, in its letter, dated the 17th June, 1936, stated that "although this institution has very limited resources at its disposal, it has succeeded in a fair measure in stimulating the industrial tone of the province, and for these reasons my Committee feel concerned that at the threshold of new reforms in which the economic and industrial development of the country will be given a very prominent place, Government should not only make the institution permanent but also expand it to meet the every day increasing need of the province."

The Northern India Chamber of Commerce in their letter, dated the 20th June, 1936, stated that "in view of the undoubted value of the Laboratory to the industrial public of the province, this Chamber is of the unanimous opinion that the Laboratory should now be established on a permanent basis."

Certain prominent industrialists of the province have also written to the Punjab Government acknowledging the valuable assistance received by them from the Laboratory and the Industrial Chemist.

The Punjab Government is satisfied that the Industrial Research Laboratory is doing valuable work and is meeting a genuine public demand.

Lala Duni Chand : Is it a fact that a number of experts in industries have expressed their dissatisfaction, in the Press, about the working of the Industrial Research Laboratory?

Minister : My reply is very clear on this point.

Lala Duni Chand : If the reply of the Honourable Minister is clear and this Laboratory is doing very useful work as has been detailed in his reply, why is it that there is a great cry in the Press against this Laboratory?

Minister : It is not for me to explain that cry.

Dr. Sir Gokul Chand Narang : Is there a great cry?

Rai Bahadur Mr. Mukand Lal Puri : On the other hand, there is genuine satisfaction with its work.

Lala Bhim Sen Sachar : The Honourable Minister has been pleased to say that it is some interested persons who are responsible for the criticism against this Laboratory. Is the interest of those persons personal?

Minister : Yes, personal.

NOMINATION OF A SIKH TO THE MUNICIPAL COMMITTEE, SIMLA.

*625. **Sardar Partab Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware that long before the nominations to the Simla Municipal Committee were gazetted all the Sikh organizations of Simla passed resolutions urging the necessity of a Sikh being nominated to it ;
- (b) whether the Government is also aware that in 1933 or so similar resolutions were passed and representations made to the Ministry of Local Self-Government without any effect ;
- (c) whether the Government is further aware that comments were published in the *Jakko*, a quarterly organ of the Khalsa Young Men's Association, Simla, in April, 1937, on the same subject ;
- (d) whether the Government is further aware that an additional seat was created on the Simla Municipal Committee, if so, the circumstances requiring an addition of another seat to the total number of seats of the Simla Municipality ;
- (e) why a Sikh was not nominated to this seat and why it was reserved for the Hindu community ;
- (f) whether the Government is aware that this additional seat is still there and in spite of the demand of the Sikhs of Simla, a Hindu has been re-nominated ;
- (g) the reasons why no seat was reserved for a Sikh on the Simla Municipal Committee at the time of the recent elections or at the time of the last nominations ;
- (h) whether the Government is aware that the Sikh public have interests in the Simla Municipality which require to be safeguarded ;
- (i) if the answer to (h) above be in the affirmative, whether Government propose to take any action in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. A few representations from Sikh Associations were received.

(b) Yes.

(c) Yes.

(d) Yes. The additional seat was created with a view to adjusting the proportion between Muslims and non-Muslims.

(e), (f), (g) and (h) As the Sikhs are not entitled to a seat on the Committee according to the population and voting strength formula no seat has been reserved for them by nomination. In all there are 8 non-official seats on

the Committee out of which Muslims are entitled to 2 seats and the Hindus and others to 6 seats. There is, however, no bar to a Sikh being elected on the Committee as there is joint electorate in the Simla Municipality.

(i) The present Government is not responsible for the nomination made last year, but they see no reason to upset the arrangements made by their predecessors.

Rai Bahadur Mr. Mukand Lal Puri : What is the total number of Sikh voters in the Simla Municipal Committee?

Minister : They are in small numbers and are not entitled to a seat.

Rai Bahadur Mr. Mukand Lal Puri : What is the total number? Is it not less than even a hundred?

Minister : The honourable member might consult the electoral roll.

Rai Bahadur Mr. Mukand Lal Puri : Will the Honourable Minister enquire if it is not less than a hundred and almost negligible?

Minister : They are not entitled to a seat but for the exact number the honourable member might consult the electoral roll.

MISCONDUCT OF CERTAIN EMPLOYEES OF GOVERNMENT PRESS, PUNJAB.

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

(a) whether he was received a representation from the Honorary Secretary, Government Printing Punjab Workers Union, against the misconduct of certain employees of the said Press;

(b) the action, if any, taken on that representation;

(c) if no action has so far been taken thereon, reasons for the same?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The General Secretary of the Union forwarded a copy of some resolutions of a meeting of its executive committee in which some of the press-workers expressed opinions about other press-workers. It may be noted that there have been representations and counter representations submitted to Government and some have also been printed in the Press, cuttings of which have often been sent without authentications.

(b) and (c) The resolutions being expressions of opinions, no action was needed.

Dr. Sir Gokul Chand Narang : Did the Honourable Minister receive a representation from non-Muslim employees of the Press, I mean Hindus and Sikhs?

Minister : Possibly yes.

Dr. Sir Gokul Chand Narang : What action did he take?

Minister : It was expression of an opinion. No action was, therefore, needed.

Dr. Sir Gokul Chand Narang : Did they not make a complaint that they were not properly treated by the Superintendent, or their immediate officer?

Minister : They had started a new union which has not been recognised. Their complaints would be attended to if they make their complaints through a duly recognised union.

Dr. Sir Gokul Chand Narang : Does it mean that unless the employees constitute themselves into a union their grievances cannot be considered? Is there any rule on that point?

Minister : Complaints are considered if they come through proper channel.

HINDUSTANI SEWA DAL.

***627. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Hindustani Sewa Dal is still under ban and regarded as an unlawful organization;

(b) if the answer to (a) above be in the affirmative, whether the Government proposes to remove this ban; if so, when?

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

(b) The question of lifting the ban on such associations is periodically examined by Government and the question of removal of the ban against the association named by the honourable member will be reconsidered in due course.

Lala Duni Chand : In view of the situation that has been created in the country by orders of amnesty and removal of bans on such associations by the United Provinces Government, probably the Premier will take that fact into consideration and change his views with regard to these bans. Probably the Honourable Premier has read this morning's papers. It is on that assumption that I am putting the question.

Premier : I have not seen the papers.

Lala Duni Chand : I may inform the Honourable Premier that the United Provinces Government has released all political prisoners (*Voices*: Question) and has removed bans from all such associations. Will the Honourable Premier, in view of the information that I have given to him, change his attitude?

Premier : I am not aware what commitments the United Provinces Government has made.

Mr. E. Few : Are we slavishly going to follow the policy of other provinces?

Diwan Chaman Lall : May I ask the Honourable Premier as to what he means by the expression "due course"?

Premier : As soon as I get a little breathing time. (*Voices*: After the 23rd)?

REDUCTION OF THE I.M.S. OFFICERS IN THE PUNJAB.

*628. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state—

- (a) the strength of the Indian Medical Service cadre in the Civil Medical Service in the Punjab ;
- (b) the total amount of their pay, allowances, etc. ;
- (c) the minimum strength fixed by the Secretary of State for the same ;
- (d) whether the present strength of the same is greater than the minimum fixed by the Secretary of State ; if so, whether the Government propose to reduce it to the minimum ?

The Honourable Mian Abdul Haye : (a) 94.

(b) Rs. 6,62,710.

(c) The rules for the reservation of posts for I. M. S. officers under the Government of India Act, 1935, have not yet been received.

(d) Does not arise.

Dr. Gopi Chand Bhargava : Will the Honourable Minister be pleased to state whether the number has been fixed by the Secretary of State ?

Minister : I may explain further for the information of the honourable member that a notification has appeared in the *Punjab Gazette* republishing the resolution of the Government of India reserving 19 posts plus 4 leave reserves for the I. M. S. In addition it is stated that measures would be taken to protect the prospects of the I. M. S. officers already in civil employ, namely officers already in civil employ will be given further rights to certain additional posts. The rules giving effect to this have not yet been published and we are awaiting them.

Dr. Gopi Chand Bhargava : By what time is it expected that the rules shall be received and the Punjab Government shall reduce the number ?

Minister : It is impossible for me to say when they will be received, but I hope there will be no unnecessary delay.

Dr. Gopi Chand Bhargava : Will the Honourable Minister write to the Secretary of State to expedite the matter to effect a saving ?

Minister : If they are delayed abnormally, I may write but for the present there is no occasion to write.

Lala Duni Chand : Will the Honourable Minister please state whether the Punjab Government have taken this decision of the Secretary of State without any protest ?

Minister : The decision is not yet final.

Lala Duni Chand : Whatever decision is final, have they accepted it without demur ?

Minister : So far thirteen posts have been reserved and we have taken no exception.

Dr. Gopi Chand Bhargava : What is the normal time for the receipt of such orders ?

Minister : I have had no occasion to deal with such cases previously.

RAJBAHAS IN AMRITSAR DISTRICT.

***629. Sardar Sohan Singh Josh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that there are such rajbahas in the Amritsar district as supply water from 15th April to 15th October ;
- (b) whether such rajbahas are intended to supply water for the *kharif* crops only ;
- (c) whether water rates are also charged for irrigating *rabi* crops from these rajbahas ; if so, why ?
- (d) whether any complaints have been made to the Government in this connection ;
- (e) whether Government contemplate taking any action in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, but these rajbahas supply water for some days after 15th October also.

(b) No. These rajbahas supply water also for *rabi* sowing and in addition for watering *rabi* crops.

(c) Yes, because water is taken for sowing and watering of *rabi* crops.

(d) Yes.

(e) No. The occupier's rates charged on these channels are a fair charge for the water supplied.

MASTER GAJJAN SINGH OF GOBINDGARH, DISTRICT LUDHIANA.

***630. Pandit Muni Lal Kalia :** Will the Honourable Premier be pleased to state—

- (a) whether Master Gajjan Singh of village Gobindgarh, tahsil Ludhiana, an internee, applied to the District Magistrate, Ludhiana, on 10th May, 1937, for granting him leave to proceed to village Ghunghrana on 11th May, where a relation of his was lying on his death bed ;
- (b) whether it is a fact that the said application was granted on 16th May, and the applicant informed on 17th May that he could proceed to the village Ghunghrana on the morning of 20th May ;
- (c) whether the Government is aware that the relative whom the internee wanted to see died on 18th May, before the internee could see him ;
- (d) whether it is a fact that Gobindgarh, the village of the internee, and Ghunghrana, the village where his relative was lying ill, are in the same tahsil and at a short distance from each other ;
- (e) the reasons why the applicant was not allowed to proceed on the 17th May, the date on which he was informed that his application had been granted ;
- (f) whether any special arrangements were to be made in four days in the village where internee had to go to see his relative ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No, he applied for leave, but he did not specify the date for which leave was required.

(b) Yes, after verification of the application.

(c) No.

(d) Yes, the two villages are in the same tahsil. The distance between these villages *via* Ludhiana is 22 miles ; there is no direct route.

(e) and (f) The police of the police stations concerned had to be informed through the usual channel.

Lala Duni Chand : Do any reasons exist for the continued internment of this gentleman, even if they existed at one time ?

INSPECTION OF MUNICIPAL FILES BY MEMBERS.

***631. Pandit Muni Lal Kalia :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether rights of members with respect to the inspection of municipal files according to the bye-laws in force in different municipalities, have undergone any change in the case of municipalities to which the Executive Officers Act has been extended ;

(b) whether it is a fact that during the last week of May 1937, the Executive Officer of the Ludhiana Municipal Committee refused to show the budget file for the year 1937-38 to a member of the said Committee ;

(c) if the answer to (b) above be in the affirmative, reasons for the refusal and the action the Government contemplates to take in the matter to avoid such happenings in future ;

(d) if no action is proposed to be taken, the reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Full information has not been collected, but in the case of the Ludhiana Committee the answer is no.

(b) No.

(c) and (d) Do not arise.

Pandit Muni Lal Kalia : Is the Honourable Minister now prepared to see the information which I have got in my hand in the writing of the Executive Officer ?

Minister : The honourable member is now giving me information and not seeking it.

Pandit Muni Lal Kalia : Is the Honourable Minister prepared to see it now on the floor of this House ?

Minister : No. I am not prepared to accept any information unless it is from the proper authorities.

CHOWKIDARS IN VILLAGE INDGARH, TAHSIL ZIRA.

***632. Sayed Amjad Ali Shah :** Will the Honourable the Premier be pleased to state the number of chowkidars in village Indgarh, tahsil Zira, and whether the Government is prepared to consider the advisability of reducing the same ?

The Honourable Major Sir Sikander Hyat-Khan : Five, including one daffadar. If the people of the village consider that the number is excessive, they are advised to approach the Deputy Commissioner, who has ample powers in this respect.

PREFERENTIAL TREATMENT TO ANGLO-INDIANS IN SERVICE.

***633. Mian Abdul Rab :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that some Indian graduates have recently been recruited for certain clerical posts in the Punjab Irrigation Secretariat on Rs. 40—2½—80, and that an Anglo-Indian with very low qualifications has been appointed to a post in the same Secretariat on Rs. 60—4—120 ;
- (b) whether in the past two Anglo-Indians with lesser educational qualifications than those possessed by Indians have been recruited for posts of higher grades in the Punjab Irrigation Secretariat in preference to better qualified Indians ;
- (c) if the answers to (a) and (b) above be in the affirmative, the reasons why such preferential treatment is meted out to the members of any individual community ; and whether the Government proposes to remove the racial distinction when making recruitment for these services in future ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) (i) Yes.

(ii) No.

(b) No.

(c) Does not arise.

REPRESENTATION OF MUSLIMS IN PUNJAB IRRIGATION SECRETARIAT.

***634. Mian Abdul Rab :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of graduates in all various branches of the Punjab Irrigation Secretariat community-wise ;
- (b) the number of Muslims among the assistants and senior clerks in the Punjab Irrigation Secretariat ;
- (c) whether it is a fact that there are no Muslim graduates among the assistants and clerks in the Punjab Irrigation Secretariat ; if so, the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a)—

| | | | | | |
|-----------|----|----|----|----|----|
| Muslims | .. | .. | .. | .. | 10 |
| Hindus .. | .. | .. | .. | .. | 11 |
| Sikhs .. | .. | .. | .. | .. | 2 |

(b) 18.

(c) No.

GOVERNMENT GIRLS' HIGH SCHOOL BOARDING HOUSE AT AMBALA.

***635. Mian Abdul Rab :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the public of Ambala presented a representation to him on his recent visit to the place ventilating therein certain grievances about the location of the Government Girls' High School Boarding House at Ambala City in the Government building originally meant for the office of Inspector of Schools, Ambala division ;
- (b) whether it is also a fact that he inspected the said boarding house and was convinced of the grievance being legitimate and genuine ;
- (c) if answer to (a) and (b) is in the affirmative, the action that he has taken or intends to take to meet the public demand made in that representation ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes.

(c) Steps are being taken to rent a suitable house for use as boarding house for the school.

—

USE OF GOVERNMENT GIRLS' HIGH SCHOOL BOARDING HOUSE AS RESIDENCE.

***636. Mian Abdul Rab :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Inspectress of Schools, Eastern Circle, Ambala, has been using her office located in the boarding house of Government Girls' High School, Ambala City, as her residence since the time the office of the Inspector of Schools, Ambala division, has been shifted to Ambala Cantonment ;
- (b) if the answer to the above be in the affirmative, the rent Government has charged from the said Inspectress of Schools ;
- (c) whether it is a fact that the Government exempted her from the payment of rent ; if so, the rules under which she was so exempted ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) None.

(c) No.

Mian Abdul Rab : Will the Honourable Minister for Education please state why no rent has been charged from the Inspectress for the use of these rooms ?

Minister : Government is inquiring into this matter.

COMMUNAL REPRESENTATION IN 2ND CIRCLE, AMBALA.

***637. Mian Abdul Rab :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number community-wise of all superintending and executive engineers in the 2nd Circle of Superintendence, Ambala ;
- (b) the number of sub-divisional officers in that circle community-wise ;
- (c) the number of accountants, divisional head clerks, circle office superintendents and establishment clerks community-wise ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :

| | | | | | | |
|-----|-------------------|----|----|----|----|----|
| (a) | Hindus | .. | .. | .. | .. | 3 |
| | Muslim | .. | .. | .. | .. | 1 |
| | European | .. | .. | .. | .. | 1 |
| (b) | Hindus | .. | .. | .. | .. | 6 |
| | Muslim | .. | .. | .. | .. | 1 |
| | Sikhs | .. | .. | .. | .. | 8 |
| (c) | Muslims | .. | .. | .. | .. | 26 |
| | Hindus and others | .. | .. | .. | .. | 44 |
| | Sikh | .. | .. | .. | .. | 1 |

REPRESENTATION BY THE GOVERNMENT PRINTING PRESS WORKERS UNION.

***638. Sayed Amjad Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he has received a representation from the Honorary Secretary of the Government Printing Press Workers' Union against the misconduct of certain employees of the Punjab Government Press ;
- (b) if the answer to (a) above be in the affirmative whether any action has been taken in the matter ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is invited to the reply given to question No. *626.¹

AGITATION OVER ENTRY OF ASSISTANT DISTRICT INSPECTOR, SHAKARGARH, INTO LOCAL PRIMARY GIRLS' SCHOOL.

***639. Chaudhri Abdul Rahim :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that on the 12th May, 1937, the Assistant District Inspector of Schools, Shakargarh, Naib-Tahsildar, Shakargarh, with a few others entered the premises of the District Board Vernacular Primary Girls' School, Shakargarh ;

- (b) whether these gentlemen entered the school with the permission of the Head Mistress ; if so, whether the Head Mistress was authorised to give such permission without the consent of the students' guardians ;
- (c) whether he is aware of the public agitation over this matter, and whether on account of this incident the school went on strike for about twenty days ;
- (d) if the answer to (c) above is in the affirmative, whether the Education Department interfered in this matter during the days of the strike and instituted an inquiry into it ; if so, the result of the inquiry ;
- (e) the action taken by the Education Department in the matter ;
- (f) whether the Government intends to adopt suitable measures to check the recurrence of similar incidents in future ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes, though the Head Mistress denies having given such permission. She is not authorised to give any permission of the kind referred to.

(c) Yes.

(d) Yes. The enquiry report shows that the agitation was entirely artificial and engineered by some interested person or persons. The same view is held by the Deputy Commissioner of the district.

(e) The Assistant District Inspector of Schools was transferred in the interests of public service.

(f) Yes.

Chaudhri Abdul Rahim : Is it a fact that the Assistant District Inspector was not transferred, but that he took leave for three months before the inquiry was instituted ?

Minister : In the first instance, he applied for three months' leave, but since then orders have been issued that he is to be transferred to another place in another position.

REQUEST FOR A BRIDGE AT POINT 60,000, CHILLANWALA DISTRIBUTARY.

***640. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Revenue kindly state—

- (a) whether it is a fact that the way from Pindi Baha-ud-Din to villages Chak No. 2, Chak Wasawa and several other villages crosses the Chillianwala Distributary of the Lower Jhelum Canal at point 60,000 ;
- (b) whether it is also a fact that the Canal authorities have been approached several times by the residents of these villages with a request for building a bridge at point 60,000 ;
- (c) whether it is a fact that the Deputy Commissioner, Gujrat, was also approached with the same request and that he recommended the building of the desired bridge ;
- (d) whether it is a fact that no action has so far been taken on that recommendation ; if so, the steps, if any, that the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes ; a village road crosses the Distributary at this point (R. D. 60,000).

(b) Yes ; a petition was received through the Deputy Commissioner, Gujrat.

(c) Yes.

(d) No ; the suitability of the desired bridge was investigated ; the distance between the two points is not such as would justify the construction of a bridge.

INCREASE IN CRIME IN LUDHIANA DISTRICT.

***641. Chaudhri Muhammad Hassan :** Will the Honourable the Premier be pleased to state—

(a) whether he is aware of the increase in crime in the Ludhiana district since 1935 ; if so, the reasons for this increase ;

(b) the names of the police stations in regard to which this increase in crime has been reported ;

(c) the names of the sub-inspectors holding charge of these police stations at present ;

(d) the action, if any, that the Superintendent of Police, Ludhiana, has taken against the officers concerned found lacking in their duty to control the *ulaga* under their jurisdiction and also the names of such officers ?

The Honourable Major Sir Sikander Hyat-Khan : (a) There has been no increase in crime in the Ludhiana district since 1935.

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

DISPENSARY AT CHINTPURNI.

***642. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware of the fact that there is one dispensary at Chintpurni, tahsil Una, an important place of Hindu pilgrimage ;

(b) whether it is a fact that the Government is contemplating to close this dispensary ; if so, reasons for the same ;

(c) whether it is a fact that pilgrims in large numbers visit this place every day besides three big fairs when thousands of people gather there on each occasion every year ;

(d) if the answer to (c) above be in the affirmative, whether the Government is prepared to reconsider their decision in this respect ?

The Honourable Mian Abdul Haye : The attention of the honourable member is drawn to the answer given to question No. *390.¹

HOSHIARPUR-DHARAMSALA ROAD.

***643. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Hoshiarpur-Dharamsala road is an important road for motor traffic ;
- (b) whether it is a fact that it is the only road that connects the two districts, namely, Hoshiarpur and Kangra ;
- (c) whether it is a fact that this road is in a very bad condition ;
- (d) if the answers to (a), (b) and (c) are in the affirmative, the steps Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) Yes.

(c) No. The road is partly metalled and partly unmetalled. The unmetalled portion is no worse than the other roads of this classification in the province.

(d) Improvements will be carried out when funds permit.

MOTOR TRAFFIC ON JOWAR AND NADON ROAD IN DISTRICT KANGRA.

***644. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the road between Jowar and Nadon (district Kangra) was not fit for wheeled traffic some three years back ;
- (b) whether it is a fact that the road was repaired by District Board, Kangra, at great expense and made fit for traffic ;
- (c) whether it is also a fact that after the repairs the road remained open to every kind of traffic for about two years ;
- (d) whether it is a fact that the road has been closed by the District Board for motor traffic since 1st June, 1937 ; if so, reasons for the same ;
- (e) if the answer to (d) above be in the affirmative, whether the Government is prepared to open this road for motor traffic ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) The road is being gradually improved for the last 3 years as funds can be found.

(c) No. The road remained officially open to pack and pedestrian traffic only. All other traffic which used the road was unauthorised.

(d) Yes, because the road is not fit for motor traffic.

(e) The District Board, Kangra, is endeavouring to bring the road to the standard of one way fair weather motor lorry traffic (lorries of maximum carrying capacity of $1\frac{1}{2}$ tons) and as soon as the works are completed, the road will be opened to motor traffic.

METALLED ROADS IN THE ZIRA TAHSIL.

***645. Sayed Amjad Ali Shah :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total mileage of roads in the Zira tahsil ;
- (b) the total mileage of metalled roads in the same tahsil ;
- (c) whether the metalled roads in the Zira tahsil as compared with other parts of the Ferozepore district, are inadequate ; if so, the steps the Government intends to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 166 miles.

(b) 19 miles.

(c) The proportion of the metalled mileage of roads in the Zira tahsil as compared with other parts of the Ferozepore district is 1 to 10. Most of the metalled roads in the Zira tahsil are motorable in fair weather and Government, therefore, intends to take no action in the matter.

THEFT OF SIRI GURU GRANTH SAHIB.

***646. Mahant Prem Singh :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that in February, 1935, a volume of Siri Guru Granth Sahib was stolen away from the gurdwara in the village Agroa, tahsil Phalia, district Gujrat ;
- (b) if the reply to (a) above be in the affirmative, whether the holy volume was recovered by the Police, if so, from whom ;
- (c) whether any of the accused were challaned by the police in this connection ;
- (d) if the answer to (c) above be in the affirmative, whether any of the accused were convicted by the court ; if not, reasons for the same ;
- (e) if the answer to (a) above be in the affirmative, what steps the Government has taken to prevent recurrence of such crimes ?

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

(b), (c) and (d) The stolen volume of Siri Guru Granth Sahib was recovered by the police from two persons, who were prosecuted under section 457, Indian Penal Code, but were acquitted by the court for want of sufficient proof. Nevertheless, they were placed on security under section 107, Criminal Procedure Code, for one year.

(e) Twenty-nine persons belonging to the accused's faction were placed on security under section 107, Criminal Procedure Code, for one year.

SETTING FIRE TO THE GURDWARA OF VILLAGE DHOK NAWAN LOK,
DISTRICT GUJRAT.

***647. Mahant Prem Singh :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that in the beginning of 1935, the gurdwara of the village Dhok Nawan Lok, tahsil Phalia, district Gujrat, was set on fire as a result of which the doors of the said gurdwara were burnt ;
- (b) if the answer to (a) above be in the affirmative, whether the incendiaries were challaned and convicted ; if not, why not ?

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

(b) The incendiarism was reported at the police Station several days after the occurrence. The Superintendent of police, Gurjat, visited the spot and a case under section 496, Indian Penal Code, was registered. The accused named by the complainant absconded, and action under sections 87 and 512, Criminal Procedure Code, was taken against them. No further action was, however, taken as a compromise was reached between the Muhammadans and the Sikhs. The damaged door of the gurdwara was repaired by the Muhammadan residents of the village who also agreed to give some land to the Sikhs to widen a lane leading to the gurdwara.

For questions *648—*666,—*vide* pages 1781—97 *infra*.

ALLEGATIONS AGAINST THE DEBT CONCILIATION BOARD, JHANG.

***667. Dr. Sir Gokul Chand Narang :** (a) Will the Honourable the Premier be pleased to lay on the table of the Assembly the report submitted by the officer who held the inquiry into the allegations made by the Hindu Sahayak Sabha of Jhang against the Debt Conciliation Board of Jhang together with the explanation, if any, submitted by the Board or any member of the Board? If not, will he kindly state the reasons for withholding these documents from the Assembly;

(b) If the documents are withheld, will the Honourable the Premier be pleased to state—

- (i) by whom the inquiry referred to by him in his speech on the 25th June, 1937, was held;
- (ii) whether the Hindu Sahayak Sabha of Jhang was represented at the inquiry;
- (iii) whether any of the parties referred to in the instances given by the Hindu Sahayak Sabha were represented at the inquiry; if so, which?

The Honourable Major Sir Sikander Hyat-Khan : The booklet published by the Hindu Sahayak Sabha was examined in the Secretariat, but was not itself made the subject of an inquiry. As was explained in my reply to question *98¹, put by the honourable member for Lahore City (General) Constituency, Government had already made inquiries, through the Commissioner and the Deputy Commissioner, in connection with several complaints of the same kind as those in the booklet. The result of those inquiries satisfied them that the allegations in the booklet were not well founded.

Dr. Sir Gokul Chand Narang : Will the Honourable the Premier please state whether he is prepared to place the report of the Commissioner and the Deputy Commissioner on the table of the House? That is one of the questions to which no answer has been given.

Premier : If the honourable member wants to see the letter of the Commissioner, I would be glad to show it to him, but I do not think that it would be in public interest to start a practice which has not been hitherto adopted in this House.

Dr. Sir Gokul Chand Narang : Does the Honourable the Premier really think when a responsible body like the District Hindu Sahayak Sabha of a district publishes a pamphlet, and particularly when that part of the district which is directly concerned is passing resolutions all over and challenging the Premier's statement regarding the inaccuracy of the statements made in that pamphlet and is challenging him to prosecute them for having repeated those statements in public meetings, that it is not in public interest to let this House know what the Commissioner or the Deputy Commissioner has said in regard to these allegations?

Premier : I have not quite followed what the question of my honourable friend is, but I might inform him that originally these complaints were received at the time when my honourable friend was a member of the Government (*hear, hear from Ministerial benches*). If he wanted to elucidate these facts he was at liberty to have done so by calling the file from his colleague, but he did not do so. I am afraid I am not prepared to place on the table the correspondence between the local officials and the Government, but as I have already stated in this House, the allegations in this pamphlet were also made separately by separate representations by individuals who also happen to be members of this Sahayak Sabha. As to its being a responsible body or not, it is a matter of opinion and I have no information whether it is a responsible body or not. My own view is that it is not. However, if the honourable member wants to see the letter of the Commissioner, in which he recommended prosecution of one of these complainants, I shall be glad to show it to him. I will also for his satisfaction and the satisfaction of the gentlemen concerned, tell him that Government has decided not to prosecute them.

Dr. Sir Gokul Chand Narang : Is he sure that this pamphlet was in existence when I was a member of the Government? I am sorry he has referred to it. Is the Honourable the Premier sure that this pamphlet had been published before 31st of March, 1937?

Premier : I am not aware whether that pamphlet was actually published or not, but I know it for a fact that the complaints which have been repeated in the pamphlet were made when my honourable friend was a member of the Government (*hear, hear from Ministerial benches*).

Dr. Sir Gokul Chand Narang : Is the Honourable the Premier aware and is he really sure that no action was taken by me? As a matter of fact action was taken by me, but satisfactory action was not taken by the section of the Government concerned. He should not have referred to that matter.

Mr. E. Few : Is the honourable member making a speech or asking a question?

Premier : I know it for a fact that the Leader of the Progressive Party (Raja Narendra Nath) saw one of my ex-colleagues, Sir Donald Boyd and represented to him the case of the Jhang Hindus, and I know what reply Sir Donald Boyd gave. If my honourable friend had also brought pressure on him, I am sure he would have mentioned it before now.

Dr. Sir Gokul Chand Narang : How does the Honourable Member know?

Mr. Speaker : I will not allow a dialogue between members.

Dr. Sir Gokul Chand Narang: It is not a dialogue. What authority has the Honourable Premier to make a statement which means a reflection upon me that I did not take any action in the matter? I may tell him for his information that I did approach Sir Donald Boyd and asked him to take action in the matter.

Premier: Then, what happened?

Dr. Sir Gokul Chand Narang: You know what happened. I was not there then.

Lala Bhim Sen Sachar: In view of the fact that the Hindu Sabha were not associated with the inquiry and were not given an opportunity of being present at the inquiry and in view of the great public agitation that is going on in Jhang district after the observations made by the Premier, have the Government any intention of allowing the Hindu Sahayak Sabha to make a representation with a view to place their case before the Government?

Premier: I may inform my honourable friend that the inquiry was not a judicial inquiry. It was a departmental inquiry; and any further representation they may have to make will also be considered. They have already been bombarding us with representations.

Lala Bhim Sen Sachar: Will the Honourable the Premier receive a deputation?

Mr. Speaker: That is not a question.

Dr. Sir Gokul Chand Narang: The Honourable the Premier has been pleased to say that he had the pamphlet examined in the Secretariat. Was any party either concerned in the publication of the pamphlet or its preparation given any opportunity of being present at the time?

Premier: My honourable friend ought to know that it is not the practice in the Secretariat to have parties concerned present when a document is examined.

Dr. Sir Gokul Chand Narang: Did the Secretariat make any report on this pamphlet?

Premier: The complaints were passed on to the Secretariat.

Dr. Sir Gokul Chand Narang: Did any Secretary concerned or any officer make any report?

Premier: The honourable member is aware, as he himself has been a member of the Government that it is not necessary to draw up a formal report; there is noting on the files and the noting clearly indicated what the nature of the complaints were and how far they were well-founded or not.

Dr. Sir Gokul Chand Narang: If there was nobody from the other side to represent the case, how did the officers in the Secretariat come to know of the facts?

Premier: Enquiries were made through the Commissioner and the Deputy Commissioner regarding similar complaints which had been received.

Dr. Sir Gokul Chand Narang: Received previously?

Premier: Yes.

RESOLUTION.

RELEASE OF POLITICAL PRISONERS AND DETENUES.

Mr. Speaker : Now the Assembly will resume discussion on the resolution moved by Lala Deshbandhu Gupta. It runs
12 NOON. as follows :—

This Assembly recommends to the Government that all political prisoners and detenues (including Martial Law and Lahore Conspiracy case prisoners) be forthwith released and that restrictions imposed by the Government on free movement of all political workers in the Punjab be immediately withdrawn.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : Mr. Speaker, you might remember that when I was addressing the House last time on this resolution, I submitted that though in the category of political prisoners in India, there would have, at times, been great patriots and conscientious gentlemen, my honourable friend the mover of the resolution, had been a bit rash in distributing his epithets of "jewels" and "patriots" indiscriminately to the political prisoners in the Punjab jails to-day. I may point out, that we have in the Punjab jails to-day 68 prisoners who are labelled as political prisoners. With the exception of 7 all of them have been convicted or are there for offences of violence, for murders, for conspiracies to murders, for bomb making and matters of that nature. I put a pointed question to the supporters of the resolution as to whether they want wholesale release of those prisoners (*Voices* : Yes, yes) or whether they want limited release of those prisoners who have not been convicted of violence. My honourable friend—I am only recapitulating what happened that day—the mover of the resolution said very clearly that so far as he was concerned he did not ask for any grace or amnesty from the Government, but he demanded wholesale release of all political prisoners, that is, what the resolution reads. Even before he had finished his sentence, my honourable friend Diwan Chaman Lall, with his usual subtle intellect and effervescent brilliance, sprang up and said, why do you assume that the resolution or the words "political prisoners" is intended to include those gentlemen? In this dilemma of conflicting opinion we were left to find our own solution. But a little later, an important paper of the Punjab, a paper which was founded by a great Punjabee patriot with the purpose of serving the interests of the Punjab, above all personal and party attacks, and the paper which, but for a few lapses, has done really constructive service to the Punjab—I am referring to the *Tribune*—but a paper which of late unfortunately has associated itself openly with the party in Opposition, and has refused to believe that we can at any time talk what is sense—(*Voices* : Mr. Manohar Lal's paper) that paper in a leading article on the release of political prisoners says :—

"The argument that the prisoners, whose release was demanded by the mover of the resolution, included persons convicted of dacoity and other offences of violence against person and property, involved an obvious fallacy. It was amply met by Diwan Chaman Lall, who pointed out that there was nothing to show that in urging the release of "political prisoners" the mover of the resolution was urging the release of these prisoners...."

Personal liberty might be limited to those who were not convicted of violence. The article goes on :—

"Congressmen, who are pledged to non-violence, are not likely to resent this definition of political prisoners."

Sardar Ajit Singh (*Urdu*): On a point of information. Is not the *Tribune* a Unionist paper?

Mir Maqbool Mahmood: I am not prepared to give way at this stage, but any interruptions later, I shall be prepared to meet. In the whole of this article in this important paper, I am sorry to find that there is not a single sentence to the effect that the resolution, moved by my honourable friend, had been very widely worded. Apart from that, the point which I wish to make is this that we are left again in a dilemma. I would appeal and pointedly request all the speakers in favour of the resolution to make the position clear whether they want wholesale release of political prisoners? (*Voices: Yes.*) My honourable friends say that they want wholesale release of political prisoners. I will deal with the resolution as such.

Now, Sir, the first submission that I would like to make is this that if I or any other member on this side of the House had to ask the Honourable Premier to take the keys at once of all the jails and open the jails and let loose all the political prisoners and others in the Punjab—

Sardar Sohan Singh Josh: Heaven would not fall.

Mir Maqbool Mahmood: The proposition that all the prisoners in Punjab jails should be let loose, political and others, murderers and assassins whose merciless acts had parted husbands and wives (*Interruptions*), whose unscrupulous deeds had wrenched sucking babies from their mothers and whose ferocious acts and rapacious passions have no respect for the modesty of ladies, I was saying that if I had to put the proposition to the Honourable Premier that all such political prisoners in the Punjab jails should be let loose, I am sure the honourable members opposite would have got up and said 'what is he talking? He is talking absurd, preposterous, impracticable and unpatriotic things.' I would submit with due deference, without taking the proposition to a logical conclusion, that they are not demanding anything less impertinent than that. It is a recognised principle of jurisprudence that so far as the criminal law is concerned, the law is no respecter of methods, whether the offence is against an individual or against the State. The moment a political prisoner lays his hands on the person or property of an individual, I submit, he becomes guilty of an offence against both the State and the individual. That being the position, I submit that the claim of my honourable friend is very irresponsible, and when I use that expression I am surprised at my own moderation. ("*Hear, hear*" from the *Opposition benches*).

Now, Sir, the honourable mover of the resolution, in his speech, invited attention to certain proceedings in the Central Assembly and therein he stated that the Honourable Minister for Education (Mian Abdul Haye) had made a certain speech and gave expression to certain feelings. I will also, with your permission, invite the attention of the Opposition to the same debate and before doing so, I shall make one point clear that the Honourable Minister for Education did not vote for the resolution. He voted for the amendment moved by Mr. Goswami which did not ask for wholesale release of all political prisoners. Secondly, the loyalty to which he was referring was the loyalty to the bureaucratic Government. It was not the loyalty to a national Government which sits here on the Treasury benches.

[Mir Maqbool Mahmood.]

What do we find in the proceedings to which my honourable friend has referred? The resolution was moved by Maulvi Muhammad Shafee, in clause (b) of which he asked for release of political prisoners, violent and non-violent, but that was not an unconditional release. He asked for a committee consisting of two members elected by the House and two members nominated by the Government and they were to report on the release of prisoners. Even that recommendation was thrown out by the Assembly and the only limited amendment of Mr. Goswami was accepted, in which he only asked for release of those prisoners who had not been put on their trial. I was particularly impressed by a certain statement made in the course of that debate. My honourable friend, the Deputy Leader of the Opposition, at that time made excursion into condemned fields of irresponsible talking. He has at times flown into arid fields. But when better sense prevails he asks that political prisoners of all shades be released. He said :

“ I admit that clause (b) of the resolution might not at once be applied to some prisoners; it may not be possible for the Government to give the benefit of part (b) of the resolution to certain classes of prisoners; but at the same time it will be a very proper thing and it will be a very just thing on the part of the Government to give the benefit of this clause to another class of persons. Supposing there is a dacoity case with the result that certain people are held guilty of murders and other serious offences. I would not ask the Government to give them the benefit—

I hope, Sir, that if we have to go to the lobby on this resolution, my honourable friend, the Deputy Leader of the Opposition will also go with us in the same lobby. (*A voice: Quote the year.*) It was in 1926. Well, Sir, I take my honourable friend to another debate in 1927. A similar resolution was moved by Mr. Jogiah for the release of all Bengal prisoners. That resolution was not even voted by the Assembly. An amendment was moved not by any bureaucratic member, not by the liberals or others on the Treasury benches but by the distinguished father of the distinguished President of the distinguished National Congress, than whom there is no greater patriot, Pandit Moti Lal Nehru (*hear, hear and applause*) and the amendment was to the effect that persons should be put either on trial or be released.

Diwan Chaman Lall : Does the honourable member accept that proposition?

Mir Maqbool Mahmood : I will deal with that presently. If the honourable member is patient enough he will get the reply. Now it is said that this was 11 years ago. It is said, what about the Congress? What about the work of the Congress Ministries? With regard to that I would like to make three submissions. The first is that the temperament, the problem of the Punjab is different from that of the provinces. We have seen that in dealing with the history of crime, in the incidence of crime, in the types of crime, the Punjab is very different from other provinces. (*Honourable members: Question.*) (*An honourable member: More virile.*)

Secondly, it is not fair in these matters to draw an analogy between the Congress policy and our policy.

Diwan Chaman Lall : You have got no policy.

Mir Maqbool Mahmood : It is certainly as natural that the Congress should let loose these subversive forces as part of their programme as it is natural and reasonable for us according to the mandate of our electorate not to let loose these subversive forces.

Diwan Chaman Lall : Why did you release martial law prisoners ?

Mir Maqbool Mahmood : My honourable friend makes a grievance of a concession. (*An honourable member :* No). I am aware, however, that it is a recognised principle—

Diwan Chaman Lall : You have got no principle. Your principle is that there is no principle.

Mir Maqbool Mahmood : It is well known that when offences are committed in a grave emergency and people lose their own control and there is an abnormal system of law, martial law, the case should be treated differently from other cases. (*Hear, hear.*) But I will come to that. With regard to the Congress I would submit with due deference to my honourable friends that unless all experience is a cheat and history is a lie, they should wait and see as to what follows in the Congress provinces. I am apt to find, despite all opinions in the papers, that in between the lines of the Congress resolutions, behind all the clap-trap that one hears in the statements of responsible leaders, in the assurances they have given to the electorate, there is an indication that at some stage or other in some form or other, they are entering into some form of constructive programme in their own provinces. When the time comes they will have to do what other similar authorities had to do. In Ireland, in Germany, in Russia, what has happened ? Remember in Ireland within three minutes of his taking office the first order that DeValera gave was to release all political prisoners and within three months he started putting men again into prison and within one year 12,000 persons without trial were in jail.

Diwan Chaman Lall : Where did the honourable member get the figures from ?

Mir Maqbool Mahmood : I hope and pray that the Congress may not have to repeat that story. But even then the members opposite may say that what the Congress is doing is of course in order to make provinces safe for democracy just as what we are doing is in order to strengthen democracy. But I would in all sincerity pray that the Congress will apply to constructive work in the provinces as we are trying to do here.

Now one word with regard to non-violence. Diwan Chaman Lall said, do you accept Mr. Jinnah's proposition ? Do you accept his policy ? Those of my honourable friends who want that persons convicted of violence, violent offences, should not be released but only those who have committed non-violent offences should be released, for their benefit I would make two statements. Firstly, that out of the whole list of our political prisoners there are only seven who have been convicted for offences not connected with violence and each one of them had been convicted, after a regular trial by an open court, of sedition. But even with regard to these I would make an honest and sincere appeal to the Honourable Premier....

Diwan Chaman Lall : Already pre-arranged.

Mir Maqbool Mahmood : Though he is temperamentally averse to the sort of head lines in the Press, I would appeal to the Honourable Premier, when he had the courage to release martial law prisoners, in a sort of constructive way, that he should consider sympathetically the cases of these seven men. There are only seven persons in all in our prisons to-day and even these seven men came to us as a legacy from the Government of India and with regard to these seven men I would appeal to the Honourable Premier that the same hand which could sympathetically consider the case of martial law prisoners and release them, should also consider these cases in the same spirit. I would not be satisfied with anybody else, but he should himself go into their cases and if they can be released, they should be released; if they can be put on trial safely consistent with public security they should be put on trial. Otherwise I appeal with all sincerity to dispose of them as he deems fit.

One word more and I have done. I am sure, as I indicated the other day, that it is not pleasant for any Government and particularly Government speaking with a will of the majority of the people, to have to keep their countrymen behind bars and I am sure nobody would be happier than the Honourable Premier and those of us on this side if an atmosphere is evolved under which it may be possible to release all these prisoners of this nature. But if they feel otherwise it is the duty of any Government to stand up and do their duty and as has been remarked by no less a person than Gladstone, the real test of the fitness of the state is the capacity and the readiness of its accredited leaders to stand by the post when they have to stand by unpopular decisions. That is the test and I submit that the Honourable Premier and his Government are doing a service to the province by not going for cheap notoriety and for doing a duty which they think is their duty to perform.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :
Sir, I beg to move—

“That in line 2 a comma be substituted for “and” occurring between the words ‘Law’ and ‘Lahore’ and the words ‘Babar Akali’ be added to between the words ‘case’ and ‘prisoners’.

Mr. Speaker, Mir Maqbool Mahmood the other day with his characteristic pyrotechnical skill, in a characteristic bureaucratic manner and in a characteristic spirit of sarcasm, contumely and contempt, referred to the Babar Akali prisoners. He said “Are these the jewels of the Punjab.”? May I retort and tell him that to the sensitive, the proud, the freedom-loving people of the Doaba these Babar Akalis are gems of the purest ray serene. (*Hear, hear, and applause*). He will say, why? Sir, consider the days of that non-violent peaceful Akali movement, the movement in which the people of the Doaba formed the vanguard of struggle in the early twenties, when the people of the Doaba were subjected by the cowardly and villainous police to a whole chain of tyrannies, oppression, repression, humiliations, indignities inflicted upon men, women and children. These were the people who had the courage to stand up and protest against the tyrannies of cowardly police. Sir, they say the Babar Akali prisoners were guilty of violence. They are no more guilty of violence than the martial law prisoners whom the Government have had the sense to release. If you carefully go through the files of these people you will find that the men who are still rotting as Babbar Akali prisoners in the jails were not all guilty

of violence. (*An honourable member* : Question.) They might be guilty of abetting or harbouring.

Those people who were found guilty of murder and violence have had the rope long ago. I may also tell the Premier, who claims to be a half-Doabaite because he says he has his 'nanke' in Jullundur district (*laughter*), that the people of Doaba will not be appeased unless the Babar Akali prisoners are released. May I also remind him that the forefathers of the inhabitants of Greece were the people who stemmed the tide of invasion of Sikander of Greece, and our Sikander should take a leaf out of the book of Sikander of Greece.

Premier: If he comes to-day I shall be the first person to stop his progress into this province.

Sardar Hari Singh: These reforms under which the six gentlemen opposite are now occupying the Treasury benches, did not fall like manna from heaven nor are they a free and spontaneous gift from Great Britain to India. These reforms under which provincial autonomy has been set up and our friends opposite enjoy their positions of power were won by tremendous sacrifices on the part of men and women of this land. The whole history of the whole world, in particular the history of Great Britain herself, shows that liberty is not a commodity which is capable of a peaceful and painless transference. In India whatever little freedom we enjoy is the result, as I have already submitted, of big sacrifices on the part of men and women some of whom are still rotting in the Punjab jails. If this proposition is granted the solution becomes very easy. But I know there are influential men, men who count in the politics of the Punjab, who dispute this proposition. They say that the reforms came as a result of the services rendered by India to Great Britain during the Great War. An honourable Member : (Preposterous)!

Minister for Education : It is because you did not render any services.

Sardar Hari Singh : As the gentlemen opposite still cling to a preposterous claim, it needs more than a passing reference. May I, then examine and scrutinise this proposition, for a few minutes? May I tell the gentlemen opposite that the reward for war services came in quite different forms. In the first place it came in the form of the Rowlatt Act, whose very name still stinks in the nostrils of every patriotic Indian. Secondly, the reward for war services came in the form of Martial Law. Then in the third place, the reward for war services came in the shape of Jallianwala Bagh holocaust where hundreds of Hindus, Muslims and Sikhs of the Punjab sanctified their resolve to be free and united in a veritable blood-bath. (*Premier* : What happened to the unity two days later)? That was the reward for the war services. To those who wish to make further addition to their knowledge of war rewards, I say. 'Go to the widow or decrepit old mother of the warrior, who laid his life on the banks of Oxus or the field of Flanders, and see how she is eking out her miserable existence with a beggar's bowl in hand, begging from door to door.' If the Minister will accompany me I can show him the widows and the old mothers of the soldiers who laid down their lives during the war (*Minister for Public Works* : Please quote one instance). If the Minister will accompany me I can show him. To some extent the Honourable Minister is right. There were some

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people who had handsome rewards for their war services. They got rewards in the form of hundreds and thousands of acres of irrigated land in the colonies in lieu of their war services for supplying cannon fodder; in the form of the cream of the Punjabi youth, cannon-fodder in the form of the flower of Indian manhood.

Mr. Speaker : Will the honourable member please speak to the motion?

Sardar Hari Singh : Sir, the reforms have been achieved as a result of tremendous sacrifices on the part of the sons and daughters of India in thousands and lakhs from Tilak and Gandhi down to the humblest volunteer. (*A voice :* Not by the Babbar Akalies). I am speaking of the release of political prisoners which includes the release of Babbar Akali prisoners. It was these men who were beaten with lathis and who suffered baton blows (*Minister for Education :* With kirpans). The police has got no kirpans. They suffered fines and imprisonment and confiscation of property. Sir, the road to freedom is littered with the bones of martyrs. I maintain that the greatest land mark and the most prominent land mark on the road to liberty is the bloody, blood-stained and the blood-thirsty gallows. Liberty and freedom are not won without heavy sacrifices.

Sir, once that proposition is granted the thing becomes easy enough. Those who are occupying the Treasury benches as Ministers as the result of the sacrifices of the people who are still rotting in jails, it becomes their moral duty to release them forthwith. May I tell them that even when Bachha Saqa came into power in Afghanistan he at once released the political prisoners and among the prisoners released was one of the honourable members of this House : (*Minister for Education :* But why do you refer to Bachha Saqa?)

Mr. Speaker : I will request the Honourable Minister to allow the speaker to continue his speech uninterrupted.

Sardar Hari Singh : Sir, with the change in the policy of the Government in six provinces of India this question has assumed an added importance and a new significance. Even in to-day's newspapers we read that political prisoners in the United Provinces are being released, (*Premier :* No). We read that political prisoners are being released in the United Provinces.

Premier : The newspapers merely say "it is understood that this question is being considered by Government".

Sardar Hari Singh : The honourable gentleman may rest satisfied that the political prisoners in the United Provinces will be released in a few days' time. When political prisoners are released in two-thirds of India what justification will the Honourable gentlemen opposite give for holding in bondage the political prisoners in the Punjab. Sir, with the change of the Congress policy the chances of the revival of the civil disobedience movement and other subversive movements have almost vanished for the time being. If the political prisoners are released it will create a very good impression not only on the public mind but on the minds of the prisoners themselves. They will say, "Our kith and kin have now come into power and they have released us." And if they do not release political prisoners, as the Congress Governments in other provinces are going to do the people will say our

Government is just like the old Government. It is the bureaucratic Government. There is no change in the Government in the Punjab. Bureaucracy continues in a new garb. People will begin to pin their faith more and more in the creed and cult of the cartoonist of the 'Hindustan Times' (*laughter*). With these few words I wind up my remarks and commend this resolution to the House in its amended form.

Mr. Speaker : Resolution under consideration, amendment moved is—

That in line 2 a comma be substituted for 'and' occurring between the words 'law' and 'Lahore' and the words 'and Babar Akali' be added between the words 'case' and 'prisoners'.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, *Rural*) : I rise to express what I believe to be the general feeling in the province on this vexed question. The great constitutional changes under which we are now working have meant the transfer of allegiance to the representatives of the people. As such, the occasion should be marked by a change in our outlook towards those persons who on account of their political opinions were adjudged to be offenders under the criminal law under the old régime. Again, we should remember, Sir, that on occasions of great constitutional changes a generous attitude towards political prisoners is considered a normal feature of such régime. In this respect I am glad to note that our Premier has already given a signal proof of that change by his decision to release Martial Law prisoners. (*Hear, hear*). This I hope, will go a long way in healing the wound which martial law régime had left on the hearts of the people of this province.

Diwan Chaman Lall : When was it decided ?

Rai Bahadur Mr. Mukand Lal Puri : I read that announcement in the Press that the Punjab Government has ordered the release of Martial Law prisoners and that a batch of those prisoners who were confined in the Andamans have been sent back and are on their way back to their homes.

Diwan Chaman Lall : When was the decision to release these prisoners taken ? Was it taken by the present Government or by its predecessor ?

Rai Bahadur Mr. Mukand Lal Puri : I know that the decision was taken by the present Government and not by its predecessor, as I know something about the history of this matter. In the year 1934, a question was put by an honourable member of the late Legislative Council asking the then Finance Member to state whether he would be prepared to release the Martial Law prisoners, and also enquiring as to the total sentence actually served by these Martial Law prisoners. The answers given by the then Finance Member was that they had all served about 14 years' sentence then, but that the Government was not prepared to make any statement on the question of their release. This was in the year 1934. The same question was again repeated in 1935 and the then Finance Member repeated the same answer. Again last year, I think it was as late as March 1936, when the same question was repeated and the answer given was identical, *i. e.*, that the Government was not prepared to make any statement about the release of Martial Law prisoners. I consider it a very happy

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augury Sir, that our Premier has on the point, soon after assumption of office, made a concession to public opinion. (*Hear, hear.*) Before this subject was taken up by any member of the House or resolution moved, fully cognizant as he was of the public feeling on the point he announced the release of Martial Law prisoners. The province feels grateful to him. I have no doubt that the province is equally struck by the announcement made by the Premier yesterday that he is personally looking into the case of each political prisoner with a view to ordering the release of such of them as can be done consistent with the safety of the province. I think the House would be thankful to him for taking that personal interest. I congratulate him on undertaking this duty himself instead of delegating it to one of his officials. I would, however, appeal to him to act generously in this matter and to make an announcement to-day which will meet the popular will in this respect. All sides of the House are agreed that there are a number of people in jails whose detention can no longer be justified and whose release will win popular approval and approbation, which such an act is bound to evoke.

Another reason why Government should not delay taking a decision in this matter is, that the Congress Party is in power in six other provinces and that party is pledged to release political prisoners. Their desire to release political prisoners is not keener than our desire. (*Hear, hear.*) I would point out to the Premier that it is quite possible that the expedition with which those ministries may act may give the impression that we have been slow in dealing with this important matter. Therefore it is very necessary that the Premier should make a statement on this subject to-day, and not delay it any longer and I feel sure, that his action in this respect will give general satisfaction.

Lala Duni Chand : May I know whether the honourable member is supporting the resolution or opposing it ?

Rai Bahadur Mr. Mukand Lal Puri : I am afraid I cannot oblige my honourable friend in this respect. I cannot take a partisan attitude towards the resolution which my learned friend would possibly expect me to do. (*Hear, hear.*) I want to express as I have already said what I believe to be the general opinion and feeling in our province, and not any of the two extreme but opposing views held on this subject by people outside and even inside the House. Some people would like every prisoner whether he has committed murder, arson or a dacoity, and still holds out threats of similar kind to be released forthwith, without any enquiry or scrutiny. Simply because he chooses to label himself 'political prisoner'. I cannot endorse that extreme view. I do not wish to enter into a discussion of the difficult question as to how far motive affords a ground for exculpation or mitigation of an offence, but there can be no two opinions that any Government which is based upon principles of ordered progress must make some distinction between persons who have been convicted of offences for their political opinions and persons who have been actually guilty of violence. (*Hear, hear.*) (*Interruption.*) In this province, communal ridden unfortunately as we are (*hear, hear*) it will be very difficult to precisely determine the motive of a person, whether it is religious, political or economic (*Hear, hear.*)

Lala Deshbandhu Gupta : Will the honourable member please tell us whether he will accept the statements of the prosecution itself as the basis for classifying these prisoners as political prisoners ?

Rai Bahadur Mr. Mukand Lal Puri : Certainly. But it does not necessarily follow that every such prisoner is entitled to have the jail portals opened for him without an examination of the circumstances under which the offence was committed, and more particularly his present and future attitude on subject of violence towards his neighbours.

Diwan Chaman Lall : Otherwise you would not be sitting on those benches. (*Loud laughter*).

Rai Bahadur Mr. Mukand Lal Puri : We have had a crop of cases in this province where persons have committed murders because certain individuals had used irreverent expressions towards the founder of their faith—I am not necessarily referring to the great Prophet of Islam, I am referring to smaller prophets who exist in such large numbers in our country—the motive of these men is absolutely impersonal—how would the honourable member distinguish his case from the case of a person who kills a human being because he has used irreverent expression towards Mahatma Gandhi or Pandit Jawahar Lal Nehru ?

If you adopt that attitude, I do not know where you are going to end. I am not one of those who say that leniency should not be shown. (*Interruptions*).

Mr. Speaker : I have more than once requested the honourable members not to interrupt the speaker.

Diwan Chaman Lall : He is enjoying it thoroughly. (*Laughter*).

Mr. Speaker : May be.

Sardar Ajit Singh (Urdu) : Sir, may I enquire from the honourable member whether Babar Akalis committed murders or violence to grind their own axe or to get squares of land as a reward for doing so ?

Rai Bahadur Mr. Mukand Lal Puri : I do not know. I am not sitting in judgment on the Babar Akalis nor am I acquainted with the details of their doings as some of my learned friends on the other side appear to be, but I do maintain that a government would not be worth the name who did not, while examining the cases of political prisoners, distinguish between the cases of those who have been convicted on account of their political opinions and those who have committed some murder or other heinous crime. I do not say that those persons are not entitled to any clemency at the hands of the Government. I would request the Honourable Premier, whether my friends join with me in that respect or not, that even in respect of those prisoners he should examine their cases and show leniency to them if he is assured or finds distinct indication that there will be no recurrence of acts of violence on their part. On behalf of the average citizen, I make this request to the Honourable Premier and I do hope, all the members of this House would join in making that request. In a matter like this we should take a practical and a business point of view. As has been so often remarked, the business of this House is not only speech making but it has a business aspect too. Let

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us, therefore, all join on this occasion in getting the maximum that we can from the Honourable Premier on behalf of all political prisoners by putting forward a united demand. (*Voices* : What is that ?)

Khwaja Ghulam Hussain : May I know what is the demand that the honourable member will put forward ?

Rai Bahadur Mr. Mukand Lal Puri : My demand is that persons who have been guilty of offences against the State on account of holding certain political opinions or who have not been guilty of violence, should be released forthwith. This applies to all cases under section 124-A, Indian Penal Code and 108, Criminal Procedure Code. Further the cases of those who have been guilty of violence should be examined with a view to show leniency to them. If there is an assurance that violence will not be repeated, their cases should be considered for clemency. My honourable friend from Amritsar gets up and makes a show as if the interests of political prisoners are dearer to him than to me. For the last seven years that I was a member of the Punjab Legislative Council, there was no member who took greater interest in the matter of political prisoners especially martial law and conspiracy case prisoners and detenues than myself and it is in that very spirit that I approach the Honourable Premier again with the request that he will act very generously and liberally in this matter and will show the fullest possible clemency to every political prisoner, consistent however with safety and well being of the citizens of this province (*Cheers*).

Master Kabul Singh (Jullundur East, Sikh, Rural) (*Punjabi*) : Sir, I have risen to support the resolution moved by my friend Lala Deshbandhu Gupta. Before I proceed with my speech, I would like to thank the Government on the release of the martial law prisoners. Besides, I would like to know whether the Government are prepared to release the rest of the prisoners or not. I may say for your information that this Government, the so-called first national Government, really owes its existence to the sacrifice of these patriots, who never hesitated to sacrifice their lives at the altar of freedom. This is the fruit of the sacrifice of those young men, who smilingly bore all kinds of sufferings for the freedom of their country. If this Government fail to recognise the magnificent sacrifice of these people, I think they are devoid of sense of gratitude. Much has been said against these people. Some have remarked that they are terrorists. Others have said that they are murderers, so on and so forth. Their characters have been painted in the blackest of colours. Now, Sir, I want to lay before you certain parallels and thereby will prove that what they did was perfectly right and was done simply for the sake of their country.

Many years ago, perhaps in the year 1852 Young Italy was founded. Then the supporters of Young Italy numbered only 80,000. But they infused this spirit throughout the country that life in bondage was worse than pangs of death. Cavour became the first Prime Minister. The first thing he did was to release all the political prisoners. Our Premier to-day holds the same position as that of Cavour. It is essential for him that he should also follow the example of Cavour, for, the position he

now holds is due to sacrifices of the people who at present are rotting in jails. Leaving aside the question of releasing these men, nobody can tell how many more have been arrested since he has assumed office.

The same happened in the case of Germany too. After its unification the first act of the men who came into power was to release the political prisoners.

Then again some honourable members have remarked that those who have been arrested were traitors and terrorists. May I ask who was Lala Harkishen Lal? Was he a terrorist? He was arrested on the suspicion that he was a terrorist and consequently was one of the martial law prisoners. I may say for the information of the members that six months later, he adorned these very benches on which you are sitting to-day. (*Laughter*). What is more, my friend Moulvi Sahib (Moulvi Ghulam Mohy-ud-Din) sitting opposite was about to be hanged.

Moulvi Ghulam Mohy-ud-Din : Not for violence.

Mir Maqbool Mahmood : Not a violent offender.

Master Kabul Singh : Besides, the Honourable Mr. Manohar Lal was also arrested. I do not know whether his love for his country has cooled down. Any way if he still feels for his country, there are no apparent signs of it.

Again it has been remarked by my friends opposite that we on this side of the House have talked much in favour of the tyrants. I say feudalism is a relic of the past and these Rajahs and Maharajas are the direct descendants of those dacoits who ruled this country centuries ago. May I ask who was De Vclera? Was he a dacoit? He is powerful to-day. Who was Lenin? He was a terrorist. To-day these people are at the helm of affairs of their own states, and nobody can utter a word against them. But these youngmen who sacrificed their lives for their mother land are dubbed as tyrants and terrorists.

To-day mass action is necessary for freeing the country from the thralldom of the foreigners. Once I met a terrorist in Bengal, who remarked that mass action was the only means of liberating the country. Action taken by one or two will not serve any useful purpose.

I submit that the aspirations of the Babar Akalis deserve appreciation. If honourable members sitting opposite do not care for them, I think they do not possess hearts of flesh and blood. They have got hearts of stone. I humbly request the first nationalist Government to release them in view of their great sacrifices. Many people blame them that they murdered children and women. May I ask whether in the year 1857 the daughter of Nana Farnavis was not burnt alive by the English? This fact was recorded by Sundar Das Darlatta in a magazine, which was subsequently proscribed. When people are at war, such things do occur very often. The Mutiny spread, spent its force and was suppressed. Many persons were arrested by the English. But Her Majesty the Queen granted clemency to all these prisoners. When you say that they are your very kith and kin, why do you hesitate to release them?

{Master Kabul Singh.}

Again may I ask, what General Dyer did at Amritsar? Do the Government mean to say that they take strong exception to our committing of murders and that they do not mind if their own officers indulge in an orgy of blood? I submit that let bygone be bygone. I make bold to say that even now sometimes such conditions are created by the police. When question of honour is involved, it becomes impossible to put up with these conditions. These circumstances remind of a verse:—

درمیان قعر دریا نطفه بندم کرد
باز مگر کون کجا دامن پر مکان هشیار باش

As a matter of fact the trouble is that the Britishers have now placed before us our own kith and kin to fight with. The latter always think of tea parties and dinners and never even for a minute care for the prisoners now rotting in jails.

Premier : Intimation has not yet been received.

Master Kabul Singh : Appeals for co-operation are made to us in season and out of season. It is impossible for us to accede to your wishes when you yourself turn a deaf ear to our requests. All this is due to the fact that there is no sanction to enforce our demands. They only care for those who have guns and other war materials to bring them round. If we had such resources at our disposal, we would have enforced our wishes.

ساے اس وی تو۔ شین ہندی۔ یوے وانگ سادھی با شاہنی ہندی
یرا تے اسارا جنگ ہند۔ اہمیں سامنے ہو لڑائی ہندی
سادھ منگ تائین۔ منظور کر دون۔ جنگ بند تے صلح سقائی ہندی
(یوے سادھے کچھ بندے ہندے تین مردے۔ میں چھ تون لت ازائی ہندی
جان پھر تون ہندوں۔ ان پھر اسین ہندے۔ دوہان دھوان ۱۲ جان اشتہار ہندا
پھر تھر کٹت دا کدے بی بی نہ۔ ہائر ظالمان او انظار ہندا

I submit that whenever a request is made for the release of those prisoners we are told to wait because the time is not yet opportune. You are quite happy here. Why should you care for them? The days of Bhagat Singh have passed. Now you need not fear any one. These prisoners have irreparably lost their health. They are suffering from consumption, eye sores and many other deadly diseases. Your fears are unfounded. There is nothing to worry about. (*Laughter*).

I wonder, when they witness the awful condition of these prisoners, why their hearts are not filled with pity? These prisoners are suffering from heat and various insects in Multan jail. If these very people who are at the helm of the affairs to-day, are imprisoned even at Dharamsala, they would know what imprisonment means. I request the Government to save those worthy people from becoming victims to heat and insects in Multan jail. Besides, I am sorry to remark that the Unionists could not hold the session of the Assembly at Lahore. But they ran towards Simla, where cold winds and rickshaws are at their disposal. But nobody takes pity on the poor people who are rotting in jails. It has been said that they were their own kith and kin, but if that had been true nobody would have dared to treat them so badly.

I would further say that even the judge who tried Chaudhri Sher Jang remarked that the latter was a gentleman. The women carried their children to him for blessings. Then again the Government hanged Bhagat Singh for violence.

Premier : As regards this, Pandit Jawahar Lal Nehru and Mahatma Gandhi were at one with us.

Master Kabul Singh : I submit that Mahatma did not support your views. What he said was that Bhagat Singh had done a great sacrifice and he had a great regard for him. Pandit Jawahar Lal Nehru remarked that Bhagat Singh's sacrifice should be taken as an example by others. In the end I request the Government which mainly depends upon their troops, guns and other war materials, to take pity on those prisoners. I also appeal to the honourable members that they should leave no stone unturned to save them from the hardships of jail life.

The Assembly then adjourned for lunch.

The Assembly re-assembled at 2 P. M., Mr. Speaker in the chair.

Shaikh Karamat Ali (Nankana Sahib, Muhammadan, Rural): Sir, it has become customary to preface a speech in season and out of season with a verse, and I am afraid I cannot remain an exception. I will begin my utterance with the following—

من نپہ شرطِ بلاغِ اسے با تو مے گویم
و خدوہ از سختم پند کبر خدوہ ملال

My honourable friend Master Kabul Singh said something like this—

درمیان نعر دریا تھتہ بدم کردہ — باز مے گویے کہ دامن تر مکن ہشیار باش

I should like to inform my friend that it is not the Government who has landed the ship of the country in blackwaters, it is practically their own brethren who have caused them this trouble by their acts of omission and commission. But at the same time I believe that it is but just and legitimate that at the inauguration of political autonomy in the province we should strive hard to secure the liberty of those of our brethren whose patriotic utterances unattended with violence, have landed them in prisons. Let us understand that at the very outset, the Unionist Government is not at all averse to taking up any step which may be really desirable and constitutional. At the same time we are not going to endorse any course of action which is suggested by the Opposition which is not within the bounds of constitution.

Diwan Chaman Lall : Your predecessors said the same thing. There is nothing new in what you say.

Shaikh Karamat Ali : Such persons as are confined to jails for their really patriotic views and ideas really deserve our sympathy. If nothing else, we must at least appreciate their courage of conviction which commodity I believe is very rare in this country (*hear, hear*). Not only do they deserve our sympathy but I assure the honourable members of the House that they have also earned our gratitude for advancing the

[Shaikh Karamat Ali.]

cause of the country to our present status. At the same time I must say that no national government is worth the name if it even for a moment turns away from this moral duty and does not appreciate their work so far as it lies within the constitutional limits.

Lala Deshbandhu Gupta : Moral duty.

Shaikh Karamat Ali : Of course I believe that. In this respect the Unionist Government would be the last to shirk this duty and as a matter of fact the Unionist Government was the first to take up this matter in their hands when the Honourable Premier ordered the release of certain political prisoners whose cases actually justified release at a time when none of us had actually either thought of it or talked of it. (*Minister for Education :* Or dreamt of it). Or dreamt of it, as my Honourable friend says. There can be no two views about the national aspirations of Indians, though the methods adopted to achieve them may and do vary. The National Congress has after considerable thought and deliberation taken up the charge of the ship of autonomy with a view to founder it at the first available rock, while the National Unionist Government has taken upon itself the task of steering it through, to its goal of complete self-Government. This I believe is a very great tribute that can be paid to those who have actually entered upon the work of working the constitution given to us by the British Government. Having just discussed this aspect of the question of how far the Government are deserving the thanks and congratulations, I must proceed to point out that we can clearly classify the prisoners under consideration into two categories, although my honourable friend Diwan Chaman Lall may at once say that it has already been urged by another friend on this side. But I submit that the method of discussing is generally different with each individual. There are two categories of political offenders. The first class is of those goodly natured people who for their ideas and views were unceremoniously rushed into the prisons by the Government of the time. The demand for their release is a just demand and I would ask the Honourable Premier to give it his due attention. At the same time I may also refer to another law of an extreme character which I believe, does not at all fit in, with the present circumstances and the responsible nature of the Government and that is Regulation III of 1818 which was introduced in this country at the early stages of British rule and which has been responsible for the detention of certain persons in jails. I would not refrain from inviting the attention of the Honourable Premier to this law. It must be considered as a dead letter and an *obiter dictum*, since it denies to the people a legitimate right of defending themselves and to the accused the opportunity of proving his innocence. In regard to the second class of political offenders, I want to invite the attention of the House to those persons who in the garb of patriotism are actually guilty of cold-blooded murders, violence and incendiarism and also what are called unjustifiable acts of sedition. In this category I include all those who are guilty of murders and other acts of violence. There is one very crucial question that must be asked from the members of the Opposition and that is, whether or not they want the sense of responsibility to be developed in the people. I believe this is the question of questions which ought to be determined at a very early stage before we should advance in the work of building up a

nation. There can be no doubt that the element of responsibility is the one factor which will determine the question of release of these prisoners. Do you believe that those persons who have been guilty of murders, those who have been guilty of firing, those who have been guilty of acts of violence and similar other nefarious acts, will not create disorder in the country, if they are released, public interest and welfare will not suffer if such wild forces are let loose on the peaceful population of the province? This is a thing which we must consider before a recommendation made by the members of the Opposition, is accepted or even favourably considered. Then an honourable friend quoted the instance of Maina, what befell her during the days of mutiny. I think my honourable friend knows full well that at times which are actually abnormal people lose their sense of proportion and become practically mad and the judgment of the members of Government too who have to control such wild forces also gets a little blurred and that they feel inclined to take a severe notice of every little indication for mischief on the part of these persons. There is nothing unusual and such things do happen, but such instances cannot be possibly relied upon to any appreciable degree. The question is, how far can we go to accept the recommendation made by the Opposition with regard to the release of all political prisoners of whatever nature their offences may have been. I have already submitted that the case of those persons who have been guilty of murders and similar other heinous offences is absolutely different from the case of those persons who have been convicted on account of their utterances only. If this distinction is drawn I believe none of the Opposition party would be prepared to come forward with any such demand that those persons also be released who have been guilty of violence of sundry character or that the prisoners should be released wholesale. Looking at the dark side of the question I believe none of the members on the side of the Opposition would be justified to ask for the release of persons who do not deserve it. The question now to be determined is whether or not this distinction when made the basis, can go to satisfy the demand of the honourable members of the Opposition; if not, then I would be prepared to go to the length of saying that the demand for the wholesale release of prisoners, is far from being legitimate.

In order to just amplify what has been already said by my honourable friend Mr. Mukand Lal Puri from this side, I would insist that the distinction between two classes of prisoners must be maintained. So, Sir, the last thing, which, of course I must say in this connection, is, that all of us, whether on the side of Opposition or on the side of Government, must have one unanimous goal to jealously guard, and that is to see that we are not going to encourage anything which in the long run may be injurious to public safety and tranquillity. With these words I oppose the motion.

Lala Duni Chand (Ambala and Simla, General, Rural): Sir, it has been said by some of the honourable members of the Unionist Party that we are claiming wholesale release of political prisoners. What do we mean by the term 'political prisoners'? The term 'political prisoner' is a well-known term. (*A voice*: It is not) I shall try to prove that it is. It can be easily understood by those people who care to understand it. My honourable friend, Mir Maqbool Mahmood has challenged this side to describe what we mean by the term 'political prisoner'. Let me define and describe what 'political prisoner' means. Political offender means an

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offender who commits an offence with the object or motive of over-throwing any Government whether national or indigenous, or who commits an offence for the purpose of securing the redress of grievances, whether real or fancied, be it murder, be it dacoity, be it robbery, be it waging war, sedition or any other offence of that nature. The term does not include within its scope those offences, which having regard to their nature, do not admit of any such motive. That is the definition. If the Honourable Premier will consult any book on this subject, he will find that this is the definition. I may invite the attention of the Honourable Premier to Halsbury's Laws of England. The definition given there is exactly the same definition, though in different words.

Premier : Sir, if the honourable member would quote the authority. I shall be glad to look it up, but on a mere assumption I am not prepared to accept the definition. which is as confusing as the resolution itself.

Diwan Chaman Lall : Please refer to the Encyclopaedia of the Laws of England, page 208.

Lala Duni Chand : Well Sir, first of all, I should rather clear the point as to what I mean by the words 'political prisoner.' For this I have to refer to the Encyclopaedia of the Laws of England, page 208. It says—

“Where an offence has been committed, not from motives of private spite or interest, but in order to change the legislature or executive Government in the country it is freely contended that the offence is political, and that persons convicted of it should not be treated as ordinary prisoners and should be pardoned or amnestied on the earliest opportunity.”

Mir Maqbool Mahmood : Read further, and you will find that there is no difference between ordinary and political offences.

Lala Duni Chand : I have actually read out the quotation. It is not necessary for me to read any further. I have read out the whole quotation on the subject. Now, Sir, that being the definition of political prisoners, let me challenge my honourable friend, Mir Maqbool Mahmood or any other member on the opposite side to show us a definition that is contrary to the definition that I have given or which this quotation defines.

Mir Maqbool Mahmood : On a point of order, Sir. The honourable member has challenged me to cite any other definition. What I was stating and what I do state now is this that if the honourable member will read the same page, he will find that definitely in the English law there is no difference between political and other offences.

Diwan Chaman Lall : Yes, in law there is no difference and nobody denies it.

Mir Maqbool Mahmood : Then where is the difference ?

Diwan Chaman Lall : In treatment.

Lala Duni Chand : This question of political prisoners being cleared, I now proceed to give a number of arguments as to why all these political prisoners should be released. There is the question of motive. The nature of the motive is always to be taken into consideration, particularly in deciding the question of amnesty or pardon. That is one argument.

The second argument is how long has a political prisoner undergone the sentence? I can well understand that if a man commits murder or any other offence with the purest motive to-day, nobody will be justified in asking for his release to-morrow or day after. ("Hear, hear" from the *Treasury benches*). Now, there is a class of prisoners who were convicted in 1914, I mean the Lahore Conspiracy Case prisoners. Out of them 2 or 3 still remain. Persons who have been transported for life ordinarily are due to be released after the expiry of 14 years, but those people have completed something like 20 years' imprisonment. What justification is there that even after the expiry of the normal period, they have not been released after nearly 20 years? That is not too much that we are asking for. These men should be released.

With regard to Babbar Akalis, I do not defend murders or any other kind of violence. But my submission is that it must be conceded that these Babar Akalis, whatever offence they might have committed, committed with a political object and with a political motive. I understand they have been already in jails for, I believe 10 or 12 years and perhaps even more than that. All the Babbar Akalis who had been actually guilty of murder had been put to gallows long ago. It is only those who have committed comparatively minor offences that are now undergoing imprisonment. It is a well-recognized rule of law that if a man has been in jail for a number of years, his crime is washed; that is the principle underlying the law of amnesty. I demand their release not because every murderer should be released, but because these people have been sufficiently long in prisons.

Another argument for the release of these prisoners is the advent or the enforcement of the new constitution. The inauguration of the new constitution must be marked by some extraordinary act of clemency or amnesty. If the Honourable Premier wants to take credit for releasing certain martial law prisoners after they had been in jail for 18 or 20 years, I think it is only a small mercy. After all their release was due long ago and they have been released after waiting for a long period. I submit that really the question to be considered is what should be the attitude of the new Government? I wish the Premier to take up the same attitude with regard to the political prisoners as Pandit Govind Ballabh Pant is going to take or has taken in the United Province or Mr. C. Rajagopala Achariar is going to take up in Madras. So far as the responsibility of the Government is concerned, they are as responsible as the Honourable Premier here. I assure him that if he takes a strong attitude in these matters it will be the easiest thing for him to release all the political prisoners including the Babbar Akali prisoners. I am perfectly certain that His Excellency the Governor will not stand in his way if he puts forward his proposal before him. After all what is the difference between him and the other leaders in the other provinces? He is exactly in the same position, so far as the new constitution is concerned and has got the same powers as Mr. Pant or Mr. Achariar. The honourable member, Mr. Mukand Lal Puri, said that he had been wasting his breath in putting questions about this matter during the last seven or eight years and he had done a great service to the political prisoners. I accept his statement as to what he had been doing. The only thing that can induce the Government to change its stereotyped view is the pressure of public opinion. Is not the public opinion of the Punjab in favour of the

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release of political prisoners? Does not the Honourable Premier read newspapers? I understand the Press reflects the public opinion of the province. The Press has been devoting its columns for years and years to this question. (*Interruption*). The Honourable Chaudhri Sir Chhotu Ram will say that "the public Press is no Press. I do not take cognisance of it." The Honourable Premier cares, I understand more for the Press than the Honourable Chaudhri Sir Chhotu Ram. I submit that the time has come for the release of these people which is already overdue. If there are any political prisoners who have been convicted only in recent months, the question of releasing them may stand over for some time. But those people who have already undergone a number of years imprisonment should be released and there is no justification, either constitutionally or legally or morally, for detaining them any longer. They say there is a class of non-violent political prisoners. The honourable members of the Unionist party have already got a cue and an inspiration from the Premier. The Premier is going to announce their release to-day or to-morrow.

Mr. Speaker : The honourable member's time is up.

Dr. Sir Gokul Chand Narang : May I move an amendment at this stage?

Mr. Speaker : The honourable member may send it to me in writing.

Dr. Saif-ud-Din Kitchlew : There are a good many members who would like to speak on this resolution. You may be pleased to limit the time, but I request you not to hurry up the matter because it is very important. So far as I am concerned, I would like to say a few words, if I am allowed. I also understand there are so many other members also who would like to say something on the subject. My request is that the speeches should not be cut short and as many speakers as want to speak may be allowed. The time may be extended.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Mr. Speaker, my intention was to speak at the end if the right of reply was not to be given to my friend; but as the honourable the Leader of the House wants to know my opinion on this point, I think it is my duty now to express it. Sir, my approach to this question is quite different. We have been told and we should realise that now that provincial autonomy has been introduced in the different provinces it is the system of the government which has changed and we ought to take our cue from what has happened in other countries when the system of the government changed. Whatever has been expressed here is simply an indication of the fact that the mentality of the present Cabinet is the same as was that of their predecessors. They approach this question from the same point of view. Sir, it is asked, how can those people who believe in non-violence now advise the Government to release those who were convicted of political violence? We know that whenever any question about the release of political prisoners was raised in the old Council it was asked what was meant by political criminals. Well, Sir, I think the government knows it better and nobody else can define a political prisoner in a better way. When they imprison us and treat us in jails they say we are not political prisoners: they say there is no class like the

political prisoners. But there is a difference between the treatment meted out to political prisoners and ordinary prisoners. Therefore, it is only an argument which had always been used by the predecessors of the present Cabinet to evade the question. I do not want to go into the definition. I also do not want to argue whether the law justifies a certain action or not. My approach to this question is what should be the duty of the present Cabinet looking to the history of other countries. Sir, may I remind you and may I invite your attention to the fact that in almost all countries those people who are at the helm of affairs, were rebels at one time (*hear, hear*). Look at Mustapha Kemal Pasha. What was he? He was a man who was given the capital punishment and sentenced to be hanged. But he rebelled and he fought the fight for the freedom of his country, and now he is the ruler there. My honourable friend Mir Maqbool Mahmood has cited the instance of De Valera. What was De Valera? He was an outlaw under the old system of government but now he is the ruler. The history of other countries shows that those outlaws and rebels who held different political views from those of the old governments are at the helm of affairs now (*hear, hear*). In 1920 when the old reforms were introduced it was Lala Harkishan Lal who was charged with murder and released and became the Minister. What were the views of the late Mian Sir Fazl-i-Husain? He was a Congressman and it was by sheer chance that he was not arrested in 1919. And what do we find now-a-days? If the Honourable Premier would excuse me, may I ask what were his views when he was in England and why he was sent back to India? And what do we find on the opposite benches? People who were punished or were at least arrested for violent crimes were let off and now they are occupying the ministerial benches. The Honourable Premier, when Master Kabul Singh was delivering his speech, and quoting a verse, was pleased to remark that it applied to those people who were sitting on the Opposition benches. I can assure him that we will take care of ourselves and they should take care of themselves (*hear, hear*). When the time comes for the freedom of this country those who are here with their conviction shall stand and make every sacrifice for that conviction. If we believe that the time has come when violence must be opposed we shall oppose it. Now, Sir, when the new Reforms have been introduced and we have entered a new era—the Government should make a gesture of goodwill and release all the political prisoners without distinction (*hear, hear*). Why do I say so? Though I am a believer not only by expediency but by faith, in non-violence still I submit that the Government should release all the political prisoners without distinction (*hear, hear*). I said on the floor of the House that the cure for all political prisoners is not by punishing them and by putting them in jails or treating them with vengeance. We should try to find out the cause why people commit such crimes. I do not think anybody would sacrifice his life or would like to go to jail simply for the curiosity of it. It is the action of the Government, it is the insult hurled by the Government at the people of this country which forces some of the patriots to adopt this line of action. The utmost that we can say is this that their actions are misguided. While they discuss the methods of freeing this country, in their minds they probably take a wrong line and thus adopt a wrong method. You cannot say that they are not gems or that they are not patriots. I believe, Sir, if a man does any work for the sake of his country by force of conviction he is the man who ought to

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be honoured. In spite of the fact that they are prisoners, in spite of the fact that they have been punished by the courts of law established by the old government the convictions add to the dignity and the honour of those people who are suffering for the cause of the country. The utmost I can say is that they are misguided according to my light but I cannot say that they have not done some service to the country as any non-violent worker has done. I was saying that Government should bring them round and bring those people, those young men who adopt this line, to the right path. According to my light it is not by punishing them or keeping them in jail. The Government should act in a way that the young men may feel satisfied that this Government is going to bring freedom. If this Government does not take any action by doing which freedom shall be secured, then the young men shall be forced to adopt that line and the responsibility for those actions shall lie on the system of Government which rules in this province. Therefore I submit if this Government wants that there should be no violent political crime in this province it is up to them to act in a way which would bring freedom nearer. I go further and say that it is the duty to realise the times and act in a manner to wean them from violence. You cannot wean them by saying that they are not gems, that they are political criminals, that they have done immoral acts and therefore they should not be honoured; or that you should treat them with vengeance or take any vindictive action against them. I, therefore, think it my duty to recommend to the Government that they should take that step and release those prisoners as a gesture of goodwill towards those people and show to them that it is the Assembly which will hereafter fight the cause of freedom and that these young men should now take to constructive work rather than sacrifice their lives in these fights. The Premier said that Mahatma Gandhi and Pandit Jawahar Lal Nehru shall be with them in this matter. They also believed that those who have been convicted of political crimes should not be released.

Premier : I did not say so.

Dr. Gopi Chand Bhargava : I have just got this letter by today's post from Jawahar Lal Nehru—

Premier : I merely said that they did not favour violence.

Dr. Gopi Chand Bhargava : I know they would not advise violence. The Congress is pledged to non-violence as long as its creed is non-violence. I shall now read this letter. It is addressed to all leaders of Congress parties of all provincial assemblies. It reads—

“Release of political prisoners internees and detainees must inevitably be an early step”. (*Interruption*).

I hear some honourable member remark that the word ‘all’ is not there. My point is that the President of the Indian National Congress cannot make any distinction between one political prisoner and another. All political prisoners are alike for us.

Then, it is said that the release of political prisoners would endanger peace and public safety. I think this is a similar argument to the one which used to be advanced by the old government. But those people who want to free their country and work for the service of the country are never afraid

of what the opponent would do. If I assume to myself the duty of freeing my country, my opponents may come and murder me; but I will not be afraid of it. I shall take it an honour to die in the fight for the freedom and service of my country.

I would now like to invite the attention of the Premier to the methods by which these political cases were tried. I shall cite my own case. I was arrested in 1921 and I was sentenced along with the late Lala Lajpat Rai for one year and four months and a fine of Rs. 300. In one week Government found out their mistake and they remitted one year's sentence. (*Hear, hear*). After three weeks they remitted the sentence of four months as well. (*Hear, hear*). The curious feature of all these is the way in which the case was tried. The then district magistrate who was later sent to Andamans appeared as a witness. He said on oath that we committed the crime. The trying magistrate convicted us after consultation with the district magistrate and the Legal Remembrancer. Then the Government of India found that our case was not properly tried. Such trials happen almost daily in these political cases. My submission is that the method of trial is far from desirable. Therefore it is the duty of this Government to see that these people are set free. With these few words I commend the resolution to the House.

Khan Sahib Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural) : The first thing that I would submit is, that however noble the idea underlying this resolution may be, we should not in our zeal to attain our object lose sight of all sense of proportion. It is all right for the honourable members opposite, to demand the release of all political prisoners unconditionally, but they seem to have totally lost sight of the other side of the case, the poor plight of an average peaceful citizen. (*Hear, hear*). Everybody here knows the amount of provincial money that has been squandered to counteract the civil disobedience movement, the Babar Akali movement and the other movements. How much wealth has been unnecessarily wasted in suppressing all these movements! It is also well-known how much havoc and destruction have been caused to the province by such movements. Many families have been ruined and in some cases there are several widows and orphans mourning the loss caused to them by one party or the other. As to the sympathetic attitude of the new Government towards its people, the sole test by which one should judge the present Government, should not be the release of political prisoners. There are other things by which we should judge the new Government. You should judge it by the eradication of communalism, by its programme for the uplift of the poor masses residing in the countryside (*hear, hear*), by the remission of taxation, by the nation building programme and so on. It is only three months since the present Government took over charge and we should therefore wait for sometime longer before we judge it. The definition given by my honourable friend of 'political prisoner' is in itself sufficient to establish that it is God alone who can help these people and it is not in the power of any government to satisfy the demands of my honourable friends sitting opposite. In the case of people "who are out to overthrow any government for the removal of any grievance, real or imaginary," it is only divine power which can help them. Any Government

[K. S. Ch. Riasat Ali.]

which is worth the name, whose duty it is to maintain peace and tranquillity throughout the length and breadth of the land cannot look with much tolerance at these people. It was said on the floor of this House by my friend Sardar Hari Singh that the Babar Akalis are being punished for the war services which were rendered by their forefathers and so on and so forth. I do not believe in this formula at all. Neither should sons suffer for the faults and sins of their forefathers nor should the forefathers or the parents suffer for the sins of their children. Everybody should be judged and should be held responsible for his personal acts of omission and commission. The fact that in six provinces all these political prisoners are about to be set free unconditionally should be favourably considered, as suggested by my honourable friend, Rai Bahadur Mr. Mukand Lal Puri, but we cannot lose sight of the fact also, that conditions vary from province to province. Let us leave all this to the minute scrutiny which the Honourable Premier has already promised to hold in each and every case. Let every case be judged in the way in which he is going to judge it and this is the best consolation which the Government of the day can give, as the man who is at the helm of affairs and the head of the Government is personally giving his consideration to the merits of each case.

Diwan Chaman Lall : But he has not got the time.

Khan Sahib Chaudhri Riasat Ali : A general law of amnesty is, generally speaking, never so desirable and will not help. It might prove in the long run to be a wrong policy. Let us judge each case, as has been said, on merits. I think that my honourable friends sitting over there will be perfectly satisfied when they will in due course, hear an announcement that will be made by the present Government.

Dr. Gopi Chand Bhargava : Are you in the know of things ?

Khan Sahib Chaudhri Riasat Ali : Opinions do differ and there are always honest differences of opinion between the people. If my honourable friends over there think that unconditional release of all the political prisoners is the only thing which is justified by the circumstances as they stand at present, there might be some people who considering, as I have remarked, the poor plight of the people might think otherwise. Taking into consideration the hardships and difficulties which ordinary peaceful citizens have to face, it is only fair that no general law of amnesty should be passed at this stage and the cases should be left to the discretion of the Government (*hear, hear*).

Mr. Speaker : I have just now received notice of certain amendments from Dr. Sir Gokul Chand Narang ; but the proposed amendments go far beyond the original motion. Therefore, I cannot allow them at this stage.

Dr. Sir Gokul Chand Narang : I thought it might solve the difficulty in which the House finds itself if my amendments were accepted.

Mr. Speaker : I should have been delighted to allow the honourable member's amendments but they go far beyond the original motion.

Dr. Sir Gokul Chand Narang : Which portion, Sir ?

Mr. Speaker : For example :—

(b) That all persons having no conviction for a crime of violence against them who are not allowed to return to India should be allowed to return to India.

Dr. Sir Gokul Chand Narang : Will you then let me speak on the resolution for five minutes ?

Mr. Speaker : After Sardar Sohan Singh Josh has finished.

Dr. Sir Gokul Chand Narang : I wanted to give you some authority which might have had some effect on your mind and thereby you might have ruled that these amendments of mine do not go beyond the scope of the original resolution.

Mr. Speaker : It will take another half an hour of the House if that point is discussed.

Dr. Sir Gokul Chand Narang : I wanted to point out just one word in the original proposal which covers my amendment.

Mr. Speaker : The honourable member may speak after Sardar Sohan Singh Josh if there is time.

Raja Ghazanfar Ali Khan : I want your ruling on one point. You have read out the amendment of which notice is now given by Dr. Sir Gokul Chand Narang. Unless that amendment has been admitted by you, shall it form part of the proceedings or not? I would submit that as you have not allowed that amendment to be moved, it should not be brought on the records of this debate.

Mr. Speaker : The ordinary procedure will be followed.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural (*Punjab*)): Sir, it is a matter of deep regret that those persons who are at present in jails cannot clear their position. One feels still more constrained to see that here in this House cowardly attacks are being made on those patriots who have sacrificed their all for the emancipation of their motherland (*hear, hear*). I have had an opportunity of interviewing those prisoners who are at present rotting in jails. I wish to state what I think of them. But before I do so I would like to say something on the resolution before the House. The question can be divided into two parts. The first part includes non-violent prisoners while those prisoners who were accused of committing violence fall under the second category. But the question about non-violent prisoners does not arise as I think the whole House is of opinion that they should be let off. It is possible that many a prisoner belonging to this category may still be in jails. The Honourable Ministers and their party have outwardly supported the proposal concerning their release.

Sir, those prisoners who committed violence, can again be divided into two sections. Firstly those who are supposed to have committed violence. These poor people are detained in jails under Regulation of 1818. How regrettable it is that on mere suspicion so many persons have been thrown into gaols for 7 or 5 years or in certain cases for some months. Regulation of 1818 is that notorious enactment which is known for its being called a lawless law. I am constrained to remark, that the new ministry which characterises itself as democratic and national ministry, is still keeping this law in force. It is keeping these poor helpless prisoners in jail under this law.

[S. Sohan Singh Josh.]

Not only this. Many of them have been let out of the jails after serving ten or twelve years' imprisonment. Before that
 3 P. M. they were internees. But the present ministry who take pride in being called the National Government cannot release them even two days before the expiry of their term of imprisonment.

I would like to make it clear to you that Mr. Ihsan Elahi was arrested seven years ago under the Regulation of 1818 and has not yet been released. Whenever any question is asked about his release it is generally said, that his case is examined from time to time in order to decide whether or not he should be released. I would like to say that he has been kept under detention only because Government suspected him to be a believer in violence. If that is not the case, what else is it? Murderers have been released, persons condemned to gallows have been let off. Many people who were involved in the Meerut Conspiracy Case, I being one of them, have been released. But that poor fellow is still under detention. I will just tell you the reason why he has not as yet been set at liberty. Every year the Superintendent, Jails interviews with him and asks him to sign an agreement that in case he is released he would not participate in political activities. But seven long years have passed away and still he has not been released. If the Government have sufficient evidence to prove his offence, why do they not prosecute him so that the public may know definitely that he is going to be kept in jail for ten or twenty years, or for the whole of his life. I am suggesting this course to Government only with a view to know how long he is going to rot in jail. If the Government will not accept this suggestion then the only conclusion that one can draw is that they are determined to ruin his life.

Another victim is Vasdev Singh. His offence is that he is a socialist, a communist and in fact a man of my views.

Premier : You ought not to have become a member of this House.

Sardar Sohan Singh Josh : Except that he is a communist, there is no other fault of his. I say if he has committed any offence, it should be proved before a court of law ; and then he can be kept in a jail with justification. Besides, I would like to mention one thing more and that is, that his ailing mother sent not one but thousands of letters to the Government requesting therein to permit him to see her. But the pity is that no attention was paid to her requests. What to speak of his release, I even doubt whether or not his case is ever examined. Nothing has been stated about him.

Besides, Sardar Teja Singh an elected member of this House, has been arrested. Many questions have been asked about him, but the Premier says that under the present circumstances he is not prepared to release him. He says further that the said Sardar has given a statement. Nobody knows about that statement, except perhaps the Premier or the person who has given the statement. I say if he has confessed his own crime he should be produced before a court of law and after the judgment has been passed against him he should be sent to jail. It is absolutely unfair to let him remain in jail without affording him an opportunity to stand his trial before a court of law.

There is another serious thing to which no attention has so far been paid, and which is assuming alarming proportions every day and that is, that daily the civil liberties of the people are being trampled under foot.

I will say nothing of the previous Government. Whatever I would say would relate to the present National Government. Comrade Masani, a communist and a socialist comes to the Punjab with a view to banish communalism from the land. As soon as he entered the Punjab he was externed.

Premier : I think my honourable friend is probably confusing Masani with some one else. Masani never came to the Punjab.

Sardar Sohan Singh Josh : I am coming to that. Then S. V. Ghate came all his way from Madras. I may inform the honourable members of the House that his height is less than five feet and two inches.

Premier : He must be a great mischief maker.

Sardar Sohan Singh Josh : He was a thin man capable of doing no harm to anybody. But look at this Government, it was even afraid of him that he would put an end to it. What happened was this. He came to Lahore. As soon as he set his foot on the railway platform, an order which was written one day before his arrival at Lahore, was served on him that he should at once leave the Punjab, and should not set his foot here again for at least five years. The Government was so hasty in serving an order of externment on him that even his friends were not allowed to see him.

Later on Bhagwan Singh of the Parja Mandal was sentenced to an imprisonment of nine months. Here I must add for the information of the members of this House the difference between the present National Government and the old bureaucratic Government. Formerly the British Imperialists ruled us directly, but now the power behind the screen is the same and we are ruled by Indians in name only. I wonder why when Bhagwan Singh was tolerated under the old Government the so-called Nationalist Government saw their safety in depriving him of his liberty. I do not know whether it is a fact that at the instance of the ruler of Patiala or some one else, he has been turned out of the Punjab. It is a matter of shame for the Government that even though he wrote to them that his wife was pregnant, yet he was sent to prison for nine months.

Again what the national Government is doing is, that on the one hand searches are made in the houses of private individuals and on the other in the office of the "Kirti" newspaper. The Government simply want to ruin and crush such people.

In the end I wish to say that the Government want to prohibit forcibly the entry of communist and socialist literature in the Punjab. All magazines like "the Labour weekly" and others of the same type are prohibited to be sold here. No book or magazine on Socialism and Communism can reach us. The Government has been keeping the people without bread and now they have decided to starve them mentally as well. Such is the condition of our country.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I intended to move an amendment but you have ruled it out.

Mr. Speaker : The honourable member may speak to the resolution.

Dr. Sir Gokul Chand Narang : I find that difficulty has arisen in the House on both sides. It is said by that side that this side is asking too much (*Interruptions*) while the feeling on this side is that the Government benches are not prepared to concede even what is most reasonable. I wanted just to suggest a solution and I suggested it in my amendment and even now, though I do not move it, I commend it to the Honourable Premier if he is prepared to consider it. The first thing is that there are various classes of people concerned in this resolution. There is one class who are confined or interned without trial. I would suggest to the Honourable Premier that he should either have them tried or he should release them. There is another class of people who are detained either in India or outside—for they are also detainees, whether a person is detained in his house, in the province or in any other country, he is a detainee—such persons if not convicted of any offence should be allowed to return home and I bring to his notice the case of Lala Hardial who is one of the most brilliant sons of the Punjab and who has not been allowed to come to the Punjab although he has been allowed to go to England. At first he was not allowed even to go to England and he was passing his days in Sweden and other countries. There is another gentleman Dr. Abdul Hafiz the brother of our honourable friend Mian Abdul Aziz and yet another Sardar Ajit Singh. So far as I am aware, there is no conviction against any of these gentlemen either for a crime of violence or any other crime. Of course their activities have been bold and their views have been liberal, perhaps extra-liberal. But the spirit of the resolution is that people should not be punished or penalized for the liberality of their views. If they have committed any overt act certainly they ought to stand their trial, but it seems to be *prima facie* unfair not to allow these people to return to their homeland, if they have no conviction against them and there is no danger to the public peace in this province. I would then say, and on this point the Premier will be really failing in his duty if he does not accept the recommendation or the suggestion that I make, that the prisoners who have been convicted and are undergoing imprisonment under section 124-A of the Indian Penal Code and those who are in jails for conviction under section 108 of the Criminal Procedure Code should be released. There is no difficulty about them and this morning's papers showed that the United Provinces Government has not taken a second in coming to this decision and orders for the release of those people who are undergoing imprisonment under section 124-A of the Indian Penal Code or 108 of the Criminal Procedure Code have been passed. So far as persons who have been guilty of crimes of violence are concerned, I would make one suggestion and that is this. Mir Maqbool Mahmood has been making a great point of this that there is no distinction in law between political prisoners and ordinary prisoners and I entirely agree with him. In law there is no distinction between a political prisoner and an ordinary prisoner, between a political murderer and an ordinary murderer, the section is the same and the sentence is the same. But as Diwan Chaman Lall pointed out there may be a difference of treatment. I am not going into that question however. But what occurs to me is this that a difference is being made—between a political prisoner and an ordinary prisoner. And this is the grievance of the gentlemen on this side

that an ordinary prisoner who commits murder, if he is not hanged (if he is hanged well and good) for one reason or another, and is sentenced to transportation for life he is released after 14 or 15 years. On the other hand a political prisoner is not released on the expiry of 14 or 15 years of sentence. In such a case these gentlemen can say that you are making a distinction between a political offender and a non-political offender. It would then be rather hard for Mir Maqbool Mahmood and his party or the Premier to make out a case for making this distinction. I think those who were guilty of great violence were all hanged and finished whether they were Lahore Conspiracy Case people or other conspiracy case people. But there must have been some distinction in the case of those who were not hanged and were sentenced to transportation for life. There must have been some extenuating circumstances in their cases otherwise they also would have been hanged. If there were any extenuating circumstances in their case, then their cases should not be distinguished from the cases of ordinary prisoners. If anything, advantage should really be given to all political offenders rather than placing them under a disadvantage. Then the question is, who is a political offender? A great deal has been made of this and books were quoted. I do not think books need be quoted on this point. It is not very difficult to make out who is a political offender. Everybody knows who is a political offender. Even a child of ten or twelve knows who is a political offender, not to say of the Premier or the Home Secretary in a civilised Government. But I give you one simple test. Supposing a person commits an offence and escapes to an independent country, if there is no power of extradition, it is clear that the offence is a political offence.

Rai Bahadur Mr. Mukand Lal Puri : Not necessarily.

Dr. Sir Gokul Chand Narang : As a rule. This is of course known to even a child and quotations from encyclopædias are not necessary. One thing more I would suggest before I sit down. If the Honourable Premier accedes to my request well and good, otherwise I would suggest that even the original resolution should be put to vote in two parts because in the first place there are two distinct parts in the resolution and secondly there may be some people who may not support the mover of the resolution in the first part but may be able and quite willing to support him so far as the second part is concerned. The first part is this—

“ This Assembly recommends to the Government that all political prisoners and detenues (including Martial Law and Lahore Conspiracy Case prisoners) be forthwith released.”

The second part is—

“ That restrictions imposed by the Government on free movements of all political workers in the Punjab be immediately withdrawn.”

I suggest that both these parts should be put separately.

Voices : Question be now put.

Mr. Speaker : Question is—

That the question be now put.

The motion was lost.

Lala Deshbandhu Gupta (South Eastern Towns, General, Urban) : Sir, I have been following the speeches from the Treasury benches very carefully. There are two parts to my resolution and you will agree that not a single word has been said from the other side so far as the second part of the resolution goes. I take it that even the Treasury benches realise that so far as the second part of the resolution goes, the case is unanswerable and they cannot really reply to that. (The Honourable Premier : No one has spoken from the Treasury benches.) The Honourable Premier is drawing a distinction between the Honourable Ministers and his followers sitting behind him. I do not know, if he really means that those members who are sitting behind him are not to be considered as part and parcel of the Unionist Government. I think Sir, they are their mainstay and their main support. If that is not so, I will gladly amend my expression. Any way, in all the speeches that have so far been delivered on that side of the House, I say, not a word has been said, so far as the second part of my resolution goes and I therefore take it that the case is really unanswerable so far as that is concerned. Even the Ministerialist benches, realise that it is a matter for shame that a patriot like Khan Abdul Ghaffar Khan is not allowed to enter this province while he can move about freely in all other provinces of India. Is it not a matter for shame, that even to-day in this province, although the Unionist Party has taken charge of the Government there are people who have been interned or externed? I think, Sir, they also realise that they cannot really defend their policy. I do not want to take the time of the House, therefore, in dealing with the second part of the resolution. I hope when good sense prevails, the Government benches will also realize, that if it was not yesterday, to-day at least is the time for them to rectify their mistake and see that no restrictions are placed on the movements of political workers and that this blessed province or the unfortunate province of ours will be at par with other provinces. I call it blessed because we see that there has been the inauguration of the so-called provincial autonomy and unfortunate because in spite of these changes we see only a brown bureaucracy in place of white bureaucracy.

Now, Sir, I come to the first part of the resolution. I have tried to follow the arguments of my honourable friend, Mir Maqbool Mahmood, who is the genius of the Unionist Party. (*Hear, hear from the Treasury benches*). (*Interruptions*). (*Cries of evil genius*). I would not like to say so, other friends may fill up the blank in any manner they like. I will call him a real genius. What do I find in his speech? There has been a regular attempt to wriggle out of the difficult situation by hair splitting arguments and no effort to grapple with the situation manfully. What is the real question? What is it that the resolution asks for? The resolution demands that now that you say that yours is a National Government, you must at least make a gesture of good will towards those brave people who have been fighting with the alien Government, with the white bureaucracy for the freedom of the country. It is due to their fight that you are now holding the office to-day. What does my resolution say? It only seeks to ask that if yours is really a National Government, make a gesture of good will, behave in a different manner towards the political prisoners, and thus give an opportunity to the country to say that yours is really a National Government. (*A voice* : Do you even now

include murderers?). Certainly. At the very outset I had given the definition of political prisoners. Government might not accept that but that is the definition which is acceptable to all civilised countries including England from where so many of my friends on other side draw inspiration. Not a word has been said about it. They have tried to avoid all reference to that definition. I say there is no greater crime than to keep a nation in subjection and in slavery. There is no greater crime than to take away the freedom of a nation, and hold 350 millions of people in subjection and slavery. I really pity that the Treasury benches do not realise it. I would ask them Sir, as to where is the difficulty? Why should they not face the situation manfully? Why do they not begin with a clean slate? Wash your hands of the sins of your predecessors and come forward as patriots and show the country that you can also behave like a national Government. I say, heavens would not have fallen, if these 68 prisoners were released. The Government have got their armoury of repressive laws. Their laws are still there to our shame. We also know that these laws are not a dead letter. They have been making use of these laws. If they give an opportunity to those prisoners to mend their ways, change their opinion, and to behave like non-violent patriots, where is the difficulty? Will heaven fall? Will it not be possible to re-arrest them if they behave in an improper manner? These youngmen have after all been fighting for the freedom of this country and have brought about this change. What justification is there, Sir, for holding them behind the bars any longer? He will be a bold man indeed who on the one hand says "I am a nationalist, I am a patriot, and I am given to love the freedom of my country" and at the same time rises in his seat in this House and fails to draw a distinction between an ordinary murderer and criminal and patriots like those who are suffering for the sake of the nation and for the freedom of the country. Sir, it is a matter for shame. If the honourable members sitting opposite rise in their seats, and call those patriots as criminals, assassins and murderers, I say, and I will show them, Sir, that they are ignoring the lesson of history. Do they not see that to-day in 6 provinces, in our own country, ex-convicts are holding the reins of office? These are the very persons who were convicted of sedition, who were convicted of political offences under the Indian Penal Code and the Criminal Law Amendment Act. Those persons are holding the reins of office to-day in provinces other than ours. I say time is not far—if the Unionist Government continue to behave like this—when these people, whom they call rebels to-day, will be in their places. (*Hear, hear from the Opposition Benches*). They must not ignore the signs of the time. What is the lesson of history? DeValera, who perhaps had to his credit several murders of some of the white bureaucrats, is to-day the President of the Republic of Ireland. Then Hitler, who has, perhaps, a still larger number of murders to his credit or discredit, to-day he is the idol of the whole German nation. The Unionist Government have been banking too much on His Excellency's support. It may have been possible during the last elections to have won with the help of the bureaucracy.

Mr. Speaker : The honourable member is not relevant.

Lala Deshbandhu Gupta : I am only explaining—

Mr. Speaker : No explanation is needed.

Lala Deshbandhu Gupta : Sir, I must sound a note of warning to the Unionists that they should not bank too much on the support of those who are sitting behind the curtain. We want them to have real powers. The whole country is watching them. Unless they behave in a nationalistic manner, in a patriotic manner, they will see that the time will soon come when they will be over-thrown like so many other governments that have been thrown away in the past. (*"Hear, hear" from the Opposition benches*).

Sir, I will not take more time of the House. I will only ask the Honourable Premier to consider, whether it is not possible that many of these young men whom he calls murderers or whom his followers or the back-benchers, as he would call them, label as murderers and assassins, cannot change their political creed. Has it not been our own experience in this country that people have changed their political views? Is it not a fact that there are people, ex-convicts or prisoners, even to-day adorning the Treasury benches in this House? Why rule out the possibility of such a change then? I know it for a fact and I can say from personal knowledge that there are people who have been convicted by our courts and you know what sort of courts there are in our country.

Mr. Speaker : Order, order.

Lala Deshbandhu Gupta : I am not making any reference to any particular court. But all the same it is a fact beyond dispute and every one of us knows that a fair trial is not generally possible in this unfortunate country of ours when a question of political offence is involved and I say there is no possibility—(*interruption*)—I know I am within my right to say so—I say from personal knowledge. An example has just been quoted. Many of us who have been in jail will bear me out that the person whose example has just been quoted does not believe in violence at all, and I do not really see any justification why he should continue in jail any longer. Similarly there are many other prisoners about whom some honourable members have been trying to show that they had committed violence, have undergone a change in their views. And even my honourable friend, Mr. Mukand Lal Puri, who is a new convert to the Unionist creed—(*An honourable member : Question*)—not a convert yet? I am glad he is still on the way to conversion. (*An honourable member :* Not a convert, but a genuine Unionist)—perhaps he is in the process of assimilation. Even my friend, Mr. Mukand Lal Puri, who has once been, according to him, putting so many questions for the release of political prisoners or the Martial Law prisoners, says very haltingly that we should be lenient to these people, but what is the definition of leniency? I have given the definition of political prisoners in England. They will not accept that definition here. They have perhaps got a definition of their own just as they have got a definition of their own for the word "national." Now may I tell you what is meant by leniency here? Some of these persons for whom he has pleaded leniency in halting terms, have been actually reduced from 'B' class to 'C' class in jails and are being treated as ordinary criminals. This is the leniency which has been shown, this is the leniency which our Unionist friends have also shown to them during the last four months. The Honourable Premier the other day, when he was confronted by these benches, to declare his policy towards political prisoners or to show justification for holding these people behind the bars, pleaded

that he had not had any breathing time or any breathing space. But what do we see in other provinces? After taking over reigns of office, within 24 hours, the Congress Governments have not only decided but actually ordered the release of political prisoners. But in our province my honourable friend, the Premier, has not had the time even to find out that persons who were formerly enjoying the privilege of 'B' class have been reduced to 'C' class and are being treated as ordinary criminals. When these things are allowed to continue as they were, where is then the change? If there is any weakness on your part, if you have not got the courage to behave in the same manner as the Congress Governments' are behaving in other provinces, say so and admit that plainly; do not for heaven's sake add insult to injury by showing your weakness in this way and providing a justification for all that has been done so far by your predecessors. What else have they been doing so far? They have been justifying the conduct of their predecessors; is it not a matter for shame that they have been justifying by their own conduct that the repressive policy of their predecessors was really right? I hang my head in shame when I see that our own friends are allowing our brethren to rot in jails. I appeal to the Treasury benches to take a long view of things. This is the time when they should act like statesmen and show courage. The path has already been paved by Congress ministries in other provinces. Their task has been made immensely easier; let them take a bold step. The Honourable Premier wants to keep to himself the distinction of giving the lead. I say to him let him at least follow the lead of the other provinces in this respect as he has not had the courage of giving a lead in this matter. I hope the Government benches will realise the seriousness of the situation and act as patriotic members of this House. *(Cheers)*.

Premier (The Honourable Major Sir Sikander Hyat-Khan): *(Cheers on rising)*. Mr. Speaker, I have heard with great attention and interest the speeches made by my honourable friends opposite, and by my friends on this side of the House. I am afraid the time at my disposal is not sufficient for me to meet the various points which my friends opposite have raised. But I would try to pick out one or two important points made by my honourable friend, the Leader of the Opposition and the mover of the motion. Sir, I was rather impressed by the opening speech of my friend, the mover of the motion, the other day and I thought that his speech then was impressive, because it bore the language of care and moderation, it was conceived in a reasoning mood. But to-day I find that all his reasoning, all his effort at convincing has gone to the winds.

Lala Deshbandhu Gupta: Because it has created no impression upon you.

Premier: My honourable friend says that it has created no impression on this side of the House. You are aware that neither my colleagues nor I have had an opportunity of participating in this debate so far and I am the first on the Treasury benches to rise to meet the points made on the other side. But is it because he finds that the galleries are full to-day or is it because he finds that the Press is well represented, that he has departed from reason, and strained at mere impression. I wish not. He has to-day wiped out the old distinction between a political murderer and an ordinary political prisoner. Why has he done so? The honourable

[Premier.]

member read out the definition, a very comprehensive definition, from a book the other day. Apparently he has forgotten that definition himself in his final peroration this afternoon. Sir, may I ask him whether he would consider as martyr a man who may be found to be concerned with the disastrous accident at Patna, possibly demented politician guilty of foul sabotage? Would he even in that case glorify him? I trust he will agree with me in considering him a murderer of the worst type guilty of a most heinous and dastardly murder. (*Hear, hear, and applause*). (*An honourable member*: Why do you make a voluntary assumption?)

Mr. Speaker: May I request honourable members not to interrupt, or make remarks and comments? The Premier should be allowed to make his speech uninterrupted.

Lala Deshbandhu Gupta: A question has been put to me.

Premier: Sir, I ask from the honourable members for the same courtesy as they receive from me. When the Honourable Leader of the Opposition was speaking, I did not interrupt him, nor did my friends on this side interrupt him even once. I would request my honourable friends not to interrupt me. If they find that my thrusts are going home—

Diwan Chaman Lall: When you say things like that, you should expect interruptions.

Premier: Sir, I was trying to point out to the House that it is inevitable that we must draw a distinction between a political murderer and a political prisoner. That must be so. Will my honourable friend over there mete out the same treatment to those people who are fanatics and who murder people because they do not agree with their point of view? The analogy is almost parallel. Therefore, I think my honourable friends opposite are not right when they say that there should be no distinction between an ordinary political prisoner and a political murderer. I am sure that in their saner moments outside when they have time to think coolly over the matter they will agree with me that a clear distinction has to be made between a demented political murderer and a political patriot, who only voices differences of opinion, howsoever, rashly. You may choose to call him merely a misguided patriot, but is it not our duty to see that patriotism does not run into these misguided and dangerous channels? We have to lead patriotism into paths that are helpful and clean, which are in the interest of the country, which are to the credit and the glory of our country, that are a true service to the country. Sir, member after member from those benches rose in his seat and asked why we should not follow what the Congress Ministries are doing in other provinces. They must remember that the difference between the Congress Ministry and this Ministry is obvious and unmistakable. Congressmen went from door to door saying that they are going to enter the Assemblies for the purpose of destroying the constitution. They gave that undertaking to the electors. They also indulged in other wild promises, which I am sure on reflexion they will be sorry for. (*Diwan Chaman Lall*: Wild?) If my honourable friend had allowed me to complete my thought it would not have been necessary for him to interrupt me. I said wild promises, which I am sure will sooner or later come home to them. We, Sir, did not

make any such promises or give any such undertakings. We said we will go to the Assembly, although we know its limitations and shortcomings, to work the constitution for the benefit of the province, and to work it so as to get the utmost good we can get from it for our province. That was the undertaking that we gave. We never said that when we get there we will let loose all political murderers merely for display or for sentimental reasons. We never gave that undertaking. We said that we will work wholeheartedly and steadfastly in the interest of the province and the country, and not merely to secure big headlines in the Press, or applause from the galleries (*hear, hear*). My honourable friends opposite are aware that we have released the Martial Law prisoners not because any pressure was brought on me or on my colleagues, not because any appeal was made to us, not because we thought that Congress ministries in other provinces were going to release political prisoners—at that time nobody even dreamt that they will accept office. As I told my honourable friends, we in this province examine cases of these political prisoners periodically and examine them carefully and I can assure my honourable friends opposite that we have been doing that and will continue to do so. It was after a careful consideration of the cases of the Martial Law prisoners that we came to the conclusion that it would no longer be detrimental to the interest of public safety to release them. I have released them without any boast or flourish of trumpets. I did so without even any private announcement to my friends of the Press amongst whom I have the privilege of knowing several distinguished journalists. We wanted to produce no stage effects to catch the public eye. Sir, my honourable friend Master Kabul Singh made an appeal to me and I wish I could respond to his appeal. But let me first tell him that those people whom my honourable friend Sardar Hari Singh described as the jewels of the Punjab, religious patriots in his eyes, are really religious fanatics. Let me assure the House that the Babbar Akalis were not really at heart politically-minded people. (*A voice: Question.*) I am going to quote chapter and verse that they were not politically-minded persons at all.

Sardar Sohan Singh Josh : If you read the judgment you will find that Babbar Akalis were purely political prisoners.

Mr. Speaker : I would request the honourable member not to interrupt the Premier.

Diwan Chaman Lall : Surely the honourable member is within his right in interrupting any honourable member if he so chooses.

Mr. Speaker : Yes, if he wants to correct him on facts.

Diwan Chaman Lall : It is always done.

Sardar Kartar Singh (Urdu) : I would submit to the Honourable Premier that the Babbar Akalis were sentenced under section 121, Indian Penal Code, which is meant for those who wage war against the King and try to overthrow the Government.

Premier : My honourable friends, as usual, are restive and I do not blame them for that; they are trying to anticipate me. What I was trying to impress on my friends opposite was that originally this movement was distinctly and wholly a religious movement. Those people who subsequently became political prisoners were in the first instance merely religious fanatics. I do not blame them for being so: all honour to them if they are steadfast.

[Premier.]

in their faith. I am not criticising them, but the movement was originally not political but was religious. It was only long afterwards when they felt that they were coming against obstacles that they turned round and began to murder those people whom originally they only wanted to strike.

Sardar Sohan Singh Josh : Sir, it is all wrong and I may be permitted to correct him.

Premier : I have not given way.

Mr. Speaker : The honourable member wants to correct certain facts.

Premier : I was saying that I could quote chapter and verse but apparently the honourable member has not understood me. It is my misfortune that I cannot make my friend opposite exercise patience and try to understand. I do not say that those people were not eventually tried for political offences. What I want to point out is that originally the movement was a purely religious movement. The movement first started in connection with the reform of the gurdwaras. I am sure, several honourable members will remember that incident at Nankana Sahib, where the movement developed its intensity. The extreme section of Akalis, under a gentleman whose name I shall not mention, who I am sorry to say was one of my comrades in arms but subsequently became the secretary of the Akali Dal, entered into a conspiracy to murder or cause to be murdered my honourable colleague on my left, Sardar Bahadur Sundar Singh Majithia (now Sir Sundar Singh Majithia), Sardar Kartar Singh, Mahant Basant Dass, Mr. C. M. King, I.C.S., Mr. Bowring, I.P., and several other people as they were supposed to be obstructing the movement for the reform of gurdwaras. That is where the movement started. (*Interruption.*) Not a bit of it. Attempts were made against the lives of these people. Attempts were made to assassinate Mr. Bowring, but they failed. When they found that it was difficult to get at their original objective, they turned round to smaller fries, and indulged in the indiscriminate murder of poor lambardars and villagers who had given evidence against them.

Sardar Rur Singh (Urdu) : Whose report is it that the Honourable Premier is reading? Is it of the Criminal Investigation Department?

Premier : Not at all. (*Laughter.*) As my honourable friend opposite says that he knows the judgment he ought to know that these things were mentioned in the judgment. (*Interruption.*)

Mr. Speaker : If any statement of fact requires correction I will allow it to be corrected at the end of the Premier's speech. The Honourable Premier should not be interrupted.

Premier : These things are mentioned in the judgment. My honourable friend opposite knows it. Two conspirators were sent to assassinate Mr. Bowring. But this failed and it gave a new turn to the plotters who thenceforward confined their attention to the smaller fry in the villages who were an easier prey in the Jullundur and Hoshiarpur districts. The whole countryside was terrorised, blackmailed and robbed and many were murdered. The culprits were tried and convicted as my honourable friend opposite knows. This is the kind of political murderers whom my friends opposite want to applaud in this House.

My honourable friend opposite will, if he cares to do so, tell you how the Babbar Akalis carried on this campaign of murder and terrorism. He knows the case that is now going on in a court of law. The poor witnesses who appeared for the prosecution are being terrorised and threatened. (*Interruption*).

Mr. Speaker : Is the case under trial now ? If so, I will request the Honourable Premier not to stretch the point.

Chaudhri Kartar Singh (Urdu) : The Premier is not in order in referring to that case. He should take back those remarks.

Premier : The case is now being tried, but I have not said anything which infringes the rules of procedure.

Mr. Speaker : No reference should be made to facts of a case which is pending in a court of law.

Premier : These facts have been published in the Press. These are the grounds of prosecution. However, I shall not pursue that point, but I will turn to the next point. Actually the charge is that they murdered somebody who had given evidence and not merely murdered him but also murdered his eight years old child. Is that not cruelty ? That is the type of political workers whom honourable friends opposite want to eulogise.

Sardar Sohan Singh Josh (Urdu) : The matter is now pending in a court of law and until it is decided by the court the Premier cannot make such references.

Chaudhri Kartar Singh (Urdu) : Mr. Speaker, the case is *sub-judice*. The accused are under arrest. To say that they murdered a man and a child would adversely influence the trying magistrate or sessions judge.

Mr. Speaker : I shall read the relevant standing order so that there may be no misunderstanding on the point. Standing Order 29 (2) (viii) reads—

“ A member while speaking shall not refer to any matter of fact on which a judicial decision is pending”.

I cannot, therefore, allow the Honourable Premier to refer to any matter of fact on which a judicial decision is pending.

Diwan Chaman Lall : I rise to a point of order. It is a very important point that has arisen. A reference has been made, as I understand it, and I speak subject to correction, by the Honourable Premier regarding a particular case which is *sub-judice*. He has made a statement in which he has charged the accused of having committed murder of a man and his child.

Premier : No.

Diwan Chaman Lall : If that is correct, I submit it to you for your ruling whether in view of the fact that the life of an innocent man may be in danger as a result of the statement made by the Premier, whether that statement made by him should not be expunged from the proceedings of this House.

Premier : I said that he is being tried on a charge of alleged murder. I never said that he is guilty of murder.

Diwan Chaman Lall : The Premier not only said that he was being tried for the murder of a man and his child, he turned to the opposite benches and said, "Is this the type of political murder that you want to applaud?"

Premier : Yes, if those allegations prove to be correct. As a matter of fact —

Mr. Speaker : The Honourable Premier will please proceed with his speech.

Lala Deshbandhu Gupta : May I suggest to you, Mr. Speaker, to see the official report and if you think some injustice is likely to be done to the accused by the remarks of the Premier, you will kindly see that that portion of the speech is deleted. In a moment of heat the Honourable Premier has made a statement which in cooler moments he would not have made.

Mr. Speaker : In view of the last remark of the Premier, saying that he referred to an "alleged murder", no further action appears to be necessary.

Premier : The honourable member is trying to overstep all bounds I should like to point out to my honourable friends that with regard to terrorism and political murders, those great leaders, Mahatma Gandhi and Pandit Jawahar Lal Nehru, have also the same opinion. My honourable friends opposite conveniently ignored Pandit Jawahar Lal Nehru's speech at Chittagong where he condemned anarchism and terrorism. May I also in this connection refer to my old days when I was in England? I was privileged even then to be a humble worker in the interests of my country and my nation. I had the great privilege 28 or 29 years ago of working under Mahatma Gandhi in the interests of my Indian brethren in South Africa. I went with him from place to place for collecting funds and for enlisting the sympathy of our British friends. During those days an unfortunate political murder occurred which several honourable members here may remember. I refer to the Dhingra murder case. My memory is quite vivid and fresh in this connection. I remember several young men met Mahatma Gandhi. At one of those meetings one student asked him as to what he thought about that murder. I remember his words quite well to-day. He said, "It was a mistaken and an erring judgment for a young man to commit a murder of that kind. It was a sin, and boded no good for our country."

Dr. Gopi Chand Bhargava : I do not challenge it.

Premier : "That is not going to take us any nearer to the emancipation of our country any more". I remember his words vividly.

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Diwan Chaman Lall : The only person who challenged was Mr. Lloyd George and he said that Dhingra was the greatest patriot known in history.

Premier : My honourable friend may know Mr. Lloyd George better than I do. My honourable friends have mentioned lightheartedly the name of deValera and several other political heads of governments now in Europe. Mussolini and Hitler have been mentioned. My honourable friends, I was rather surprised, did not mention Stalin or Lenin.

Sardar Sohan Singh Josh : I was going to do so.

Premier : My honourable friends know perfectly well what happens in those countries to the political opponents of the people in power. Does my honourable friend want the same treatment to be meted out to the political workers here as is done in Russia ? (*Interruptions*).

Mr. Speaker : I am sorry that the Premier is again being interrupted.

Premier : I was asking them whether they would like us to act like Herr Hitler, Signor Mussolini or they would like us to act like Stalin, the hero of some of my friends opposite. Would they like us to act in the quick manner of these dictators ? I dare say, my honourable friend does not know what happened and does happen in Russia. If the same thing happened here, he should realise that he would no more be sitting on those benches but he would probably be elsewhere. (*Laughter*). They should also remember that de Valera, a few days after taking office, filled his country's prisons with his political opponents.

Dr. Gopi Chand Bhargava : That is what we expect now.

Premier : That is what we expect in other provinces.

Chaudhri Kartar Singh (Urdu) : I may inform the honourable Premier that if Stalin is resorting to repression, it is to repress the traitors against the Republic. (*Voices : Order, order*).

Premier : Several friends have mentioned the case of Sardar Teja Singh Swatantar. An adjournment motion was sought to be moved in that connection in this House and several honourable members during the course of discussion on this particular resolution have also pointedly brought forward his name and have tried to criticise the Government and pillory it for not releasing him. I have got certain materials with me here but I do not know whether the honourable members would like me to detail to them some specimens of his activities that I know. As you are aware, it is impossible for me to refer here to information which would be detrimental to the interest of the province, or the peace of the country. But even so, I am prepared to give them some specimens of his activities in this House if my honourable friends are anxious to hear me. But that could be done only in a secret session, after having excluded the slightest possibility of publicity. It is not in the public interest to mention the activities of Sardar Teja Singh Swatantar.

Dr. Sir Gokul Chand Narang : I would, as a friend, advise you to refrain.

Premier : I am now in the hands of my honourable friend, the Leader of the Opposition.

Diwan Chaman Lall : Why not try Sardar Teja Singh ?

Dr. Sir Gokul Chand Narang : Either do not make an appeal or refrain from giving out the information.

Mr. Speaker : Who will be responsible if there is leakage of the information you give to the House ?

Premier : It will be the responsibility of the whole House and not only of this House but of others who may listen and are not subject to our control.

Diwan Chaman Lall : If he is a dangerous man, why not try him ? Do try him.

Premier : What is the advice of the Honourable Leader of the Opposition regarding my divulging the information ?

Dr. Gopi Chand Bhargava : I cannot give any advice.

Premier : In the circumstances, I think I had better refrain from divulging any information.

Mr. Speaker : In any case the Honourable Premier's remarks will appear in the proceedings of the Assembly.

Premier : That would not be desirable. I could only take the House into confidence under stringent conditions of secrecy. (*Voices : Do.*) If the honourable members of the Opposition will ask their Leader to see it, I shall probably show it to him. I think that might be the better course. They should give a proxy to their Leader. In any case I can assure the Opposition that I have gone through the case of Sardar Teja Singh Swatantar very carefully not once, not twice, but several times, and each time I have found it very difficult to release him. I have looked at it from every possible point of view, and I have always come to the conclusion that it would not be fair to the province and it would not be in the interest of the province to release him at this stage. If, later on, I find that the atmosphere in the province is such, or the assurance which I propose to seek from my honourable friends results in improving that atmosphere which may justify my taking that risk, I will not hesitate in taking that risk (*hear, hear*). But I must confess that at the moment I cannot possibly see my way to release him straightaway.

Diwan Chaman Lall : He must be a great man indeed (*laughter*).

Premier : He is certainly a man whose past activities have to be noted by Government, but if my honourable friend who is sitting next to you, knew a few of the attributes of this man, he would surely ask me to send him away to a more distant place than where he is at present.

Dr. Sir Gokul Chand Narang : Was the Honourable Premier pointing to me ?

Premier : No, I was pointing to my honourable friend Lala Deshbandhu Gupta. Is it then not a question of *Chor ki darhi men tinka* ? (*Laughter*)

جو رکی دارھی میں تینکا

The cap fitting.

There is some information which even I have not thought it necessary to call for which probably will be much worse. I do not want to see it because it will tie my hands further. But I can assure my honourable friend that as soon as the atmosphere has cleared and the assurances are forthcoming from my friend, it will be easier for me to reconsider his case.

My honourable friends opposite have told us that we are callous, that we are a brown bureaucracy, and they have accused us of being absolutely impervious to the appeals of my friends opposite. I think that they have been unfair and unjust to us. Do they think that we derive any pleasure from keeping behind the bars our own kith and kin, people of the same blood, and those who come from the same class as we do ? Do they really think that we take pleasure in keeping them in jails ? They must remember, however, that we owe a greater duty to the province as a whole and to the

country as a whole. They are mistaken if they think that for the sake of any cheap notoriety or for the sake of mere popularity we would jeopardise the safety of the province. They must look at it from this point of view also. They must not only look at things from their own angle of vision but also from our angle of vision. Let me assure them that we are not so callous as they consider us to be. We also belong to this country. If they do not consider us as patriotic as they think they are, they should give us credit for having at least some love of our country. But that does not mean that we should let out all political prisoners indiscriminately. We have also to see to the safety of 23 millions of this province, and it is our bounden duty that the safety, peace and tranquillity of the province is not jeopardised. But in spite of this, I am prepared to take the risk of releasing them, if my honourable friends opposite would give me an assurance that they will co-operate with me whole-heartedly in creating that atmosphere which will make it possible for me not to keep the political prisoners behind the bars. But pending the arrival of that ideal stage, there is an interim stage, and that stage is this that I will be prepared to take the risk and let out several of these prisoners. But there again, provided they give me an assurance—a gentleman's undertaking—that they will co-operate with me in trying to keep these people on rails and to see to it that they will not again try to do anything which is not fair and square. I do not want them to give up their political activities. I do not want the honourable member to give an assurance that they will not indulge in political activities. By all means let them indulge in all legitimate constitutional political activities, but all that I want is that they will not take part in subversive activities. If my honourable friend can give me that assurance that he will persuade these gentlemen—I think there were only six of them under Regulation III of 1818 when we took office—it will make my task easier. I have examined their cases and I am prepared to release three of them straightaway without any assurance except this that they will not indulge in any subversive activities (*cheers*).

With regard to the Martial Law prisoners, my friend opposite knows that we have released everyone of them. There are, I think, two more prisoners left of the First Lahore Conspiracy Case. Orders will issue with regard to one of them within the next few days and he will be also released.

Chaudhri Muhammad Abdul Rahman Khan (Urdu): Those who are suffering from incurable diseases, will they be released or not?

Premier: There are only six prisoners who have been detained under Regulation III of 1818 and if I can get this assurance through my honourable friend opposite, or friends opposite that they will give me whole-hearted support, I will release straightaway three of them without any examination. I have gone into their cases. (*A voice: Who are they?*) I am prepared to give their names to my friends opposite.

The only other category of political people who are undergoing restrictions are those who come under our own Criminal Law (Amendment) Act. On the 1st of April, 1937, there were six people under section 2 of the Criminal Law (Amendment) Act and twenty or twenty-one under section 8. I think my honourable friend opposite will be glad to know that several of them

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have already been released or will be released and there will be only four of them left. (*A voice* : Released on the expiry of their sentences?) No, no. There will be only four of them left. Their cases are doubtful, but they also will be released if we find later on that it will not be in any way detrimental to the safety of the province if they are released. With the exception of these four all have either been released or will be released shortly.

Dr. Sir Gokul Chand Narang : What about Hardayal ?

Premier : If the honourable member had given me notice I would have been able to find out about him. Hardayal, I think, was responsible for the original Ghadar Society in Canada, but I understand that his movements are not restricted and he can go about. I have, however, not examined his case and I do not know whether there are any restrictions against him in this province. So far as I am aware, there are none, but I can inquire if my honourable friend wants me to do so. (*A voice* : What about the Lahore Conspiracy Case prisoners ?) I have already stated that one is going to be released and then there will be only one left. His name is, I think, Parmanand. Orders for his release have been issued and he will be released shortly. The second man, unfortunately, created trouble for himself. He ran away from the jail.

Lala Deshbandhu Gupta : I meant the Second Lahore Conspiracy Case prisoners who are more than four.

Premier : I have not considered those cases yet.

Lala Deshbandhu Gupta : When will they be considered ?

Premier : They will all be considered. Give me breathing time. I have nothing more to add except a few words of appeal to my honourable friends opposite. Let me also inform them that so far as the Punjab Government is concerned, it will not take action against any of these people so long as they do not go beyond the legitimate right of the individual to take part in political activity, so long as they do not indulge in subversive activity or take part in subversive activity, but once they transgress the line the honourable members will agree with me that the Government will be under a necessity to restrict them again. That warning I must give through the House and through the Press to those gentlemen who will be released, that so long as they confine themselves or their activities to legitimate constitutional channels, we will not take any action against them, but once we find that they are trying to go off the rails, we shall not hesitate to put them behind the bars, or, if necessary, to impose restrictions. But my honourable friends will be glad to learn that so far as —— (*Interruptions*). If the honourable members want to listen to me, I will finish in one minute, but if they do not want to listen to me, then I will sit down.

Dr. Sir Gokul Chand Narang : Go on, so long as you announce their release (*laughter*).

Premier : I was going to appeal to my friends opposite to help us by co-operating with us in creating an atmosphere which will enable me without any difficulty from the administrative point of view to release every political prisoner behind the bar. I assure them that I will not hesitate to do so once I have been convinced that it would be in the interests of the province.

I may inform them also that so far as Khan Abdul Ghaffar Khan is concerned, I have decided not to re-impose the restriction against him and he is now at liberty to come to this province.

Dr. Gopi Chand Bhargava : When ? Just now ?

Premier : Yes.

Dr. Gopi Chand Bhargava : I only put this question because you said you are not going to re-impose these restrictions. Do I understand that this permission will be given to him after the expiry of the present restrictions or whether he is free to come to this province even now ?

Premier : Khan Abdul Ghaffar Khan is welcome to the Punjab, even now, and I hope he will not do anything which will force me to re-impose the restrictions.

Lala Dushbandhu Gupta : What about the Second Conspiracy Case prisoners ?

Premier : If you ask me about it outside I may be able to look into the matter.

An Honourable Member : And what about Dr. Abdul Hafiz ?

Premier : To which category does he belong ? I am afraid I have not seen his name anywhere.

Mian Abdul Aziz : He is not allowed to come to India because he was implicated during the War days. He has been in Turkey for the last 12 years.

Dr. Sir Gokul Chand Narang : Ask Mustafa Kamal Pasha about him.

Mian Abdul Aziz : He will not perhaps like him to come here.

Premier : If he has gone to Turkey, perhaps it is a lucrative job for him and he may not like to return. But so far as the Punjab Government is concerned, we have not placed any restriction upon him.

Mian Abdul Aziz : I made several inquiries about him from the Government but the Government would not commit itself one way or the other. I will tell you his case fully.

Premier : If the honourable member writes to me I will look into the matter. But if he is a Turkish subject, it does not concern us.

Mian Abdul Aziz : He is not.

Premier : I see, there are some difficulties.

Chaudhri Kartar Singh (Urdu) : Sardar Bhagat Singh and his comrades were hanged because there was no body to plead their cause. Even now there are prisoners who have not been charged with any act of murder or dacoity. Is the Honourable Premier prepared to release them ?

Premier : If my honourable friends over there seem to be tired, I will close my speech.

Voices : No. They are very happy.

Mian Abdul Aziz : May I bring the case of Ahsan Ilahi to the notice of the Premier ?

Premier : If he gives me an undertaking that he will not—(Voices : Why any undertaking ?) My honourable friends do not like him to be released. I do not want any undertaking except this that he will not indulge in any subversive activities.

Mian Abdul Aziz : I will talk to him when I go back to Lahore and I think he will be prepared to give the undertaking.

Premier : As soon as the honourable member informs me that he is prepared to give that undertaking, he will not be kept in jail a minute longer.

Mian Abdul Aziz : I will enquire when I go back to Lahore. I think he will be prepared to give that undertaking.

Sardar Sohan Singh Josh (Urdu) : Sir, I have heard this word 'subversive, being used by the Premier so many times. May I enquire what he means by this ?

Premier : The definition is not the same here as in Russia. There the definition is very simple, but here it is a very complicated one, as my honourable friend knows. I want to say a few more sentences, if they will allow me. In conclusion I want to make an appeal to my honourable friends opposite to help me to restore peace and tranquillity in this province, not only communal but also political peace. We want the province to progress, they also want the province to go forward. We are in this at one, and may I, as one of them, as their kith and kin, their brother appeal to them that they should join hands with us to create an atmosphere where it will not be necessary to discuss these resolutions, but to do constructive work so that we may be able to better the lot of those who are our brethren, but who, as we see, are now dying of hunger and are in trouble and distress, and whom we want to raise and want to bring up to that level where they can call themselves citizens of a civilized province and a civilized country, where they can properly exercise their civic rights. Sir, I am sure that the necessary response will be coming from my honourable friend the Leader of the Opposition so that we should march hand in hand and raise this province of ours, so that this province of ours should not be known merely as the sword hand of India but also as the brightest jewel in the diadem of Bharat Mata.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : The Honourable Leader of the House the Premier, wants me to give him an assurance that these people, these patriots and co-workers of mine shall not, if released, indulge in subversive activities and that I should help him in creating a political atmosphere so that he may be able to release those people. I do not think any assurance is needed from me, a man who loves peace much more, if it is possible, than any person on the floor of this House. But I shall be in a position to give him that assurance provided he agrees to accept my advice, which is this that he should act in a way that it should be very difficult for them to think of doing anything objectionable or committing any violent act. The Honourable Premier should act in a way that the Punjabis may begin to think that *Swaraj* has come. It is only then that I can give him the assurance. If the assurance from his side is not coming, then I am afraid I cannot give him the assurance.

Sardar Ajit Singh (South-West Punjab, Sikh, Rural) (Punjabi) : Sir, I beg to submit that this state of affairs has reminded me of the well-known saying "to swallow a camel and to strain at a gnat". The Government could have released all the political prisoners in commemoration of the Coro-

nation of the new king, or the Unionist Party could have commemorated its coming into power by releasing the remaining poor political prisoners who are rotting in jail.

Mr. Speaker : Is the honourable mover prepared to withdraw ?
(Voices : Withdraw).

Lala Deshbandhu Gupta : I would have been glad to do so, if the circumstances had permitted me, but I must say that circumstances do not permit me to do so.

Mr. Speaker : The question is—

That in line 2 a comma be substituted for " and " occurring between the words ' Law ' and ' Lahore ' and the words ' Babbar Akali ' be added between the words ' case ' and ' prisoners .'

The motion was lost.

Mr. Speaker : The question is that—

This Assembly recommends to the Government that all political prisoners and detenues (including Martial Law and Lahore Conspiracy Case prisoners) be forthwith released and that restrictions imposed by the Government on free movement of all political workers in the Punjab be immediately withdrawn.

The Assembly divided : Ayes 27. Noes 95.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Gokul Chand Narang, Dr. Sir.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.

Kartar Singh, Chaudhri.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Ittikhar-ud-Din, Mian.
Mula Singh, Sardar.
Narotam Singh Siddhu, Sardar.
Prem Singh, Mahant.
Ragbir Kaur, Shrimati.
Ram Narain Virmani, Seth.
Rur Singh, Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Aziz, Mian.
Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian
Abdul Rahim, Chaudhri (Gurdaspur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Bakhsh Khan, Mr.
Ahmad Yar Khan Daulatana, Khan
Bahadur Mian.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.

Anant Ram, Chaudhri.
Ashaq Hussain, Captain.
Atma Ram, Rai Sahib Lala.
Balbir Singh, Rao Bahadur Captain
Rao.
Balwant Singh, Sardar.
Bhagwant Singh, Rai Sahib.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable
Chaudhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.

- Faiz Muhammad Khan, Rai.
 Faiz Muhammad, Shaikh.
 Faqir Chand, Chaudhri.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar Major.
 Fateh Khan, Raja.
 Fateh Muhammad, Mian.
 Fateh Sher Khan, Malik.
 Fazal Ali, Khan Bahadur Nawab Chaudhri.
 Fazl Din, Khan Sahib Chaudhri.
 Fazl Karim Bakhsh, Mian.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Rasul, Chaudhri.
 Ghulam Samad, Khawaja.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Haibat Khan Daha, Khan.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Das, Lala.
 Harnam Singh, Lieutenant Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh, Sardar.
 Jahan Ara Shah Nawaz, Mrs.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Amber, Chaudhri.
 Jugal Kishore, Chaudhri.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major Malik.
 Kishan Das, Seth.
 Manohar Lall, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarak Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed.
 Muhammad Saadat Ali Khan, Khan Sahib Nawab.
 Muhammad Sarfaraz Khan, Chaudhri.
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Ali Khan, Sardar.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din, Chaudhri.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Riasat Ali, Khan Sahib Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Singha, Mr. S. P.
 Sita Ram, Lala.
 Sultan Mahmood Hotiana, Mian.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Talib Husain Khan, Khan.
 Tara Singh, Sardar.
 Ujjal Singh, Sardar Sahib Sardar.
 Umar Hayat Khan, Chaudhri.

The Assembly then adjourned till 11 A.M., on Thursday, 22nd July, 1937.

PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 22nd July, 1937.

The Assembly met at the Assembly Chamber, Simla, at 11 A. M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

REPRESENTATION OF SIKHS IN THE PUNJAB CIVIL SECRETARIAT.

***648. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) the percentage of Sikhs, Hindus and Muhammadans separately in the Punjab Civil Secretariat ;
- (b) whether it is a fact that the number of Sikhs in the Punjab Civil Secretariat is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The information is available in the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government, copies of which are distributed to honourable members annually.

(b) The number of Sikhs is not very small. During the quinquennium ending with 1st January, 1937, there has been an improvement of 3 per cent. Communal representation will continue to be taken into consideration at the time of recruitment.

Sardar Narotam Singh : Will the Honourable the Premier consider the desirability of stopping the recruitment of other communities till our community has got its due share ?

Premier : That is not the policy of the Government.

REPRESENTATION OF THE SIKHS IN THE OFFICE OF THE DIRECTOR OF INFORMATION BUREAU.

***649. Lieutenant Sodhi Harnam Singh :** Will the Honourable the Premier be pleased to state—

- (a) the percentage of Sikhs, Hindus and Muhammadans separately in the office of the Director of Information Bureau ;
- (b) whether it is a fact that the number of Sikhs in this office is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in the said office ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The staff at present employed in the office of the Director, Information Bureau, Punjab, consists of 5 Muslims, 4 Hindus and 1 Sikh, giving a percentage of 50, 40 and 10, respectively.

(b) In so small an office, where some posts are reserved for experienced journalists, this representation of Sikhs is not unduly small, but the desirability of raising the Sikh proportion will be kept in view if and when the staff is increased or vacancy occurs in the non-Muslim element.

REPRESENTATION OF SIKHS IN PUNJAB GOVERNMENT PRINTING.

***650. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) the percentage of Sikhs, Hindus and Muhammadans separately in the Punjab Government Printing ;

(b) whether it is a fact that the number of Sikhs in the Punjab Government Printing is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The attention of the honourable member is invited to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) The policy of Government is explained in the statement of the Honourable Finance Member in a debate in the Punjab Legislative Council on the 19th July, 1927, which is still the policy of Government and Government will continue to carry out the requirements of the formula contained in the said statement of policy.

It may, however, be stated that in a technical department it is necessary that men with technical knowledge have to be chosen. However, in case of marked disparity in representation the point is always kept in view that on the occasion of new recruitment such deficiency in the representations of different communities be made good as far as it is possible provided suitable recruits are forthcoming.

REPRESENTATION OF SIKHS IN THE OFFICE OF THE COMMISSIONER,
RURAL RECONSTRUCTION.

***651. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state—

(a) the percentage of Sikhs, Hindus and Muhammadans separately in the office of the Commissioner, Rural Reconstruction ;

(b) whether it is a fact that the number of Sikhs in that office is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in the said office ?

The Honourable Chaudhri Sir Chhotu Ram : (a)

| | Per cent. |
|---------------------|-----------|
| (a) Sikhs | 6.7 |
| Hindus | 20.0 |
| Muhammadans | 66.6 |

(b) The total number of all officials in this office, from the Personal Assistant down to the junior clerk, is only 15. It is not practicable to maintain precise communal proportions to which Muslims, Hindus and Sikhs may consider themselves entitled, in a small office like that of the Commissioner of Rural Reconstruction. But in filling future vacancies, an attempt will be made to redress existing inequalities.

REPRESENTATION OF SIKHS IN THE RECLAMATION DEPARTMENT.

***652. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- the percentage of Sikhs, Hindus and Muhammadans separately in the Reclamation Department ;
- whether it is a fact that the number of Sikhs in that department is very small ; if so, the action, if any, Government propose to take to allow proportionate representation to the Sikhs in the said department ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member will find the figures in the Consolidated Statement supplied to all members of the House.

(b) Disparity in the representation of different communities, if found, is endeavoured to be made good when new recruitments are made provided suitable candidates are forthcoming.

REPRESENTATION OF SIKHS IN THE OFFICE OF THE FINANCIAL COMMISSIONERS.

***653. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- the percentage of Sikhs, Hindus and Muhammadans separately in the office of the Financial Commissioners ;
- whether it is a fact that the number of Sikhs in this office is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in the said office ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Attention is drawn to serial No. 16 at page 10 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

[Minister for Revenue.]

(b) If there is any marked disparity in the representation of any particular community an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

REPRESENTATION OF SIKHS IN THE OFFICE OF THE DIRECTOR OF
LAND RECORDS.

***654. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the percentage of Sikhs, Hindus and Muhammadans separately in the office of the Director of Land Records ;
- (b) whether it is a fact that the number of Sikhs in this office is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this office ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The attention of the honourable member is drawn to the information as given in serial No. 17 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1937.

(b) If there is any marked disparity in the representation of any particular community, an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

SIKHS IN THE BUILDINGS AND ROADS BRANCH.

***655. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the percentage of Sikhs, Hindus and Muhammadans separately in the Buildings and Roads Branch, Public Works Department ;
- (b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this department ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The honourable member's attention is drawn to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1937.

(b) Instructions were issued last year in the matter of bringing the proportionate representation of the Sikh community up to 20 per cent.

SIKHS IN EXCISE DEPARTMENT.

***656. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the percentage of Sikhs, Hindus and Muhammadans separately in the Excise Department ;

- (b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this department ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The attention of the honourable member is drawn to the information as given on page 21 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) If there is any marked disparity in the representation of any particular community, an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

SIKHS IN THE EDUCATION DEPARTMENT.

***657. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the percentage of Sikhs, Hindus and Muhammadans separately in the Education Department ;
 (b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this department ?

The Honourable Mian Abdul Haye : (a) The honourable member is referred to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) The honourable member will observe that the number of Sikhs in this department is not very small.

SIKHS IN THE PUBLIC HEALTH DEPARTMENT.

***658. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the percentage of the Sikhs, Hindus and Muhammadans separately in the Public Health Department ;
 (b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this department ?

The Honourable Mian Abdul Haye : (a) The honourable member is referred to part II of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937, a copy of which is available in the Assembly Library.

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

SIKHS IN THE DEPARTMENT OF INDUSTRIES.

***659. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state—

(a) the percentage of the Sikhs, Hindus and Muhammadans separately in the Department of Industries ;

(b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this department ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The attention of the honourable member is invited to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) Government do not consider that the number of Sikhs in the Department of Industries is "very small", but intend to consider whether it is necessary to take any steps, subject to considerations of efficiency to improve the proportion of any class or community as and when future vacancies are filled.

SIKHS IN THE ELECTRICITY BRANCH.

***660. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) the percentage of the Sikhs, Hindus and Muhammadans in the Electricity Branch of the Public Works Department ;

(b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representations to the Sikhs in this department ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The attention of the honourable member is invited to the reply given to part (a) of his question No. *659 (above).

(b) Government do not consider that the number of Sikhs in the Electricity Branch of the Public Works Department is "very small", but intend to consider whether it is necessary to take any steps subject to considerations of efficiency to improve the proportion of any class or community as and when future vacancies are filled.

SIKHS IN THE CO-OPERATIVE DEPARTMENT.

***661. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state—

(a) the percentage of the Sikhs, Hindus and Muhammadans separately in the Co-operative Department ;

(b) whether it is a fact that the number of Sikhs in this department is very small ; if so, the action, if any, Government propose to take to allow their proportionate representation to the Sikhs in this department ?

The Honourable Chaudhri Sir Chhotu Ram : (a).

| Community. | PERCENTAGE IN | | |
|------------|---------------------|----------------------|-------------------------|
| | Provincial service. | Subordinate service. | Clerical establishment. |
| 1 | 2 | 3 | 4 |
| Muslims | 45.8 | 63.8 | 61.9 |
| Hindus | 20.8 | 21.7 | 24.1 |
| Sikhs | 29.2 | 13.2 | 13.6 |
| Others | 4.2 | 1.3 | 4 |
| Total | 100.0 | 100.0 | 100.0 |

(b) Part (i) No ; part (ii) does not arise.

Mian Abdul Aziz : Would it not be considered advisable for the Honourable Ministers, and particularly the Premier, to give directions to all the departments to make appointments according to the fixed percentage when filling vacancies and to avoid these communal questions in future ?

Minister : Does that arise out of my answer to the original question ?

SUPPLY OF WATER FOR RABI IN LUDHIANA AND JAGRAON TAHSILS.

*662. **Chaudhri Muhammad Hasan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that certain villages in Ludhiana and Jagraon tahsils of the Ludhiana district get canal water for the *kharif* crops only ; if so, the names of such villages and the area irrigated in each such village by canal water and the reasons for giving water for *kharif* crops only to these villages ;
- (b) whether canal water from the minor which supplies water to the above-mentioned villages is supplied throughout the year to the villages in the Ferozepore district ;
- (c) the reason for giving preference to the villages mentioned above in the matter of water supply ;
- (d) whether it is a fact that the people of the villages mentioned in (a) made representations to the authorities for the supply of canal water for both the crops, *i. e.*, *rabi* and *kharif* ; if so, the result of those representations ;
- (e) whether the Government proposes now to make the canal water available to the villages mentioned in (a) above ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. One hundred and thirty-one villages of the Ludhiana and Jagraon tahsils got *kharif* supply only. A list of such villages with areas irrigated during the last 3 years is placed on the table. The reason for giving *kharif* supply only is that the sub-soil water level is high and perennial irrigation would cause waterlogging. The area has a large number of wells for irrigation.

(b) No.

(c) Does not arise.

(d) Yes. The question was raised in the Canal Advisory Committee of the Ludhiana division and is under consideration there.

(e) No. It is neither advisable to give perennial irrigation to this area nor is water available for the purpose.

Statement showing three Kharif crops irrigated in the villages on Kharif Channels.

LUDHIANA DIVISION.

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF | | | REMARKS. |
|------------|-----------------------|------------------|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1. | 2. | 3. | 4. | 5. | 6. | 7. |

LUDHIANA TAHSIL.

Abohar Branch.

| | | | | | |
|----|----------------------------|----------------|-----|-----|-----|
| 1 | Khanpur Distributary (K.). | Ghawaddi .. | 136 | 119 | 132 |
| 2 | Ditto .. | Khanpur .. | 130 | 144 | 140 |
| 3 | Ditto .. | Dangora .. | 67 | 56 | 57 |
| 4 | Ditto .. | Karkhar .. | 66 | 74 | 75 |
| 5 | Ditto .. | Sarin .. | 214 | 198 | 151 |
| 6 | Ditto .. | Dulay .. | 71 | 78 | 72 |
| 7 | Ditto .. | Chupki .. | 72 | 64 | 74 |
| 8 | Ditto .. | Jassowal .. | 177 | 162 | 184 |
| 9 | Ditto .. | Alamgir .. | 102 | 64 | 82 |
| 10 | Ditto .. | Dhandra .. | 134 | 158 | 139 |
| 11 | Ditto .. | Kheri .. | 162 | 163 | 177 |
| 12 | Ditto .. | Himayonpura .. | 119 | 106 | 121 |
| 13 | Ditto .. | Jhaneri .. | 83 | 87 | 82 |
| 14 | Ditto .. | Dolon Khurd .. | 64 | 66 | 62 |

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF | | | REMARKS. |
|------------|-----------------------|------------------|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

LUDHIANA TAHSIL
—contd.

Abobar Branch—
contd.

| | | | | | |
|----|----------------------------|--|-------|-------|-------|
| 15 | Khanpur Distributary (K). | Lalton .. | 122 | 149 | 134 |
| 16 | Ditto .. | Mansuran .. | 296 | 316 | 264 |
| 17 | Ditto .. | Pamali .. | 184 | 181 | 171 |
| 18 | Ditto .. | Chhokar .. | 85 | 71 | 74 |
| 19 | Ditto .. | Pamal .. | 323 | 344 | 335 |
| 20 | Ditto .. | Hassanpur .. | 113 | 110 | 113 |
| 21 | Ditto .. | Panohar .. | 118 | 113 | 121 |
| 22 | Ditto .. | Dakha .. | 218 | 223 | 227 |
| 23 | Ditto .. | Dolan Kalan .. | 161 | 133 | 136 |
| 24 | Ditto .. | Shahzad .. | 120 | 127 | 145 |
| 25 | Ditto .. | Jodhan .. | 8 | 11 | 8 |
| 26 | Ditto .. | Rattan .. | 53 | 63 | 62 |
| 27 | Ditto .. | Bila .. | 132 | 134 | 132 |
| | | Total Khanpur Distributary in Ludhiana Tahsil .. | 3,560 | 3,584 | 3,470 |
| 1 | Pakhawal Distributary (K). | Silon Kalan .. | 89 | 94 | 93 |
| 2 | Ditto .. | Silon Khurd .. | 53 | 58 | 54 |
| 3 | Ditto .. | Bhutta .. | 155 | 100 | 122 |
| 4 | Ditto .. | Ghawaddi .. | 84 | 40 | 26 |
| 5 | Ditto .. | Shankar .. | 171 | 169 | 152 |
| 6 | Ditto .. | Rurka .. | 79 | 80 | 83 |
| 7 | Ditto .. | Dehlon .. | 188 | 195 | 198 |
| 8 | Ditto .. | Saya Kalan .. | 25 | 26 | 35 |
| 9 | Ditto .. | Raipur .. | 373 | 377 | 355 |

[Minister for Revenue.]

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF | | | REMARKS. |
|------------|-----------------------|------------------|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1. | 2. | 3. | 4. | 5. | 6. | 7. |

LUDHIANA TAHSIL—
contd.
Abohar Branch.
—contd.

| | | | | | |
|----|-----------------------------|---|-------|-------|-------|
| 10 | Pakhowal Distributary (K). | Jartauli .. | 259 | 259 | 176 |
| 11 | Ditto .. | Mehmasinghwala .. | 75 | 61 | 87 |
| 12 | Ditto .. | Lohgarh .. | 52 | 46 | 55 |
| 13 | Ditto .. | Majri .. | 189 | 178 | 180 |
| 14 | Ditto .. | Kalak .. | 279 | 263 | 254 |
| 15 | Ditto .. | Kot Agha .. | 101 | 102 | 98 |
| 16 | Ditto .. | Gujjarwal .. | 85 | 89 | 78 |
| 17 | Ditto .. | Phollewal .. | 191 | 193 | 184 |
| 18 | Ditto .. | Dangon .. | 270 | 256 | 311 |
| 19 | Ditto .. | Jarohan .. | 78 | 86 | 77 |
| 20 | Ditto .. | Ranguwala .. | 86 | 75 | 93 |
| 21 | Ditto .. | Jand .. | 56 | 55 | 51 |
| 22 | Ditto .. | Latala .. | 38 | 70 | 38 |
| 23 | Ditto .. | Nangal Khurd .. | 186 | 159 | 163 |
| 24 | Ditto .. | Nangal Kalan .. | 30 | 34 | 42 |
| 25 | Ditto .. | Pakhowal .. | 185 | 206 | 201 |
| 26 | Ditto .. | Rajgarh .. | 51 | 61 | 59 |
| 27 | Ditto .. | Dhallan .. | 71 | 90 | 107 |
| 28 | Ditto .. | Andlu .. | 171 | 130 | 146 |
| 29 | Ditto .. | Burj Hakim .. | 14 | 24 | 27 |
| | | Total Pakhowal Distributary in Ludhiana Tahsil .. | 3,684 | 3,875 | 3,545 |
| 1 | Talwandi Distributary (K).. | Ballowal .. | 100 | 108 | 106 |
| 2 | Ditto .. | Chaminda .. | 75 | 72 | 78 |
| 3 | Ditto .. | Saraba .. | 310 | 315 | 334 |

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF. | | | Remarks. |
|-------------------------|----------------------------|---|---------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1 | 2 | 3 | 4 | 5 | 6 | |
| LUDHIANA TAHSIL | | | | | | |
| <i>—contd.</i> | | | | | | |
| <i>Abohar Branch—</i> | | | | | | |
| <i>concd.</i> | | | | | | |
| 4 | Talwandi Distributary (K). | Shahpur | 42 | 36 | 37 | |
| 5 | Ditto | Lil | 139 | 126 | 114 | |
| 6 | Ditto | Kaila | 46 | 37 | 37 | |
| 7 | Ditto | Burj Hakim | 97 | 98 | 112 | |
| 8 | Ditto | Burj Lattan | 264 | 264 | 233 | |
| 9 | Ditto | Barhmi | 68 | 90 | 70 | |
| 10 | Ditto | Litter | 7 | 7 | | |
| 11 | Ditto | Nurpur | 236 | 192 | 201 | |
| 12 | Ditto | Goindwal | 227 | 221 | 205 | |
| | | Total Talwandi Distributary (Ludhiana tahsil) | 1,611 | 1,556 | 1,527 | |
| <i>Bhatinda Branch.</i> | | | | | | |
| 1 | Dehlon Distributary (K). | Khatra Chaharmi | 167 | 189 | 154 | |
| 2 | Ditto | Dhoda | 77 | 68 | 58 | |
| 3 | Ditto | Mukandpur | 128 | 124 | 119 | |
| 4 | Ditto | Guram | 124 | 96 | 111 | |
| 5 | Ditto | Rurka | 176 | 150 | 107 | |
| 6 | Ditto | Nangal | 195 | 173 | 133 | |
| 7 | Ditto | Gopalpur | 95 | 82 | 96 | |
| 8 | Ditto | Rangian | 143 | 137 | 136 | |
| 9 | Ditto | Lehra | 110 | 107 | 92 | |
| 10 | Ditto | Ghungrana | 244 | 240 | 221 | |
| 11 | Ditto | Mehtabgarh | 125 | 123 | 123 | |
| 12 | Ditto | Dhurokot | 207 | 177 | 190 | |

[Minister for Revenue.]

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF | | | REMARKS. |
|------------------------------------|--------------------------|--|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| LUDHIANA TAHSIL.— <i>contd.</i> | | | | | | |
| <i>Bhatinda Branch— concd.</i> | | | | | | |
| 13 | Dehlon Distributary (K). | Jarohan .. | 74 | 66 | 65 | |
| 14 | Ditto .. | Ranguwala .. | 69 | 58 | 54 | |
| 15 | Ditto .. | Lattala .. | 152 | 144 | 153 | |
| 16 | Ditto .. | Majara .. | 78 | 87 | 86 | |
| | | Total Dehlon Distributary (Ludhiana tahsil) .. | 2,162 | 2,021 | 1,896 | |
| <i>(Abohar Branch).</i> | | | | | | |
| 1 | Chupki Minor (K) .. | Asi Kalan .. | 86 | 33 | 33 | |
| 2 | Ditto .. | Dolan Kalan .. | 82 | 112 | 84 | |
| 3 | Ditto .. | Jodhan .. | 94 | 84 | 75 | |
| | | Total Chupki Minor | 262 | 279 | 242 | |
| 1 | Ballowal Minor (K). | Jodhan .. | 40 | 43 | 30 | |
| 2 | Ditto .. | Ballowal .. | 228 | 185 | 216 | |
| 3 | Ditto .. | Dhaipai .. | 139 | 129 | 120 | |
| 4 | Ditto .. | Chaminda .. | 25 | 29 | 26 | |
| | | Total Ballawal Minor (Ludhiana Tahsil) .. | 432 | 386 | 392 | |
| <i>(Bhatinda Branch).</i> | | | | | | |
| 1 | Pohir Watercourse (K). | Jaghara .. | 9 | 11 | 16 | |
| 2 | Ditto .. | Pohir .. | 76 | 80 | 77 | |
| 3 | Ditto .. | Bahadurgarh .. | 104 | 103 | 113 | |
| | | Total Pohir Watercourse (Ludhiana Tahsil) .. | 189 | 194 | 205 | |

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF | | | REMARKS. |
|------------|-----------------------|------------------|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

LUDHIANA TAHSIL—
—concl'd.

Bhatinda Branch—
concl'd.

| | | | | | |
|--|--------------------------|------------|-----|-----|-----|
| 1 | Rohira Distributary (K). | Kulabar .. | 36 | 49 | 62 |
| 2 | Ditto .. | Jaghara .. | 87 | 52 | 66 |
| Total Rohira Distributary (Ludhiana tahsil) .. | | | 123 | 101 | 128 |

JAGRAON TAHSIL.

Abohar Branch.

| | | | | | |
|--|----------------------------|------------------|-------|-------|-------|
| 1 | Khanpur Distributary (K). | Khandur .. | 122 | 131 | 126 |
| 2 | Ditto .. | Mohi .. | 118 | 103 | 109 |
| 3 | Ditto .. | Rurka .. | 226 | 237 | 233 |
| 4 | Ditto .. | Jangpur .. | 150 | 146 | 136 |
| 5 | Ditto .. | Pandori .. | 186 | 189 | 169 |
| 6 | Ditto .. | Raqba .. | 127 | 154 | 131 |
| 7 | Ditto .. | Maudiani .. | 45 | 50 | 46 |
| 8 | Ditto .. | Dhatt .. | 66 | 75 | 64 |
| Total Khanpur Distributary (Jagraon tahsil) .. | | | 1,040 | 1,085 | 1,066 |
| 1 | Talwandi Distributary (K). | Toosa .. | 255 | 247 | 225 |
| 2 | Ditto .. | Halwara .. | 328 | 317 | 341 |
| 3 | Ditto .. | Rajuana Khurd .. | 246 | 220 | 235 |
| 4 | Ditto .. | Rajuana Kalan .. | 159 | 166 | 179 |
| 5 | Ditto .. | Abawal .. | 83 | 94 | 72 |

[Minister for Revenue.]

| Serial No. | Name of Distributary. | Name of village. | IRRIGATION DURING KHARIF | | | REMARKS. |
|----------------------------|----------------------------|---|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| JAGRAON TAHSIL— —contd. | | | | | | |
| Abohar Branch— contd. | | | | | | |
| 6 | Talwandi Distributary (K). | Rattowal .. | 121 | 92 | 101 | |
| 7 | Ditto .. | Burj Hari Singh .. | 241 | 229 | 239 | |
| 8 | Ditto .. | Talwandi Rai .. | 296 | 279 | 267 | |
| 9 | Ditto .. | Patti Roopa .. | 30 | 26 | 28 | |
| 10 | Ditto .. | Raikot .. | 318 | 320 | 322 | |
| 11 | Ditto .. | Burj Naqlian .. | 45 | 70 | 67 | |
| 12 | Ditto .. | Binjal .. | 64 | 74 | 84 | |
| 13 | Ditto .. | Kamalpura .. | 80 | 57 | 86 | |
| 14 | Ditto .. | Silowani .. | 130 | 116 | 124 | |
| | | Total Talwandi Distributary (Jagraon tahsil) .. | 2,396 | 2,307 | 2,370 | |
| 1 | Ballowal Minor .. | Sahauli .. | 122 | 118 | 114 | |
| | | Total Ballowal Minor | 122 | 118 | 114 | |
| 1 | Jaesowal Distributary (K). | Ghuman .. | 109 | 95 | 105 | |
| 2 | Ditto .. | Akalgarh .. | 13 | .. | 2 | |
| 3 | Ditto .. | Sadhar .. | 157 | 148 | 147 | |
| 4 | Ditto .. | Bope Rai .. | 228 | 224 | 218 | |
| 5 | Ditto .. | Sheikhupura .. | 98 | 99 | 99 | |
| 6 | Ditto .. | Man .. | 259 | 251 | 245 | |
| 7 | Ditto .. | Sidhawan Khurd .. | 76 | 71 | 81 | |
| 8 | Ditto .. | Sidhawan Kalan .. | 97 | 110 | 111 | |
| 9 | Ditto .. | Sohian .. | 101 | 116 | 102 | |

| Serial No. | Name of Distributory. | Name of village. | IRRIGATION DURING KHABIF | | | REMARKS. |
|------------------------|---------------------------|--|--------------------------|-------|-------|----------|
| | | | 1934. | 1935. | 1936. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| JAGRAON TAHSIL— | | | | | | |
| <i>concl.</i> | | | | | | |
| Abotar Branch— | | | | | | |
| <i>concl.</i> | | | | | | |
| 10 | Jasowal Distributory (K). | Gagra .. | 147 | 135 | 141 | |
| 11 | Ditto .. | Aligarh .. | 213 | 226 | 198 | |
| 12 | Ditto .. | Agwar Gujran .. | 636 | 594 | 602 | |
| 13 | Ditto .. | Agwar Khusja Baju | 2 | .. | .. | |
| | | Total Jasowal Distributory (Jagraon tahsil) .. | 2,136 | 2,069 | 2,051 | |
| 1 | Akalgarh Minor (K) | Akalgarh .. | 228 | 211 | 225 | |
| 2 | Ditto .. | Sadhana .. | 81 | 92 | 97 | |
| 3 | Ditto .. | Aitiane .. | 201 | 189 | 151 | |
| 4 | Ditto .. | Tughal .. | 79 | 71 | 74 | |
| 5 | Ditto .. | Braich .. | 9 | 10 | 6 | |
| | | Total Akalgarh Minor .. | 598 | 573 | 553 | |
| 1 | Dholan Ditch Minor (K). | Kular .. | .. | .. | .. | |
| 2 | Ditto .. | Tughal .. | .. | .. | .. | |
| 3 | Ditto .. | Hans .. | .. | .. | 420 | |
| 4 | Ditto .. | Sujapur .. | .. | .. | .. | |
| 5 | Ditto .. | Braich .. | .. | .. | .. | |
| 6 | Ditto .. | Chechrari .. | .. | .. | .. | |
| 7 | Ditto .. | Bardeke .. | .. | .. | 73 | |
| 8 | Ditto .. | Dholan .. | .. | .. | 230 | |
| | | Total Dholan Ditch Minor .. | .. | .. | 723 | |

REMARKS BY SUB-JUDGE REGARDING JHANG CONCILIATION BOARD.

***663. Dr. Sir Gokul Chand Narang :** Will the Honourable Premier be pleased to state whether his attention has been drawn to the judgment of the Sub-Judge of Chiniot, dated the 11th June, in civil suit No. 156 of 1937 (M. Karm Narian *versus* Jamal) in which the Sub-Judge is reported to have held the procedure of the Jhang Conciliation Board to be both iniquitous and scandalous; if so, the action he proposes to take against the Conciliation Board or the Sub-Judge?

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

ILL-TREATMENT OF POLITICAL PRISONERS IN MULTAN JAIL.

***664. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state whether his attention has been invited to a note published in the Daily "Partap", Lahore, dated the 23rd June, 1937, page 13, alleging that political prisoners are ill-treated in the old Multan Jail? If so, what action does he propose to take in the matter?

The Honourable Major Sir Sikander Hyat-Khan : I have seen the paragraph in question and have had inquiries made. These show that the contents of the paragraph are entirely contrary to the facts.

SEARCH BY POLICE OF THE HOUSE OF COMRADE MUBARIK SAGAR.

***665. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the house of one Comrade Mubarik Sagar, a political worker, was recently searched in his absence;
- (b) whether it is a fact that at the time of the search, his wife, a purdah lady, was alone in the house and whether it is a fact that she was not asked to withdraw before beginning to search the house;
- (c) whether it is a fact that the house was forced open and that she was not shown the search warrants;
- (d) if the answers to (b) and (c) above be in the affirmative, reasons for the same?

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

(b) First part, yes; Second Part, no. She was asked to withdraw.

(c) No.

(d) Does not arise.

ILL-TREATMENT OF PRISONERS IN LAHORE FORT.

***666. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state whether the Government is aware that political prisoners arrested under the Criminal Law Amendment Act and detained in the Lahore

Fort are subjected to torture to wring out confessions from them; if so (ii) what steps are intended to be taken to put a stop to this unauthorised practice?

The Honourable Major Sir Sikander Hyat-Khan : (i) No.

(ii) Does not arise.

Chaudhri Kartar Singh : Is the Honourable Premier prepared to direct that political prisoners should not be detained in the Lahore Fort?

Premier : I am afraid it is an entirely distinct question and I should like to have notice of it.

Chaudhri Kartar Singh : Is the Honourable Premier aware of the fact that political prisoners are subjected to torture in the Lahore Fort?

Premier : I have already said 'no'.

Chaudhri Kartar Singh : Is the Honourable Premier aware that a Judge of the High Court passed strictures against the police for indecent treatment meted out to prisoners in the Lahore Fort?

Premier : I am not aware of any such strictures passed by the High Court, but if my attention is called to any specific opinion, I shall be prepared to examine it.

Chaudhri Kartar Singh : Is the Honourable Premier prepared to order that political prisoners are not detained in the Fort?

Sardar Sohan Singh Josh : Is the Honourable Premier aware of the fact that one Bujha Singh stated in court that he was put to torture in the Fort?

Premier : I have no such information.

Sardar Sohan Singh Josh : Is he aware that Sardar Iohhar Singh of Chhina stated that he was rudely treated and it was even published in the papers?

Premier : I do not think this question arises out of the question which I have just answered. In any case I have no information of the kind mentioned by the honourable member.

Chaudhri Kartar Singh : Is the Premier prepared to institute an open enquiry into the matter of torture of political prisoners in the Fort?

Premier : I say there is no *jabrr-o-tashaddud*.

*667. (*Vide* pages 1788—85 *ante*.)

NOTIFIED AREA MANDI BAHU-UD-DIN.

*668. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the Government some time ago had decided to declare Mandi Baha-ud-Din a 2nd class municipality?

(b) whether the notification declaring Mandi Baha-ud-Din a 2nd class municipal committee has now been cancelled; if so, why?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The attention of the honourable member is invited to the reply to question No. *3991.

Dr. Gopi Chand Bhargava : Will the Honourable Minister please state how much land is owned by agriculturists and how much by non-agriculturists ?

Minister : I have already replied to that question.

Dr. Gopi Chand Bhargava : How much is *banjar qadim* ?

COURT AUCTIONEERS AT LAHORE, AMRITSAR AND DELHI.

***669. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the names and qualifications of the court auctioneers now appointed at Lahore, Amritsar and Delhi and whether any of them or all of them are or were connected in any way with the special Official Receiver, Punjab ?

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

COURT AUCTIONEER AT AMRITSAR.

***670. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether the court auctioneer now appointed by Government at Amritsar has been selected from lawyers practising in another district ; if so, why ?

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

CHANGE IN AUCTION SYSTEM.

***671. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a drastic change has been made in the system of court auction work ;
- (b) if so, the officers on whose recommendation the change was made and whether district and sessions judges were consulted before introducing the change ?

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

THE CIRCULAR ISSUED BY THE SUPERINTENDENT OF POLICE,
HOSHIARPUR.

***672. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Superintendent of Police, Hoshiarpur, issued a circular to the *thanas* requiring the sub-inspectors to state certain particulars about the applicants when forwarding their application for passports ;

(b) whether one of the particulars to be stated when forwarding the said applications for passports is the political character of the village to which the applicants belong ;

(c) whether the Honourable Minister for Revenue is prepared to lay a copy of the said circular on the table of the House ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) and (c) Government cannot undertake to disclose the contents of such departmental instructions.

WORKING OF THE DEBT CONCILIATION BOARD, JHANG.

***673. Lala Bhim Sen Sachar :** Will the Honourable Premier be pleased to state—

(a) the number of debtors who applied to the Debt Conciliation Board, Jhang district for the conciliation of their debts, from September, 1935 to 30th April, 1937, with the number of Muslims among them ;

(b) the number of creditors who agreed to the conciliation of their debts from September, 1935 to 30th April, 1937, with the number of Muslims among them and the amount of money found due to them ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Figures are not readily available for the period mentioned, but from the date of the establishment of the Board up to the end of May, 1937, 4,048 applications were filed by debtors.

(b) The number of cases in which amicable agreements were effected from September, 1935 to the end of May, 1937 comes to 765.

The records kept regarding the work of Conciliation Boards do not classify cases according to the religion of the parties. It would not be possible to collect the information required in the last sentences of parts (a) and (b) without special enquiries entailing an expenditure of time and labour which would be out of proportion to the results to be secured.

Lala Bhim Sen Sachar : Is it not possible to have a list prepared giving the names of parties as appearing in the register ?

Premier : It will involve labour which would not be commensurate with the result.

APPOINTMENT OF EXECUTIVE OFFICER, MUNICIPAL COMMITTEE,
AMRITSAR.

***674. Sardar Sahib Sardar Santokh Singh :** Will the Honourable Minister for Public Works be pleased to state when the first appointment of the Executive Officer was made in the Amritsar Municipality and how long after that the inspectorate of local bodies was appointed by Government ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The first appointment of Executive Officer, Amritsar Municipality, was made on the 11th June, 1932. The Inspector, Local Bodies, Lahore division, was appointed on the 4th May, 1935.

INSPECTORATES LOCAL BODIES.

***675. Sardar Sahib Sardar Santokh Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware that the Commissioners and Deputy Commissioners as supervising authority of the local bodies are exercising as great a control as was the case before the appointment of the inspectorate of local bodies ;
- (b) whether it is a fact that no district boards of which the presidents are the deputy commissioners have been inspected by the local bodies inspectorate ever since their appointment ; if so, reasons for the same ;
- (c) whether it is a fact that the inspectorate in question is a subordinate agency to the deputy commissioners ;
- (d) whether it is a fact that the executive officers of the municipalities are subordinates to the deputy commissioners and not to the committees concerned ;
- (e) if the answer to (d) above be in the affirmative, whether the Government is prepared to pay for the maintenance of the inspectorate from the provincial exchequer instead of saddling the committees with their expenditure ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret that the answer to this question is not yet ready.

STREET PLANS AND BUILDING SCHEMES OF MUNICIPAL COMMITTEE,
AMRITSAR.

***676. Sardar Sahib Sardar Santokh Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) how many resolutions of the Amritsar Municipality sanctioning street plans were turned down by the commissioner from 1st January, 1935 to 31st December, 1935 for the reasons that building schemes should also have been submitted ;
- (b) the number of building schemes submitted by the said Committee in pursuance of these orders from 1st January, 1936 to 31st May, 1937 ;
- (c) whether the Government is aware that these building schemes for the new *abadis* were submitted by the Committee after proper scrutiny and with due regard to the requirements of the people who were to inhabit these *abadis* ;
- (d) whether it is a fact that none of these schemes has so far been sanctioned ;
- (e) the number of the building schemes that have been rejected and whether any of the sites were ever inspected by the said commissioner or any other officer or Government Architect before rejecting the building schemes ;
- (f) the number of building schemes that are still under consideration ;

- (g) whether the Government is aware that one of those schemes known as 'Bahadurnagar Scheme' is still pending with the commissioner for over a year although two successive deputy commissioners after local inspection of the site have recommended that it may be sanctioned;
- (h) whether the Government is aware that the rejection of the building schemes has caused great hardship to the people of Amritsar who are compelled to live in over-crowded city;
- (i) whether the Government is aware that the sites of these building schemes for 'new abadis' are for poor men's dwellings and not for bungalows;
- (j) the action, if any, Government proposes to take to expedite the sanction of these building schemes; if not, reasons for the same?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret that the reply to this question is not yet ready.

SIKH REPRESENTATION ON SHAHBAD COMMITTEE.

***677. Sardar Sahib Sardar Santokh Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) community-wise the number of members of the Shahbad Committee;
- (b) whether a representation dated the 19th September, 1936, was received from the Singh Sabha, Shahbad, claiming one seat for the Sikhs by means of a separate electorate;
- (c) if the answer to (b) above be in the affirmative, the action, if any, taken in the matter; if no action has been taken reasons for the same?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The Municipal Committee of Shahbad was superseded in October, 1933, but it has now been decided to reconstitute the committee with effect from November, 1937. The new committee will consist as before of 10 members (8 elected and 2 appointed). There are separate electorates and of the 8 elected seats 5 are Muslims and 3 non-Muslims.

(b) Yes.

(c) The matter has been referred to the local officers.

LACK OF MEANS OF COMMUNICATION AT SIMLA.

***678. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that there are very few means of communication in the Simla district and that for that reason fruit trade, potato trade and other trades of Simla district are very much handicapped and suffer greatly; if so, the steps, if any, that the Government proposes to take in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The means of communications in the Simla district are by no means inadequate. They have been and are being improved, however, every year as funds permit.

Lala Duni Chand : Is it true that the use of the road between Simla and Thanadar is allowed to private motor cars subject to permit being obtained ?

Minister : That question does not arise out of the answer I have just now read.

Lala Duni Chand : I appeal to you, Mr. Speaker, for a ruling on the subject.

Mr. Speaker : What is the honourable member driving at ?

Lala Duni Chand : My point is that there are very few means of communication in the Simla district for facilitating fruit trade. I therefore want that this road between Simla and Thanadar should be thrown open to public traffic.

Minister : I have already said that the means of communication are ample.

Lala Duni Chand : Perhaps the Honourable Minister has not understood me. I shall make it clear. Can the road between Simla and Thanadar be thrown open to goods traffic in order to improve the fruit trade ?

Minister : I require notice of the question. I will make enquiries if the honourable member writes to me.

BRIDGES IN THE SIMLA DISTRICT.

***679. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that in several places in the Simla district the hill streams, khud streams and rivulets are not bridged over or are very insecurely bridged over and that consequently a number of men and cattle perish every year during the rainy season while crossing them ; and if so, the action, if any, that the Government proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : As far as the Public Works Department and important district board roads are concerned, all hill streams, khud streams and rivulets crossing them are properly bridged. There are, however, certain roads lying in the jurisdiction of the Hill States which are said to be unbridged and with which the Simla district authorities are not concerned. No action on the part of Government in the matter is required.

TIMBER AND FIRE WOOD FROM DEHATI FORESTS AT SIMLA.

***680. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that timber wood for building purposes and firewood are not allowed to be cut from Dehati forests in the Simla district by the inhabitants thereof contrary to the terms of the settlement of 1882-83 ; if so, the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : Trees for timber and firewood are supplied from Dehati forests in the Simla district to inhabitants according to the settlements provided trees are available.

FORCED LABOUR AT KOT KHAI, SIMLA.

***681. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that in Kot Khai tahsil of Simla district, labourers are forced to supply grass and firewood by the officials without any compensation or payment to these labourers ; if so, the steps if any, that the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : *First part.*—No. *Second part.*—Does not arise. Attention of the honourable member is invited to the answer to question No. *25¹.

CULTIVATION OF POPPY IN SIMLA DISTRICT.

***682. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) if it is a fact that cultivation of poppy has been one of the principal means of earning livelihood of the rural inhabitants of the Simla district from time immemorial ;
- (b) whether it is also a fact that the cultivation of poppy has been stopped under the Government orders and only remission of Re. 0-8-0 in one rupee of land revenue has been allowed as compensation for the loss of income from sale of opium ;
- (c) whether it is a fact that the compensation allowed is not in proportion to the loss caused ;
- (d) if it is a fact that as a result of the heavy loss of income from the above source the agriculturists of Simla district have had to run into heavy debts ;
- (e) the steps, if any, that the Government proposes to take to afford relief to these agriculturists ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The area under poppy in rabi 1936, the last harvest in which poppy was grown, was 79 acres only out of a total cultivated area of 7,268 acres.

(b) Yes.

(c) The revenue remission granted is considered by Government to be an adequate compensation for the loss caused by the prohibition of poppy-cultivation.

(d) Since April, 1936, when the prohibition was enforced, the cultivators have lost only one harvest of this crop and Government have no reason to believe that their financial condition has been affected in the manner suggested.

(e) Does not arise.

EMPLOYMENT IN LOCAL BODIES OF PERSONS OF BACKWARD
AREAS.

*683. **Lala Duni Chand** : Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that very few persons belonging to the backward districts particularly the hill areas of the Punjab are employed in local district boards, local boards, municipal boards and other offices and departments, and generally outsiders are imported for posts in the offices of the local bodies :—

(b) if so, what steps Government propose to safeguard the interests of the local inhabitants of these districts and the hill areas of the Punjab ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Government has no information to this effect.

(b) The matter is in the discretion of local bodies with whose freedom of action Government would be reluctant to interfere.

Lala Duni Chand : Will the Honourable Minister enquire from the district boards and local bodies regarding the employment of people belonging to Simla district ?

Minister : My reply is quite clear. Government is reluctant to interfere with the local bodies concerned.

Lala Duni Chand : Will the Government consider the desirability of encouraging people of places like Simla ?

Minister : It is certainly desirable, but the local bodies should be approached on the subject.

Lala Duni Chand : Do I understand that the Honourable Minister has nothing to do with the control of local bodies ?

Minister : The Minister is concerned, but in the first instance it is the concern of the local bodies.

Lala Duni Chand : Will the Honourable Minister take any interest in the question that I have raised, namely, the recruitment of people belonging to Simla district in these bodies ?

Minister : I have already said that in the first instance the local bodies concerned should be approached.

Lala Duni Chand : Can the Honourable Minister please say how many persons belonging to Simla district are employed in these boards ?

Minister : I would not like to interfere in the first instance with the discretion of local bodies.

Lala Duni Chand : Do I understand that the Honourable Minister will not take any action in the matter even if the district boards and other local bodies refuse to take action in the manner suggested by me ?

Mr. Speaker : The question being hypothetical, is disallowed.

LACK OF PROVISION FOR DRINKING WATER IN SIMLA.

***684. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware of the fact that in several villages in the Simla district there is no provision for drinking water and the inhabitants in general suffer greatly from the scarcity of drinking water ;

(b) if so, the steps, if any, that the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Two *baolis*, one at village Delgi in the Simla tahsil and the other at village Kuri in the Kotkhai tahsil were constructed last year at a cost of Rs. 1,000 and a sum of Rs. 188-1-0 was paid to one Mahant Ram Das of Dehra, tahsil Simla, to cover half the cost of constructing a *baoli* at village Bani. There are several other similar proposals in hand which will be executed during the current financial year, as soon as funds are available.

EDUCATIONAL FACILITIES FOR SIMLA DISTRICT.

***685. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware of the fact that Simla district is very backward educationally ;

(b) what steps Government propose to take to provide the area with educational facilities ?

The Honourable Mian Abdul Haye : (a) Yes ; some parts of the district are admittedly backward in education.

(b) The Simla district is already graded at 100 per cent. for the purposes of grant for vernacular education ; the Kot Khai tahsil is included in the list of areas the agriculturists from which are granted half-fee concessions in the secondary department of Government and board Anglo-vernacular schools ; and free studentships are allowed in the lower middle department of the Government High School, Kot Khai, up to 20 per cent. of the enrolment instead of the 10 per cent. admissible under the rules in the Punjab Education Code. The claims of the Simla district will be kept in view whenever there is any proposals to grant further educational facilities to backward areas in the province.

Lala Duni Chand : Will the Honourable Minister for Education kindly consider the suggestion of adding one or two more middle schools or one or two more high schools in Simla district ?

Minister : Is this a supplementary question ?

Mr. Speaker : No.

Lala Duni Chand : The Honourable Minister for Education will concede that it is a supplementary question.

Premier : The Chair does not say so.

Mr. Speaker : The next question.

REPRESENTATION THROUGH ELECTION ON THE MUNICIPAL COMMITTEE,
SIMLA.

***686. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether increased representation through election on the Municipal Committee, Simla, has been demanded for many years ;
- (b) whether the Government is aware that owing to the said demand not having been conceded a great feeling of resentment and dissatisfaction exists and is intensifying ;
- (c) the steps, if any, that the Government proposes to take to allay the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) No.

(c) Government propose to reconsider the matter at an early opportunity.

Lala Duni Chand : Is it true that the right to control local self-government affairs was conceded to the citizens of every town more than fifty years ago ? Why is it that this right has not been conceded and is not being conceded to the citizens of Simla ?

Minister : I cannot speak on behalf of the past Government. The present Government propose to reconsider the matter.

Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works kindly state whether it is due to any pressure from the Government of India that the Simla Municipality is almost a nominated body so far or is it on account of your own views in the matter ?

Minister : Not to my knowledge. I said we are going to reconsider the matter. That is all.

Lala Duni Chand : Should I understand that the right of election is going to be extended on a large scale in Simla Municipal Committee ?

Minister : The honourable member can interpret the word "reconsider" in any way he likes. That is all I can say on the subject.

Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works kindly state whether he is prepared to consider the question of removal of the official president as well ?

Minister : We shall reconsider the whole matter.

Lala Duni Chand : I understand by the word "reconsider" that the Honourable Minister for Public Works is going to increase the right of election. Am I right in this interpretation ?

Minister : The honourable member had better consult the dictionary to understand the word "reconsider". (*Laughter*).

CYCLING ON CANAL BANK ROADS.

***687. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in reply to question No. *2907¹ in the year 1980 the then Honourable Revenue Member informed the

House that there was no restriction against using the reserved canal bank roads in the Punjab for cycling ;

- (b) whether it is a fact that cycling on the reserved canal bank roads of the Upper Jhelum Canal in Jaggu division between Sarai Alamgir Bridge and the Rahmanpur Head is prohibited by the canal officials ;
- (c) whether it is also a fact that in the months of January, February and March last the cyclists were stopped by the canal officials on the reserved canal bank roads of the Rakh Branch Canal between the Khalsa College Lyallpur bridge and Chak Jhumra ;
- (d) if so, the action Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes.

(c) Yes.

(d) Superintending Engineer is being told to cancel any orders issued regarding the necessity for passes for cyclists. A similar question was answered before and it was unnecessary for my friend to put this question.

PLYING TONGAS, ETC., ON UNRESERVED CANAL BANK ROADS.

***688. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether there are any orders prohibiting the plying of *tongas* and lorries on the unreserved canal bank roads in the Punjab ;
- (b) if the answer to (a) above be in the negative, the reasons why the canal authorities interfere with the plying of *tongas* and lorries on such roads ;
- (c) whether the Government proposes to throw open such roads to traffic ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Orders have been issued recently that restrictions on the use of unreserved canal roads by vehicles, other than lorries, should not normally be imposed ; and that sanction of Government should be obtained, if it is considered necessary to close such roads to traffic.

(b) Does not arise.

(c) Does not arise.

Sardar Kapoor Singh : Is the Government prepared to allow the district board to metal one of the two banks of these canals and open them for traffic to the public ?

Minister : Does that question arise out of this question ?

Sardar Kapoor Singh : There should be no bar.

Minister : That question does not arise out of this question.

TERMINAL TAX IN SADAR BAZAR MUNICIPAL COMMITTEE, AMBALA.

***689. Lala Deshbandhu Gupta :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the cantonment authorities as well as Sadar Bazar Municipal Committee, Ambala, have forwarded a recommendation to the Punjab Government to reduce the terminal tax on cloth from Rs. 1½ per maund to Rs. 1¼ per maund ;
- (b) if so, the action, if any, taken on the same ;
- (c) whether it is also a fact that owing to the extraordinary delay caused in reducing the said terminal tax the cloth trade of Ambala Cantonment has suffered a great loss ;
- (d) if so, the action Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. In the revised tax schedules received from these local bodies it is proposed to reduce the existing rate of terminal tax on cloth from Rs. 1-12-0 per maund to Rs. 1-4-0 per maund.

(b) The revised schedules are under the consideration of Government.

(c) The delay is due to the fact that there is a joint system for the collection of terminal tax for Ambala Cantonment and Ambala Sadar Bazar Municipal Committee, so that the schedules of both have to be brought into agreement. Government has no reason to think that there has been a great loss to the cloth trade.

(d) Does not arise in view of (b) above.

Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state how long it will take more to sanction the revised schedules ?

Minister : As early as possible.

Lala Deshbandhu Gupta : Could he give some idea of the time ? Will it take two, three or four months ? It has already taken two years.

Minister : It will be expedited. The matter has been under correspondence with the army authorities.

Lala Duni Chand : It has already taken two years. Should I understand it will take another three years ?

Minister : Not at all. The delay took place because the matter was under correspondence with the Defence Department.

Lala Deshbandhu Gupta : Is the correspondence over now ?

Minister : I said the matter is under consideration with the Government.

LACK OF DRINKING WATER IN CERTAIN VILLAGES IN SIRSA.

***690. Pir Akbar Ali :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that in several villages adjoining the Bahawalpur and Bikaner State territories and the Sirsa tahsil there are

no wells and consequently the inhabitants of these villages are compelled to use water collected in the village ponds for drinking and domestic purposes ;

- (b) the number of these villages ;
- (c) whether it is also a fact that for about 4 months in a year the inhabitants of these villages are forced to bring water from a distance ranging between 2 to 4 miles ;
- (d) if the answer to the above be in the affirmative, whether the Government has done anything to give relief to these people in this respect ; if not, the action that is intended to be taken now ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The exact number of such villages is not known, but it is estimated that there are about 183 villages in the Sirsa tahsil where scarcity of water is felt.

(c) Yes.

(d) A statement showing the action taken by Government to give relief to people in whole of the Hissar district in this respect is laid on the table.

Provision for drinking water supply for the famine stricken district of Hissar.

THE question of improving the drinking water supply in the rural areas of Hissar district has been engaging the attention of the Public Health Department for over 15 years and repeated efforts have been made to discover sources of potable drinking water-supply. Although many methods have been tried to achieve this end no satisfactory solution has yet been evolved.

(A) In the year 1922 trial boring was done at the following places to determine conclusively if there was any likelihood of obtaining sweet water from the sub-soil :—

- (1) At *Bhiwani, Hissar district*.—The Sanitary Board sanctioned a sum of Rs. 2,195 and a tube-well was sunk to the depth of 250 ft. Only brackish water was found which was unfit for drinking purposes.
- (2) At *Kalanwali and Sultanwali* another project was sanctioned by the Sanitary Board estimated to cost Rs. 2,618 to put down a 4" bore through the bottom of the two existing wells. The bore at Kalanwali was sunk to the depth of 270 ft. but the water obtained from the strata pierced was exceptionally brackish and quite undrinkable. In the meantime it was found that a boring was already being made in the well at Sultanwali by the Agriculture Department and at the request of the District Board, Hissar, the second bore was made in an existing well at *Bhutto Kalan* instead of at Sultanwali. This boring was carried to a depth of 260' but no sweet water bearing strata was discovered here also.

(B) Again in the year 1920 trial boring was done at *Jamalpur* village at an estimated cost of Rs. 2,381. It was intended to supply water to 3 villages, *i.e.*, *Bhurtana, Karawar and Alakpur* from this source.

The result obtained here too was quite unsatisfactory and no sweet water was struck.

All these experiments tended to show that suitable water cannot be obtained from the sub-soil while there are no suitable catchment areas, rivers or streams available. The only real means of effecting any improvement in this area appear to be either :—

- (a) storage of rain water— which in an area like Hissar district is a very unsatisfactory solution from the public health point of view ; or
- (b) extension of the canal water supply to feed the village ponds other than those already being supplied.

[Minister for Education.]

(C) In the year 1935 a scheme for the supply of canal water by means of irrigation channels to village ponds was prepared by the District Board, Hissar. This scheme commended itself to the Sanitary Board and Government sanctioned a sum of Rs. 6,000 as a grant-in-aid to the local body for digging channels for the purpose. Unfortunately the scheme could not materialize owing to certain technical objections raised by the Irrigation Department which necessitated a further consideration of the scheme. Investigation is still being carried out by the Irrigation Department to find out the possibility and suitability of alignment of open channels for supply of drinking water to the village ponds in the district.

(D) In March 1936, Government sanctioned a cent percent grant-in-aid of Rs. 14,000 to the District Board, Hissar, for the construction, as an experimental measure, of a pucca tank for the storage of rain water for supply of drinking water. This tank is in the course of construction at village Baragudah.

(E) In the year 1937 Government sanctioned another grant-in-aid of Rs. 20,000 to District Board, Hissar, for the execution of certain works for the improvement of water-supply in certain villages of Hissar district. This grant-in-aid was apportioned in small sums not exceeding Rs. 500 to about 55 villages for silt clearance, excavation of katcha ponds and enlargement of their existing ponds. It is hoped that the work will be completed before the commencement of rains.

(F) Besides, a comprehensive rural water supply scheme for Hissar district has been prepared by the District Board, Hissar and it is proposed to finance this scheme from the Government of India grant for rural reconstruction.

The works comprise of the following items :—

| | | Cost. | |
|---------------------------------|---------|-------|----------|
| | | Rs. | |
| Large pucca tanks | .. .. . | 2 | 29,580 |
| Small pucca tanks | .. .. . | 6 | 30,000 |
| Kunds (small underground tanks) | .. .. . | 16 | 48,000 |
| Enlargement of katcha ponds | .. .. . | 63 | 22,000 |
| Deep borings | .. .. . | 2 | 2,000 |
| Smaller borings | .. .. . | 4 | 2,000 |
| Repairs to pucca tanks | .. .. . | 3 | 7,000 |
| Pucca Khals | .. .. . | 4 | 2,000 |
| Khals for canal water | .. .. . | .. | 3,420 |
| Total | | .. | 1,46,000 |

The estimated cost of the scheme is Rs. 1,46,000 and grant-in-aid of Rs. 98,914 has been recommended for disbursement as soon as the funds are made available.

(*Pir Akbar Ali rose from his seat without being called upon and said "No. 690" in a very loud tone.*)

Lala Bhim Sen Sachar : On a point of order, Sir. Is it open for an honourable member to shout out his question unless he has been called upon to do so by the Honourable Speaker ?

Mr. Speaker : According to Rules unless a member's name is called by the Chair, he should not rise and put his question.

APPLICATION FOR PRINTING PRESS BY MR. NANAK CHAND.

*691. **Rai Sahib Lala Atma Ram :** Will the Honourable Premier kindly state—

- (a) whether it is a fact that one Nanak Chand, Aggarwal, B.A. (Hons.) of Mandi Dabwali in the district of Hissar, applied for permission for setting up a printing press at Dabwali Mandi on the 16th February, 1937 ;

- (b) whether it is a fact that even the declaration form has not been supplied to Mr. Nanak Chand, though more than 4 months have now elapsed ;
- (c) if answers to (a) and (b) above be in the affirmative, the reasons for withholding the necessary permission so far ?

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

(b) Nanak Chand's declaration was accepted by the District Magistrate on 2nd July.

(c) Does not arise.

Rai Sahib Lala Atma Ram : Will the Honourable Premier kindly state the reasons for the inordinate delay in granting the licence ?

Premier : It has been granted.

Rai Sahib Lala Atma Ram : What was the reason for this inordinate delay ?

Premier : Because they had to make enquiries with regard to certain matters.

INSTRUCTIONS re POSTINGS OF CANAL PATWARIS.

*692. **Sardar Muhammad Husain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Public Works Department, Irrigation Branch, has issued any orders or instructions laying down that canal patwaris should not be posted within a certain distance of their native places or in *halqas* where they or their relations own land or similar other immovable property ;
- (b) the distance so fixed in respect of the areas irrigated by the Upper Bari Doab Canal ;
- (c) whether the permission of an authority higher than the officer usually making these postings and transfers is required under the rules for the posting of a patwari within an easy reach of his home ;
- (d) the number of canal patwaris in the Raiwind Division of the Upper Bari Doab Canal ; (i) posted within three miles of their homes, (ii) posted in *ilagas* where they own immovable property, (iii) posted in *ilagas* where their family relations own land ;
- (e) whether the permission mentioned in (c) above has been obtained in the cases of all of them ; if not, reasons for the same ;
- (f) if the answer to (a) above be in the affirmative, whether the Government is prepared to remove the irregularity of such postings if any ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Orders contained in paragraph 6, Article 1·6 of the Irrigation Manual of Orders exist in this respect.

(b) No distance is fixed.

[Minister for Revenue.]

(c) No. The Executive Engineer is the final authority.

(d), (e) and (f) The information is not yet available and is being collected.

SIKH REPRESENTATION IN MUNICIPAL COMMITTEE, SIMLA.

***693. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government are aware that long before nominations to Simla Municipal Committee were gazetted, all the Sikh organisations of Simla passed resolutions urging the necessity of Sikhs being nominated to it ;
- (b) whether the Government are also aware that in 1933 or thereabout similar resolutions were passed and representations made to the Ministry of Local Self-Government without any effect ;
- (c) whether the Government are further aware that comments were published in the " Jakko " a quarterly organ of the Khalsa Young Men's Association, Simla, in April, 1937 on the same subject ;
- (d) whether the Government are further aware that an additional seat was created on the Simla Municipal Committee ; if so, the circumstances requiring the addition of another seat to the total number of seats of the Simla Municipality ;
- (e) why a Sikh was not nominated to this seat and why it was reserved for the Hindu community ;
- (f) whether the Government are aware that the additional seat is still there and in spite of the demand of the Sikhs of Simla a Hindu has been re-nominated ;
- (g) reasons why no seat was reserved for a Sikh on the Simla Municipal Committee at the time of recent election or at the time of last nominations ;
- (h) whether the Government are aware that the Sikh public have interests in the Simla Municipality which require to be safeguarded ;
- (i) if the answer to (h) above be in the affirmative, do Government propose to take any action in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The attention of the honourable member is invited to the reply given to question No. *625.¹

RATE OF LAND REVENUE, ETC., IN KASUR TAHSIL.

***694. Sardar Chanan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the rate of land revenue assessed at the time of last assessment in respect of Kasur tahsil, Lahore district ;

- (b) the actual amount of land revenue collected from Kasur tahsil per year since the last assessment ;
- (c) the rate of yield per acre from different crops in Kasur tahsil after the last assessment ;
- (d) the rate of prices of different crops on the average per maund since the last assessment ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member is referred to the answer given to Assembly question No. *612¹.

COMPLAINTS OF CORRUPTION AGAINST ASSISTANT SUB-INSPECTOR OF
POLICE IN LUDHIANA.

***695. Sardar Chanan Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Sardar Mohindar Singh Thind of Mohi village in the Ludhiana district, on 5th May 1937, reported a case of corruption to the Superintendent of Police, Ludhiana, against a sub-inspector of police ;
- (b) whether it is a fact that his statement was recorded that day by the Assistant Superintendent of Police, Ludhiana, under orders of the said Superintendent of Police ;
- (c) whether any inquiry has been made in the matter, so far ; if not, why not ;
- (d) whether it is a fact that whole of the bribe money or a part of it has since been returned to the complainant ;
- (e) whether any action is intended to be taken against the sub-inspector in question ; if not, why not ?

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

(b) Mohindar Singh's statement was recorded by the Deputy Superintendent under the orders of the Superintendent of Police.

(c) Yes. The Deputy Superintendent was instructed to make an inquiry which is still in progress.

(d) No allegation has been made in the course of the enquiry hitherto that any money was returned to the complainant.

(e) This will depend on the result of the enquiry.

CONCESSIONS TO AUCTION PURCHASERS OF LANDS IN LYALLPUR.

***696. Pir Akbar Ali :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in the Lyallpur district some land temporarily granted to *kamins* (menials) and other similar vacant plots, were sold by Government by open auction in the year 1924 and 1926 ;

[Pir Akbar Ali.]

- (b) whether it is also a fact that most of these plots of land were purchased by the local zamindars ;
- (c) whether it is also a fact that most of these zamindars who bought these plots in auction could not pay all instalments at the fixed time on account of fall in prices of agricultural produce and general depression ;
- (d) whether it is also a fact that out of these zamindars only such of them have been granted land equivalent to the money paid by them as purchased lands in auction held by 1926 and that similar treatment has not been accorded to the zamindars who purchased lands in auction held in 1924 ; if so, the reasons for this differential treatment ;
- (e) the action, if any, that the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) There were three sales of Government land by public auction in 1924 and 1926, viz :—

- (a) *Kamins'* squares, in 1924 ;
- (b) *Chakku* lands, in 1924 ; and
- (c) *Baqaya* land, in 1926.

The sale of (a) and (c) was restricted to the inhabitants of the chak in which the land sold was situated, but if the reserve price fixed by Government was not reached the outsiders were permitted to bid. There was no such restrictions in the case of the *Chakku* lands. It is possible therefore that most of the area was purchased by local zamindars.

(c) The purchasers of *kamins'* squares were to pay the amount bid in four half-yearly instalments beginning with *rabi* 1924.

In the case of the *Chakku* lands payment was to be made in six half-yearly instalments beginning with *kharif* 1924.

In both these cases the amount bid was payable before the fall in agricultural prices. Therefore default cannot be ascribed to economic depression.

In the case of the 1926 sale, payment was to be made in four half-yearly instalments. As the sale continued up to December 1926, in some cases confiscation took place after the 1st January 1930, and in these cases it is possible that default was due to economic depression.

(d) The concession given to auction purchasers of Government land owing to economic depression is that all auction purchasers, whose land was not confiscated before the 1st January 1930, have been permitted to purchase the area actually paid for up to the nearest acre at the price bid at auction. In calculating the amount at the credit of a purchaser the total interest due up to the date of confiscation is deducted from the total sum paid.

Several auction purchasers of 1926 have availed of this concession.

The purchasers of *kamins'* squares could not take advantage of this concession, because they had to pay their price by *kharif* 1925 at the latest, *i.e.*, long before the economic depression set in.

The purchasers of *Chakku* lands had to finish their payments by *rabi* 1927; but as special case they were allowed in 1930 to retain the area they had actually paid for.

(e) None at present.

CRIMINAL TRIBES IN MONTGOMERY DISTRICT.

***697. Malik Fateh Sher Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the names of the families in the Montgomery district that have been declared members of the criminal tribes;

(b) the total number of the members of the criminal tribes in the said district, the area to which their movements are restricted and the number of those among them who have been granted passes;

(c) the number of the members of these tribes who are in jail or have been to jail with the nature of their crime and the period of their imprisonment;

(d) whether Government intends to exclude such members of the above-mentioned families from the category of criminal tribe as have not committed any crime so far, and also the minors among them?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready.

GUN LICENCES.

***698. Sardar Harjab Singh :** Will the Honourable Minister for Revenue pleased to state—

(a) whether it is a fact that the holders of gun licences for the purpose of self-defence are also required to obtain the *hunting licence* by paying Rs. 5 as annual fee;

(b) since when this new rule has been enforced and why?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member's attention is invited to rules 25 and 26 of the Punjab Wild Birds and Wild Animals Protection Rules.

(b) Does not arise.

DIFFICULTIES OF HINDUS AND SIKHS IN VILLAGES IN GUJRAT.

***699. Mahant Prem Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) the number of such villages in the Gujrat district as are inhabited by Hindus and Sikhs but where the Muslims are the sole proprietors of the village agricultural land;

[Mahant Prem Singh.]

- (b) whether the Muslim proprietors of such villages have at times prevented the non-proprietor Sikh and Hindu residents of those villages from using the village land for calls of nature ;
- (c) if so, what steps the Government proposes to take in order to remove this difficulty of the Sikhs and Hindus of those villages where they do not own any agricultural land.

The Honourable Dr. Sir Sundar Singh Majithia : (a) 689.

(b) No.

(c) Does not arise.

ORDERS OF ARRESTS BY SUB-JUDGE OF JHAJJAR.

***700. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) the number of arrests in execution of money decrees ordered by the Sub-Judge of Jhajjar (Rohtak) since October, 1936, up to the present date ;
- (b) the number of applications for arrests of judgment-debtors rejected by the said Sub-Judge during this period ;
- (c) whether it is also a fact that in many cases the said Sub-Judge has ordered the arrest of judgment-debtors generally on the bare statements of the decree holders disregarding the strictest provision of the Debtors Protection Act, and the recent amendment of the Criminal Procedure Code ;
- (d) whether the Government intends to take any action in this matter, if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready. The information has been called for, but it has not been received so far. When it is received, it will be communicated to my honourable friend.

ELECTRIC INSPECTOR TO GOVERNMENT, PUNJAB.

***701. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of inspections carried out under the Indian Electricity Act by the Electric Inspector to Government, Punjab, during the year 1936 ;
- (b) the total mileage travelled by him in the same year ;
- (c) whether this number of inspections made by him and the mileage of travelling done by him are according to the rules ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 84.

(b) 9,354 miles.

(c) There is no limit fixed to the number of inspections or mileage be covered. The sole criterion is the exigencies of the public service.

ELECTRIC INSPECTOR TO GOVERNMENT, PUNJAB.

***702. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Electric Inspector to Government, Punjab, issued sometime ago certain orders under the Indian Electricity Act to the Lahore Electric Supply Company which they refused to carry out ; if so, the reasons for the same ;
- (b) whether it is a fact that the same Electric Inspector issued a number of orders to the Murree Electric Supply Company under the Indian Electricity Act and the then Honourable Minister for Revenue cancelled all of those ; if so, the reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. The company took action under section 18 of the Indian Electricity Act, 1910, and the need for the orders no longer remained.

(b) No. It was merely suggested to the Electric Inspector that the orders be withdrawn and re-issued in a more specific form.

ELECTRIC INSPECTOR TO GOVERNMENT, PUNJAB.

***703. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Electric Inspector, Punjab Government, when given funds to get the Government buildings at Ambala city wired for electric lights and fans returned the money to the Government stating that the works of the Electric Supply Company were not satisfactory ;
- (b) whether it is a fact that the same work was got done by another officer of the Public Works Department at a later date ;
- (c) whether it is a fact that all the Government servants at Ambala city were put to inconvenience for a long time for want of electric lights and fans ;
- (d) what action Government propose to take against the Electric Inspector in question in this respect ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) No.

(b) As the result of reorganisation the functions of the Electric Inspector and Electrical Engineer were separated. Therefore the work was completed by the Electrical Engineer.

(c) No.

(d) Does not arise.

RE-EMPLOYED RETRENCHED EMPLOYEES OF IRRIGATION DEPARTMENT.

***704. Sayad Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) community-wise number of the retrenched employees of the Irrigation Department who have been re-employed in connection with the Haveli Project since 1st April, 1937 ;

[S. Mubarik Ali Shah.]

- (b) the amount of money which will go to each community, i.e., Hindus, Sikhs and Muslims, in the shape of monthly pays of such employees ?

The Honourable Dr. Sir Sundar Singh Majithia : The information is ready, but in view of the Premier's statement on the subject I shall be delighted to show the statement to the honourable member if he asks me for it.

SENIOR CHIEF ENGINEER OF IRRIGATION DEPARTMENT TO BE IN CHARGE OF ESTABLISHMENT.

***705. Sayad Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether formerly the Senior Chief Engineer of the Irrigation Department used to be in charge of the establishment ;
 (b) whether this practice has been abandoned ;
 (c) if the answer to (a) and (b) above be in the affirmative, reasons for the new arrangements, and whether Government propose to re-introduce the old practice, if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Since the time that Irrigation Branch has had 3 Chief Engineers it has not been the established principle or custom that the Senior Chief Engineer should necessarily be placed in charge of establishment. It has been customary for establishment to be dealt with by the Chief Engineer of Southern Administration.

- (b) and (c) Do not arise.

LAND IN JHANG DISTRICT MORTGAGED.

***706. Sayad Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state the total area of land in the Jhang district mortgaged with possession in favour of the non-agriculturist money-lenders, in lieu of the interest on the capital advanced by them (the money-lenders) before the Punjab Alienation of Land Act, 1900, came into force along with the maximum and also minimum period in individual cases for which such lands have been in possession of the mortgagees ?

The Honourable Dr. Sir Sundar Singh Majithia : The preparation of these statistics would require an amount of time and labour out of all proportion to the results obtainable. It is regretted that Government does not feel justified in calling for them.

JHANG DEBT CONCILIATION BOARD.

***707. Sayad Mubarik Ali Shah :** Will the Honourable Premier be pleased to state—

- (a) the total number of applications for arbitration filed before the Jhang Debt Conciliation Board till the 31st May, 1937 ;
 (b) the total amount of money involved in these applications ;
 (c) the number of applications among them from (i) the debtors ;
 (ii) the creditors separately ;

- (d) the total number of such applications disposed of by the said Debt Conciliation Board up to 31st May, 1937, along with the amount of money which was liquidated in connection with these applications ?

The Honourable Major Sir Sikander Hyat-Khan : (a) 5,723.

(b) Rs. 2,04,21,122.

(c) (i) Rs. 4,048.

(ii) Rs. 1,675.

(d) 1,873 the total value of the debts involved being Rs. 27,33,904.

NUR MAHARRAM AND AQALA HAYATA CRIMINAL TRIBES, IN JHANG DISTRICT.

***708. Sayad Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it has been brought to the notice of the Government by the officers of the Reclamation Department, Punjab, and also by the local officials of the Jhang district that the members of the Nur Maharram and Aqala Hayata (criminal tribes) in the Jhang district are in a very bad financial condition and that this fact accounts for their criminal activities ;
- (b) whether it is also a fact that several members of these tribes whose financial position has improved a little, have taken to peaceful and honest living ;
- (c) if the answer to the above be in the affirmative, the action, if any, that the Government proposes to take to help these tribes to improve their financial condition ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready.

NUR MAHARRAM AND AQALA HAYATA TRIBES IN JHANG DISTRICT.

***709. Sayad Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total number of students belonging to the Nur Maharram and Aqala Hayata and other criminal tribes of the Jhang district who have passed (i) the final examination of the Anglo-Vernacular middle school, (ii) Matriculation and School Leaving, (iii) F.A., (iv) B.A., (v) S. A.-V. and (vi) J. A.-V. of the Punjab University since 1925 ;
- (b) the number of those among them who have been employed in the (i) District Board ; (ii) District Police ; (iii) Irrigation and in other Government departments up to the 31st March, 1937 ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready.

REPRESENTATION BY GOVERNMENT PRINTING PUNJAB WORKERS'
UNION.

***710. Shaikh Karamat Ali :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he has received a representation from the Honorary Secretary, Government Printing Punjab Workers' Union, against the misconduct of certain employees of the Government Printing, Punjab ; if so, the action, if any, taken thereon ;
- (b) if no action has been taken so far, the reasons for not doing so ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is invited to the reply given to question No. *626. 1

THAL PROJECT.

***711. Khan Bahadur Nawab Malik Allah Bakhsh Khan Tiwana :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the approximate date when the Government intends to proceed with the Thal Project ;
- (b) whether it is a fact that the Khushab tahsil of Shahpur district was included in the original Thal scheme for irrigation purposes ;
- (c) whether it is also a fact that Government now intends to exclude this tahsil, which has no other means of irrigation from the benefits of the Thal Project ;
- (d) if the answer to (c) be in the affirmative, the reasons therefor and whether Government intends to reconsider its decision in this behalf ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The Thal Project is still under consideration of the Punjab Government and no definite date can yet be assigned for taking up the project in hand. Endeavour would be made towards early starting of the work.

(b) Khushab tahsil was included in the Major Thal Project of 1919, but not in the Lesser Thal Project of 1924.

(c) and (d) It is proposed to give water to a small portion of the Khushab tahsil. There is no intention on the part of the Government to deliberately exclude this tahsil. The supply shown as available at present has been allotted to the areas where rainfall is very scanty. Should supplies be found to be more favourable, irrigation will be extended to those areas also where conditions of rainfall are somewhat more favourable also.

TIRNI IN KANGRA DISTRICT.

***712. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Tirni (cattle tax) is levied in the Kangra district ; if so, the grounds on which the tax is levied ;

- (b) whether any distinction is made between tax on cattle kept for commercial purposes and cattle kept for domestic use ;
- (c) the parts of the district in which this tax is levied ;
- (d) whether Government is aware of the general grievance that the levying of this tax has reduced the number of cattle in the district and has adversely affected the agriculture of the province ; if so, the action that the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, for the benefit of the people themselves. Excessive grazing is the greatest menace to the fertility and stability of hill sides and ultimately results in gradual disappearance of large areas of forest and cultivated land. The tax has been imposed in order to protect the hill sides of the Kangra district and to preserve grazing for cattle and timber for the agricultural and domestic requirements of the people.

(b) No, but the tax is levied only on sheep and goats and on a comparatively small number of buffaloes kept by two classes of *gojjars*.

(c) Throughout the district.

(d) The figures available suggest that the number of sheep and goats in the district is less than it was when the tax was imposed. There are no indications that this has been anything, but a benefit to the district. No action therefore is proposed.

Captain Dina Nath : Is there such a tax in any other district of the Punjab ?

Minister : If there are hills in any other district, that point might be considered.

Pandit Bhagat Ram Sharma : Will the Honourable Minister please state when this tax was first levied ?

Minister : I cannot give him the information offhand, but if he gives me notice I shall give him a reply.

Pandit Bhagat Ram Sharma : Under whose authority was it first levied ?

Minister : I can give him the information if he gives me notice of it.

Diwan Chaman Lal : What is the actual amount of the tax ?

Minister : I cannot give that information offhand. I do not carry it on my fingers' tips.

Diwan Chaman Lal : Is the Honourable Minister satisfied that the incidence of this tax is not onerous ?

Minister : I do not think it is onerous.

Diwan Chaman Lal : How can he say that it is not onerous when he does not know the incidence of this tax ?

Minister : I know the incidence of this tax is not onerous.

Diwan Chaman Lal : I want, Mr. Speaker, to ask the Honourable Minister not to give a reply about which he does not know anything. If he does not know the incidence of this tax, how does he know whether it is onerous or not ?

Minister : I have certainly seen the papers, but I do not carry that information in my head.

Diwan Chaman Lall : May I take it that the Honourable Minister is not sure ?

Minister : You may take anything you like.

Diwan Chaman Lall : May I ask whether the Honourable Minister is paid Rs. 3,800 a month to answer questions in this fashion on the floor of this House ?

Mr. Speaker : Order, order.

Pandit Bhagat Ram Sharma : Is the Government satisfied about the legality of the tax ?

Minister : Yes.

Pandit Bhagat Ram Sharma : Is the Government aware that this tax is doubled on goats after triennial enumeration even in the villages, which do not show any increase in the number of goats ?

Minister : Do you expect me to give that information right off ?

Lala Deshbandhu Gupta : How does the Honourable Minister know anything about the legality of the tax without knowing anything about the authority on which the tax is imposed ?

SADHU SINGH AND PANDIT HAZARI LAL OF KANGRA DISTRICT.

***713. Pandit Bhagat Ram Sharma :** Will the Honourable the Premier be pleased to state—

- (a) whether it is a fact that sometime ago the names of Chaudhri Sadhu Singh of Solhal, thana Haripur and Pandit Hazari Lal of Mohana, thana Haripur, district Kangra, were entered in police register kept at thana Haripur and that they were thus declared *badmushes* ;
- (b) whether it is also a fact that movements of these gentlemen are restricted under orders of the local police ;
- (c) whether it is a fact that both the gentlemen mentioned above recently made applications to the Superintendent of Police, Kangra, for an impartial inquiry into the matter ; if so, the fate of these applications ;
- (d) whether the Government intends to remove the restrictions imposed on these citizens ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The name of Sadhu Singh was brought on to Register X in November last ; that of Pandit Hazari Lal is not on the register.

(b) No.

(c) Yes. The applications were filed after due inquiry.

(d) Does not arise.

Lala Duni Chand : Is it true that whenever subordinate police officers are displeased with respectable men, they resort to Register X and put down their names in it ?

Mr. Speaker : It is a general question and does not arise out of the answer.

Lala Duni Chand : I should be able to convince the Honourable Speaker in a second that the question is a correct one. If a certain state of things is complained of in a certain district, is it not open to a member to know that the same state of affairs do not prevail in other parts of the province? It has been pointed out that in a particular district the names of certain gentlemen have been put down in Register X.

Premier : Does the honourable member mean that Messrs. Sadhu Singh and Chanan Singh occur in every district?

Lala Duni Chand : I do mean that similar cases do occur in every district. They are treated in the same way, in which these gentlemen have been treated.

Premier : Men who behave like that will naturally be treated in like manner.

Khawaja Ghulam Hussain : What are the rules which govern the inclusion of men in Register X?

Premier : If the honourable member will give me notice I will refer him to the rules.

Khawaja Ghulam Hussain : Is any enquiry made before including names in this register?

Premier : I am almost certain, yes.

Khawaja Ghulam Hussain : Is there any appeal against such inclusion to any higher authority?

Premier : Inclusion in that register does not mean any restrictions on a man. It is merely an infrequent honour (*trughter*).

Khawaja Ghulam Hussain : Does the Honourable Premier mean that if a man's name is wrongly entered in that register he cannot have any redress?

Premier : Oh! Yes.

Khawaja Ghulam Hussain : May I know what is that redress?

Premier : He can make a representation to the Superintendent of Police and failing any redress from that officer, to the next higher authority.

Lala Duni Chand : Will the Honourable the Premier give us any idea of the nature of the enquiry which is conducted before putting down a man in the register?

Premier : The honourable member is a lawyer and he should know it better than myself.

THURAL-SUJANPUR-HAMIRPUR-JAHU ROAD.

*714. **Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Thural-Sujanpur-Hamirpur-Jahu road was made motorable by the District Board, Kangra, after great expense on repairs and on construction of a bridge;

[Pandit Bhagat Ram Sharma.]

- (b) whether it is a fact that motors have been plying on this road for a fairly long time ;
- (c) whether it is a fact that this road is now closed for motor traffic ; if so, when and why it was closed ;
- (d) whether Government intend to move in the matter and get the road opened for motor traffic again ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b). This road was never made fit for motor traffic though motor traffic was permitted to use it for sometime.

(c) Yes and rightly so. The road had to be closed due to an appallingly bad lorry accident which occurred on 14th February, 1936, near Barsar, in which several lives were lost.

(d) This is a district board road which passes through very difficult country. Therefore, considerable time may elapse before the district board can find sufficient funds to bring the road up to the standard required to make it fit for motor transport. However, it is hoped that motor traffic subject to restrictions may be allowed on the road in November next.

Pandit Bhagat Ram Sharma : Is it a fact that the district board is directly responsible for that accident which the Honourable Minister has just referred to ?

Minister : No.

Pandit Bhagat Ram Sharma : Is it a fact that the contractor of the district board was prosecuted for that accident under section 304-A ?

Minister : Yes, but he was let off. The lorry driver was held to be responsible.

NOMINATION TO SIMLA MUNICIPAL COMMITTEE.

*715. **Sardar Kartar Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a representation signed by about 500 people in Simla requesting that a particular person of Simla should not be nominated to the Simla Municipal Committee, was sent to the Punjab Government, sometime in the middle of 1936 ; if so, the action, if any, taken thereon ;
- (b) whether it is a fact that it is his third term as a municipal commissioner ;
- (c) whether Government is aware that there is a wide-spread discontent among the public of Simla on the nomination of this gentleman again and again to the exclusion of not only the other members of the Hindu community but also the Sikhs who take a share in the running of local self-government at Simla ?
- (d) whether Government is aware that the said nominated member owns rickshaw stands in Simla and enjoys facilities which are ordinarily denied to private individuals doing the same business ;

- (e) the steps, if any, that the Government proposes to take for nominating a Sikh on the Simla Municipal Committee?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) A representation purporting to have been signed by about 160 persons was received in December, 1936, but on account of its belated receipt no action was taken on it.

(b) Yes.

(c) No.

(d) No.

(e) None. Sikhs are not entitled to a seat according to the recognised formula of population and voting strength.

Sardar Kapoor Singh : What is that formula?

Minister : The mean of the voting strength and the population.

Sardar Kapoor Singh : What is the total strength of the Sikhs according to that formula?

Minister : It only comes to 31 which is less than one-third.

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ELECTRIFYING GOVERNMENT BUILDINGS, AMBALA.

***716. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Public Works be pleased to state—

(i) when the work of electrifying Government buildings in Ambala was sanctioned;

(ia) when was this work started;

(ib) what was the reason for the delay in starting the work?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (i) Administrative approval was accorded on 12th June, 1935.

(ia) 22nd February, 1936.

(ib) The delay was due to the preparation of detailed projects for the buildings of the various departments; arranging contracts and completing other preliminaries and also to some extent to the re-organisation of the departments of Electrical Engineer and Electric Inspector.

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DEPRIVING BHAI BASANT SINGH, SARBARAH LAMBARDAR, CHAK
No. 105-G.B. OF HIS RIGHT TO LAMBARDARI.

***717. Diwan Chaman Lall :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that Bhai Basant Singh of Chak No. 105-G.B., tahsil Jaranwala, district Lyallpur, who acted satisfactorily as sarbarah lambardar of the village for over 17 years, has, on the death of the lambardar, been debarred from succeeding to the lambardari of his village for all time on the ground that his son, Sardar Karam Singh Mann, Bar-at-Law, is an active political worker, contrary to the policy of the Government as enunciated during the first session of the Punjab Assembly;

[Diwan Chaman Lall.]

- (b) whether it is also a fact that Sardar Karam Singh, mentioned above, has never yet transgressed the bounds of law in his political activities ;
- (c) whether there are any other similar instances in which a father has been penalized for the legal activities of his independent son ;
- (d) if the answers to (a) and (b) above be in the affirmative, and to part (c) above in the negative, whether the Government has decided to remedy the wrong done to Bhai Basant Singh in depriving him of his hereditary rights ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to the question is not ready.

RAJBAAH JETHUWAL IN DISTRICT AMRITSAR.

***718. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) since when the rajbah Jethuwal has been running through the Amritsar district ;
- (b) the cusecs of water that it supplied when it was opened and supplies at present ;
- (c) the number of outlets in the said rajbah with details about their sizes, the total acreage of the area irrigated by them and the volume of water in cusecs they supply ;
- (d) whether within the municipal limits of Amritsar Municipality and outside it equal quantity of water is supplied for 1,000 acres of land ; if not, reasons for the same ;
- (e) whether any hydro-electric pumps have been installed on the said Rajbah ; if so, their number ;
- (f) the total cost of installing the said hydro-electric pumps on the above-mentioned rajbah and the amount spent annually on their repairs ;
- (g) the number of such pumps as have been working satisfactorily since the time of their installation and also of those that have been requiring repairs now and then ;
- (h) the additional area per pump that is being irrigated by the said rajbah ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) From 1863.

(b) It supplied 56 cusecs when it was opened and supplies 55 cusecs at present.

(c) The number and size of outlets are as per attached list. The total irrigation of the outlets is 7,765 acres and the volume they discharge is 50 cusecs.

(d) Yes.

(e) No. Some pumps were installed some distance away from the distributary as an anti-waterlogging measure and have been closed from September, 1936.

(f) As the pumps were not for irrigation purposes it has not been considered to collect this information.

(g) and (h). Do not arise in view of above replies.

Statement showing sizes of outlets on Jethuwal distributary, Majitha division.

| Serial No. | R. D. | Side. | Type. | Size. | | | REMARKS. | |
|------------|--------|-------|-------|-------|----------|----|-----------|-----------|
| | | | | B. | H. | Y. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | |
| 1 | 2,194 | L. | S. P. | .. | 5" | .. | Diameter. | |
| 2 | 5,070 | L. | O. F. | ·13 | 1·7 | .. | | |
| 3 | 6,630 | R. | M. O. | .. | 6 × 3 | .. | | |
| 4 | 10,894 | L. | S. P. | .. | 5½" | .. | | |
| 5 | 11,497 | R. | S. P. | .. | 4½" | .. | | |
| 6 | 13,324 | L. | O. F. | ·13 | 1·7 | .. | | |
| 7 | 14,205 | R. | M. O. | .. | 12" × 6" | .. | | |
| 8 | 15,415 | R. | M. O. | .. | 7" × 6½" | .. | | |
| 9 | 15,800 | R. | O. F. | ·15 | 1·7 | .. | | |
| 10 | 17,240 | L. | O. F. | ·13 | 1·7 | .. | | |
| 11 | 17,676 | R. | O. F. | ·26 | 1·7 | .. | | |
| 12 | 18,098 | R. | O. F. | ·33 | 1·7 | .. | | |
| 13 | 19,203 | R. | O. F. | ·15 | 1·7 | .. | | |
| 14 | 21,290 | R. | O. F. | ·21 | 1·7 | .. | | |
| 15 | 21,540 | R. | M. O. | .. | 9" × 6" | .. | | |
| 16 | 24,132 | R. | O. F. | ·18 | 1·7 | .. | | |
| 17 | 24,587 | L. | M. O. | .. | 7" × 5½" | .. | | |
| 18 | 28,810 | L. | S. P. | .. | 4½" | .. | | Diameter. |
| 19 | 27,020 | R. | O. F. | ·16 | 1·7 | .. | | |
| 20 | 28,830 | L. | S. P. | .. | 6½" | .. | | |

S. P.—Steel Pipe.
O. F.—Open Flume.
M. O.—Masonry barrel outlet.

[Minister for Revenue.]

| Serial No. | R. D. | Side. | Type. | SIZE. | | | REMARKS. |
|------------|--------|-------|-------|----------------|---------|----|--|
| | | | | B. | H. | Y. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 21 | 30,567 | L. | O. F. | ·16 | 1·4 | .. | |
| 22 | 30,577 | L. | Gate | Darbar branch. | .. | .. | Supplies water to Golden Temple tanks. |
| 23 | 30,858 | R. | S. P. | .. | 2½" | .. | |
| 24 | 31,300 | L. | S. P. | .. | 1½" | .. | |
| 25 | 32,452 | L. | S. P. | .. | 4" | .. | |
| 26 | 34,052 | L. | S. P. | .. | 3" | .. | |
| 27 | 34,415 | R. | S. P. | .. | 5" | .. | |
| 28 | 35,488 | L. | S. P. | .. | 6" | .. | Diameter. |
| 29 | 36,304 | R. | S. P. | .. | 6" | .. | Do. |
| 30 | 36,371 | L. | O. F. | ·65 | 1·19 | .. | |
| 31 | 36,896 | R. | S. P. | .. | 7" | .. | Diameter. |
| 32 | 36,906 | R. | O. F. | .. | 7" × 3" | .. | |
| 33 | 38,587 | L. | S. P. | .. | 6" | .. | Diameter. |
| 34 | 38,649 | R. | S. P. | .. | 5" | .. | |
| 35 | 40,538 | L. | S. P. | .. | 6" | .. | |
| 36 | 41,152 | R. | S. P. | .. | 7" | .. | |
| 37 | 41,590 | R. | S. P. | .. | 9" | .. | |
| 38 | 41,600 | L. | S. P. | .. | 4½" | .. | |
| 39 | 42,275 | L. | S. P. | .. | 5" | .. | |
| 40 | 43,557 | L. | S. P. | .. | 6" | .. | |
| 41 | 46,200 | L. | S. P. | .. | 3" | .. | |
| 42 | 46,690 | R. | O. F. | ·14 | 1·5 | .. | |
| 43 | 49,200 | L. | O. F. | ·44 | .. | .. | |
| 44 | 49,200 | R. | O. F. | ·26 | .. | .. | |
| 45 | 49,200 | F. | O. F. | ·24 | .. | .. | |

S. P.—Steel Pipe.

O. F.—Open Flume.

M. O.—Masonry barrel outlet.

OUTLETS NOS. 24,132 AND 27,020 OF RAJBH JETHUWAL.

***719. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the names of the sharers of outlets Nos. 24,132 and 27,020 of the rajbah Jethuwal, district Amritsar ;
- (b) whether notices were issued to the said sharers before the sizes of the above-mentioned outlets were reduced ; if so, whether the Government is prepared to lay the copies of such notices on the table of the House ;
- (c) whether all the sharers of the said outlets submitted an application through Messrs. Umar Din-Qadir Bakhsh stating therein that no such notices were issued to them ; if so, who is responsible for not issuing the notice and the action the Government have taken in the matter ;
- (d) whether permission of the Collector, district Amritsar, was acquired before reducing the sizes of the said outlets and whether any instructions were issued by the Collector regarding the same ;
- (e) if the answer to (d) above be in the affirmative, whether those instructions were observed ; if so, when the Revenue Officer and the officer in charge of canals inspected the said outlets and what was the report submitted by them ;
- (f) whether the Municipal Committee, Amritsar, also submitted any proposals regarding the same ; if so, what they were ;
- (g) if the instructions mentioned in (g) above were not observed, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) A list of the names of the sharers of the said outlets is attached.

(b) The zamindars were informed through members of the Canal Advisory Committee who discussed and approved the proposed reduction of outlets. The zamindars were also informed on 30th July, 1932, by the Executive Engineer. Rules do not require issue of notices to individual sharers of outlets. Copies of such notices cannot, therefore, be placed on the table.

(c) Applications were received protesting against reduction of outlets. As explained in (b) above, the latter part of the question does not arise.

(d) Yes. No particular instructions were issued by the Collector.

(e) Does not arise.

(f) No.

(g) Does not arise.

[Minister for Revenue.]

List of shareholders of outlet 24,132-R., Jethuwal Distributary.

- | | |
|---|--|
| 1. Wasawa Singh, son of Gurdit Singh. | 22. Abdul Aziz, step son of Imam Bux. |
| 2. Indar Singh. | 23. Muhammad Umar. |
| 3. Teja Singh. | 24. Mushtaq Ahmad, son of Fazal Din. |
| 4. Wadhawa Singh. | 25. Imam Din, son of Maghi. |
| 5. Harnam Kour and Ujagar Singh. | 26. <i>Mst.</i> Ghulam Fatima, daughter of Miran Bux. |
| 6. Jaswant Singh, son of Dial Singh. | 27. Abdullah, Inayat Ullah, Habib Ullah, sons of Shamas Din. |
| 7. Fida Muhammad, son of Fazal Din. | 28. Badar Din, son of Muhammad Din. |
| 8. Umar Din, son of Qadar Bux. | 29. Ahmad Yar, Muhammad Shafi, Muhammad Ramzan. |
| 9. Sardar Begum. | 30. Ghulam Muhammad, son of Abdul Hamid. |
| 10. Lal Singh, son of Dial Singh. | 31. Abdullah, Abdul Rehman. |
| 11. Khewan, son of Mangal. | 32. Charn Dass, step son of Gulab Rai. |
| 12. Abdul Rehman, son of Rehmat Ullah. | 33. Radha Kishan, son of Moti Ram. |
| 13. Muhammad Abdullah. | 34. Tirath Ram, son of Sant Ram. |
| 14. Devi Chand, son of Har Dial. | 35. Bishan Singh, son of Kishan Singh. |
| 15. Ata Muhammad, son of Fazal Din. | 36. Ghulam Muhammad, son of Abdul Hamid. |
| 16. Inam Ullah Beig, son of Muhammad Beig. | 37. <i>Mst.</i> Ghulam Fatima, daughter of Miran Bakhsh. |
| 17. Habib Ullah, son of Kalu. | 38. <i>Mst.</i> Shah Begum, widow of Muhammad Hussain. |
| 18. Nur Jahan Begum, wife of Muhammad Bashir. | |
| 19. Guran Ditta Mal, son of Chanan Mal. | |
| 20. Dr. Manak Shah. | |
| 21. Chuhar Singh. | |

List of shareholders of outlet R. D. 27,020-R., Jethuwal Distributary.

- | | |
|--|---|
| 1. Mahant Harnam Dass. | 12. Chanan Singh, son of Ganda Singh. |
| 2. Fida Muhammad, son of Fazal Din. | 13. Badar Din, son of Muhammad Din. |
| 3. Ata Muhammad, Mushtaq Ahmad, sons of Fazal Din. | 14. Fazal Din, son of Muhammad Din. |
| 4. Ghulam Hussain, Ghulam Sadiq. | 15. Ghulam Fatima, daughter of Miran Bakhsh. |
| 5. Ghasita, son of Muhammad Din. | 16. Muhammad Abdullah, Abdul Rehman. |
| 6. Gurbachan Singh, son of Amar Singh. | 17. Badar Din. |
| 7. Harnam Kour, daughter of Narain Singh. | 18. Jalal Din, son of Shadi. |
| 8. Jagan Nath, son of Pala Ram. | 19. Kirpal Singh, step son of Mangal Singh. |
| 9. Surain Singh. | 20. Barkat Ali, son of Ahmad Shah. |
| 10. Abdul Aziz, son of Imam Bakhsh. | 21. <i>Mst.</i> Nathi, Ghulam Fatima, daughters of Jalal Din. |
| 11. Chuhar Singh, son of Jawand Singh. | 22. <i>Mst.</i> Barkat, widow of Noor Din. |

OUTLETS OF RAJBAAH JETHUWAL.

*720. **Chaudhri Faqir Hussain Khan** : Will the Honourable Minister for Revenue be pleased to state in connection with the outlets Nos. 24,132 and 27,020 of rajbah Jethuwal, district Amritsar—

- (a) whether any *parta* is charged on the area irrigated by them, and
 (b) whether the reduction in the sizes of the same has resulted in a corresponding reduction in the amount of the *parta* ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The amount of *parta* is fixed at each settlement. It can only be altered at the time of a subsequent settlement.

(b) Reduction in the sizes of outlets which are overdrawing by change in the regime of the channel does not affect the amount of *parta* fixed.

OUTLETS OF RAJBAB JETHUWAL.

***721. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the date when the outlets of rajbah Jethowal, district Amritsar, were reduced in sizes ;
 (b) the date when the Executive Engineer last inspected the said reconstructed outlets ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The following 10 outlets of Jethuwal Distributary were remodelled in *khari*, 1933 :—

| | | |
|----------|----------|----------|
| 5070-L | 18,324-L | 15,800-R |
| 17,240-L | 17,676-R | 18,098-R |
| 19,208-R | 21,290-R | 24,182-R |
| | 27,020-R | |

(b) On receipt of complaints, the outlets under reference were inspected from time to time by the several executive engineers. The last inspection was done by the present Executive Engineer on 10th March, 1937.

OUTLETS NOS. 24,182 AND 27,020 OF RAJBAB JETHUWAL.

***722. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state in connection with the outlets Nos. 24,182 and 27,020 of rajbah Jethuwal—

- (a) whether it is a fact that the sowing of the paddy crop has been very much reduced ;
 (b) whether it is also a fact that fruit and flower gardens are irrigated from the said outlets ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Yes.

DISCHARGE OF OUTLETS OF RAJBAB JETHUWAL.

***723. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that during the last four years in district Amritsar, the discharge of ten outlets on the Jethuwal rajbah has been reduced ;
 (b) whether notices were issued to the sharers of the above-mentioned outlets before reducing their sizes to submit their objections, if any, against such reductions, if not, reasons for the same ;

[Ch. Faqir Hussain Khan.]

(c) whether the sharers of the said outlets made representations through Messrs. Umar Din Qadir Bakhsh to the Chief Engineer, Superintending Engineer and the Sub-Divisional Officer in connection with the reduction and reconstruction of their outlets ;

(d) if the answer to (c) above be in the affirmative, the total number of such representations and the dates on which the first and the last of these representations were made with the action taken on them ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) The honourable member will please refer to reply to part (b) of the question No. *719.¹

(c) Yes.

(d) Information about the total number of representations is being collected. The first representation was dated 19th June, 1933, and the last 21st October, 1936. On investigation being made by the Superintending Engineer, it was found that no justifiable grievance existed and the applicants were informed accordingly.

RAJBAH JETHUWAL, DISTRICT AMRITSAR.

*724. **Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the Upper Bari Doab Canal supplies water to the rajbah Jethuwal, district Amritsar ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes.

IRRIGATION FROM UPPER BARI DOAB CANAL.

*725. **Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state the dates and the number of days on which the Upper Bari Doab Canal remained flowing during the last five years to irrigate *rabi* and *kharif* crops ?

The Honourable Dr. Sir Sundar Singh Majithia : *Vide* statement attached.

Statement.

STARRED QUESTIONS AND ANSWERS.

1888

| | | DATES ON WHICH THE UPPER BARI DOAB CANAL REMAINED IN FLOW AT HEAD DURING THE KHARIF SEASON. | | | | | | Total number of days the canal remained in flow. |
|-----|---------|---|----------------|--------------------------------|---|--|-------------------------------|--|
| No. | Year. | April. | May. | June. | July. | August. | September. | |
| 1 | 1932-33 | 1st to 30th .. | 1st to 31st .. | 1st to 30th .. | 1st to 8th, 10th to 15th, 17th, 20th to 22nd, 24th, 26th, 28th, and 30th. | 1st to 7th, & 9th to 31st. | 1st to 30th .. | 9 |
| 2 | 1933-34 | 1st to 30th .. | 1st to 31st .. | 1st to 22nd, and 26th to 30th. | 1st to 5th, 11th to 16th, 18th to 21st, 24th to 29th and 31st. | 1st to 17th and 19th to 31st. | 1st to 19th and 21st to 30th. | 172 |
| 3 | 1934-35 | 1st to 30th .. | 1st to 31st .. | 1st to 24th, and 26th to 30th. | 1st to 7th, 9th to 26th and 27th to 31st. | 1st to 16th, 18th, 19th and 21st to 31st. | 1st to 30th .. | 178 |
| 4 | 1935-36 | 1st to 30th .. | 1st to 31st .. | 1st to 30th .. | 1st to 8th, 10th, 11th, 13th to 19th, 23rd to 27th and 29th to 31st. | 1st, 3rd to 5th, 7th, 13th, 15th and 17th to 31st. | 1st to 30th .. | 168 |
| 5 | 1936-37 | 1st to 30th .. | 1st to 31st .. | 1st to 28th .. | 1st to 24th and 28th to 31st. | 1st to 10th, 12th to 21st and 26th to 31st. | 1st to 30th .. | 176 |

[Minister for Revenue.]

Statement—concluded.

| Serial No. | Year. | DATES ON WHICH THE UPPER BARI DOAB CANAL REMAINED IN FLOW AT HEAD DURING THE RABI SEASON. | | | | | | | Total number of days the canal remained in flow. |
|------------|---------|---|----------------|----------------|-------------------------------|---------------|-----------------|-----|--|
| | | October. | November. | December. | January. | February. | March. | | |
| 1 | 2 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | |
| 1 | 1932-33 | 1st to 31st .. | 1st to 30th .. | 1st to 31st.. | 1st to 6th, and 17th to 31st. | 1st to 28th.. | 1st to 31st .. | 172 | |
| 2 | 1933-34 | 1st to 31st .. | 1st to 30th .. | 1st to 31st.. | 1st to 18th and 29th to 31st. | 1st to 28th.. | 1st to 31st .. | 172 | |
| 3 | 1934-35 | 1st to 31st .. | 1st to 30th .. | 1st to 31st .. | 1st to 31st .. | 1st to 28th | 1st to 31st .. | 182 | |
| 4 | 1935-36 | 1st to 31st .. | 1st to 30th .. | 1st to 31st .. | 1st to 18th .. | 4th to 30th.. | 1st to 31st .. | 167 | |
| 5 | 1936-37 | 1st to 31st .. | 1st to 30th | 1st to 31st.. | 1st to 18th .. | 4th to 27th | 16th to 31st .. | 161 | |

IRRIGATION FROM LAHORE MINOR.

***726. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state the dates and the number of days in which the Lahore Minor remained flowing during the last five years to irrigate the *rabi* and *kharif* crops.

The Honourable Dr. Sir Sundar Singh Majithia : *Vide* statement attached.

[Minister for Revenue.]

Statement.

| | | DATES ON WHICH THE LAHORE (CITY) DISTRIBUTARY REMAINED IN FLOW DURING THE KHARRIF SEASON. | | | | | | | Total number of days the Distributary remained in flow. |
|-----------|---------|---|---------------------------------------|-----------------------------|--|---|--|-----|---|
| Total No. | Year. | April. | May. | June. | July. | August. | September. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | |
| 1 | 1932-33 | 1st to 13th, 21st to 30th. | 1st to 8th, 16th to 31st. | 1st to 4th, 7th to 30th. | 1st to 3rd, 12th to 17th, 19th, 21st to 26th, 27th to 31st. | 4th to 7th, 27th to 30th. | 1st to 26th.. | 151 | |
| 2 | 1933-34 | 1st to 17th, 21st to 30th. | 1st to 31st .. | 1st to 30th .. | 1st to 11th, 14th to 27th, 30th. | 4th to 7th, 27th to 30th. | 12th, 13th, 18th to 21st, 23rd to 28th, 30th. | 185 | |
| 3 | 1934-35 | 1st, 9th to 17th, 19th to 30th. | 1st, 3rd to 20th, 27th to 31st. | 1st to 30th .. | 1st to 3rd, 16th to 31st. | 1st to 5th, 9th to 17th, 19th, 22nd to 30th. | 2nd to 30th | 148 | |
| 4 | 1935-36 | 1st to 5th, 7th, 22nd to 30th. | 1st to 31st .. | 1st to 30th .. | 1st to 15th, 20th to 21st, 26th to 31st. | 1st to 3rd, 6th to 9th, 14th, 26th to 31st. | 1st to 30th .. | 143 | |
| 5 | 1936-37 | 1st to 30th .. | 1st to 31st .. | 1st to 20th, 22nd, 29th. | 11th to 17th, 19th, 24th to 31st. | 1st to 12th, 14th to 21st, 30th to 31st. | 1st to 14th, 18th to 30th. | 148 | |

Statement—concluded.

| | | DATES ON WHICH THE LAHORE CITY DISTRIBUTARY REMAINED IN FLOW DURING THE RABI SEASON. | | | | | | | Total number of days the Distributary remained in flow. |
|------------|---------|--|---------------------------------------|---------------------------|---------------------------|---------------------------------|--------------------------------|----|---|
| Serial No. | Year. | October. | November. | December. | January. | February. | March. | | |
| 1 | 2 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | |
| 1 | 1932-33 | 13th, 14th, 17th to 26th. | 8th, 9th, 12th to 14th, 19th to 26th. | 23rd to 30th. | .. | 4th, 7th to 16th, 27th to 28th. | 1st to 7th, 15th to 28th, 31st | 68 | |
| 2 | 1933-34 | 1st to 18th, 20th to 31st. | 1st to 10th, 28th to 30th. | 1st to 6th, 22nd to 31st. | 1st to 3rd, 13th to 15th. | 1st to 9th, 25th to 28th. | 1st to 8th, 26th to 31st. | 93 | |
| 3 | 1934-35 | 1st to 4th, 7th to 17th. | 1st to 11th .. | 6th to 14th, 22nd to 29th | 18th to 28th | .. | 6th to 31st .. | 80 | |
| 4 | 1935-36 | 1st to 5th, 7th to 14th, 18th to 26th. | 15th to 27th .. | 15th to 25th | .. | 7th to 18th, 19th. | 1st, 8th to 31st. | 77 | |
| 5 | 1936-37 | 1st to 8th, 18th to 31st. | 1st, 2nd, 13th to 18th. | 27th to 31st | 1st to 3th .. | 7th to 26th | 12th to 23rd 26th to 31st. | 72 | |

RAJBAH JETHUWAL AND LAHORE MINOR.

***727. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the area irrigated by one cusec water from the rajbah Jethuwal, district Amritsar ;
- (b) the area irrigated by one cusec water from the Lahore Minor ;
- (c) whether it is a fact that the minors mentioned in (a) and (b) above are in the same canal division ?

The Honourable Dr. Sir Sundar Singh Majithia :

| | Acres. |
|---------------------------|--------|
| (a) <i>Kharij</i> | 112 |
| <i>Rabi</i> | 208 |
| (b) <i>Kharij</i> | 72 |
| <i>Rabi</i> | 129 |
| (c) Yes. | |

OUTLETS OF RAJBAH JETHUWAL.

***728. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state whether the canal officers concerned have calculated the time taken to irrigate a single acre of land by each of the ten outlets of the rajbah Jethuwal, district Amritsar, and whether water is supplied from them according to such calculations ?

The Honourable Dr. Sir Sundar Singh Majithia : No. The water provided at each outlet head is in accordance with a full supply factor sanctioned by Government for all outlets on the canal.

OUTLET NO. 27,020 OF RAJBAH JETHUWAL.

***729. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the area to be irrigated by the outlet No. 27,020 of rajbah Jethuwal, district Amritsar, has been increased since the reduction in its size ;
- (b) whether any objections were made by the zamindars concerned against the increase of the area mentioned in (a) above ; if so, the nature of those objections and the action taken by the Government with regard to them ;
- (c) whether any rules exist to the effect that if the size of a particular outlet is reduced no increase can be made in the area irrigated by it for at least five years after the reduction ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

(b) Does not arise.

(c) No.

Note.—The rules on the Upper Bari Doab Canal do not permit reduction of the same outlet a second time within five years, but if addition of area to a reduced outlet is approved, its size can be increased accordingly any time.

REDUCTION IN THE SIZE OF OUTLET NO. 24132 OF RAJBAB JETHUWAL.

***730. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to lay on the table of the House—

(a) copies of reports submitted by the executive engineers on the applications of the zamindars of villages Tung Pain, etc., in connection with the reduction in the size of the outlet No. 24132 of rajbah Jethuwal, district Amritsar ;

(b) the number of executive engineers who were appointed in the Majitha Division during the last 5 years ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Government regrets that such reports could not be laid on the table.

(b) Ten.

SHORTAGE OF WATER SUPPLY TO THE LANDS OF VILLAGE TUNG PAIN
IN DISTRICT AMRITSAR.

***731. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the zamindars of village Tung Pain, district Amritsar, whose lands are irrigated by outlet No. 24132 of the rajbah Jethuwal, submitted an application to the Agriculture Department in which they asked reasons for the decrease in the yield from their agricultural land and gardens ;

(b) whether it is a fact that the Agriculture Department stated in answer to their application that the reduction in yield is due to shortage of water supply.

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) Yes, in that particular season.

RECONSTRUCTED OUTLETS OF RAJBAB JETHUWAL.

***732. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that various types of outlets have been constructed on the rajbah Jethuwal ; and that the ten reconstructed outlets on the same rajbah have altogether been disapproved by the zamindars concerned ;

(b) if the answer to (a) above be in the affirmative, the action Government contemplates to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The ten reconstructed outlets did not find favour with the zamindars not because they are of a defective type but because they have been designed to reduce overdrawing.

(b) No action is proposed to be taken because the open flume outlets are working satisfactorily.

WATER SUPPLY FROM UPPER BARI DOAB TO AMRITSAR CITY.

***733. Chaudhri Faqir Hussain Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) since when the Upper Bari Doab Canal has been running in the Amritsar district ;
- (b) the distance it runs parallel to the boundary line of the municipal area of the Amritsar Municipality, and the number of cusecs of water it supplies annually to the city ?

The Honourable Dr. Sir Sunder Singh Majithia : It is regretted that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SHORT NOTICE QUESTIONS AND ANSWERS.

STRIKE IN GOVERNMENT HIGH SCHOOL, JAGADHRI.

Lala Deshbandhu Gupta : Will the Honourable Minister for Education be pleased to state whether he has received any information from Jagadhri about the 10th class students of the Government High School, Jagadhri, having gone on strike as a protest against the alleged harsh and insulting behaviour of the Headmaster towards the students and their parents ; if so, what action the Government has taken or proposes to take in the matter ?

The Honourable Mian Abdul Haye : Yes. Enquiries are being made,

Lala Deshbandhu Gupta : How long will this enquiry continue ?

Minister : The honourable member should realise that it is difficult for me to say '2 days' or '2 weeks.' But anyhow it will take normal time.

Lala Deshbandhu Gupta : In view of the fact that the strike is going on in the High School, is it not desirable to expedite the matter and take early steps ?

Minister : It has already been expedited and the enquiry is now on.

COMPLAINTS AGAINST THE HEADMISTRESS, DISTRICT BOARD SCHOOL, TALAGANG.

Dr. Gopi Chand Bhargava : Will the Honourable Minister for Education be pleased to state—

- (i) whether he has received (a) complaints against the Headmistress of District Board School, Talagang, and (b) the news about strike of the girl students of that school ;
- (ii) whether an enquiry was made ;
- (iii) the result of that enquiry ;
- (iv) what the Government proposes to do in the matter ?

The Honourable Mian Abdul Haye : (i) (a) Yes.

(b) Yes.

(ii) Yes.

(iii) An enquiry was made by the Inspectress on behalf of the department. She recommended that the district board should transfer the headmistress.

Another enquiry has since been held on behalf of the district board by an officer appointed by the Deputy Commissioner whose report is still awaited.

(iv) The department has already recommended the transfer of the headmistress and will consider provincialising the school, if the district board is prepared to hand over the building.

Lala Bhim Sen Sachar : What was the nature of the complaint ?

Minister : The nature of the complaint was treatment towards the students.

PRIVILEGE OF MOTORING ON THE ROADS IN SIMLA.

Sardar Hari Singh : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the privilege of motoring on the roads in Simla is at present confined to their Excellencies the Governor-General of India, the Commander-in-Chief and the Governor of the Punjab ;
- (b) the law governing the privilege ;
- (c) whether the Government has considered the question of extending the same privilege to the Premier of the Punjab, if not, the reasons therefor ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes.

(b) The by-laws of the Simla Municipal Committee.

(c) No. If and when the Premier desires it, the matter will be considered.

Sardar Hari Singh : Will the same privilege be extended to the office of the Premier and not to the Honourable Sir Sikander Hyat-Khan ;

Minister : The office is held by the Honourable Sir Sikander Hyat-Khan at present.

Lala Deshbandhu Gupta : Will the Honourable Minister please consider the desirability of extending the same privilege to the Leader of the Opposition as well ?

Minister : This does not arise.

Chaudhri Kartar Singh (Urdu) : Is it a fact that in addition to the Governor of the Punjab and the Governor-General, other people also travel in their cars within the limits of the Simla Municipal Committee ?

Mr. Speaker : This question does not arise.

Sardar Hari Singh : Will this privilege be given to the Honourable the Premier ?

Minister : My reply is quite clear.

Sardar Hari Singh : Will this privilege be given to him if he makes a request ?

Minister : If the Honourable Premier desires, it will be considered.

ALLEGED ASSAULT BY A EUROPEAN PROFESSOR, GOVERNMENT COLLEGE, LAHORE.

Chaudhri Muhammad Hassan : Will the Honourable Minister for Education be pleased to state—

(a) whether his attention has been invited to the news in the Press of the arrest and subsequent acquittal on the ground of ' benefit of doubt ' of a European professor of the Government College, Lahore, for an alleged indecent assault on a boy servant of the Liverpool Hotel ;

(b) whether the Government proposes to take any departmental action against the professor in view of his having been charged for a very serious offence ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The matter is under consideration.

Chaudhri Muhammad Hassan : For how long has that professor been in service in the Government College, Lahore ?

Minister : He has been in service for over 5 years, but he has been so far on probation and the question of his confirmation is under consideration of the Punjab Government.

JAGANNATH RATH YATRA AT PANIPAT.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

(a) whether the Superintendent of Police, Karnal, made an eleventh hour alteration in the licence for the procession of Jagannath Rath Yatra which was due to be taken out on the 10th of July in Panipat against the established practice and custom of the town ;

(b) whether the alteration made by the Superintendent of Police prohibited the playing of music, singing of hymns, shouting of slogans before all the twenty-seven mosques which fall on the route of the procession ;

(c) whether the Hindus of Panipat did not take out the Jagannath Rath Yatra procession as a mark of protest and further observed hartal on the 10th of July ;

(d) what action the Government proposes to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan :

(a) Yes.

(b) Yes, but it is believed that the number of mosques is 13.

(c) Yes.

(d) The restrictions were imposed in the interests of the peace of the town and to meet the unusual situation caused by the communal tension now unhappily prevailing. There is no intention of repeating them in future years unless, of course, a similar emergency occurs.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state whether it would not have been better for the officials there to have called the Hindus and asked them not to take out the procession in view of the abnormal circumstances instead of introducing an innovation in the licence ?

Premier : I have already informed the honourable member that it will not be treated as a precedent.

Khawaja Ghulam Hussain : Does that unusual situation still continue ?

Premier : No.

Lala Deshbandhu Gupta : Is the Honourable the Premier aware that so far as the question regarding music before mosques goes, this question has never arisen before in Panipat and that it is for the first time that this question has arisen either on the initiative of local authorities or on the initiative of somebody else ?

Premier : I hope it will be the last time.

UNSTARRED QUESTIONS AND ANSWERS.

REMISSIONS TO VILLAGE JHUGGIAN, DISTRICT FEROZEPURE.

159. Sardar Rur Singh : Will the Honourable Minister for Revenue be pleased to state whether crops were damaged in village Jhuggian (Jogewallian), tahsil Zira, district Ferozepore, owing to the recent hail-storms ; if so, the amount of remissions, if any, granted to it ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member probably refers to village Jogewala where some damage by hail-storms is reported to have occurred. As the estimated loss there was less than 4 annas in a rupee it was not found necessary to give any relief.

REMISSIONS TO VILLAGES IN DISTRICT FEROZEPURE.

160. Sardar Rur Singh : Will the Honourable Minister for Revenue be pleased to state the amount of remissions granted to each of the villages affected by hail-storms in the month of April, 1937, in the district of Ferozepore with thier names ?

The Honourable Dr. Sir Sundar Singh Majithia : A remission of land revenue amounting to Rs. 212-5-6 was granted in the following three villages—

| | Rs. | A. | P. |
|-------------------------|-----|----|----|
| (1) Talwandi Bhangarian | 114 | 13 | 6 |
| (2) Nangal | 2 | 5 | 0 |
| (3) Mauza Wala | 95 | 3 | 0 |

PAPERS LAID ON THE TABLE.

SCHEDULE OF EXPENDITURE AUTHENTICATED BY HIS
EXCELLENCY THE GOVERNOR.

Finance Minister (The Honourable Mr. Manohar Lal) : As required by sub-section (2) of section 80 of the Government of India Act, 1935, I lay on the table the schedule of expenditure for the year 1937-38 authenticated by His Excellency the Governor.

As required by sub-section (1) of section 80 of the Government of India Act, 1935, I hereby authenticate the following schedule in respect of the financial year 1937-38, which specifies :—

- (a) the grants made by the Punjab Legislative Assembly, and
(b) the sums required to meet the expenditure charged on the revenues of the Province.

Schedule of Expenditure.

| Grant No. | Major Heads of Account. | Grants made by the Punjab Legislative Assembly. | Sums required to meet expenditure charged on the revenues of the Province. | Total. |
|-----------|--|---|--|-------------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | Rs. | Rs. |
| 1 | 7—Land Revenue .. | 40,00,600 | 1,19,700 | 41,20,300 |
| 2 | 8—Provincial Excise .. | 10,94,400 | .. | 10,94,400 |
| 3 | 9—Stamps | 48,100 | 1,12,000 | 1,60,100 |
| 4 | 10—Forests | 17,39,100 | 4,31,600 | 21,70,700 |
| 5 | 11—Registration | 76,100 | .. | 76,100 |
| 6 | 12—Charges on account of Motor Vehicles Taxation Acts. } | 1,48,100 | .. | 1,48,100 |
| | 13—Other Taxes and Duties. } | | | |
| 7 | XVII—Irrigation—Working Expenses. } | 75,98,200 | 1,31,88,300 | 2,07,86,500 |
| | 17—Interest on Irrigation Works for which Capital Accounts are kept. } | | | |
| | 18—Other Irrigation Expenditure financed from Ordinary Revenues. } | | | |
| 8 | Irrigation—Establishment Charges | 95,00,800 | 21,49,700 | 1,16,50,500 |

**SCHEDULE OF EXPENDITURE AUTHENTICATED BY HIS EXCELLENCY 1845
THE GOVERNOR.**

| Grant No. | Major Heads of Account. | Grants made by the Punjab Le- gislative Assembly. | Sums requir- ed to meet expenditure charged on the revenues of the Province. | Total. |
|--------------|--|---|--|-------------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | Rs. | Rs. |
| 9 | 19—Construction of Irrigation Works financed from ordinary Revenues. | 67,89,600 | .. | 67,89,600 |
| | 68—Construction of Irrigation Works (Capital Expenditure). | | | |
| | 22—Interest on Debt and Other Obligations. | .. | —14,31,900 | —14,31,900 |
| | 23—Appropriation for Reduction or Avoidance of Debt. | | | |
| 10 | 25—General Administration .. | 91,31,400 | 23,79,400 | 1,15,10,800 |
| 11 | 27—Administration of Justice .. | 39,55,400 | 14,24,900 | 53,80,300 |
| 12 | 28—Jails and Convict Settlement | 29,67,500 | 1,23,700 | 30,96,200 |
| 13 | 29—Police | 1,11,96,200 | 10,51,500 | 1,22,47,700 |
| | 36—Scientific Departments .. | | | |
| 14 | 47—Miscellaneous Departments.. | 1,80,900 | 45,000 | 2,25,900 |
| | 62—Miscellaneous adjustments between the Central and Provincial Governments. | | | |
| 15 | 37—Education (European and Anglo-Indian). | 6,23,000 | 3,500 | 6,32,500 |
| 16 | 37—Education (other than European and Anglo-Indian) .. | 1,52,69,100 | 1,33,100 | 1,51,52,200 |
| 17 | 38—Medical | 43,88,200 | 6,31,000 | 50,19,200 |
| 18 | 39—Public Health | 14,93,300 | 85,700 | 15,79,000 |
| 19 | 40—Agriculture | 34,17,500 | 2,06,900 | 36,24,400 |
| 20 | 41—Veterinary | 13,84,600 | 91,200 | 14,75,800 |
| 21 | 42—Co-operative Credit .. | 12,26,600 | 76,100 | 13,02,700 |
| 22 | 43—Industries | 18,41,000 | .. | 18,41,000 |
| 23 | 50—Civil Works | 93,39,200 | 1,67,100 | 95,06,300 |
| 24 | Buildings and Roads—Establishment Charges. | 13,80,900 | 4,27,100 | 20,18,000 |

[Finance Minister.]

Schedule of Expenditure—contd.

| Grant No. | Major Heads of Account. | Grants made by the Punjab Legislative Assembly. | Sums required to meet expenditure charged on the revenues of the Province. | Total. |
|-----------|---|---|--|-----------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | Rs. | Rs. |
| 25 | 51—Interest on Capital Outlay on Hydro-Electric Schemes. | 12,95,300 | 30,37,700 | 43,33,000 |
| | XI—Hydro-Electric Schemes—Working Expenses. | | | |
| 26 | Hydro-Electric Branch—Establishment Charges. | 10,33,600 | 20,200 | 10,53,800 |
| 27 | 50-A—Capital Outlay on Civil Works met out of Extraordinary Receipts. | 11,72,600 | .. | 11,72,600 |
| | 81—Civil Works not charged to Revenue (Capital Expenditure). | | | |
| 28 | 53—Capital Outlay on Hydro-Electric Schemes met out of Revenue. | 6,34,900 | .. | 6,34,900 |
| | 79—Capital Outlay on Hydro-Electric Scheme (Capital Expenditure). | | | |
| 29 | 54-A—Famine Relief .. | 1,80,000 | .. | 1,80,000 |
| 30 | 55—Superannuation Allowances and Pensions. | 47,67,600 | 23,69,000 | 71,36,600 |
| 31 | 55-A—Commutation of Pensions financed from ordinary revenues. | 3,26,400 | —51,700 | 2,74,700 |
| | 83—Payments of Commuted Value of Pensions (Capital Expenditure). | | | |
| 32 | 56—Stationery and Printing .. | 10,29,100 | .. | 10,29,100 |
| 33 | 57—Miscellaneous | 23,69,000 | 45,600 | 24,14,600 |
| 34 | Advances not bearing interest— | 5,16,400 | 12,53,000 | 17,74,400 |
| | Advances Repayable .. | | | |
| | Permanent Advances .. | | | |

**SCHEDULE OF EXPENDITURE AUTHENTICATED BY HIS
EXCELLENCY THE GOVERNOR.**

1847

| Grant No. | Major Heads of Account. | Grants made by the Punjab Legislative Assembly. | Sums required to meet expenditure charged on the revenues of the Province. | Total. |
|--|---|---|--|-------------|
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | Rs. | Rs. |
| 35 | Loans and Advances bearing interest— | | | |
| | Loans to Municipalities, Advances to cultivators, etc. | 19,27,100 | .. | 19,27,100 |
| | Loans to Government Servants. | | | |
| | Permanent Debt (discharged) .. | .. | 7,15,950 | 7,15,950 |
| | Loans from the Central Government (Repayments). | .. | 25,39,000 | 25,39,000 |
| | State Provident Funds .. | .. | 16,38,000 | 16,38,000 |
| | Famine Relief Fund .. | .. | 10,38,560 | 10,38,560 |
| | Appropriation for Reduction or Avoidance of Debt (Sinking Fund for loans raised in the market). | .. | 7,92,600 | 7,92,600 |
| | Depreciation Reserve Fund for Government Presses. | .. | 28,400 | 28,400 |
| | Deposits of Local Funds .. | .. | 2,29,00,000 | 2,29,00,000 |
| | Civil Deposits .. | .. | 3,00,54,000 | 3,00,54,000 |
| | Road Development Fund .. | .. | 17,61,100 | 17,61,100 |
| | Research Fund .. | .. | 1,63,000 | 1,63,000 |
| | Economic Development and Improvement of Rural Areas Funds. | .. | 1,71,049 | 1,71,049 |
| | Handloom Industry Fund .. | .. | 69,400 | 69,400 |
| | Central Government grant from Sugar Excise Fund. | .. | 8,300 | 8,300 |
| | Suspense (Departmental and similar Accounts). | .. | 2,35,000 | 2,35,000 |
| Miscellaneous .. | .. | .. | .. | |
| Cash remittances and adjustments between officers rendering accounts to the same Accountant-General. | .. | 16,06,24,000 | 16,06,24,000 | |
| Remittances by Bills .. | .. | 79,92,000 | 79,92,000 | |

SIMLA :
The 16th July, 1937.

H. W. EMERSON,
Governor of the Punjab.

SUPPLEMENTARY STATEMENT OF EXPENDITURE AUTHENTICATED
BY HIS EXCELLENCY THE GOVERNOR.

Finance Minister (The Honourable Mr. Manohar Lal) : As required by section 81 of the Government of India Act, 1935, I lay on the table the supplementary statement of expenditure for the year 1937-38 authenticated by His Excellency the Governor.

As required by section 81 of the Government of India Act, 1935, I hereby authenticate the following supplementary statement of expenditure for the financial year 1937-38, which specifies the supplementary grants made by the Punjab Legislative Assembly in its session held in July, 1937 :—

Supplementary statement.

| Grant No. | Major head of account. | Supplementary grant made by the Punjab Legislative Assembly. |
|-----------|---|--|
| 1 | 2 | 3 |
| | | Rs. |
| 14 | 36—Scientific Departments | 6,180 |
| 19 | 40—Agriculture | 12,150 |
| 28 | 70—Capital outlay on Hydro-Electric Schemes — | 38,309 |

SIMLA :

The 20th July, 1937

H. W. EMERSON,

Governor of the Punjab.

RESOLUTION.

COMMUNALISM.

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban) : Sir, I beg to move—

This Assembly recommends to the Government to adopt effective measures for the stamping out of communalism from this province and take immediate action by means of legislative enactments or otherwise to make the recurrence of communal disturbances impossible.

Lala Bhim Sen Sachar : On a point of order, Sir. My submission is that that portion of the resolution which reads 'and take immediate action by means of legislative enactments' is inadmissible under standing order 57 (c). In support of my submission I shall merely quote from this office letter No. 1269, dated 11th June, 1937, which reads : 'I am directed to inform you that the Honourable Speaker has ruled that resolutions which directly recommend legislation', etc., 'are inadmissible.' My submission is that this resolution divides itself into more than one part

The first part says, 'The Assembly recommends to the Government to adopt effective measure for the stamping out of communalism from this province.' It is all right so far as it goes. The second part says 'and take immediate action by means of legislative enactments.' This is a specific recommendation and as such my submission is that in view of the ruling that I have placed before you as contained in the letter of the Secretary in reply to a certain letter of mine, this part of the resolution is not admissible and should not continue to remain part of the resolution.

Mr. Speaker : I request the honourable member to read the resolution to which the letter, he has quoted, is a reply. The request in that resolution was for introducing legislation on specific subject, while that is not the case here.

Premier : May I satisfy the honourable member by saying that Government has no intention of adding to the existing legislation? The existing legislation is ample for my purposes at the moment. If at any time I consider it necessary that further legislation is desirable or needed to strengthen my hands, I shall of course come to the House for it.

Lala Bhim Sen Sachar : The object of my point of order was not to elicit the information that the Honourable Premier has been pleased to give. The object was only to make the matter more clear for our future guidance so far as giving of notice of resolutions, etc., is concerned, because more than once we have been met by the objection that our resolutions are not in order because they recommend taking steps of a legislative nature. At any rate the information given on the floor of the House by the Honourable Premier will go a long way to modify or tone down the debate on the resolution.

Khawaja Ghulam Hussain : Mr. Speaker, the other day when we were discussing the Members' Allowances Bill, the Honourable Premier was pleased to remark that we in the Punjab are out to give a lead to the rest of India. A member from this side shouted, 'yes, lead in high salaries.' I think the honourable member who shouted was probably oblivious of the painful reality that we in this province were notoriously well-known for giving lead in communal wrangles too. It is a pity that in this blessed land of ours a man feels justified in cutting the throat of his neighbour for the simple reason that he happens to possess a different faith. Sir, in the name of religion and godliness the blackest of crimes and the most cold blooded murders are being perpetrated, (*hear, hear*) and actually there are people in the province who have the audacity to acclaim these crimes as acts of godliness. The communal disease is sapping the vitality of the nation and all thoughts of progress, economic and political, are mere dreams so long as communal disturbances are the order of the day. It is impossible for us to expect that we can make any progress whatever in any sphere of life. It is most distressing to note that while other countries and other nations are marching on the road of progress, we here, like primitive men are trying to kill one another and gloat over our victories for having exterminated our fellow brethren with whom we have lived for so many centuries. The present state of affairs is simply abhorrent and with the growth of national consciousness it cannot continue. I cannot resist the temptation of quoting one or

[Khawaja Ghulam Hussain.]

two verses with slight alteration from our national poet, Dr. Iqbal, on the subject. (*Hear, hear*). (*An honourable member* : What about Pakistan ?) He says in one verse—

وان قوم کی اصلاح ہوتی ہے اور باہم ہمارے جلسے ہیں
 یں بھٹ من اردو ہندی ہے یا قرآن یا جھٹکا ہے

He depicts the end which is awaiting nations which are engaged in intercommunal wrangles. He says—

اے شیخ و برہمن سنتے ہو کیا اہل بصیوت کہتے ہیں
 مگر دون نے لڈنی سے ان قوموں کو دے پٹکا ہے

We may have innumerable differences with our friends of the Treasury benches. We may not be able to see eye to eye with them on any subject, but this is a matter in which I can assure unhesitatingly my friends opposite, on behalf of the Opposition, that our fullest support and co-operation in eradicating the evil of communalism is with them. We are anxious to see that our province marches on the road of progress and we are equally anxious to see that all those obstacles and hindrances which stand in the way of that march should be removed without any delay. I shall be failing in my duty, if I do not mention in their broadest details the causes which unfortunately have led to the prevalence of the communal disease in the province. It is vehemently maintained in certain quarters that the vernacular Press of our province is irresponsible, and in order to augment its circulation indulges freely in scurrilous communal bickerings which stir up communal riots in the province. I am not personally subscribing to this wholesale condemnation of the vernacular Press and I may fearlessly say in this connection that the worst offenders are some of those papers perhaps, which consider that they are secure because nobody can touch them (*hear, hear*). I may say that they are the people who can misquote the proceedings of this House and who give headings like 'Butcher M.L.A. unseated.' There are other papers which consider that they being the favourites cannot be touched. I do not personally hold brief for any paper. I would say any paper and every paper which indulges in stirring up communal mischief should be treated alike, high or low, big or small, I mean that no distinction should be made between any papers or any individuals (*hear, hear*). If there are people, who are living on stirring up communal riots, if there are men, whose only vocation in life is to stir up people to communal mischief, I would request Government to take immediate and strong action and even ruthless action against those people (*hear, hear*).

Then, there is the most controversial and delicate subject of communal award and communal electorates. There is a section amongst the Muhammadans who feel that the communal electorates are the only safeguards or as a matter of fact the magna charta of their liberties. I must admit, that this section is not a small one. But I must also point out that this continuous dinning into our ears that Muhammadans cannot be protected but for this communal award has given a sort of inferiority complex and they have made the Muslims feel that without such a protection they cannot exist and that they will be eaten up some day by the Hindus or the Sikhs

of the province. I may respectfully urge that I do not want to make any secret of my opinion that these communal electorates mean a clear negation of nationalism (*hear, hear*). They cannot afford any protection whatever to any community (*hear, hear*), and so long as they continue they are more harmful than the purpose for which they have been brought into existence. (*A voice*: Disgrace to India.) I do not know whether it is a disgrace to India or not. If any authority is needed I may just quote the opinion of the Montague-Chelmsford Report on the subject. (*A voice*: What is the opinion of the majority of the Muslims of India?) The opinion of those gentlemen is that these communal electorates are opposed to the teachings of history and that they create divided allegiance which is against the sense of citizenship. And further on, they say that they perpetuate class differences and they stereotype existing relations. This opinion was endorsed, in 1930, by the Indian Statutory Commission. But in spite of all that we have got these communal electorates, and I may point out that they foster a communal sense and a communal mentality because representatives to the legislatures and the local bodies have to appeal to their respective communities and not to the nation as a whole. It, therefore, becomes absolutely essential that they should appeal to them in terms which are not national. What is the result of those appeals? I have a vivid recollection of the Assembly election days when I read in a section of the Hindu Press: "Hindu *jati* in danger, Hindu religion in danger." And what was the danger? The danger of the Muslim *raj*, the danger of the fact that the Unionist Party was going to form the majority party in the province. This was the danger which was repeated in the Hindu Press. The words used were that the Unionist Party was the chief protagonist of disunion in the country. It was maintained that the Unionist Party were creating a governing caste in the province. Yet when the elections were all over, when these gentlemen who were responsible for disseminating those opinions had comfortably got into the legislatures, what do we find? All that danger to the Hindu *jati* vanished, no danger was left; and the only problem with which these veteran, old experienced gentlemen of the Hindu *jati* are concerned, now, is the problem of how best to prevent the growth of population in the province. I may submit that these communal electorates even by their most ardent supporters are agreed to be a necessary evil, which must go sooner or later. It is admitted that they are an evil and as an evil they cannot exist for long and the sooner they go the better for the people of the province. I have studied this question very carefully and I find that the trouble lies in the mentality which at present exists in the province (*hear, hear*). We have been brought up in a definite set of ideas, living with a definite set of people with no knowledge of the other side of the picture. As we do not know, we cannot appreciate the ideas of the other people, we have thus created the mentality which may safely be called a communal mentality.

We, grown up people, must make a conscious effort to eradicate that mentality. We must understand that communalism can no longer prosper in the country. (*Hear, hear*). But our real work lies in schools and colleges (*hear, hear*) where our future premiers, ministers and public men are in the making. This is the subject which concerns the Education Minister, who, I am glad to see, has just now arrived. I would address to the Minister for Education certain definite proposals which he may take into consideration

[**Khawaja Ghulam Hussain.**]

for eradicating this communal mentality in our schools and colleges. The first thing to which attention should be paid is the offensive literature, which at present is found in our schools and colleges. History and other text-books which are taught in our schools and colleges bring into prominence our points of difference. They do bring into lime light the supposed forcible conversions of Aurangazeb but leave to the background the fact that in the Moghul period most of the important appointments were held by non-Muslims. Even to-day nawabs, *rais* and jagirdars have in their services almost trusted servants Hindu *munims* who in some cases wield more influence than the members of the household themselves.

An Honourable Member : Can you cite an instance ?

Maulvi Mazhar Ali Azhar : Even the present Government has got a Hindu *munim* in the Finance Minister.

Khawaja Ghulam Hussain : This is the first point that should be looked into. A comprehensive survey of all the text-books with a view to nationalise them is absolutely essential. The second thing which I will suggest in this connection is that in future only those books should be prescribed as text-books which try to bring the various communities nearer to one another and which bring into prominence the points of concord among the various communities. The next point which I should like to touch is with regard to our denominational institutions. One cannot deny that these institutions have been serviceable in imparting literacy to the people of this province. But there is no gainsaying the fact that they are the centres where communal hatred and communal ill-will are engendered in the minds of young boys. With regard to these institutions it is not possible to nationalise them by one stroke of the pen ; nor is it possible to do away with them. But I should like to make two or three suggestions in regard to such institutions. The first is that in future those institutions which show an appreciable number of students of other communities on their rolls should be chosen for special consideration. The second is that in those institutions some percentage of management and some percentage of the staff may be conceded to other communities. So far as the recruitment of staff is concerned it should be made a rule that the recruitment should be made on non-communal basis and with the previous approval of the Education Department. Before I finish with the Education Department I should like to say one word, and that is with regard to our future nation builders, the teachers. These teachers are now being recruited by the Department on a new scale of pay as they call it. It is expected that we should be able to get hold of decent men to take up this nation building work on forty-five chips per mensem. That is really scandalous.

Minister for Education : I rise on a point of order. Is the salary of the teacher under discussion now ?

Mr. Speaker : The honourable member is not speaking to the motion.

Khawaja Ghulam Hussain : I believe that this is the most important point. Unless we have a proper staff to train our young boys, we cannot hope for salvation in this country. I submit that proper staff should be recruited and that proper material on the offered conditions and salaries will not be available.

The next thing which I wish to submit in this connection is that this communal trouble is intimately connected with the economic trouble. It is the duty of the Government to see that unemployment in this country is removed as soon as possible. (*Hear, hear*). All recruits to these subversive activities, all recruits to these communal disturbances are found from the ranks of the unemployed. When the question of bread is settled, I feel sure that communal wrangles in this province will cease to a considerable extent.

There are other and minor considerations which deserve notice by the Government. These are more or less of a temporary character. They are not deep-rooted, for instance, music before mosques or the question of routes of processions and so on and so forth. But these questions are not at all the root cause of communal troubles in the province. If there is communal harmony and peace, these music and processions will never cause any trouble.

The resolution which I have moved consists of two parts. The first part is with regard to the action to be taken immediately to stamp out the evil which is already existing. The second part deals with the preventive action which should be taken in the matter. I may point out in this connection that as many as four communal riots have taken place in the province within a period of four months. It was pointed out by the Premier some days ago that these communal riots were deep-seated and that there were persons who were responsible for fomenting trouble and he promised to take strong action against those persons, but no action has so far been taken. The reason is not far to seek. The reason, if I may venture to say it, is that if action is taken against Muslims there are communally-minded Muslims, who will come up and say that in order to placate the Hindus and Sikhs the Government of Sir Sikander Hyat-Khan is trying to bring the Muhammadan community to grief.

Premier : Let me assure my honourable friend that that consideration will not deter me from taking any action.

Khawaja Ghulam Hussain : I am very glad that such considerations are not going to deter the Honourable Premier from taking any action. But I may, also point out, that so far no action worth the name has been taken. At Panipat the riot occurred about four months back. In connection with that riot certain details were brought to the notice of Government which deserved immediate consideration and we were promised that if action is taken in the matter all the details would be laid before the House. But unfortunately no details so far are forthcoming or at any rate the House has not been taken into confidence by the Government as to what it has done in the matter, and what is going on there.

Premier : Lala Deshbandhu Gupta will tell you as to what is going on there.

Khawaja Ghulam Hussain : He, too, has not taken us into his confidence. The other part of the resolution is with regard to the action to be taken by way of legislative enactments or otherwise to make recrudescence of communal disturbances in the future impossible. With regard to that the Premier has just now made a statement that he does not need any further legislation on the subject. The present law on the subject is contained in

[Khawaja Ghulam Hussain.]

sections 153-A and 505 of the Indian Penal Code and it provides two years' punishment or fine or both in the case of offenders of this type.

I believe that this national Government is not making use of those enactments. The Premier is probably referring to Criminal Law Amendment Act. We should not make use of that enactment which is worse than the evil which is proposed to be eradicated by means of the resolution. The present law, as it stands and as has been conceded by the Honourable Premier, is enough to meet any eventualities. Consequently there is no need to make any further suggestion on the subject. All I wish to say is to appeal to all sections of this House to support this resolution. It is clear that if communal wrangle and communal mischief is permitted to go on like this in the province, it will be most harmful to us in every sphere of life and I will, therefore, make a fervent appeal to all my friends on this side as well as my friends on the other side to give their support to this resolution. (*Cheers*).

Mr. Speaker : The resolution moved is —

This Assembly recommends to the Government to adopt effective measures for the stamping out of communalism from this province and take immediate action by means of legislative enactments or otherwise to make the recrudescence of communal disturbances impossible.

Lala Bhim Sen Sachar : In view of the statement of the Honourable the Premier and in view of the observations of the honourable mover of the resolution himself with respect to the words that occur in the resolution, will he now be good enough to agree to the deletion of the following words from the resolution—

“take immediate action by means of legislative enactments”?

Mian Abdul Aziz : That will be after the discussion.

Premier : I was going to suggest that instead of the words “legislative enactments” the words “legal action” be put in.

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Mailsi, Muhamadan, Rural) : I think I will be unjust to the resolution that has been moved by my honourable friend and the great speech that he has made while moving it if I make a long speech and try to make a case in favour of this resolution about the subject matter of which there should be no two opinions in this House. I am not going to take more than five minutes of this House as I understand there are many of my friends who wish to express their views on this subject. I feel when a man has no design but to speak plain truth he may say a great deal in a very narrow compass. The province owes a debt of gratitude to my friends, who have given notice of the resolutions that are to be discussed by us to-day and before I say a word or two about this matter, I must sincerely congratulate our Honourable Premier and his colleagues who have launched an anti-communalism campaign in this province (*hear, hear*). That is a campaign which, I am sure, will be approved by many of us and all of us would like it to be as effective as possible. There was a time when the representatives of the people were rightly reluctant to place special powers in the hands of the Government or to ask them to make full and free use of such powers. It was the time when

law and order was in the hands of those who were not amenable to the influence of public opinion and some of us also said that they were more interested in their special point of view than in the general welfare of the province as desired by the people. But now law and order is administered by a popular Minister who derives authority from us and through us from the people of this province (*hear, hear*). He can only remain in office if he enjoys the confidence of this House. Therefore, there should be no fear of any abuse of power on his part. Some of us have been accusing in the past the so-called third party which in their opinion was greatly responsible for our communal troubles but now that party has almost retired from the field of administration. (*Voices: It is still there.*) The task of preventing communal troubles has become our own responsibility. The question is, are we going to hesitate in using the powers, of course judiciously, that are open to us in combating this great evil? We can no longer hide our own failures behind the theory of a third party. If we want, and I am sure all of us want, that communal troubles and riots should be a thing of the past, then let us strengthen the hands of our representatives in the Cabinet so that they may be able to establish a very effective control on all the fomentors of communal hatred.

Sir, a few days ago I wrote an article in the Press in which I invited the opinion of the public regarding the desirability of our nationalising a festival and I have received several letters in that connection and many writers of those letters have discussed the question at length. With your permission, I may quote one extract from a letter that I have received from a friend of mine who is a great well-wisher of our province but whose name I am unable to disclose at the present moment. He says—

“Intolerance in the citizens of a country which fortunately or unfortunately is inhabited by people belonging to different faiths and creeds is nothing short of a disease that has possibility of developing into an infectious epidemic and a deadly contagion and therefore those who show symptoms of this disease must be segregated at any cost and at any sacrifice with the pious, almost religious object of keeping the healthy individuals free from the plague. I would go to the extent of suggesting that a sanatorium or a kind of a health resort may be established somewhere in the wilderness of a distant island in the British Empire where all those who indulge in fanning the fire of communalism and class hatred should be despatched without any further delay so that they may be able to settle the affair between themselves either by killing each other or by rationally understanding each other's point of view so that we may be saved this pestilence which like a cancer has eaten up the very core of our political life.”

I felt really flattered when the honourable mover of the resolution suggested some means for driving out the communal demon from our province as I had suggested to this honourable House a few days ago while speaking on the University grant and I had a mind to explain the nourishment that the tree of our communalism received but now I think it is absolutely useless—

حریفان یاده ما بحر درد ورناند
 نهی نمکانه ما کردند ورناند

Others who came before us, had their bouts in the wayside inn, and sped fast;

And lo! when we came we found the tavern empty and the goblets dried and broken.

[K. B. Mian Ahmad Yar Khan Daulatana,]

The function of the Opposition in a parliament is generally understood to be to oppose. But there are certain very important common interests which should be regarded as above party-politics. I venture to say that the prevention of blood-shed during communal riots and disturbances is the most important of such interests for the Punjab. I, therefore, appeal to all parties in this House to support the present resolution. If we in this notoriously communalism ridden province want to turn a new leaf in our history we should agree to regard those who excite inter-communal hatred as the greatest offenders against society and we should give our Government to whatever party it may belong a mandate to give no quarter to such arch criminals. True freedom is a commodity for which we must pay the price of strict self-discipline. The time has gone when discipline had to be imposed upon us by others. We have now the great privilege of being able to impose discipline on ourselves. Let us shed slave's mentality, which fights shy of discipline, because discipline is imposed on him by others. Let us show the mentality of the free-man, who is capable of imposing discipline on himself. Before I sit down I will recite one or two verses from my poem that I recited the other day in a mushaira. I wrote a poem last week on the present politics of this country and I am only going to recite those verses that are relevant to this issue—

یہی سپر گاہ ہے صید گاہ اور اسی میں دھم دھم ! الہوس
 تیرے پہانسنے کے لئے بچھائے دوڑے ہے دام چہار سو
 دم سجدہ حق سے گلہ کیا کسی رزد خانہ خراب ہے
 تیرے مست بھی ہیں تیری سب تو تیرے یار سا بھی تہی سہ
 رہ جدال اہل وطن سے عروش وہ تمثال اہل وطن سے خوس
 کہ نہیں ہے جنکی نظر میں کچھہ وطن عزیز کی آؤ و
 جنہوں ایک و دد کی تمیز ہو جنہوں ایذا ہوہ عزیز ہو
 کریں فلو گلہ کہ اتی ہے لب گلہ بان سے اہو کں نہ
 رہ لباس صلح میں جارہ کر بھی ہوئے تو آئے یقین کسی
 کہ سٹیز ان کی سرشت ہے صفت سگان سٹیزہ خو
 تیرے مشک پختہ نہ مل سکا دوکوں پنڈت و شیم سے
 پئے نانہ ہائے رمیدہ ہر مہسند زحمت جستجو
 ” بکھال حلقہ زلف او گہہ خور رد ہر ختن در ا “

(1) The place that thou hast taken to be thy pleasure resort is the den of the demon,

That has spread a net work of his snares to catch thee ; so beware of its nook and corner.

(2) I saw a sinner in prayer and heard a plaintive cry coming from his lips—

“Sinner that I am I do not deserve thy bounties, but how is it my Lord that even pious are yet looking for your grace?”

(3) They see the blood of their kith and kin spilt, and they smile; they see their own brothers war with each other and they laugh:

Remember these are those who would sell the honour of their motherland if they could get price for it.

(4) Is there any one who can discriminate between good and bad?
Is there any one who loves his lamb and wants him to live?

Then, tell him to be on his guard for I smell blood in the sweet songs of the shepherd.

(5) They have sweet smiles on their lips and inviting grace in their eyes,
But behind these lips are the angry fangs of a wary dog and the grace of their looks conceals their evil designs.

(6) Seekst thou musk of rare fragrance from the stinking stores of the ancient Brahmin and the Shaikh?

“Go about thy business, for it is long since the shops that dealt in musk are closed:

And there is nothing but foul refuse left in their time-old jars.

But the musk is still to be found in the wavy locks of the fairies that still frequent the wilds of Khutan.”

Mr. Speaker : The honourable Mir Maqbool Mahmood may now speak to the resolution but not move his own.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : Mr. Speaker, I am happy to feel that on the resolution that we have before the House there is neither the Treasury bench side nor the Opposition side. We are happily discussing a subject on which the House is united, and I hope I am not trespassing beyond my rights when I say that my honourable friend the mover of the resolution did not do so because of any motion on the part of Government to deal with communal situation. In fact we are all united, whatever may be our differences on other matters of policy that so far as communal disturbances are concerned the Government have done their best in difficult circumstances. More than that, Sir, as has been indicated, the giving of emergency powers to deal with such situations would not be entrusted to braver, sterner and cleaner hands than those of the Honourable the Premier. (*Hear, hear*).

Then, Sir, it may be asked, what is the necessity of this resolution? I will try to answer this question. I have partly been anticipated by the Chief Secretary of the Unionist Party, my honourable friend Nawab Ahmad Yar Khan Daulatana. It is an open secret that when in the past the sad spectacle of communal riots came about to our shame, we used to find relief in the thought that this was due to the engineering of a third hand. That may be justified or not justified, but the fact is there that every time the claim of India's rising to its full stature of liberty was resisted by foreigners and our own countrymen. In the provincial sphere we have got the national

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government but the riots are still there and they have not gone away and only recently we have had a serious eruption in the communal volcano. It is therefore but natural and timely that the best elements of the country, the patriotic members on both sides of the House should join their hands and hearts and see that the communal disturbances do not besmear the face of this province and that we evolve an atmosphere in which the communal malady does not become a pathological affair. If it should need a major operation, let it be performed. What does the resolution seek to do? It says, in the words of the honourable mover, stamp out communalism. What communalism do we mean? Not the healthy communalism which means the service of your own communities consistently with the respect for the legitimate rights of others and the bigger interests of the country (*hear, hear*), nor the fearless pursuit of our own religions with due regard to the susceptibilities of others. This is not the communalism which this resolution seeks to stamp out. But there is another type of communalism, the communalism that in the name of religion permits and instigates attacks, unprovoked attacks on the lives and properties of innocent citizens, the communalism, the godless communalism that refuses to bend its arrogant head and its evil hand and keep away from the hearts and bodies of mothers and daughters and sisters of other religions, the communalism that allows in the name of God and religion the shedding of free blood of people of other religions. I am sure that this is the type of communalism which all true patriots and all members of this House wish to see eradicated. That is what my honourable friend the mover of the resolution seeks to get rid of in this province. But, the question is how to do it. The resolution suggests that effective steps be taken to do so. I will go a step further and say that summarily, courageously and ruthlessly, if I might borrow one word from the honourable mover of the resolution, people, high or low, pressmen or people on the platforms, officials and non-officials, Hindus, Muslims or Sikhs whoever contributes to the communal disturbances should be dealt with ruthlessly, because they are not only enemies of their own country and India, they are the enemies of God Himself. Remember what the great sage of Arabia said—

“Those who in the name of religion do injustice and mischief to other religions are like the meatless bone of a dog in the hands of a leopard.”

Lala Duni Chand : Will appeals to religion and God bring about a solution of communalism?

Mir Maqbool Mahmood : If appeal to God can bring about softness to the hearts of the honourable member opposite, it will do. (*Hear, hear*). God has chosen man as his vehicle to bring about his results and it is prayers that move the heart of man and I hope that the honourable friend who has just interrupted me will co-operate with us in the same spirit.

Dr. Gopi Chand Bhargava : In the right spirit.

Mr. Speaker : Please do not interrupt.

Mir Maqbool Mahmood : It may be asked, what is the trouble with the communalism ble that we wish to see eradicated? I have tried to indicate the various symptoms and the various causes. It may be asked what

are the reasons for which we fight. I submit, I do not want to take the time of the House in detailing these things, but it may be said that services are the cause of this communalism. But remember services employ only two out of every thousand of the Punjabis, 998 still remain whose problem has to be solved. It may be said that it is the Communal Award. Remember it is easier to replace it by goodwill and common adjustment than by fighting it out. It has been said that it is percentage of representation on local bodies. Remember that one good Muhammadan, Hindu or Sikh added cannot solve the problems of local bodies. They can be settled amicably by common agreement. Then reference has been made to music before mosque or the type of meat that we eat or we do not eat. I submit these are not subjects which can warrant the butchering of innocent human beings. I claim with all the enthusiasm at my disposal that these issues are capable of adjustment by our sitting together as brethren. I claim that they are petty in comparison to those big interests which are common to us all and which can only be solved by national efforts. Reference has been made by my honourable friend the mover of the resolution to the question of unemployment. I would add the question of poverty. Average income of the majority of our countrymen is not above the average expenditure on feeding and clothing a Punjabi Prisoner. You cannot solve these problems, you cannot help the people so long as communalism is rampant. Talking of unemployment, our graduates are to-day striving hard and cannot earn the income of even a constable of police. We have seen, as has been repeatedly remarked in this House that promising young graduates in desperation have laid their heads under a running engine. We will be failing in our duty if we do not apply ourselves to these questions.

Lala Duni Chand : Government is responsible.

Mir Maqbool Mahmood : Government is responsible to this extent that the Ministers were brought to these benches earlier than 1937.

Diwan Chaman Lall : Is it not a fact that the Honourable Premier was a member of the Government for many years ?

Mir Maqbool Mahmood : He was a wheel in the Government machinery springs of which were in the hands of somebody else, but as everyone knows his contribution has always been patriotic and constructive. (*Hear, hear*). How then, it may be asked, do I propose to eradicate communal riots and communal troubles in the country? Read history. Follow the lessons of history writ large on the pages of nations. What do we find? In the making of nations, everywhere, the first creative power has been thought. Before anything happens, before Italy was united, before Germany became one, before Canada was a nation, the new thought movement started that we shall be united and a sentiment came that whatever stands in the way of nationalism should be demolished. That I submit is the need of to-day. Let us realise as united Punjabis in this House that we mean to set up a new thought and new traditions. But remember that in such cases the lead must come from this House and I submit with all the earnestness that I can command that we should set up a self-imposed ordinance or evolve a general agreement that we shall not for one year to begin with—and I hope it will be extended later—put any question or move any motions

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 which are likely to stir up any bitterness (*hear, hear*) and I assure my honourable friends that we on these benches will carry out solemnly this promise and I expect my honourable friends on the other benches will do the same.

Lala Duni Chand : We have not put any communal questions.

Mir Maqbool Mahmood : I hope that he will do the same thing in the future, but if there are any legitimate and genuine communal grievances, let them not be referred to the House but to the Inter-communal Goodwill Committee which the Honourable Premier will soon set up. Let them deal with these questions in the manner best possible. More than that, merely, not asking questions will not do. Each one of us will have to take a pledge that publicly and privately in our constituency or elsewhere we will do nothing to stir up communal bitterness and that we will do all we can to encourage goodwill in the country. That would be a step in the right direction and I would not exclude the Government which has started so well in this direction and I appeal to them to make it clear to its officers that a new tradition has been set up in the country and that the officials will discourage all high or low from in any way raising any communal bitterness. I would further suggest that the Government should set apart a certain portion of their patronage such as jagirs, *inams*, titles and other distinctions for those who have done really good work in the matter of communal goodwill. Various suggestions have been made on the floor of this House by the honourable mover and others to eradicate communal feelings and bring round communal harmony. These suggestions can be detailed but this is not the occasion and I would submit that all these suggestions and various others that can be made by other members should be tabulated and forwarded to the Honourable Premier so that they may be placed at the right time and in the right atmosphere before the Unity Conference.

One word more and I have done. It has been said that communalism is rampant in the country and that there are riots and that this is the wrong time to start these things. That may be so. But I am an optimist and I have faith in the plan of the Cosmos, I have faith in the destiny of my province, and I have faith in the sincerity both of the Government and the Opposition. That being so I have every hope that, God willing, these communal riots will only prove the final flickering of the flame and the Punjab will prove to be the brightest jewel of Bharat Mata. But in order to prove it, we must not talk of unity but we must live united (*hear, hear*).

At this stage the Assembly adjourned for lunch.

The Assembly re-assembled at 2 P.M., of the clock. Mr. Speaker in the chair.

Lala Bhim Sen Sachar (North Western Towns, General, Urban) :
 Sir, we have been hearing very refreshing speeches since this morning. I perfectly agree with my predecessor that to-day's is one of the subjects on which there is no difference of opinion between this side and the other side of the House. I am sure there is none present in this House who is not as keen as the keenest in this province that this spirit of communalism should go. We are all agreed that communalism is our curse and that sooner it is exterminated the better for the province and for every community in the province.

It is, as I have said, very refreshing to hear speaker after speaker choosing the best possible words and couching the highest sentiments in that language, with the one object of improving the very deplorable state of things, which prevails in the province. If unanimity of opinion could eradicate communalism, I am sure, after this sight of absolute unanimity in the House, as it prevails to-day, not a sign of communalism should be seen in the province from this very moment. If mere expression of sentiments and good wishes were enough to remove communalism, I am sure, before it is the next day, communalism would have come to an end in the province. But it will be agreed, and readily conceded, that something more than mere expression of views and desires is required to remedy this very very rotten state of affairs in the province. I do not undervalue the expression of views, I do not undervalue the expression of wishes and desires, because, after all, unless you have a certain desire, unless you have a certain wish, you have nothing you can act upon. Therefore, it is necessary, rather only natural, that our actions should be preceded by desires.

I do not want to make a long speech, because there is limited time at my disposal. Therefore, I would straight-away like to discuss the causes which have brought about communalism in the province? Before we adopt certain measures and pursue a certain remedy we must know the causes which have led to the spread of this plague of communalism in the province. I do not know if I shall be well-advised in taking a historical view of the cause of communalism. Communalism thrives on separate tendencies. Communalism comes in when communities feel that they are distinct and separate from one another. Communalism appears when instead of love hatred comes into play. There is hatred, there is suspicion, there is misunderstanding; and it must be admitted, as a historical fact, that for communalism we shall have to go back many centuries. This cannot be denied that when Musalmans came to India as foreign invaders, the Hindus were the inhabitants of this country. The Hindus could not but look down upon the invaders. It was only natural that the inhabitants of this country should have distrusted them and should not have put faith in the foreigners, because that was the only way of preserving their own individuality and their own personality. At that time, it was absolutely necessary for the preservation of the people of this country that they should have nothing to do with those foreign invaders. But the question remains whether that state of things, which justified suspicion, mistrust, and treating of each other as enemies now continues and whether there is any justification for treating the matter from the old point of view. There was a time when Muslims were foreigners, but now it cannot be said that Musslamans in India are foreigners; it cannot be said that a Muslim is not the son of this soil. A large number of Muslims dare not say that they are not descendants of the ancient ancestors of the Hindus.

Therefore, it is very necessary that we should change our outlook. It is very necessary that we understand our position. It is very necessary that we modify our attitude and cease to think that there are some aliens here and some people who have nothing in common with the rest. My submission is that we shall have to take very drastic action. We have got

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to take special measures for educating ourselves into the view that whether one is a Hindu or a Muslim, he is the son of the soil (*hear, hear*) and has interests which to a very large extent are common with others who also belong to this country. That is very necessary. Unfortunately it will have to be said that most of us are guilty of having fanned the fire of communalism. We cannot possibly escape the blame for having been a party to creating a state of things in the country, which is now sapping our very life, is sitting like spectre on our breasts and is not allowing us to proceed a step onwards. In a separated state when we were suspicious of one another there came in another foreign power. It has been said by my friend on my left, he is not there just at present, that we have been laying the blame at the door of a third party. However anxious we may be to exonerate the third party from this blame, we cannot but lay the blame at the door of the third party. But should we blame the third party only? It is my view that any foreigner who is a ruler in a foreign country would adopt measures exactly similar to the measures that have been adopted by the foreigner in India. He cannot be blamed. It is for us to see and realise that we do not allow ourselves to be exploited and used and be made a cat's paw of by the foreigner who happens to control our destiny. Therefore, we have to make very great efforts to break away from a sorry past, to visualise the reality and see ourselves in a proper perspective. The separatist tendency which is now there is being utilised by the foreigner who rules here; and, to our shame, it will have to be admitted that most of us are willing allies of that foreigner in perpetuating that division between communities and communities. Every one who has directly or indirectly contributed to the solidarity of the foreigner here is really responsible for creating this state of things. But how are we going to remedy it? We must really cultivate that spirit which will see that there is no difference between man and man, which will see that there is common fatherhood of God and brotherhood of man. After all what is the difference between a Hindu and a Muslim on the score of which blood should be shed in this province and on the basis of which a man should cut the throat of another man, and women and children should be massacred? Wherein is the difference? Does the difference lie in this that a Muslim follows a certain manner and method of prayer and a Hindu follows another? Both of them agree in this that the goal they have in view is common. If that is so I really fail to understand why the formalities of religions should separate one from the other. Take the cases of music before mosque or separate seats in educational institutions and so on. Although, in the first place, they are the effects of communalism but in their turn they become causes of communalism and go to consolidate the spirit of communalism that prevails in the country. Therefore my submission is that unless we go about our task with the purity of heart and strength of mind that are essential, unless there is change in the angle of our vision and unless there is a refusal to play to the tune of a power whose natural desire it is that we should remain separate for all times, there cannot be any solution of this problem. This being so I shall make a very respectful appeal to all members of this House that we do go about our task giving unmistakable proof of that change in the angle of our visions without which nothing can be achieved.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Mr. Speaker, I had an intention and in fact I had given notice of moving an amendment, but as advised by my friends on this side, I do not intend to move that amendment. But, I rise to make a few observations on the resolution before the House. I wish, that I were able to express my feelings on this question in my own language to-day at least because I am full of sentiments on this question. It is not reason alone that makes the man, it is sentiment also that makes the man what he is and therefore I wish I would express my feelings in my language. But I know I cannot do it. Therefore I shall have to remain satisfied with the way in which I can express them to-day. I know, that my knowledge of the English language is very poor and therefore I cannot express my feelings so well in it as I can do otherwise.

I feel that no enactment of law or any executive measure can eradicate communalism from this province, unless we try to reach the root cause of this evil. (*Hear, hear*). Many years ago, about a century ago, we never heard of any communal bickering or communal riot or communal disturbance. It is of recent growth and now we resort to this evil method taking our stand on religion. In my opinion religion and communalism are two separate things because I believe that there is no religion in the world which would encourage or which would even give sanction for the murder of a man simply because there is difference of opinion. All religions preach brotherhood of mankind and therefore it is not religion on which people should fight or do fight, but it is something else which has led to this evil of communalism. It was the third party which acted on the policy of divide and rule and brought this evil thing in our midst. They in order to rule over us and to keep down the whole of the Indian nation as slaves divided us and it was only by dividing us that they could rule. Therefore the best method which they found of ruling us was giving power through communalism and therefore this communalism has spread here. I shall give one reason for this. The members of the Treasury Benches most if not all of them, were a part of the Government a few months back. They had the same feelings then but they were not able to bring in a measure of this kind or take any step to eradicate this evil. Why? Because they had not then power and the third party which divided us was there. Therefore the responsibility of all this communal feelings lies on the head of the third party. Now, when we find that that third party, at least on the paper, is out, we should try to see that their absence becomes practical that they are no more amongst us to divide us. That we can only do if we begin to feel that though we come here on communal and separate electorates we are not here to serve any particular community or members of one community residing in a constituency. We are here as servants of the whole province of the Punjab. Unless we have got that feeling, unless we make an effort to improve the condition of the poorest Punjabi whatever faith he may belong to, we shall not be able to eradicate this evil. It was said that communalism which meant serving one's own community while respecting the susceptibilities of the other should be permitted. I am one of those who believe that in service no question of community or religion should arise. It can only be called service if it is done from the point of view of service and not for any desire of reward. If I begin to believe that I should serve my own community

[Dr. Gopi Chand Bhargava.]

only and that I should not serve another human being simply because he belongs to another community, I would submit that it is not service : it is not the right sort of service. We should serve the whole humanity and not one community or the other. Every human being, every living being, should be honoured and should be respected and we should make an effort to serve every one and expect no reward for our service. If we serve the people and then go out and tell them that we have served them and therefore we deserve their votes, I think it is not service : it is a selfish act. Therefore I believe that nothing under the name of communalism or action for one community should be permitted. If we allow the present state of things to continue I think this communalism would not be eradicated : it would come back even if we are able to remove it temporarily.

Again, it was suggested as a method of removing communalism that titles and jagirs should be given to those who act in a non-communal way (*Diwan Bahadur Raja Narendra Nath* : Jagirs and not titles)—titles, jagirs or medals of which we had a demonstration yesterday, should be given only to those who act in a non-communal way. My submission is that as long as these institutions, whether they are government or any other institutions, have got the power of patronage we should not expect that justice will ever be meted out to any person. Therefore if I have the power I would enact that no man in the country should be given a title, medal or jagir. My submission is that the only way to eradicate communalism is to beget confidence. One community should beget confidence in the other. Nowhere in the world can a minority claim the privileges of a majority. The minority can only survive at the will of the majority. But unless the majority also acts in such a way as to inspire the confidence of the minority it cannot rule, in this country or in this province. In other countries also the evil of communalism existed and even now exists in Ireland. Ireland was divided because the Protestants lived in Ulster and those who lived in Ulster did not unite with the other people of Ireland, but when nationalism spread there communalism disappeared. Therefore we must inspire confidence and act in a national way and should think in a national way. If the members of the government want to eradicate communalism from this province they should take courage in both hands and should be prepared to make sacrifices for their convictions even to the extent of resigning their posts. So far as this part of the House is concerned, there is no question of simply resigning one seat or all seats, but even if a greater sacrifice—sacrifice of our lives—is needed, this side of the House shall not lag behind in offering it to eradicate this evil of communalism from our province.

Dr. Saif-ud-Din Kitchlew (Amritsar City, Muhammadan, Urban) : Allow me to say a few words about my personal feelings regarding the subject now before the House. Let me assure my honourable friends on all sides of this House, that so far as this subject is concerned, the subject of how to bring about harmony, good will and unity between community and community in this province, I am at one wholeheartedly with all those gentlemen, to whatever party they may belong. I may also assure them that my services are always at their disposal in this noble cause.

There is hardly time at my disposal to go into the history or origin of this Hindu-Muslim disunity. My honourable friend on my right, the Leader of the Opposition has made a remark as to the origin of this disunity. I entirely agree with him. I can quote chapter and verse, I can quote well-known writers and great authorities in support of the view that since the advent of the British Government into this country this disunity between man and man, between community and community was part of the policy of the Government in order to run on the administration of the country. *Divide et impera* was naturally the policy of a handful of men who were destined to be here as rulers of this country. I do not blame them for it.

Attempts have been made in this country for a large number of years in the shape of unity conferences on an all-India basis to bring about unity among the various communities. Great men have tried their best to bring about communal good will and harmony between the Hindus, Muslims, Sikhs and others. But it is not an easy matter. It requires considerable amount of thinking. It is a very delicate matter and requires very careful handling. Therefore when I came to know that some resolution was coming up before the House I really began to tremble. I may take the House into my confidence and tell honourable members that only recently there was a committee formed up at Simla with a view to solve this vexed question of communal unity. I may also say this much that so far as I am personally concerned, I am here in this House as a member of this Assembly not because I feel that I can get much out of this constitution for my province or country. Let me frankly tell you that I have no faith in this Assembly. But why I came to this House is this, I felt that on this important subject there might be a situation, an opportunity might arise when my services would be required and I may be able to do something in this matter of bringing about harmony and good will and unity among the various communities. (*Hear, hear and cheers*). I am very happy and glad indeed that my honourable friend, the Premier, has taken a lead in this matter. I shall give him credit for it. (*Hear, hear*). I am also happy to tell you from the talks that I had with Sir Sundar Singh Majithia, how anxious he is to bring about this harmony and good will. (*Cheers*). Let me also say that I am very glad to inform my honourable friends that the old gentleman with white beard opposite, I mean Raja Narendra Nath, when he heard about this he seemed to have vigour and youth infused in him. I am sure he feels now young and active. (*Hear, hear*). I feel the situation very hopeful now. I have been telling my friends both inside this Chamber and outside that if they work with a fixed determination, with faith in their convictions and put their heads together they will be able to find a solution to this communal discord and this communal disorder will soon disappear from this province. Let me assure the House that efforts are being made. Signs are very hopeful. When I heard of this resolution coming up on the floor of the House I feared lest any gentleman should drop a brick here or there in an unthinking manner and should spoil all our efforts at communal unity. But I am happy indeed that not a single word has been used by any honourable member against the interests which is so dear to every honourable member. But I want to make one appeal and that is this. We ought to know that we cannot move an inch in the field of progress without having solid unity behind us, not merely imaginary unity, but real unity in effect. I am afraid that somehow

[Dr. Saifud-Din Kitchlew.]

or other so far as the three chief communities of this province are concerned, we have not much in common. We cannot intermarry. Unfortunately we cannot even dine together. There are so many hindrances in our way. However, I hope that a time will soon come when our difficulties will be removed. Let us have a practical programme and let us work together in the field of action. I have got a good many things to say, but I do not want to tell them because the time at my disposal is very short. Let us get rid of suspicion and doubt and let us work like men. The average man in the street, in the cities or villages is sick of this kind of life that is being led in this province and in this country. Every one of them wants unity. Economic forces are crushing him down every moment of his life, he wants some sort of solution. He does not really care what religion preaches. If you will permit me to say so, I submit that true religion does not exist in this country. I hear a lot of talk about religion by the Hindus, Sikhs and Muslims. But that is not really religion that is preached. It is sheer bigotted narrow minded religiosity which is mistaken for religion. (*Hear, hear and cheers*). No religion worth the name preaches that we should look down upon our fellow human beings. No religion in the world worth the name can teach for a single moment the kind of things that are being said and the kind of things that are being done in this country.

I have got a great deal more to say on the subject but the time at my disposal will not permit me to do so. I will therefore content myself with an appeal to all honourable members to give practical shape to the ideas that have been expressed on the floor of this House. We failed several times in our attempts in the past to bring about unity. But we should not be discouraged thereby. Circumstances are now favourable and I see signs around me when we can put our heads together and bring about a practical formula on which all of us together can work. (*Hear, hear and cheers*).

Diwan Chaman Lall (East Punjab, Non-Union Labour) : This, Mr. Speaker, is a solemn occasion. We are agreed that it is a solemn occasion and it is for that reason, more than for any other, that I regret one speech—a part of that speech—which has been made by my honourable friend opposite. My friends opposite must realise that on great national questions like this question which we are debating to-day, they must not take advantage of the situation to beat their own drums in season and out of season (*Hear, hear*). My honourable friend turned to my friend Lala Duni Chand on this side of the House. He said, "Co-operate with us and we will solve the problem". My honourable friend must have been in swaddling clothes at the time when Lala Duni Chand was sacrificing his liberty for the sake of nationalism in this country. (*Hear, hear and loud applause*). Therefore, it is essential that we must bring to bear our minds on this problem not from the point of view of any party advantage that my friends opposite might derive, not for the purpose of singing the praise of any particular individual no matter whether he is a Prime Minister of this province, but for the purpose of finding a solution—a solution which is eminently desirable in the interest of peace and order of this province (*Hear, hear*). But at the same time I regret very much that this occasion has been

taken to raise this particular matter when other graver matters are agitating the minds of Punjabees: Communalism is not such a great problem either in this province or in India as compared with the problem of hunger and poverty. (*Hear, hear*). My learned friends shake their heads and I am going to convince them that it is the economic problem that is the basis of communal troubles in this province. It is the capitalist attitude which seeks to divide people in order to keep their minds from smashing the system which enslaves them economically and politically. My learned friends did not speak with the book. If they had only looked back into the Report which they themselves submitted before the Statutory Commission, they would have been convinced of the statement that I am making on the floor of this House to-day. Up to the fifty years ending with the year 1898 there were nine disturbances in all throughout India and the Report which my honourable friends over there prepared for the benefit of the Statutory Commission stated that there were only eight towns which were affected during those disturbances. It stated further that between 1922 and 1927 they were not quite sure how far the reforms, which had been introduced in the year 1920, were really responsible for raising this problem into prominence into this province. They said even between 1922 and 1927 the eight disturbances that took place—important ones—were in big towns and they further said that even then the countryside was not affected and they further go on to state that the police reports show that between 1922 and 1927, whereas there were up to a maximum of nine hundred riots—ordinary riots—in any one particular year, there were barely two to four riots in any one year which could be attributed to communalism. They go on to state that where there were seven hundred murders ordinarily committed, the significance of communal crime was not of any importance much as they deplored it. These are the very words that were used by my honourable friends opposite when they made this report to the Statutory Commission. I want to draw their attention now to the fact that during the first period of fifty years which I have mentioned, communalism arose because of the economic distress, because during that period you had the Afghan War, you had the Burmese War, you had a Viceroy who had been insisting upon increased income tax in this country against the wishes of the people. There was general famine throughout the country—rather a series of general famine throughout the country during that period. This is the extent of the problem. So let us not be misguided into thinking that this is the all inclusive problem to which my learned friends over there direct their efforts and thus are forgetting the real problem of the country—the problem of poverty and hunger as I have stated already. If my learned friends desire to put an end to communalism in this province, there are certain factors that they must look into. It has been said that the third party is no longer here. I take it that formerly we had what I may be permitted to call unity. To-day we have a trinity. We have the father and the son and holy ghost and the holy ghost in Barnes Court.

Mr. Speaker : As the honourable members's remark is liable to be misunderstood, he should withdraw it.

Diwan Chaman Lall : I bow to your ruling, Mr. Speaker. May I draw my learned friend's attention to the fact that we are not worried any more about third parties. We are going to settle this problem ourselves.

[Diwan Chaman Lall.]

But let them remember that whenever nationalism has been at a discount in this province, it is only then that communalism has raised its head. My learned friends need not take my word for it. I see that they are rather doubtful about this statement. I will give them their own words in their own phraseology which they employed before the Statutory Commission and this is what they said :—

“Communal dissensions begin to develop as soon as large national problems recede to the back-ground, but there is a general tendency to place national problems above communal dissensions.”

They again go on to state—

“in political development we may find the sovereign cure for communal ailments.”

Let my learned friend stand up and take a national view of the problem and they say, yes we want the independence of our country and not this hybrid federation. A very famous constitutional lawyer yesterday called it a bastard federation. Time will come—that will be a blessed occasion—when we can turn round and say that we shall kill this demon of communalism in our province (*hear, hear*). Mr. Speaker, It was stated again by my learned friends as follows :—

“National demands are asserting their supremacy and are bound to drive out communal misunderstanding which stand in the way of progress. We firmly believe that communal dissensions are a passing phase in the political evolution of India ; that the devolution of power and responsibility will lead to a clear realisation of the needs of the situation, leading up to a just and fair adjustment of all communal claims, including those based on religious sentiments and gradually building up of a common culture. The leaders of political opinion recognise the need of unity, and what the leaders think to-day the masses will think to-morrow.”

This is the opinion of my learned friends and I corroborate every word of that opinion (*hear, hear*). Let them remember that not by raising any foolish issue will they be able to settle these matters, they will be able to settle this matter only by facing it frankly and openly like men. I am not suggesting that you should call a unity conference in order to settle this problem and then suddenly send a report to the newspapers to the effect that although a unity conference has been called, it will not discuss the main important problems that have been agitating the minds of the public. That is not the way to settle the communal problem. I asked the Premier the other day whether that statement had been made on the authority of the Government. I have not had a reply yet. I hope that the statement is not made on the authority of the Government, namely that the unity conference will be held for the discussion of certain minor problems but that it will not discuss the major problems.

Premier : There is nothing beyond what my honourable friend's resolution contains.

Diwan Chaman Lall : My resolution adopted by the unity conference was comprehensive enough. But surely my honourable friend has seen the report in the *Civil and Military Gazette* purporting to be an interview with him. I am glad to get his assurance that that is not so.

Premier : That is because certain matters purporting to be the terms of reference settled by the conference appeared without authority and without any basis.

Diwan Chaman Lall : Do I take it that there are no resolutions regarding the discussion? If that is so I am glad the Premier has cleared the position. May I draw the attention of my honourable friends to the basic reasons underlying this problem in this province as we view it. Do the honourable members opposite realise that the main problem hinges over the question of jobs and posts? Do they also realise that only decimal eight per cent. of the population of this province is engaged in administrative posts? The remaining 99.2 per cent. of the population is not affected by the cry of communalism in this province. Communalism is the creation of my friends opposite, some of them. It is the sort of the leadership which is pariah leadership, it is a leadership which cries loudest when the night is the darkest, that is when nationalism is at a discount. It is the leaders of this description—I am not pointing out to any gentlemen on the opposite benches—but it is such leaders, the communal leaders who live upon the graves of national desires and national hopes (*Cries of shame, shame*).

Mr. Speaker : The word 'shame' is unparliamentary. So, I would request the honourable members of this House never to use it.

Diwan Chaman Lall : Mr. Speaker, my learned friends over there must learn to face facts. Facts are very difficult to face. They are harsh facts, hard facts, unpalatable facts, but I want them to realise them and not to hide their heads in the sand like the ostrich but to face the facts of life. About 67 per cent. of the population is engaged in agriculture. May I ask my honourable friend opposite, the doyen of this House, Raja Narendra Nath, what, during the period of his existence,—it has been a long and valuable existence—what, during that period, has he ever done to bring solace to the working masses of this province? What comfort has his communalism brought to them?

Mr. Speaker : The honourable member should not be personal.

Diwan Chaman Lall : Mr. Speaker in politics there is no question of being personal (*laughter*). I am not considering his charming personality. I am merely considering—

Mr. Speaker : But impersonality is one of the fundamental principles of debate.

Diwan Chaman Lall : I am considering his personality politically, I am not concerned with his personality otherwise—it does not interest me (*laughter*). His personality politically is what I want to talk about. I want to ask my friend Raja Narendra Nath what he has done. Is it not a fact that the average producer in the province, if he is a Hindu does not get one anna more a day for his labour than the Muslim does? Is it not a fact that the Muslim producer of wheat in our province does not get four annas more per maund in the price of wheat than the Hindu? Is it not a fact that 99 per cent. of the affairs of life are common to the Hindus, Muslims and the Sikhs? (*cheers*) If that is a fact, how is it that my learned friends over there can go to the electorate and say, you shall vote for me because I am a Hindu and you shall not vote for that Hindu because he is not such a good Hindu as I am.

Mr. Speaker, in the past in the name of religion many murders have been committed and many crimes have been committed against humanity. When in medieval times one set of noblemen—in modern times one set of

[Diwan Chaman Lall.]

job-hunters—wanted to crush or oust another set, they made the common man fight against the common man and drew the advantage to themselves. It was stated by my friend, Dr. Kitchlew, that that is not religion, it is religiosity. I have a better name for that and I shall presently give it. I give it now. It is chicanery. When the Turks and Moors stopped the trade route between India and Europe, the Christian powers went on a crusade against them in the name of religion and butchered hundreds and thousands of them. Similarly the Muslims butchered the Christians in thousands in the name of Allah. It was all done in the name of religion. In the Great War the Allies did the same thing. They preached and prayed in the churches for the destruction of the enemy. So did the Germans to their God for the destruction of the Allies. It was religion every time, that was in action—and all this for the sake of self-aggrandisement. This is not religion. This is the negation of religion, the negation of truth, the negation of humanity.

In my opinion there are two kinds of religion. One is the modern, the civilised, the cultured kind. The other is the savage and uncultured and uncultivated kind. When a savage or a cannibal gets hold of a missionary and kills him and boils him and eats him, his hymn-book, boots, umbrellas, and all, then every bite that he takes of the missionary he does believing that he is coming nearer to his ancestral gods (*laughter*). The modern scientific religion is the service of humanity. In the eyes of the modern the cannibal, the communalist and the missionary are an obstacle in the race of the progress of mankind.

I ask, Mr. Speaker, whether it is not a fact that in all this controversy we have had in our province and throughout India, that this main factor, the economic factor, has not been lost sight of, and whether it is not time now to concentrate upon that factor in order to bring peace to our province, and I submit that apart from the economic factor the problems that have been at the root of this matter are the question of separate electorates and the question of reservation of seats and the question of jobs—all ultimately governed by the economic factor. These problems can be settled in good time, if the honourable members have the will to settle these problems (*hear, hear*). It is the masses which suffer every time when these riots take place. You will notice how they arise out of inconsequential matters. You will notice when these riots take place, it is the agent provocateur who is at the root of the trouble, and I can assure my honourable friends that during the last Lahore riots it was the agents provocateurs who were responsible for them. I did not see the leaders of the great Hindu Mahasabha going into the streets where murders were being committed. I marched through the streets where some of the leaders of communal organisations in the city of Lahore came to me and asked me to protect them against police harassment because the police was wanting to force them to give false evidence. These were types of individuals who were at the back of these communal troubles in Lahore and other cities. Each man sitting on these benches is prepared to go out into every town and village of the province and assure the Premier that the province would have joint electorates and assure him that the people of the province will accept joint electorates (*hear, hear*). If my learned friend

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has any reservation, we are prepared to get him an overwhelming vote for adult franchise, if my honourable friends opposite are prepared to accept that. I and my friends are prepared to guarantee national sanction for this. My learned friend is doubtful about it (*laughter*). May I tell the honourable friend that I came into this Assembly by means of a joint electorate.

Premier : So did I.

Diwan Chaman Lall : My learned friend's constituency consists of millionaires, my voters were the masses, people earning two annas, four annas and six annas a day. My learned friend's voters are those who drive in Rolls Royce and big Buick cars and are big landlords of the province. I submit that my constituency consists of a majority of Muhammadans and it was a Muhammadan candidate against me, supported unfortunately by some of the supporters of my honourable friends on this side, the Ahrar Party, supported by my honourable friends opposite, supported by the Unionist Party and although there was a Hindu candidate, I still managed to poll a huge vote. How did it happen? In a joint electorate an economic programme covered the day. I submit that the people of the province are sick to death of communalism and they want to get on to-days when there will be peace and prosperity in the province and the common man will come into his own (*cheers*).

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*): Mr. Speaker, it is gratifying to note that there is a common desire amongst all sections of the House to eradicate the evil of communalism from the province. All of us agree that as long as communalism prevails there can be no real progress or advancement in the country. Our political, economic and social liberty and progress are being jeopardised by this evil. We must put our heads together to get rid of communalism from our country as without doing so no national progress is possible. Sir, it is argued that communalism is an outcome of religious fanaticism and it has become the fashion to accuse religion for every evil deed. I am, however, not in agreement with this view. I hold just the opposite view. My own opinion is that our ignorance of religion and lack of religious and general education are responsible for narrow-mindedness and intolerance as no religion teaches ill-will, bigotry or persecution of one's fellow-beings. Our ancestors who were more religious-minded than ourselves used to live in peace and harmony and entertained brotherly feelings for each other. While we who are less religious than our ancestors and take religion light-heartedly exhibit feelings of hatred and intolerance against each other. We do not find in the past history of India any mention about a communal clash over Ram Lila and Muharram processions, arti-namaz disputes, music before mosques, Jhatka and Halal, cow sacrifice and similar other religious and quasi-religious controversies. All these controversies are the developments of recent times and if closely examined will show no or little bearing on religion. If we look into the past history of our forefathers we find signal examples of communal and religious toleration and goodwill. All the great leaders of different faiths laid great stress on this point. History tells that a Muslim saint, Mian Mir Sahib, peace be on him, laid the foundation stone of the great Sikh shrine Darbar Sahib at Amritsar in the presence of the great Sikh Guru. We find in many cities mosques and temples

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standing side by side where Hindus and Muslims used to worship without any interference from each other. This spirit did not exist only among the religious heads but was shared even by the rulers and the common people. Muslim kings and rulers granted jagirs to non-Muslim shrines and religious institutions while examples are not lacking where Sikh and Hindu rulers exhibited similar generosity towards Muslim religious institutions. I have seen with my own eyes such sanads for *muafis* and jagirs granted by our past rulers to the custodians of religious shrines and institutions. Non-Muslim rulers used to celebrate Muslim festivals and Muslim kings celebrated Hindu festivals with great pomp and show and shared the reverence and respect for each other's faith. We also find that eminent Hindus enjoyed full confidence of Muslim rulers and were entrusted with important duties of State, while the Musalmans held the highest positions under Hindu and Sikh rulers. Our worthy friend Hakim Ahmad Shuja is a descendant of that great family whose illustrious members guided the destiny of this province during the reign of Maharaja Ranjit Singh. In those days efficiency and ability and statesmanship counted above every other consideration. But what do we see in our times? We hear of brutal attacks and murderous assaults being made by members of one community over the members of other communities and petty squabbles and conflicts between different sections of the population. New causes of disputes and fresh points of differences crop up every day and mar our national progress and liberty. It is not infrequent that we hear of Muslims burning Hindu temples and Hindus and Sikhs dismantling Muslim mosques. British soldiers are called in to restore peace and order and the outside world mocks at our foolish doings and narrow-mindedness. Our problems and points of difference are in fact economic, though unhappily this fact is not generally realised. Our present day communal leaders, representing the upper classes of all groups exploit the ignorant masses in the name of religion in order to retain their power and to keep in tact their vested interests they try to give a tinge of religion to every political and economic question. The atmosphere of distrust and animosity created by the so-called leaders is responsible for creating new causes of disputes which were unheard of before. Our prolonged subjection to foreign rule and want of clear ideals and objectives also help the spread of communalism. Narrow communal demands put forward by a handful of reactionaries and communal exploiters have absolutely nothing to do with the masses, but they often create barriers in the way of national unity and progress. Religious passion is hitched on to them in order to hide their barrenness. By adopting such tactics these political reactionaries have succeeded in capturing the political field in the guise of communal leaders. In order to save the masses from such exploitation, the government should take serious steps against these exploiters and mischief-mongers. It should be made quite clear that the Government will tolerate no nonsense in future and will take serious steps against this class of people, who misguide and exploit the innocent masses for their own ends. The House should assure the Government of their full support and co-operation in this direction. I was sorry to hear the remarks made by my honourable friend, Diwan Chaman Lall, about our worthy and honourable friend, Raja Narendra Nath. Let me tell him that Raja Sahib has set up a healthy convention and valuable example for others to follow, by

co-operating with the Unionist Party. He has exhibited great strength of character by taking a bold step in joining a non-communal political party. Raja Sahib and his party have joined the Unionist Party as partners and not as subordinates to work a common programme for the uplift and progress of the people of the Punjab. Raja Sahib can safeguard the interests of his community much better by co-operating with the majority party than by remaining hostile towards it. It is surprising that my honourable friend, Diwan Chaman Lall, should have the audacity to question Raja Sahib as to why he was sitting next to the Premier while he himself is sitting under the shadow of a rock which broke into pieces the ship of communal settlement a few years ago.

Mr. Speaker : Will the honourable member please speak to the motion ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, I must reply to the remarks made by my honourable friend. It has been further argued that the communal award and separate electorates are mainly responsible for communalism in this country. Here, again, I have a different view. Communal electorate or communal award is a consequence and not the cause of communalism. Let me tell my honourable friends who feel so bitter over the communal award that *باد صبا این همه آزرده نیست*. This present was brought to India from England by our great leader Mahatma Gandhi who admitted before the British Premier that he was unable to bring about communal settlement and that the Premier should take it upon himself to give an award on this question. It was at the express request of Mahatma Gandhi that the British Premier hesitatingly agreed to give a communal award. How then do our Congress friends dare to criticise the award ? If the Congress which claims to be the largest representative political organization in the country had inspired confidence amongst the minorities and assured them that the interests of minorities would be safe in the hands of the majority, the contingency of communal award or separate electorates would never have arisen. But the attitude of the Congress as explained in the Nehru Report and later declarations of the Congress made the minorities nervous and they demanded statutory safeguards for the protection of their legitimate rights. I wish to tell my friends sitting on those benches that if they want to do away with communal electorates, they should try to inspire confidence amongst the minorities by following the lead given by the Unionist Party in the Punjab. Let the minorities feel that their interests will be adequately safe in their hands and they will voluntarily give up the safeguards. You should change your mentality first to bring about a change in the minds of the minorities. Unless you change your mentality you cannot expect the minorities to trust you.

Lala Deshbandhu Gupta : The honourable member should address the Chair.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I want my honourable friends to change their mentality. These remarks are not meant for the Chair.

Chaudhri Kartar Singh : Can the honourable member use objectionable words ? He said that these words were not intended for the Speaker but for the members on our side.

Mr. Speaker : I would request the honourable member not to be personal. Besides he should address the Chair.

Chaudhri Kartar Singh : On a point of order, Sir.

Mr. Speaker : What is the point of order ?

Chaudhri Kartar Singh : The honourable member has uttered certain words which are—

Mr. Speaker : For the information of the honourable members of this House I may point out what a point of order means ? When any rule of business or practice is not observed by any honourable member and the Chair does not catch the point, any honourable member may stand and draw the attention of the Chair to it.

Chaudhri Kartar Singh : The honourable member used objectionable words.

Mr. Speaker : If that is so, the honourable member must have drawn my attention and I would have asked the honourable member to withdraw his words.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, I know my honourable friends are losing patience and becoming nervous by my statement of facts. I know that truth is sometimes a bitter pill to swallow. I would, however, leave this point here and proceed to my next point. We the Punjab Muslims have no right to compromise the position of our co-religionists in other provinces where they are in a minority. We should not forget that it is the privilege of minorities to stick to this safeguard or to give it up voluntarily, if they are satisfied that their rights will receive due and adequate protection at the hands of the minority community. We are, however, prepared to help in creating an atmosphere of goodwill and communal harmony and assure our friends of the minority community, of our whole-hearted co-operation and assistance in this direction. Unless we can bring about feelings of toleration and goodwill and create a healthy atmosphere it will not be possible to solve this highly controversial problem. It is no use making bold utterances here. We should frankly and boldly try to develop public opinion on this point and the majority community should even be prepared to give concessions to the minorities in order to gain their confidence. I am sorry to remark that the Congress majorities have not acted on this principle. They have included persons in their cabinets who do not enjoy the confidence of their communities and have no representative character. In Orissa they refused the Muslim minority any representation in the cabinet. They would have been better advised to include those people in the cabinets who enjoyed the confidence of their own communities. In this manner the government of those provinces could not claim to be the representative of all sections of the population. When minorities are assured that their interests are safe in the hands of the majority community they will not, for a moment, wish to remain under foreign protection. The Congress and the majority community should not force their will on the minorities and should not take up the attitude for which they have been accusing the British. If the Congress follows the lead given by the Unionist Party the whole question will be solved before long. They should extend the same treatment to the minorities and give them same concessions as we have done in the Punjab.

Dr. Saif-ud-Din Kitchlew : What concessions has the Unionist Party given to the minorities ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : We have given them more than their due share in the administration and we have undertaken to protect their legitimate rights and privileges.

Minister for Education : Also adequate representation in the Cabinet.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : There is a saying that 'confidence begets confidence' and we should try to act up to this principle. During the past decade attempts have been made to settle the communal problems by mutual talks and discussions. Unity conferences were held at various places. There were many earnest and well-meaning people in these conferences, and they tried to come to an agreement. Some pious and good resolutions were passed but the basic problem remained unsolved. Extremists of various groups advanced solutions which aimed at complete submission of all others to their own views or interests. We should try to tackle this problem with renewed vigour and fresh outlook in the spirit of give and take. Let this House set up a healthy convention by refraining from asking questions of a communal nature and moving resolutions or making utterances which injure the feelings of others. I was sorry to note that a short notice question was asked only this morning by an honourable member of the Congress Party which was of a communal nature. Such things must be stopped in future.

Lala Deshbandhu Gupta : On a personal explanation. I would like the honourable member to name the member and also describe the subject matter of the short notice question.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Was that question from you ? If this is so, you ought to know the subject matter of the question. It is alleged that the previous government followed the principle of 'divide and rule.' Let me declare that the motto of the Unionist Party is "Unity is Strength" and that our watchword and guiding principle is "Unity," and we mean to stick to it. I congratulate the Honourable the Premier for his salutary move to bring about communal harmony in this province and I wish to assure him of our whole-hearted co-operation and assistance in achieving this object. I would appeal to him to take the strongest measures against communal mischief-mongers and exploiters irrespective of their position or status. Communalism and spreading hatred between different communities and classes should be considered the gravest crime against the State and the offenders should be given exemplary punishments. I want to say a few words with regard to our Press.

Mr. Speaker : The honourable member's time is up.

Diwan Bahadur Raja Narendra Nath (East Punjab Landholders) : Sir, I did not intend to make any speech on this resolution because the resolution before us is worded in a manner which is indisputable. No one can question the importance of communal harmony, no one can question the importance of communal concord and, therefore, I thought it was unnecessary to say anything on the resolution itself. But as my honourable friend Diwan Chaman Lall has made special reference to

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me pointedly, I am compelled to say a few words. Of course, every one has full independence to hold whatever opinion he likes, but I accuse my honourable friend of having misread the history of my public activities, of having misread the human character. I am here accusing him of what he has done. My public activities, of course, can bear that interpretation which my honourable friend has chosen to put upon them. I say that I have really fought for the cause of nationalism. I have really been fighting for dispelling communalism from the province and discriminative policy from the politics and the system of governments that have existed. I do not under-value the importance of economic problems. I do not deny that our people are suffering from appalling poverty. But I say that economic solution is impossible without economic independence, and economic independence is impossible without political independence, and political independence is impossible without homogeneity and homogeneity is impossible if you allow discrimination to take place in your political system and this discrimination will continue so long as you do not minimise differences. These are the points of conflict between the communities. My honourable friend does not know what history teaches us. I say my honourable friends opposite are putting the cart before the horse. They are asking for economic solution and for economic independence without cultivating this change.

Diwan Chaman Lall : Where has this teaching of history landed my honourable friend ?

Diwan Bahadur Raja Narendra Nath : I say that everyone is fully entitled to hold any opinion that he likes. The way in which I read history is this.

Mr. Speaker : The honourable member should proceed with his speech without answering the honourable Diwan Chaman Lall's question.

Diwan Bahadur Raja Narendra Nath : I think that too much importance is attached to the economic solution of our province. It is a very important question. But what my friend is trying to establish is this, that the whole world is going to unite on the economic question. That problem has not been solved and that experiment has not yet been tried. I speak on the authority of Professor Leslie himself who says that an attempt to unite the whole world on the economic question is an impossibility, that experiment has not yet been tried and it is too much to expect the result aimed at. Of course so far as the economic problems go, the different castes and the different classes will be united among themselves. For instance, if it is a case of the rights of tenants the tenants of all classes will unite. If it is a case of landlords, the landlords of all classes will unite. But that is not the homogeneity which is necessary to make up a nation. A nation is united on all questions of offence and defence and that process ought to be preceded by a very long process of evolution which I have been aiming at. So my friend has misunderstood and misread the history of our activities and I venture to say that he has misread human nature and misread political history. *(Hear, hear)*. I find that my other friends want to speak and, therefore, I will not be long. There are many things which I have not been able to do. I have not gone to jail certainly. If that is the sole qualification required in a public man, I lack it. I confess this. If the sole qualification

is that one ought to go to the villages and lecture to the masses, I have not done it, to the extent that some of my friends have. But I have sometimes done it and explained to agricultural classes and to ignorant people my points of view. I have explained to them what political advancement means. I have not been quite out of touch with them. But probably I have not been as frequently in contact with them as my friends have been. One does not feel able to do everything that another does. The sole question is whether my activities are liable to objection and I have given my defence. With these words I resume my seat. (*Applause*).

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): Sir, I would not have spoken on this motion because the motion is self-evident and there cannot be any difference of opinion on this point. Moreover I have not been well for the last 4 or 5 days and I would have preferred not to strain myself. But it has become necessary to say a few words. I have listened to all the speeches with great interest and I must say with a certain amount of amusement also. I would not indulge in platitudes because the time at my disposal is very short. But I would at once come to brass-tacks. I have got certain facts before me and I want to place those facts before this House. When the Honourable Premier who is now the Leader of the Unionist party and another unionist leader, Chaudhri Sir Chhotu Ram, and another unionist leader, Chaudhri Zafrullah Khan (*An honourable member*: And another)—I will not mention others. There are three important leaders of the Unionist party who are now, I am very glad, anxious to bring about peace and harmony in this province. My speech will mostly be questioned. They were all members of a committee appointed by the Council which preceded this legislature, to prepare a sort of memorandum to be presented to the Simon Commission. That memorandum is embodied in this report which was published in 1929. I may also mention that Diwan Bahadur Raja Narendra Nath and I were also members of that committee, so to say, to represent the Hindus. We felt that there could not be lasting unity in this country unless joint electorates were introduced and in our note this is what we said. On page 76 of the report, after giving our reasons in favour of joint electorates:

Separate electorates in the Punjab will simply perpetuate separation and maintain the present communal tension.

No one can deny that our prophecy has proved true. On another page we stated:

The proper course for our Muslim fellow countrymen is to consent to an electoral system, in which they should be able to influence the election of the representatives of other communities, and give the same opportunity to other communities to influence the representatives of the Muslim community.

What did these gentlemen who are now very anxious to bring about peace and harmony in the province say—Sir Sikander Hyat-Khan, Sir Chaudhri Chhotu Ram and Sir Zafrullah Khan? In one word they said that the time had not come for joint electorates and separate electorates were essential for the Muslims. If you want to read their words, you may read them at pages 18 and 19 of the report. I would just read out a few lines:

The premature introduction of a system which depends on mutual good-will and confidence for its successful and equitable working, instead of bringing the communities closer, may result in a set-back which may take a considerable time to make up.

[Dr. Sir Gokul Chand Narang.]

Then, Sir, this matter was discussed in the Council and in the Council also I supported the view which I had expressed in this report. I said, if I may be permitted to quote myself, following the precedent of an honourable member here who is very fond of quoting verses and his own speeches :

Then we come to the constitution which has been recommended by the majority of the committee of this province (headed by Sir Sikandar Hyat-Khan). The fundamental point there is that of the electorates, because that is the first step towards the constitution. What is the recommendation that they have made. They have expressed pious thoughts here and there. Like the memoranada of the Government they have also indicated that separate electorates are not desirable things, yet they have recommended them; because they find that in the present state of evolution of this province, according to them joint electorates cannot be introduced in this province. They may have separate electorates, they may elect their own members with their own votes. They are quite welcome to do so. But let them not say that the Punjab is thereby going to have representative government.

These are their recommendations when the constitution under which this Assembly has been formed and under which we are sitting here was under discussion and I told them that a government which they would have with separate electorates would not be a representative government. Notwithstanding the reiterated assertions of Mir Maqbool Mahmood that this is a national government, I do not believe it is a national government. I went on to say—

The matter has been discussed over and over again in the press and on scores and hundreds of platforms and to a certain extent in this House also and I need not go into the various aspects of this question. But I would ask honourable members to try and visualise the frame-work of the government which would be evolved if the recommendations of the majority are carried out, there being three Punjab, the Sikh Punjab, the Muslim Punjab and the non-Muslim Punjab.

And I do not know what to call this (Congress Party) Punjab. It is probably the national Punjab. Then another honourable member of the Unionist party made a speech and he said—his speech may be read in Volume XIV of the Punjab debates—he has now got a very high position under the government and a position which is really immune from attack—I would not, therefore, even mention his name because he adorns a judicial bench—

Joint electorates are permissible only if there is one nation. But if there are more than one nation, different nationalities welded together artificially, then separate electorates are absolutely necessary.

we care to examine whether we are one nation or not, we shall find to our disappointment that we are not. We have different histories, different religions, different descent, different interests and different languages. How can we be one nation under these circumstances?

This was the precious utterance made on the floor of the last Council. Then he went on in the same strain and I need not take up the time of the House. I would like to quote just one passage from my speech.

Sardar Hari Singh : Was it a 'cup of poison' speech? (*Laughter*).

Dr. Sir Gokul Chand Narang : It is not that speech. I said—

So long as communal representation continues, no community should be placed in a position of absolute majority. Why? Because it is inconsistent with the democratic principles which my learned friend so much loves. I make this recommendation because I believe that communal majority at its best is but a form of tyranny and in any case. (*A voice:* Will it apply to all provinces?) Yes. I remember your yesterday's interruption. Do not be impatient. I would say at once that in no

province the majority community of which is not prepared to abandon communal electorates and communal representation, political advance should be made. That is my ideal. I do not want that any community in any province whatsoever, whether Bihar, Madras or the United Provinces where the Hindus preponderate should be in a majority as Hindus. In no province in India should the Muhammadans be in a majority as such (*hear, hear*). Let them come as Punjabis, let them come as Indians and let them occupy 99 per cent. of seats and I for one shall not raise my little finger against them (*hear, hear*). I welcome that because if I am crushed I shall be crushed by my own countrymen and not by foreigners.

I am prepared to suffer if the suffering is caused by my own brethren. That is my ideal. I am not for having Hindu majority as such in one province and asking the Muslims not to ask for a majority in another province. That would be absurd on the face of it and foolish and unfair and unjust and I shall not be guilty of that unfairness or injustice or such folly.

Mr. Speaker : Will the honourable member please resume his speech. The honourable member is reading from a speech which he delivered long ago.

Dr. Sir Gokul Chand Narang : I am going to put this question to my honourable friends : do they stick to those views or have they by a stroke of good fortune revised or changed those views ? If they have I congratulate them and I would welcome that change. I would like to ask my friend whether he has or has not changed his views. Is Sir Sikander of the Reform Committee Report the same as he was in 1929, or does he, benefiting by his experience, think that time has come for the introduction of joint electorate ?

The next question I want to put is this—I do not mean any disrespect to any gentleman, I ask it without making any personal reference. I regretfully believe that communal tension in the Punjab came in 1921 or 1922. I am not quite clear. It came in when a discriminatory rule was issued by the government, and when Raja Narendra Nath in his zeal—I should say a most regrettable zeal in the light of experience—got up and proposed a vote of censure against the Minister then in power who was responsible for that discriminatory rule. I can demonstrate from history, Sir, that up till then the Hindus and Muslims in the Punjab were like brothers. They had been drinking from the same cup—I remember after this the first communal meeting was held in the Barkat Ali Muhammadan Hall to condemn Raja Narendra Nath's action and it was from this that the communal troubles in the province began. What is at the root ? Is that root to be uprooted or is that root to be allowed to blossom into a plant and a tree ? The other day somebody asked the question when the Education demand was under discussion—

“Are you going to remove that circular which lays down that a certain percentage of members of each community would be admitted to a certain institution?”

And my friend Mir Maqbool Mahmood got up and said—

“That was for the protection of the backward community.”

Are you still backward ? Sometimes you say you are not backward. Why should you rule if you are backward ? Apart from this my submission is, are these gentlemen now prepared to say that it is their desire—a very laudable desire—that there should be peace, concord and tranquillity in the province ? Do they realise that there cannot be any peace as long as there are separate electorates in this province and as long as there are discriminatory

[Dr. Sir Gokal Chand Narang.]

laws and rules. I do not know with what face Raja Narendra Nath can support the party which believes in discriminatory rules and laws. He shall have to give an explanation to the public. I would not have addressed my remarks to him but he just now said with pride that he spent the whole of his life in declaiming against these discriminatory rules and laws. Will he now use his power and influence with the authorities in whose support he is sitting to do away with these discriminatory laws and rules? I ask the Premier to pay attention. A young man who has passed in the first class is shut out from appointment or is not admitted for further education simply because he belongs to a certain community, and a member of another community is taken even though he has taken third class. Do you think that youngman will go away with blessings for the authorities? There would be murder in his heart. If he abstains from committing murder it is because of the fear of law. Can there be peace in the province so long as these iniquitous laws are in existence? It is all platitudes to say we want peace. Who does not want peace? But are you prepared to do something to bring about peace? A gentleman got up and said let us have confidence. But how can the people have confidence in those who believe in discriminatory rules and laws? Until you do away with these discriminatory laws there cannot be confidence. Yesterday somebody asked why these resolutions had been brought forward. I had myself been thinking about it. He was thinking that there must be some sinister motive behind this. I do not accuse the people who have brought forward this resolution. They may be innocent victims I do not know.

Khawaja Ghulam Hussain : The honourable member is casting aspersions.

Dr. Sir Gokal Chand Narang : I make you an exception and I withdraw that word. I do not want to injure the feelings of anybody. I told him that these gentlemen have got power and they know that they will be able to do whatever they like. They will look after one community and shut the mouths of the other communities (*Voices from Treasury benches :* No, no.)

Mr. Speaker : I would ask the honourable member not to dwell further on this point.

Dr. Sir Gokal Chand Narang : The question has been discussed for the last 17 years and if you will go into the question you will find—

Khawaja Ghulam Hussain : On a point of order. I just want to point out that the learned honourable member is not speaking to the motion which is before the House. He is speaking on an entirely different subject.

Dr. Sir Gokal Chand Narang : I shall just close. These are unpalatable things. I hate platitudes. I want to speak the truth and speak it out on the floor of the House. Otherwise people will blame me for not having spoken the truth. When Mir Maqbool Mahmood said that questions ought not to be put on communal matters I smelt something wrong, because it exactly coincided with the apprehension which was expressed yesterday, namely, that so far as the Unionist Party was concerned communal questions

would become unnecessary, because they have got the power and they can do whatever they like and that it would be only the poor Hindus and Sikhs and the depressed communities who would have any grievances and would have to put questions. I do not approve of the statement made by the Premier the other day that no communal questions should be put and that he would not answer communal questions. In fact he did not actually answer some of the questions the other day. I do not mean to say that communal questions of a frivolous nature should be allowed to be put, but when the minority community thinks that injustice has been done, their mouth should not be shut, they should not be gagged. If their mouths are shut, they cannot have confidence in the Government and consequently there cannot be peace. That is all I wanted to say.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : Does the honourable mover wish to exercise his right of reply ?

Khawaja Ghulam Hussain : I must express my gratefulness to the House for supporting my resolution. I am also grateful to Dr. Sir Gokul Chand Narang for the fiery speech he has made, not on the motion before the House, but on a matter which is rather different from the motion which I have moved.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I welcome the cordiality with which my suggestion made at the Unity Conference has been received by all sections of this House not withstanding the provocative speech made by my light-weight friend opposite, who in his juvenile impertinence forgot himself by making a gratuitous attack on Raja Sahib. According to that Persian saying—

بازي بازي با ريش با باهم بازي

he has thought fit to have a fling at the "father" of the House which provoked a crushing retort from my heavy-weight friend from Muzaffargarh. Nevertheless, I thank all sections of the House for the cordiality with which they have supported this motion and I congratulate the honourable mover and my other honourable friends who had given notice of similar motions, for the public-spirited motive which actuated them to bring these resolutions before the House to-day.

Before I get on to the merits of the motion before the House I should like to refer very briefly to the somewhat jarring note struck in his speech by my honourable friend and ex-colleague, Sir Gokul Chand Narang. When he got up to speak and started quoting from the Report of the Punjab Reforms Committee and from the dissenting minute which was signed by him and by my honourable friend the Raja Sahib and when he waxed eloquent and attempted to depict us as anti-national and went on to applaud his own nationalism, it reminded me of another Persian saying—

چه داور است نزد که کف جواع دارد

Dr. Sir Gokul Chand Narang : That applies to the Premier and his Chief Secretary.

Diwan Bahadur Raja Narendra Nath : Not to me in any way ?

Dr. Sir Gokul Chand Narang : Not to you.

Mr. Speaker : No interruption, please.

Dr. Sir Gokul Chand Narang : Unless the remarks on the other side are provocative.

Premier : My honourable friend's remarks were meant to provoke not only an individual member, but a majority of this House and yet, we on this side did not interrupt him except my friend, the Raja Sahib, who wanted to correct him on a question of fact. The honourable member opposite referred to the 1928-29 Report of the Punjab Reforms Committee. It was my privilege to be the Chairman of that Committee. I may remind my honourable friend who was my colleague of that Committee that I worked day and night, not for a month, not for two months, but for several months to bring round my honourable friend and other members so that we might be able to produce a unanimous report which would have done credit not only to the Punjab, but to the true spirit of nationalism in which at least we on this side of the House believe. In spite of the platitudinous remarks and the note of dissent appended by him, he knows perfectly well, and my honourable friend the Raja Sahib and I know perfectly well what was the real reason which did not allow us to arrive at a unanimous decision with regard to the electorates. He is also aware of my views on the question of electorates. It is not a view which I have professed only to-day, or expressed in 1929, but I have stood by it for the last 25 years or more (*applause*).

The eventual emancipation of this country lies in our sinking all communal differences and thus creating an atmosphere which would make it possible by mutual agreement to introduce joint electorates, which must be based not on any communal considerations, but broad-based on foundations of nationalism, patriotism and service to the country. That, Sir, has always been the ideal before me ; but since my honourable friend opposite has appealed to us that we must face facts, let me remind him that we had also to face facts in the year 1929, and it were these 'uncomfortable facts'—I might say disquieting facts—of which my honourable friend has given us a glimpse again to-day, which stood in the way of our arriving at an agreed decision or conclusion with regard to the form of electorates. Unfortunately those hard facts still face us to-day. My honourable friend has said so, and I endorse his view that we cannot ignore them. But it is with a view to remove these very obstacles from our way that we must strive with a single-mindedness ; and I trust the House will to-day unanimously endorse the resolution which my honourable friend from Lyallpur has brought forward with a view to bring about communal harmony in the province. Let us go a little deeper not only into the Report of the Punjab Reforms Committee, but also into the history of the communal formula which came at a much later stage but before the Communal Award, which had to be superimposed much to our shame and disgrace because of our failure to compose our differences. You will remember that our revered leader and friend, the late Sir

Fazl-i-Husain, who was a Congressite before he took office, and remained a nationalist throughout his life, was also faced with these very hard facts and on that account favoured communal electorates, for the transitional period, merely to keep the communities from coming to loggerheads. He was called an arch-communalist just as my veteran friend on my right has been dubbed an arch-communalist by my juvenile friend opposite.

Diwan Chaman Lall : I wish my honourable friend were a little more original.

Premier : My honourable friend wants me to be a little more original. We are considering serious matters of great import and this is not the occasion for frivolous repartees. Sir Fazl-i-Husain, for reasons which need not be repeated, believed in separate electorates, but merely as a temporary device and not as a permanent measure; before the Communal Award came he was in favour of separate electorates for the Muslims. But you are aware, Sir, and I believe several honourable members in this House are aware that he was later converted. It took me eighteen months to prepare elaborate statistical statements to bring him round. The new Census Report had not been published then and, it took me several months to collect and tabulate statistics for every district and tahsil and every community in the province. I prepared a detailed statement with a view to convince him that joint electorates would do no harm to Muslims or any other community in this province; and you are aware, Sir, and I address you now not as Speaker, but as Sir Shahab-ud-Din, that eventually I succeeded in persuading Sir Fazl-i-Husain to accept the principle of joint electorates. He, however, gave his agreement subject to one important condition. He stipulated that so long as we did not attain universal adult suffrage, the population of each community should be reflected in its voting strength. This was the condition on which Sir Fazl-i-Husain eventually, after critically examining the statements which I had prepared, agreed to joint electorates. We were at the time holding a session of the Punjab Council in this very building in Simla and an agreed formula on the basis of joint electorates was drafted and signed by all the Muslim and Hindu members and more than half the Sikh members. Those documents are still carefully preserved by my honourable friend on my right. My honourable friend, the Raja Sahib, who has been described an arch-communalist by my friend opposite, also signed that document as also every single member of his party. He has still got those papers carefully preserved with those signatures. Several of my Sikh friends also signed the document. It was decided that that resolution should be ratified the next day in the Council. But unfortunately it was torpedoed over night. But who torpedoed it? I would not mention any names or details but my honourable friend who preceded me in this debate could probably do so if he cared to lift the veil from that mystery. It may not be a mystery to me and some other gentlemen, but it is still a mystery so far as the public is concerned. So, as I said before, that resolution was torpedoed the night before.

Dr. Sir Gokul Chand Narang : Not by me.

Premier : When I prepared the formula, I frankly explained its implications to all concerned and placed all the cards on the table. I knew

[Premier.]

that the arrangement whether with or without reservation of seats would not in the long run benefit my Sikh friends for the simple reason that throughout the whole of the Punjab we could demarcate only three constituencies in which Sikhs would have a clear and absolute majority. In all other constituencies the Sikhs will have to depend on the vote of the other communities to get their nominees returned. I felt that it would be unfair to my Sikh brethren to ask them to accept a formula based on joint electorates without explaining to them the implications of the formula and it was for that reason that I had all the information tabulated in the form of charts and statements. Several Sikh members of the Council at first agreed but later backed out and the agreement was wrecked. I would not like to mention any names but I might explain that according to my information there were others who wanted to back out and cleverly used Sikhs to draw the chestnuts for them. My honourable friend opposite might be able to unravel the secret for you.

Dr. Sir Gokul Chand Narang : If the insinuation is against me, I say that it is absolutely false.

Premier : If that formula had been ratified in the Council, we would not be hanging our heads in shame to-day or wasting our time and breath in criticising the Communal Award. But the fact remains that the agreement was torpedoed and my labour was wasted. If the Punjab had ratified that agreed solution the rest of India would have followed suit. There is not the slightest doubt that but for that unfortunate last minute backing out on the part of those pseudo-nationalists who are loudest to-day in denouncing the Communal Award—it would not have been necessary for the third party to superimpose it. It must be admitted to our disgrace and shame, that we are ourselves responsible for this humiliation. If you will allow me, I will read out an extract from Mahatma Gandhi's speech at the Round Table Conference in which he expressed his regret at the failure of negotiations in London.

Diwan Chaman Lall : Two of your colleagues are responsible for it.

Premier : Exactly, your colleagues and mine, but it is no use crying over it now. Mahatma Gandhi said—

“ Prime Minister and friends. It is with deep sorrow and deeper humiliation that I have to announce utter failure on my part to secure an agreed solution of the communal question through informal conversations among and with the representatives of different groups. I apologise to you, Mr. Prime Minister and the other colleagues, for the waste of a precious week. My only consolation lies in the fact that when I accepted the burden of carrying on these talks I knew that there was not much hope of success and still more in the fact that I am not aware of having spared any effort to reach a solution.”

I do not think that there is a single patriotic Indian, who does not hang his head in shame realizing that it was our own
 4 P.M. fault, and our misfortune that we could not come to an agreement over this vexed question and a decision had to be superimposed upon us. It is no use crying over spilt milk. Let us try to make good now. I suggest that we should pass this resolution not in the spirit in which mere formal resolutions are passed and forgotten but in the spirit that

once we have endorsed it we shall act up to. One of my honourable friends has suggested that the words in the resolution relating to legislation should be deleted. Let me assure my friend that I do not at present require for my purpose the aid of any fresh legislation. All I want is your support and goodwill. I have ample weapons to deal with the arch-communalists, but if I were to accept the suggestion, which was made by at least one member from the opposite benches that I should not use the weapons provided by the existing law I would be failing in my duty to the province, and in that case it would be no use passing this resolution. If these same weapons can be used against persons who transgress the law through a misguided sense of patriotism why should we not use them against those arch-enemies of nationalism who exploit credulous masses in the name of religion? It would be unfair not to use these weapons against those arch-communalists who go about spreading trouble and bitterness with impunity.

You are aware that in places of worship—in *mandirs*, *gurdwaras* and *masjids*—and outside, these enemies of the country go about preaching a sermon of hatred and bitterness against their own brethren. I cannot conceive of a greater sacrilege than that the house of God should be used for this nefarious purpose. One cannot conceive of a more ungodly act, and yet these people are allowed to go about unhampered preaching hatred and spreading poison from mosque to mosque, from *mandir* to *mandir* and from *gurdwara* to *gurdwara*. It is these unscrupulous people whom we must catch first. Unless we gag them it would be impossible for us to make any progress in this province or elsewhere in this country—whether it be in the economic field, political field or the social sphere. We must all join together in trying to stamp out these arch-communalists and rescue not only the poor ignorant masses, but if I may say so, also a section of the intelligentsia, from the hold and influence of these adventurers. I can assure my friends opposite that whenever it is necessary to utilise the remedies provided in the various existing enactments, we shall apply them unhesitatingly in the case of every rabid communalist irrespective of his position and status in life. These people should no longer be allowed to roam about and create trouble in the province.

Mian Abdul Aziz : Provided the honourable members do not ask for their release (*laughter*).

Premier : I might once again appeal through you and through my honourable friends opposite and on this side of the House to that section of the Press which is mainly responsible for disseminating the deadly poison of communalism. It is this section of the Press which for sordid mercenary motives, for the sake of increasing circulation, tries to sow the seed of dissension and discord. It is this section of the Press which we must try to mend or end. Let me in this House state that unless they mend their ways we will not give them any quarter; if they do not take heed of the warning which I am now giving to this section of the Press and to those arch-communalists who go about from place to place preaching hatred and stirring up trouble we will not spare them.

Dr. Gopi Chand Bhargava : What about Government officials?

Premier : My friend wants to know about Government officials. I am not here to defend erring Government officials, but my honourable friend will, I trust, concede that all the Government officials are not communalists. There may be, and I dare say there are, some black sheep among them. With such we will deal equally sternly, and I need your help equally for weeding out the black sheep from the services. I would also include them in the category of those who need to be warned that unless they mend their ways and henceforward act impartially, they would deserve and share the same fate as the communal section of the Press and the communal mischief-mongers (*cheers*).

Dr. Gopi Chand Bhargava : What is your reply to the charge regarding the recruitment of services ?

Premier : I am glad my honourable friend has mentioned it. It is an important question, and my honourable friend Dr. Gokul Chand Narang also laid stress on it. I have been a member of the Punjab Government ever since 1929 with a short break when I went to the Reserve Bank, and I can with a clear conscience testify before God and man that throughout my official career there has not been a single occasion on which I may not have kept the balance even between the communities. I laid down a rule in the beginning of 1932 that 50 per cent. posts should go to Muslims and the other 50 per cent. should be divided equitably among the Sikhs, Hindus and others. That formula was strictly adhered to in the departments, which were under my control. But what did my friend opposite (Dr. Gokul Chand Narang) do ? Can he also with a clear conscience make a similar declaration ? A perusal of the consolidated statements issued annually will show the state of affairs in his departments. In the Electricity Department, you will find that the Muslim percentage did not increase even by 4 per cent. (*Cries of shame, shame*).

Dr. Sir Gokul Chand Narang : They will not increase even now unless he gets absolutely unqualified men.

Premier : My honourable friend particularly and forcibly referred to the question of appointments and has thus forced me to make this observation in reply to his remark. It is not communalists like me—he is welcome to call me a communalist ; and if everybody was a communalist like myself I think there would be no communalism left in the Province (*hear, hear*)—but it is those enemies of the country who disturb the communal position surreptitiously and who carry on subterranean communalism who do harm. The consolidated statements are there and my friends can easily look up the figures. He was in office when the last statement was published and my honourable friends can study it and see for themselves what he has done during the last three or four years of his office and they can also see what I have done.

My honourable friend may rest assured that I have not stopped communal questions with any sinister motive. I have requested honourable members to refrain from putting such questions merely because they create bitterness, and I can assure you, that so far as my colleagues and I are concerned it is our faith—and we have declared this several times not only on the floor of this House but outside and in the very first statement issued on behalf of the Cabinet when we assumed office, that we will not

only see that justice is done to one's own community but that we would safeguard the legitimate interests of other communities even more jealously than our own.

That, Sir, has always been our position and that principle will continue to guide our actions in future. We look forward to the day when my Hindu friends would put questions when they find that injustice has been done to Muslims and my Muslim brethren will take up cudgels when injustice is done to non-Muslims. That is the ideal that we have set before us. I am afraid the speech made by my honourable friend to-day is not likely to help in creating the atmosphere which we all desire to bring about. I know you are in a hurry, Sir, for you are leaving to-day (*laughier*). I want only a minute more and if my honourable friend, Dr. Sir Gokul Chand, had not unnecessarily provoked me, I had no intention of speaking for more than a few minutes. Let me before I conclude very briefly touch on that complex and delicate subject of food-stuffs. Attempts have been made to make a great deal of capital out of certain answers given by me to a question about *Jhatka*. Let me assure my honourable colleagues and particularly my Sikh friends that so far as I am concerned I have not the slightest objection to their using *Jhatka*, if they want to. No Muslim would object. I can speak on behalf of all the Muslim members here and, perhaps those outside, that they will not have the slightest objection to the use of *Jhatka* by the Sikhs. But they must remember that there are others and allied questions one of which is slaughter of kine. A Muslim does not object to pork because of any sanctity attached to this animal. He merely objects because he is prohibited from eating this filthy and vile animal. On the other hand where cow is concerned, the position is different, as it is held sacred by my Hindu brethren. It was for these reasons that I suggested that these matters should be taken up and considered in the Unity Conference, and we should try to come to some sort of amicable settlement with regard to the various outstanding matters. No one would be happier than myself if we can arrive at a satisfactory settlement there about foodstuffs also. As you are aware when we took office we gave an undertaking that until and unless there was a settlement by mutual agreement between the communities in regard to religious and *quasi*-religious matters we would not make departure from the *status quo*. In conclusion I would request all my friends on both sides of the House that when we go out of this House to-day, let us feel that we are going out as Punjabis and not as Muslims, Hindus or Sikhs and let us once for all make up our minds indomitably that we will remain Punjabis whatever provocation or opposition we may receive and from any quarter whatever (*hear, hear*). I am confident that if we have the courage of our convictions we will within a few months solve the problem. If we in the Punjab can solve the communal question to-day, or within the next six months or even within the next five years, we will have done a service not only to our respective communities and to our province, but we will have done the greatest service to our motherland (*hear, hear*).

Dr. Sir Gokul Chand Narang : I want a minute for personal explanation.

Mr. Speaker : After the motion is put.

Question is—

“This Assembly recommends to the Government to adopt effective measures for the stamping out of communalism from this province and take immediate action by means of legislative enactments or otherwise to make the recrudescence of communal disturbances impossible.”

The motion was carried unanimously.

Mr. Speaker : As I am leaving Simla as soon as I can, the Deputy Speaker will take the Chair in my absence.

Premier : Before you leave the Chair, you will please, allow me to say a few words. To-day is the last day of the present session and I am afraid there have been occasions when we may have overtaxed your patience. But let me assure you, and I am sure I am speaking on behalf of the whole House, that throughout our sentiment has been one of respect and esteem for the Chair. All that some of us desired was to defend the rights and privileges of the House and the individual members whether belonging to the Opposition or this side of the House. And before you leave, let me, through you, thank my honourable friend the Leader of the Opposition for the courtesy and co-operation which I have received from him throughout the session (*hear, hear*) in trying to set up healthy conventions and a high level of debate and practice in this House. I thank you and my colleagues of the Assembly (*cheers*).

Mr. Speaker : I have no time, but must say a few words in reply. I am grateful to the honourable members for the parliamentary way in which they have behaved during the session. There was some misunderstanding during the first few days, but it soon disappeared and decency and decorum took its place. I need hardly assure the honourable members that I may have been guilty of errors of judgment, but so far as my intentions go, I always tried to hold the balance even between the various parties (*hear, hear*).

(At this stage the Chair was occupied by the Deputy Speaker.)

Dr. Sir Gokul Chand Narang : I want to say a few words by way of personal explanation.

Mr. Deputy Speaker : Order, order.

Dr. Sir Gokul Chand Narang : Am I or am I not entitled to a personal explanation? (*Voices : Order, order.*)

Mr. Deputy Speaker : That occasion is over.

Diwan Chaman Lall : On a point of order. Perhaps you did not hear the words uttered by the Speaker before he left. My honourable friend here asked for an occasion for a personal explanation to be given to him and the Speaker said that after he had put the motion there would be time enough for him to offer the explanation, and in view of that I submit that it is within his rights to do so. I do not know what explanation he wishes to offer, but I certainly think he is within his rights to offer that explanation.

Mr. Deputy Speaker : Opinions of the Speaker are not binding on me.

Dr. Sir Gokul Chand Narang : A great aspersion has been cast upon me by a most responsible man which is false, false, false. I challenge him to prove one case.

(Cries of order, order.)

Diwan Chaman Lall : May I ask your ruling regarding this? If an honourable member desires to rise to a point of personal explanation, is it the right of a member to be able to do so any time or not?

Mr. Deputy Speaker : That time is over now.

Diwan Chaman Lall : According to which rule? Will you quote any rule or standing order? Will you be kind enough to inform the House according to which rule or standing order the time is over for it?

Mr. Deputy Speaker : According to parliamentary practice.

Dr. Sir Gokul Chand Narang : Your ruling is absurd.

Minister for Education : May I draw your attention to the remark that Dr. Sir Gokul Chand Narang has made? Will you kindly ask him to withdraw the remark? (*Voices : Name him.*)

Diwan Chaman Lall : Mr. Speaker, may I draw your attention to rule 28 on page 15?

Mr. Deputy Speaker : The honourable member is not correct in discussing the ruling of the Chair.

Diwan Chaman Lall : I draw your attention to rule 28.

Mr. Deputy Speaker : The honourable member should resume his seat. If he wants to address the Chair he should do so in a respectful manner (*hear, hear*).

Diwan Chaman Lall : I do not think that any word uttered by me has been disrespectful. I have certainly been expressing my opinion in a loud voice.

Mr. Deputy Speaker : The tone of the honourable member was certainly disrespectful.

Diwan Chaman Lall : I think, Mr. Deputy Speaker, you have misunderstood the tone. In view of the noise created by my honourable friends opposite, it was necessary for me to shout but it was not for the purpose of intimidating you. I assure you of that. May I now draw your attention to rule 28?

Mr. Deputy Speaker : The honourable member is insisting on using the same sort of language.

Diwan Chaman Lall : Mr. Deputy Speaker it is possible that my knowledge of English is different from your knowledge of English. I am drawing your attention to rule 28.

Mr. Deputy Speaker : That is nothing short of discussing my ruling.

Diwan Chaman Lall : I do not intend to discuss your ruling, but I am asking you to give your ruling. I may draw your attention to standing order 26. It says—

When, for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

Mr. Deputy Speaker : Not after the discussion.

Dr. Sir Gokul Chand Narang : I rose during the discussion and the Honourable Speaker promised me that he would give me an opportunity later to offer my personal explanation, of which you are depriving me now.

Premier : I should like my honourable friend opposite to withdraw his words which he used against the Chair.

Dr. Sir Gokul Chand Narang : I withdraw (*cheers*).

Lala Duni Chand : I rise on a point of order, Sir. In the course of the debate the Honourable Speaker promised to give an opportunity to Sir Gokul Chand Narang to offer his explanation. Is not the Honourable Deputy Speaker expected to respect the promise of the Honourable Speaker ?

Mr. Deputy Speaker : I have already given the ruling that the casual remarks made by the Honourable Speaker are not binding on me and constitutionally those remarks have no meaning.

Dr. Sir Gokul Chand Narang : It was not a casual remark. Premier's statement about me was false, false, false.

NORTH-WESTERN RAILWAY ADVISORY COMMITTEE ELECTIONS.

Mr. Deputy Speaker : The House will now proceed to elect the members to the North Western Railway Advisory Committee. In regard to rural interest, only one gentleman has been proposed, namely, Sayed Mubarak Ali Shah. He is, therefore, declared duly elected. (*Cheers*.)

The following 3 gentlemen have been proposed for election to represent the urban public—

- (1) Khawaja Ghulam Hussain,
- (2) Sardar Sahib Sardar Gurbachan Singh, and
- (3) Lala Sita Ram.

These names are printed in alphabetical order in the voting paper which will be distributed to the honourable members¹.

Lala Sita Ram : In view of my party's decision I beg to withdraw my name.

Dr. Sir Gokul Chand Narang : On a point of order, Sir. You were pleased to say that the Honourable Speaker's casual remarks had no meaning. Was that in order ? Were you in order in making that remark ?

Mr. Deputy Speaker : That discussion is closed.

Dr. Sir Gokul Chand Narang : Will you please, at least, withdraw these words ?

After the voting was over, the Assembly adjourned sine die.

¹ After counting the votes Sardar Sahib Sardar Gurbachan Singh was declared duly elected.

PUNJAB LEGISLATIVE ASSEMBLY.

APPENDIX.

Final answers to questions for which *ad-interim* replies are printed in Volume I of the Punjab Legislative Assembly Debates.

ANSWERS TO STARRED QUESTIONS.

(Question No. *8, page 240 ante.)

BEHAVIOUR OF SUB-INSPECTOR, POLICE, PHILLAUR, TOWARDS S. AJIT SINGH, PLEADER, PHILLAUR.

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

(b) An inquiry into the matter was made not only by the Sub-Inspector's departmental superiors but also by the Deputy Commissioner, and the allegations were found to be baseless.

(Question No. *69, page 965 ante.)

CANVASSING FOR VOTES BY GOVERNMENT SERVANTS.

The Honourable Mian Abdul Haya : (a) No.

(b) Does not arise.

(c) Yes.

(d) No. Mr. S. H. Vatsyayana being a graduate of only seven years standing was not eligible for enrolment as in the University Register only the names of graduates of ten years' standing are enrolled. Government proposes to take no action in the matter.

(Question No. *72, page 965 ante.)

GRANT-IN-AID TO NEW SCHOOLS.

The Honourable Mian Abdul Haya : (c) The number of schools Division and Circle wise is :—

| | | | | | |
|---------------------|----|----|----|----|----|
| Ambala Division | .. | .. | .. | .. | 4 |
| Jullundur Division | .. | .. | .. | .. | 27 |
| Lahore Division | .. | .. | .. | .. | 41 |
| Rawalpindi Division | .. | .. | .. | .. | 20 |
| Multan Division | .. | .. | .. | .. | 32 |
| Eastern Circle | .. | .. | .. | .. | 19 |
| Central Circle | .. | .. | .. | .. | 28 |
| Western Circle | .. | .. | .. | .. | 10 |

(Question No. *115, page 1224 ante.)

CASES UNDER SECTION 498, INDIAN PENAL CODE.

The Honourable Major Sir Sikander Hyat-Khan: (a) A statement is enclosed showing the number of cases for the period mentioned. There is no provision of law requiring or allowing the Courts to pass orders for the return of abducted women to their husbands, and no information is available as to the number so returned.

(b) The records of such cases are destroyed three years after the date of the final order, and it would therefore be impossible to give information for the years 1933-34. As regards the later years the required information could not be collected without examining all the separate files entailing an expenditure of time and labour out of all proportion to the result.

(c) No action is contemplated.

| <i>District.</i> | <i>Number of cases filed under Section 498, Indian Penal Code from 1933 to 1936.</i> |
|--------------------------|--|
| Hissar | 163 |
| Girgaon | 175 |
| Karnal | 264 |
| Rohtak | 162 |
| Ambala | 199 |
| Simla | 11 |
| Hoshiarpur | 390 |
| Kangra | 800 |
| Jullundur | 426 |
| Ludhiana | 198 |
| Ferozepore | 511 |
| Lahore | 774 |
| Amritsar | 691 |
| Gurdaspur | 519 |
| Sialkot | 402 |
| Gujranwala | 701 |
| Gujrat | 529 |
| Shahpur | 1,114 |
| Jhang (Civil) | .. |
| Jhelum | 612 |
| Rawalpindi | 678 |
| Attock | 814 |
| Mianwali | 254 |
| Montgomery | 485 |
| Lyallpur | 498 |
| Sheikhupura | 871 |
| Jhang (Criminal) | 187 |
| Multan | 768 |
| Muzaffargarh | 440 |
| Dera Ghazi Khan | 532 |
| Total | 14,158 |

(Question No. *137, page 607 ante.)

LOAD CARRIED BY LORRIES TO SRINAGAR.

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes.

(b) This is believed to be so. The Punjab Government are at present in correspondence with the Governments of Kashmir and the North-West Frontier Province with a view to securing uniformity.

(c) Public dual-purpose vehicles of the size which the honourable member appears to have in mind are permitted in the Punjab to carry nineteen passengers or thirty-eight maunds of goods. This applies to mail-carrying vehicles as well as others. Inquiries are being made as to the position in regard to vehicles retained by the army authorities for use on mobilisation. *Prima facie* there appears no reason why these vehicles, if they are used to carry passengers or goods on hire, should be treated differently from other public vehicles.

(d) As explained above, correspondence is proceeding with the Government of Kashmir and the Government of North-West Frontier Province with a view to securing uniformity. In the meantime, in order that Punjab vehicles may not be at a disadvantage in the Kashmir trade, Government have given temporary permission for dual-purpose vehicles on the Rawalpindi-Kohala road to carry forty-two maunds.

(Question No. *142, page 614 ante.)

MOTOR LORRIES PLYING FOR HIRE ON THE AMRITSAR-JULLUNDUR ROAD.

The Honourable Dr. Sir Sundar Singh Majithia : (a) A number of complaints to this effect have been received.

(b) Between ten and eleven miles of the Grand Trunk Road between Amritsar and Jullundur lie in Kapurthala State territory. It is maintained by the Punjab Government but does not belong to them.

(c) The matter is being taken up by the Punjab Government.

(Question No. *158, page 668 ante.)

(g) The reply to this part of the question is in the negative.

(Question No. *197, page 759 ante.)

THE PUNJAB PURE FOOD ACT.

The Honourable Mian Abdul Haye : A statement is laid down on the table.

Statement showing the names of the Public Analysts, number of analyses conducted, number of prosecutions launched and the results of prosecution since the extension of the Punjab Pure Food Act up to 11th May, 1937, in each of the Municipalities in the Punjab.

| Serial No. | Name of Municipalities where Punjab Pure Food Act is enforced. | Names of Public Analysts with their qualifications. | Number of analyses conducted by Public Analysts. | Number of prosecutions launched. | Results of prosecutions. |
|------------|--|---|--|----------------------------------|---|
| 1 | Lahore .. | Dr. Ram Chand, Chopra, M. C. F. S. | .. | .. | .. |
| | | Mr. Husain Ahmad, B.Sc. (Agri.) | 3,776 | 1,073 | 517 cases have been decided and all the offenders have been fined. The remaining 556 cases are pending in the court. |
| 2 | Amritsar .. | Mr. Krishan Parshad, M.Sc., LL.B. | 1,305 | 233 | 24 prosecutions against 15 accused had to be given up as they absconded and could not be traced. 15 cases against 8 vendors resulted in acquittal. 186 prosecutions resulted in conviction, the accused being sentenced to various fines. 8 cases are still pending in the court for decisions. |
| 3 | Rawalpindi .. | S. Ram Singh, Sobti, M.Sc. | 2,307 | 45 | 25 cases were withdrawn on payment of penalty, 13 were fined in court, two samples being obtained from street vendors were destroyed and 4 cases are pending in the court. |
| 4 | Multan .. | Not appointed as yet | .. | .. | .. |
| 5 | Beri .. | Professor of Chemistry, Government Intermediate College, Rohtak. | 39 | 32 | The offenders were fined Rs. 334. |
| 6 | Sonepat .. | Professor of Chemistry, Government Intermediate College, Rohtak. | 4 | .. | .. |
| 7 | Patti .. | Mr. B. L. Khuller, M. Sc., A.I.C., Chemist, Public Health Department, Punjab. | 3 | 2 | One case was discharged and the other was convicted. |
| 8 | Kasur .. | Ditto | 6 | 1 | The offender was fined Rs. 3. |
| 9 | Gujrat .. | Ditto | 34 | 18 | All were convicted. |
| 10 | Simla .. | Ditto | 25 | 7 | 5 cases were fined Rs. 91, one case was acquitted and one was withdrawn. |
| 11 | Sargodha .. | Ditto | 9 | 5 | All offenders were convicted. |

| Serial No. | Name of Municipalities where Punjab Pure Food Act is enforced. | Names of Public Analysts with their qualifications. | Number of analyses conducted by Public Analysts. | Number of prosecutions launched. | Results of prosecutions. |
|------------|--|---|--|----------------------------------|---|
| 12 | Ferozepore .. | Mr. B. L. Khuller, M.Sc., A.I.C., Chemist, Public Health, Department. | 59 | 31 | 24 convicted, 6 pending in the court and one could not be summoned being a State subject. |
| 13 | Fazilka .. | Ditto .. | 2 | 1 | The seller was fined Rs. 30. |
| 14 | Kalka .. | Ditto .. | 3 | 20 | Only two offenders were acquitted. |
| 15 | Rupar .. | Ditto .. | 4 | 1 | Fined Rs. 25. |
| 16 | Sadar Bazar, Ambala Cantonment. | Ditto .. | 30 | 17 | 15 were convicted and 2 are pending in the court. |
| 17 | Raikot .. | Ditto .. | .. | .. | .. |
| 18 | Khanna .. | Ditto .. | 4 | 1 | The case is pending in the court. |
| 19 | Khem Karan .. | Ditto .. | 2 | .. | .. |
| 20 | Murree .. | Ditto .. | 55 | 24 | Not known. |
| 21 | Nankana Sahib | Ditto .. | 1 | .. | .. |
| 22 | Ludhiana .. | Ditto .. | 65 | 8 | All offenders were punished. |
| 23 | Lyallpur .. | Ditto .. | 143 | 37 | 96 offenders were punished. |
| 24 | Jagraon .. | Ditto .. | 1 | .. | .. |
| 25 | Sialkot .. | Ditto .. | 9 | 4 | One was fined Rs. 30, others are pending in the court. |
| 26 | Kamalia .. | Ditto .. | 9 | 9 | All cases are still pending. |
| 27 | Rewari .. | Ditto .. | 6 | 3 | Fines ranging from Rs. 20—50 were inflicted on the accused. |
| 28 | Dharamsala .. | Ditto .. | .. | .. | .. |
| 29 | Tandlianwala .. | Ditto .. | .. | .. | .. |
| 30 | Gojra .. | Ditto .. | 10 | 11 | 1 fined, 10 pending. |
| 31 | Jaranwala .. | Ditto .. | 17 | 14 | 10 fined, 1 pending, 2 acquitted and 1 postponed. |
| 32 | Khengarh in the Muzaffargarh District. | Ditto .. | .. | .. | .. |
| 33 | Jagadhri .. | Ditto .. | .. | .. | .. |
| 34 | Jullundur .. | Ditto .. | .. | .. | The act has just been extended. |
| 35 | Pakpattan .. | Ditto .. | .. | .. | .. |
| 36 | Muktsar in Ferozepore District. | Ditto .. | .. | .. | .. |

(Question No. *274, page 971 ante.)

CASES UNDER SECTION 498, INDIAN PENAL CODE.

The Honourable Major Sir Sikander Hyat-Khan :

| | 1931. | 1932. | 1933. | 1934. | 1935. | 1936. |
|-----|-------|-------|-------|-------|-------|-------|
| (a) | 3,460 | 3,533 | 3,467 | 3,407 | 3,696 | 3,592 |
| (b) | 402 | 978 | 341 | 361 | 346 | 261 |

The figures asked for in part (c) of the question could not be collected without an examination of the files of all the cases concerned. The files of the earlier years have been destroyed, and in any case to examine them in detail would have entailed an expenditure of time and labour out of proportion to the results to be secured.

(Question No. *290, page 984 ante.)

BUILDING PLANS FOR THE CONSTRUCTION OF NEW HOUSES IN LAHORE.

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The Deputy Commissioner advised the refusal of building applications for areas for which building schemes have been ordered to be prepared by the Commissioner.

(b) Yes, if they relate to areas for which building schemes have been ordered. The so called lay out plans which were sanctioned by the Committee only to circumvent the provisions of section 192 of the Act have no legal existence.

(c) No.

(d) A statement showing the building schemes prepared by the Lahore Improvement Trust is enclosed.

(e) None.

Statement showing building schemes finally approved by the Lahore Improvement Trust.

| Serial No. | Name of owner of land. | Locality. | REMARKS. |
|------------|--|----------------------------|----------|
| 1 | Mr. Khushal Chand, Municipal Engineer, Amritsar. | McLeod Road. | |
| 2 | R. C. Manchanda, Esquire .. | Hall Road. | |
| 3 | Messrs. Khusbi Ram-Nand Lal .. | Chandhri Abdul Karim Road. | |
| 4 | Mrs. Amir Bakhsh | Fair Bagh. | |
| 5 | Syed Mohammad Hussain .. | Beadon Road. | |
| 6 | Messrs. S. I. A. Shah and Brothers .. | Railway Road. | |
| 7 | Dr. Ruder Dutt | Quraishi Mohalla, Mozang. | |
| 8 | Seth Mathra Pershad, son of Seth Har Pershad. | Near Moghalpura. | |
| 9 | Pandit Iqbal Nath | Shish Mahal. | |

| Serial No. | Name of owner of land. | Locality. | REMARKS. |
|------------|--|------------------------------------|----------|
| 10 | Pandit Jiwan Lal | Mohini Road. | |
| 11 | Pandit Iqbal Nath | Shish Mahal. | |
| 12 | Rai Bahadur Buta Singh and Sons, Limited. | Garhi Shahu. | |
| 13 | Hajia Ghulam Fatima | Fateh Sher Road. | |
| 14 | L. Vishwa Nath Kapur | Ravi Road. | |
| 15 | Rai Bahadur Dr. Balkishan and Brothers | Montgomery Road. | |
| 16 | L. Joti Ram and others | Chaudhri Abdul Karim Road. | |
| 17 | Syed Iqbal Ali Haanie | College Road. | |
| 18 | Bhai Sundar Singh | Miari Shah. | |
| 19 | Haji Abdul Karim | Faiz Bagh. | |
| 20 | Pandit Iqbal Nath | Shish Mahal. | |
| 21 | Chaudhri Ali Bakhsh | Sant Nagar. | |
| 22 | Messrs. Ham Din-Dia Mohammad .. | Feroze Din Street, Garhi Shahu. | |
| 23 | Y. W. C. A. | Abbott Road. | |
| 24 | L. Khushi Ram-Nand Lal | Near Mian Mir village. | |

(Question No. *352, page 1157 ante.)

SUPPLY OF WATER TO HISSAR CATTLE FARM.

The Honourable Dr. Sir Sunder Singh Majithia : (a) The amount of water given to the Hissar Cattle Farm in 1900 cannot be traced, but in 1920 it was 32·4 cusecs and in 1935, 42·0 cusecs.

(b) There are no areas in Rohtak Division where the canal water does not reach. Supply at the tail of Hissar Major Distributary is inadequate but arrangements have been made to feed the tail by continuous *tailing* of outlets. At the same time, the remodelling of the distributary is in hand.

(Question No. *367, page 1277 ante.)

EDUCATIONAL AND OTHER FACILITIES FOR GURCHANI AND KAISBANI ILLAQAS.

The Honourable Mian Abdul Haya : There are five vernacular schools in the tribal areas under the political control of the Deputy Commissioner, Dera Ghazi Khan district. Two of the schools are in Leghari,

two in Buzdar and one in Qaisrani Tumans. These facilities were provided in response to the demand made by the Chiefs of these tribes as an experimental measure which has proved a success. The Deputy Commissioner is now considering the question of opening a school in the Gurchani tribal area.

(Question No. *412, page 1395 ante.)

IMPROVEMENT OF ROADS AND PASSAGES IN THE VILLAGES.

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: The Public Health Department is taking necessary action in this direction. The following improvements based on public subscriptions in cash, material and labour, have been made in respect of paving of village lanes and construction of pucca drains in the Punjab during the last two years:—

| | 1935. | 1936. |
|---|----------------------|----------------------|
| Total length of pucca drains constructed. | 372,117 feet | 264,120 feet. |
| Total area of streets paved | 826,593 square feet. | 824,640 square feet. |

It transpires that a few District Boards also paid small amounts for these improvements as grants-in-aid.

(Question No. *422, page 1443 ante.)

CASES IN THE COURT OF SUB-JUDGE AT GUJAR KHAN.

The Honourable Major Sir Sikander Hyat-Khan:

| | | | | |
|-------------------|----|----|----|-------|
| (a) Regular suits | .. | .. | .. | 612 |
| Small cause cases | .. | .. | .. | 84 |
| Executions | .. | .. | .. | 1,051 |

(b) Two statements "A" and "B" are attached giving the required information.

(c) A statement is annexed "C".

(d) The appellate courts have doubtless had to point out minor defects, but there do not appear to have been any cases in which criticisms were made amounting to strictures on the subordinate judge's work.

(e) No statistics are maintained regarding such objections, and it would not be possible to collect the information without an expenditure of time and labour out of proportion to the result.

| | | | | |
|-----------------|----|----|----|----|
| (f) Entertained | .. | .. | .. | 88 |
| Rejected | .. | .. | .. | 42 |
| Accepted | .. | .. | .. | 22 |
| Pending | .. | .. | .. | 19 |

(g) and (h) No separate statistics of such cases are maintained. If in any case objection is taken that a transaction contravenes the provisions of the land alienation law, issues are framed and decided after hearing evidence.

(i) An examination of the court register of original suits shows that 44 suits were filed on the basis of simple mortgages. It has not been found

practicable to collect figures showing in how many of these cases the deed was a registered one. The answer to the last phrase in this part of the question is in the affirmative: at least three cases of this kind were dismissed *in toto*.

(j) *Mangu v. Fatta* (decided 27th February 1937).

Krishna Lall v. Barkat (decided 16th March 1936).

Rissakdar Hem Raj v. Sawan Singh (decided 22nd November 1936).

It would not be possible to answer the second inquiry in this part without an examination of files which would entail disproportionate labour.

(k) The honourable member presumably refers to cases in which action was taken by the court under clause (b) or clause (c) in section 4 of the Punjab Regulation of Accounts Act, 1930. The number of such cases is 32. No case has occurred in which the subordinate judge has had occasion to utilise the provisions of section 30 of the Punjab Relief of Indebtedness Act, 1935;

(l) Seventeen cases in 1936. The number for the current year to date is approximately 8.

A.

Cases disposed of by the predecessor of the present Subordinate Judge, from February, 1933, to 13th February, 1936.

| Name of month. | Regular suits. | Small cause cases. | Execution cases— (a) Regular. (b) Small cause |
|-----------------------|----------------|--------------------|---|
| February, 1933 | 131/42 | .. | 160 (a) |
| March, 1933 | 150/54 | .. | 308 (a) |
| April, 1933 | 145/46 | .. | 156 (a) |
| May, 1933 | 151/64 | .. | 115 (a) |
| June, 1933 | 149/66 | .. | 133 |
| July, 1933 | 159/85 | .. | 255 |
| August, 1933 | 174/67 | .. | 279 |
| September, 1933 | .. | .. | .. |
| October, 1933 | 161/67 | .. | 244 |
| November, 1933 | 175/63 | .. | 211 |
| December, 1933 | 127/56 | 2 | 195 (a) |
| Total | 1,522/610 | 2 | 2,106 |

APPENDIX.

| Name of month. | Regular suits. | Small cause cases. | Execution cases— (a) Regular. (b) Small cause. |
|--------------------------------------|------------------|--------------------|--|
| January, 1934 | 121/46 | 1 | 196 (a) |
| February, 1934 | 151/51 | 1 | 208 (a) |
| March, 1934 | 145/57 | 2 | 242 (a) |
| April, 1934 | 136/47 | 4 | 229 (a) |
| May, 1934 | 122/50 | 5 | 162 (a) |
| June, 1934 | 142/58 | 8 | 290 |
| July, 1934 | 156/60 | 3 | 203 |
| August, 1934 | 212/70 | 3 | 268 |
| September, 1934 | .. | .. | .. |
| October, 1934 | 138/43 | 5 | 269 |
| November, 1934 | 124/39 | 3 | 224 |
| December, 1934 | 138/50 | 3 | 171 |
| Total | 1,585/571 | 33 | 2,462 |
| January, 1935 | 131/45 | 3 | 213 |
| February, 1935 | 139/60 | 1 | 206 |
| March, 1935 | 148/53 | 2 | 246 |
| April, 1935 | 101/31 | .. | 156 |
| May, 1935 | 87/28 | 3 | 244 |
| June, 1935 | 68/21 | 4 | 208 |
| July, 1935 | 87/29 | 2 | 157 |
| August, 1935 | 153/50 | 4 | 216 |
| September, 1935 | .. | .. | .. |
| October, 1935 | 112/59 | .. | 185 |
| November, 1935 | 81/26 | 2 | 194 |
| December, 1935 | 76/35 | .. | 145 |
| Total | 1,183/417 | 21 | 2,170 |
| January, 1936 | 99/36 | 2 | 194 |
| February, 1936 (13-2-36 A. F.) | 59/19 | 3 | 72 |
| Total | 158/55 | 5 | 266 |

B.

*Cases disposed of by the present Subordinate Judge, at Gujar Khan from
March 1936 to 30th June 1937.*

| Name of month. | Regular suits. | Small cause cases. | Execution cases. |
|------------------------|----------------|--------------------|------------------|
| March 1936 | 16/7 | .. | 24 (a) |
| April 1936 | 56/26 | .. | 64 (a) |
| May 1936 | 104/31 | .. | 120 (a) |
| June 1936 | 91/30 | .. | 126 (a) |
| July 1936 | 106/29 | .. | 129 (a) |
| August 1936 | 94/28 | .. | 97 (a) |
| September 1936 | .. | .. | .. |
| October 1936 | 100/25 | .. | 217 (a) |
| November 1936 | 97/30 | .. | 131 (a) |
| December 1936 | 76/15 | 1 | 205 (a) |
| Total | 740/22 | 1 | 1113 |
| January 1937 | 114/41 | 1 | 166 (a) |
| February 1937 | 110/26 | 11/3 | 210 (a) |
| March 1937 | 106/39 | 8/2 | 121 (a) |
| April 1937 | 71/21 | 5/2 | 134 (a) |
| May 1937 | 110/36 | 16/7 | 126 (a) 1 (b) |
| June 1937 | 89/29 | 4/1 | 74 (a) |
| | | | 2 (b) |
| Total | 600/194 | 45/15 | 634 |

(a) Regular.

(b) Small cause.

(Sd.) Illegible,

District Judge, Rawalpindi.

C.

Statement showing the number of appeals preferred against the decisions of the present Subordinate Judge at Gujarkhan with the number of those accepted.

| Name of Court. | Appeals preferred. | Accepted. | Remanded. | Modified. | Total. |
|---------------------------------|--------------------|-----------|-----------|-----------|--------|
| DURING THE YEAR 1936. | | | | | |
| DISTRICT JUDGES COURT. | | | | | |
| Civil Appeals | 27 | .. | .. | .. | .. |
| Miscellaneous | 5 | 2 | .. | .. | 2 |
| COURT OF SENIOR SUB-JUDGE. | | | | | |
| Civil Appeals | 8 | 2 | 2 | 1 | 5 |
| Miscellaneous | 5 | 2 | .. | .. | 2 |
| DURING THE YEAR 1937 (TO DATE). | | | | | |
| DISTRICT JUDGES COURT. | | | | | |
| Civil Appeals | 23 | 7 | .. | .. | 7 |
| Miscellaneous Appeals .. | 8 | 2 | .. | .. | 2 |
| COURT OF SENIOR SUB-JUDGE. | | | | | |
| Civil Appeals | 1 | 1 | .. | .. | 1 |
| Miscellaneous Appeals .. | 8 | 2 | .. | .. | 2 |

(Sd.) Illegible,

District Judge, Rawalpindi.

(Question No. *488, page 1450 ante.)

CASES OF ABDUCTION IN PROVINCE.

The Honourable Major Sir Sikander Hyat-Khan: The term "cases of abduction" is indefinite. The honourable member is probably thinking particularly of cases under section 498 Indian Penal Code. A statement prepared on this assumption is enclosed.

Statement showing

(a) the number of cases under section 498. Indian Penal Code in each district in each of the last five years ; and

(b) the number of such cases resulting in conviction.

| Serial No. | District. | 1931. | | 1932. | | 1933. | | 1934. | | 1935. | |
|------------|--------------------|-------|-----|-------|-----|-------|-----|-------|-----|-------|-----|
| | | (a) | (b) | (a) | (b) | (a) | (b) | (a) | (b) | (a) | (b) |
| 1 | Hissar .. | 41 | 3 | 25 | 1 | 31 | 2 | 36 | 6 | 47 | 3 |
| 2 | Gurgaon .. | 30 | 3 | 32 | 4 | 41 | 3 | 41 | 5 | 62 | 8 |
| 3 | Karnal .. | 68 | 7 | 74 | 8 | 85 | 2 | 81 | 13 | 75 | 5 |
| 4 | Rohtak .. | 40 | 3 | 34 | 1 | 30 | 3 | 42 | 5 | 47 | 4 |
| 5 | Ambala .. | 43 | 3 | 56 | 1 | 55 | 9 | 44 | 6 | 47 | 2 |
| 6 | Simla .. | 7 | 2 | 3 | 2 | 2 | 1 | 2 | 1 | 3 | 1 |
| 7 | Hoshiarpur .. | 123 | 5 | 107 | 5 | 94 | 3 | 100 | 4 | 102 | 5 |
| 8 | Kangra .. | 213 | 11 | 178 | 14 | 168 | 10 | 191 | 12 | 247 | 8 |
| 9 | Jullundur .. | 123 | 9 | 149 | 8 | 116 | 9 | 118 | 2 | 101 | 4 |
| 10 | Ludhiana .. | 77 | 21 | 70 | 7 | 61 | 7 | 45 | 4 | 51 | 6 |
| 11 | Ferozepore .. | 54 | 1 | 145 | 7 | 113 | 4 | 110 | 4 | 158 | 3 |
| 12 | Lahore .. | 133 | 4 | 158 | 7 | 200 | 7 | 198 | 6 | 147 | 7 |
| 13 | Amritsar .. | 220 | 6 | 177 | 10 | 169 | 8 | 171 | 11 | 196 | 8 |
| 14 | Gurdaspur .. | 114 | 5 | 149 | 9 | 120 | 5 | 120 | 3 | 148 | 8 |
| 15 | Sialkot .. | 87 | 5 | 86 | 5 | 104 | 6 | 99 | 8 | 91 | 6 |
| 16 | Gujranwala .. | 227 | 7 | 259 | 11 | 184 | 12 | 188 | 19 | 171 | 6 |
| 17 | Gujrat .. | 166 | 10 | 121 | 14 | 143 | 5 | 151 | 13 | 138 | 9 |
| 18 | Shahpur .. | 232 | 20 | 212 | 18 | 323 | 14 | 253 | 12 | 284 | 12 |
| 19 | Jhelum .. | 131 | 26 | 164 | 37 | 157 | 23 | 146 | 16 | 161 | 22 |
| 20 | Rawalpindi .. | 154 | 13 | 189 | 16 | 199 | 13 | 181 | 11 | 152 | 24 |
| 21 | Attock .. | 206 | 16 | 224 | 27 | 194 | 16 | 144 | 19 | 215 | 26 |
| 22 | Mianwali .. | 75 | 21 | 72 | 20 | 63 | 11 | 76 | 14 | 72 | 7 |
| 23 | Montgomery .. | 86 | 3 | 84 | 8 | 95 | 7 | 145 | 7 | 121 | 13 |
| 24 | Lyallpur .. | 98 | 5 | 119 | 9 | 96 | 8 | 113 | 13 | 101 | 13 |
| 25 | Sheikhpura .. | 240 | 131 | 185 | 94 | 198 | 112 | 200 | 110 | 201 | 95 |
| 26 | Jhang .. | 50 | 5 | 54 | 5 | 55 | 8 | 44 | 9 | 42 | 3 |
| 27 | Multan .. | 199 | 9 | 191 | 12 | 161 | 11 | 148 | 4 | 203 | 20 |
| 28 | Muzaffargarh .. | 80 | 11 | 73 | 5 | 86 | 10 | 103 | 13 | 115 | 7 |
| 29 | Dera Ghazi Khan .. | 143 | 10 | 143 | 13 | 145 | 12 | 117 | 12 | 158 | 16 |

(Question No. *445, page 1453 ante.)

NEWLY CREATED POSTS AFTER MARCH 31.

The Honourable Major Sir Sikander Hyat-Khan: The statement is laid on the table.

LIST OF NEW POSTS IN THE VARIOUS DEPARTMENTS OF GOVERNMENT FILLED SINCE 31st MARCH 1937.

APPENDIX.

| Serial No. | Name of Department. | Number of posts. | HOW FILLED. | | | | REMARKS. |
|---|---|------------------|-------------|---------|--------|---------|---|
| | | | Muslims. | Hindus. | Sikhs. | Others. | |
| <i>Offices of District and Sessions Judges.</i> | | | | | | | |
| 1 | District and Sessions Judge, Ferozepore | *3 | 2 | 1 | .. | .. | *Merital. |
| 2 | District and Sessions Judge, Amritsar | 1 | 1 | .. | .. | .. | |
| 3 | District and Sessions Judge, Lahore | 1 | .. | .. | 1 | .. | |
| 4 | District and Sessions Judge, Hissar | †4 | 1 | 3 | .. | .. | †Posts are temporary and include one mesial post. |
| 5 | District and Sessions Judge, Attock | *2 | 1 | 1 | .. | .. | *Temporary. |
| 6 | District and Sessions Judge, Multan | 1 | 1 | .. | .. | .. | |
| 7 | District and Sessions Judge, Sargodha | 3 | 1 | †2 | .. | .. | † One post is temporary. |
| <i>Offices of the Commissioners and Deputy Commissioners.</i> | | | | | | | |
| 1 | Commissioner, Jullundur Division | *2 | 1 | 1 | .. | .. | *Temporary. |
| 2 | Commissioner, Rawalpindi Division | *1 | 1 | .. | .. | .. | *Temporary. |
| 3 | Commissioner, Lahore Division | *2 | 1 | 1 | .. | .. | *Temporary. |
| 4 | Deputy Commissioner, Karnal | 2 | 1 | 1 | .. | .. | |

| Serial No. | Name of Department. | Number of posts. | HOW FILLED. | | | | REMARKS. |
|------------|--|------------------|-------------|---------|--------|---------|-------------------------------|
| | | | Muslims. | Hindus. | Sikhs. | Others. | |
| 5 | Punjab Civil Secretariat, Lahore .. | *44 | 25 | 13 | 6 | .. | *Includes 28 menial posts. |
| 6 | Secretary, Communications, Board, Punjab .. | *1 | 1 | .. | .. | .. | *Temporary. |
| 7 | Chief Engineer, Public Works Department, Electricity. | *29 | 9 | 13 | 7 | .. | *Includes 8 temporary posts. |
| 8 | Superintendent, Government Printing, Punjab .. | *10 | 4 | 3 | 2 | 1 | *Temporary. |
| 9 | Inspector-General of Police, Punjab .. | *27 | 13 | 2 | 4 | 1 | *Includes 7 vacant posts. |
| 10 | Chief Engineer, Public Works Department, Buildings and Roads Branch. | *20 | 8 | 7 | 5 | .. | *Temporary. |
| 11 | Director of Public Instruction, Punjab .. | 1 | 1 | .. | .. | .. | *Two posts not filled yet. |
| 12 | Registrar, High Court of Judicature, Lahore .. | *3 | 1 | .. | .. | .. | Includes one menial post. |
| 13 | Director of Land Records, Punjab .. | 1 | .. | .. | 1 | .. | *Includes one temporary post. |
| 14 | Director of Industries, Punjab .. | *12 | 9 | 3 | .. | .. | |
| 15 | Deputy Commissioner for Criminal Tribes .. | 11 | 6 | 5 | .. | .. | |
| 16 | Punjab Civil Service (Executive Branch) .. | 1 | 1 | .. | .. | .. | |
| 17 | Chief Engineer, Punjab, Irrigation Works .. | 170 | 92 | 55 | 23 | .. | |
| 18 | Inspector-General of Civil Hospitals .. | 153 | 57 | .. | 13 | 183 | †Includes Hindus. |

(Question No. *446, page 1454 ante.)

NEW ENTRANTS IN GOVERNMENT SERVICE.

The Honourable Major Sir Sikander Hyat-Khan: The statement is laid on the table.
LIST OF APPOINTMENTS MADE IN THE VARIOUS DEPARTMENTS OF GOVERNMENT TO PREVIOUSLY EXISTING POSTS
FROM THE PERIOD 1ST JANUARY, 1937 TO 31ST MARCH, 1937.

| Serial No. | Name of Department. | Number of posts. | HOW FILLED. | | | | REMARKS. |
|------------|--|------------------|-------------|---------|--------|---------|-------------|
| | | | Muslims. | Hindus. | Sikhs. | Others. | |
| 1 | <i>Offices of District and Sessions Judges.</i> District and Sessions Judge, Jullundur .. | 1 | .. | 1 | .. | .. | |
| | <i>Offices of Commissioners and Deputy Commissioners.</i> | | | | | | |
| 1 | Deputy Commissioner, Ferozepore .. | 1 | 1 | .. | .. | .. | |
| 2 | Deputy Commissioner, Karnal .. | 2 | 1 | 1 | .. | .. | |
| 3 | Deputy Commissioner, Rewalpindi .. | 4 | 3 | .. | 1 | .. | |
| 4 | Deputy Commissioner, Gujarat .. | 5 | 4 | 1 | .. | .. | |
| 5 | Deputy Commissioner, Mianwali .. | 3 | 2 | 1 | .. | 1 | |
| 6 | Deputy Commissioner, Shehpur .. | 7 | 1 | 3 | .. | .. | |
| 7 | Deputy Commissioner, Multan .. | 6 | 5 | .. | 1 | .. | |
| 8 | Deputy Commissioner, Jhelum .. | 2 | 1 | .. | 1 | .. | |
| 9 | Deputy Commissioner, Jullundur .. | 1 | .. | .. | .. | .. | |
| 10 | Deputy Commissioner, Muzafargarh .. | 2 | .. | 2 | .. | .. | |
| 11 | Deputy Commissioner, Gujranwala .. | 4 | .. | 2 | .. | .. | |
| 12 | Deputy Commissioner, Rohtak .. | 1 | .. | 1 | .. | .. | |
| 13 | Deputy Commissioner, Gurdaspur .. | *4 | .. | 3 | .. | 1 | *Temporary. |
| 14 | Deputy Commissioner, Jhang .. | 11 | 8 | 2 | .. | 1 | |
| 15 | Commissioner, Jullundur Division .. | 1 | .. | .. | .. | 1 | |

| Serial No. | Name of Department. | Number of posts. | HOW FILLED. | | | | REMARKS. |
|------------------------------------|--|------------------|-------------|---------|--------|---------|--------------------------------|
| | | | Muslims. | Hindus. | Sikhs. | Others. | |
| <i>Other Heads of Departments.</i> | | | | | | | |
| 1 | Director, Veterinary Services, Punjab .. | 6 | 1 | 3 | 2 | .. | |
| 2 | Director of Agriculture, Punjab .. | 12 | 5 | 5 | 2 | .. | |
| 3 | Legal Remembrancer to Government, Punjab .. | 1 | 1 | .. | .. | .. | |
| 4 | Chief Conservator of Forests, Punjab .. | 2 | 2 | .. | .. | .. | |
| 5 | Superintendent, Government Printing, Punjab .. | 5 | 4 | 1 | .. | .. | |
| 6 | Director of Public Health, Punjab .. | 6 | 5 | .. | 1 | .. | |
| 7 | Chief Engineer, Public Works Department, Electricity Branch. | 22 | 8 | 13 | .. | 1 | |
| 8 | Registrar, High Court of Judicature at Lahore .. | 1 | .. | 1 | .. | .. | |
| 9 | Inspector-General of Police, Punjab .. | 351 | 201 | 75 | 69 | 6 | *Includes two temporary posts. |
| 10 | Chief Engineer, Public Works Department, Buildings and Roads Branch. | *5 | 2 | 2 | .. | 1 | |
| 11 | The Director, Public Instruction, Punjab .. | 25 | 9 | 5 | 2 | 9 | |
| 12 | Provincial Civil Service (Executive Branch) .. | 1 | .. | 1 | .. | .. | |
| 13 | The Inspector-General of Prisons .. | 46 | 30 | 8 | 5 | 3 | |
| 14 | Game Warden, Punjab .. | 1 | 1 | .. | .. | .. | |
| 15 | Settlement Officer, Lyallpur .. | 3 | 1 | .. | 2 | .. | |
| 16 | Deputy Commissioner, Criminal Tribes, Punjab .. | 9 | 4 | 5 | .. | .. | |
| 17 | Director of Industries, Punjab .. | 5 | 3 | .. | 1 | 1 | |
| 18 | Financial Commissioners, Punjab .. | 5 | 3 | .. | 2 | .. | |
| 19 | Punjab Civil Secretariat .. | 9 | 3 | 3 | 2 | 1 | |
| 20 | Chief Engineer, Public Works Department, Irrigation Works, Punjab. | 47 | 24 | 13 | 10 | .. | |
| 21 | Inspector-General of Civil Hospitals, Punjab .. | 39 | 14 | .. | 3 | *22 | *Includes figures for Hindus. |

(Question No. *448, page 1455 ante.)

DAMAGE BY HAILSTORM IN THE AMRITSAR DISTRICT.

The Honourable Dr. Sir Sundar Singh Majithia : Statement showing separate figures of special remissions of land revenue and abiana granted in the Amritsar district on account of the damage caused by hailstorm and gram blight to the Rabi crops in 1937 are enclosed.

2. The actual figures of remission of abiana on this account as now furnished by the Canal department come to Rs. 9,022 instead of Rs. 10,022 as previously stated in answer to part (e) of this question.

Statement showing the remissions of land revenue and water rate granted on account of damage caused by hailstorm and gram blight for individual villages in Amritsar district.

| Serial No. | Topographical No. | Name of village. | LAND REVENUE REMISSION ON AC- COUNT OF | | | WATER RATE REMISSION ON AC- COUNT OF | | | Grand total of columns 6 and 9. |
|------------|-------------------|--|---|--------------|---------------------------------|---|--------------|---------------------------------|---------------------------------------|
| | | | Hailstorm. | Gram blight. | Total of columns 4 and 5. | Hailstorm. | Gram blight. | Total of columns 7 and 8. | |
| 1 | 3 | | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| | | AMRITSAR TAHSIL--BRT BANGAR CIROLE. | | | | | | | |
| 1 | 1 | Sheron Bugah .. | 63 8 3 | 38 13 3 | 102 5 6 | .. | 178 14 0 | 178 14 0 | 281 3 6 |
| 2 | 2 | Sheron Nigah .. | 69 6 0 | 10 9 9 | 79 15 9 | 0 15 0 | 72 11 0 | 73 10 0 | 153 9 9 |
| 3 | 3 | Khanpur .. | 145 13 3 | 33 2 3 | 178 15 6 | 7 3 0 | 145 1 0 | 152 4 0 | 331 3 6 |
| 4 | 4 | Khasi .. | .. | 13 13 9 | 13 13 9 | .. | 50 7 0 | 50 7 0 | 64 4 0 |
| 5 | 5 | Jodho .. | .. | 48 4 0 | 48 4 0 | .. | 182 9 0 | 182 9 0 | 230 13 0 |
| 6 | 7 | Bal Sarai .. | .. | 7 13 0 | 7 13 0 | .. | 26 15 0 | 26 15 0 | 34 12 0 |
| 7 | 8 | Waraich .. | .. | 8 4 9 | 8 4 9 | .. | 34 11 0 | 34 11 0 | 42 15 9 |
| 8 | 10 | Wazir Bhullar .. | .. | 13 14 9 | 13 14 9 | .. | 56 3 0 | 56 3 0 | 70 1 9 |
| 9 | 11 | Bub Naugal .. | .. | 9 11 3 | 9 11 3 | .. | 37 4 0 | 37 4 0 | 46 15 3 |
| 10 | 12 | Thatab Kot .. | .. | 12 13 0 | 12 13 0 | .. | 48 4 0 | 48 4 0 | 61 1 0 |
| 11 | 13 | Pherman .. | .. | 26 2 6 | 26 2 6 | .. | 83 7 0 | 83 7 0 | 109 9 6 |

APPENDIX.

XXI

| | | | | | | | | |
|----|----|------------------------|---------|---------|----------|----------|----------|----------|
| 12 | 14 | Hasanpur .. | 9 14 6 | 9 14 6 | 33 10 0 | 33 10 0 | 33 10 0 | 43 8 6 |
| 13 | 15 | Lidhae .. | 2 1 3 | 2 1 3 | 6 8 0 | 6 8 0 | 6 8 0 | 8 9 3 |
| 14 | 20 | Padde .. | 23 0 6 | 23 0 6 | 77 12 0 | 77 12 0 | 77 12 0 | 100 12 6 |
| 15 | 21 | Umra Naugal .. | 14 2 6 | 14 2 6 | 50 12 0 | 50 12 0 | 50 12 0 | 64 14 6 |
| 16 | 22 | China Bath .. | 18 13 9 | 18 13 9 | 65 1 0 | 65 1 0 | 65 1 0 | 83 14 9 |
| 17 | 23 | Padiana .. | 4 13 9 | 4 13 9 | 14 9 0 | 14 9 0 | 14 9 0 | 19 6 9 |
| 18 | 24 | Raya .. | 9 6 6 | 9 6 6 | 33 10 0 | 33 10 0 | 33 10 0 | 43 0 6 |
| 19 | 26 | Narijanpur Fattuwal .. | 16 2 6 | 16 2 6 | 57 14 0 | 57 14 0 | 57 14 0 | 74 0 6 |
| 20 | 27 | Lohrenwala .. | 2 7 6 | 2 7 6 | 12 6 0 | 12 6 0 | 12 6 0 | 14 13 6 |
| 21 | 28 | Lohgarh .. | 29 8 6 | 29 8 6 | 108 10 0 | 108 10 0 | 108 10 0 | 138 2 6 |
| 22 | 29 | Kaler Ghumun .. | 11 3 0 | 11 3 0 | 41 10 0 | 41 10 0 | 41 10 0 | 52 13 0 |
| 23 | 30 | Dhanpur .. | 24 10 6 | 24 10 6 | 99 9 0 | 99 9 0 | 99 9 0 | 124 3 6 |
| 24 | 31 | Baba Buktala .. | 24 10 6 | 24 10 6 | 80 9 0 | 80 9 0 | 80 9 0 | 105 3 6 |
| 25 | 32 | Chhapianwali .. | 7 9 9 | 7 9 9 | 33 10 0 | 33 10 0 | 33 10 0 | 41 3 9 |
| 26 | 33 | Dula Naugal .. | 19 6 9 | 19 6 9 | 77 12 0 | 77 12 0 | 77 12 0 | 97 2 9 |
| 27 | 34 | Jalluwal .. | 15 15 6 | 15 15 6 | 65 4 0 | 65 4 0 | 65 4 0 | 81 3 6 |
| 28 | 35 | Lakhuwal .. | 8 3 0 | 8 3 0 | 29 8 0 | 29 8 0 | 29 8 0 | 37 11 0 |
| 29 | 36 | Thathian .. | 11 2 3 | 11 2 3 | 38 11 0 | 38 11 0 | 38 11 0 | 49 13 3 |
| 30 | 37 | Jalspur Sathiala .. | 3 14 0 | 3 14 0 | 14 0 0 | 14 0 0 | 14 0 0 | 17 14 0 |
| 31 | 38 | Daniel .. | 7 10 3 | 7 10 3 | 25 13 0 | 25 13 0 | 25 13 0 | 33 7 3 |
| 32 | 39 | Sadbar .. | 47 1 3 | 47 1 3 | 191 11 0 | 191 11 0 | 191 11 0 | 238 12 3 |

| Serial No. | Topographical No. | Name of village. | LAND REVENUE REMISSION ON AC-COUNT OF | | | WATER RATE REMISSION ON AC-COUNT OF | | | Grand total of columns 6 and 9. |
|------------|-------------------|---|---------------------------------------|--------------|---------------------------|-------------------------------------|--------------|---------------------------|---------------------------------|
| | | | Hailstorm. | Gram blight. | Total of columns 4 and 5. | Hailstorm. | Gram blight. | Total of columns 7 and 8. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| | | AMRITSAR TAHSIL—BMT BANGAL CIRCLE— comid. | | | | | | | |
| 33 | 40 | Wadala Khurd .. | .. | 15 7 0 | 15 7 0 | .. | 57 14 0 | 57 14 0 | 73 5 0 |
| 34 | 41 | Wadala Kalan .. | .. | .. | 53 8 0 | .. | 165 8 0 | 165 8 0 | 219 0 0 |
| 35 | 42 | Palla .. | .. | .. | 2 2 9 | .. | 7 10 0 | 7 10 0 | 9 12 9 |
| 36 | 43 | Gaggarkhana .. | 4 3 9 | 16 11 0 | 20 14 9 | 14 1 0 | 59 6 0 | 73 7 0 | 94 5 9 |
| 37 | 44 | Chak Thathan .. | .. | 3 12 3 | 3 12 3 | .. | 14 4 0 | 14 4 0 | 18 0 3 |
| 38 | 45 | Bedadpur .. | .. | 8 2 0 | 8 2 0 | .. | 29 11 0 | 29 11 0 | 37 13 0 |
| 39 | 46 | Sathiala .. | .. | 59 14 6 | 59 14 6 | .. | 190 11 0 | 190 11 0 | 250 9 6 |
| 40 | 47 | Ghaziwal .. | .. | 37 9 3 | 37 9 3 | .. | 154 4 0 | 154 4 0 | 191 13 3 |
| 41 | 48 | Bhatni Ramdyal .. | 81 2 9 | 1 8 3 | 82 11 0 | 6 13 0 | 10 0 0 | 16 13 0 | 99 8 0 |
| 42 | 49 | Khers Thanewal .. | 104 2 0 | 10 5 0 | 114 7 0 | 86 11 0 | 67 0 0 | 153 11 0 | 268 2 0 |
| 43 | 50 | Jhalari .. | 174 15 0 | 1 1 0 | 176 0 0 | 28 0 0 | 9 14 0 | 37 14 0 | 213 14 0 |
| 44 | 51 | Rajpur .. | 78 2 0 | 37 0 9 | 115 2 9 | 28 9 0 | 184 8 0 | 213 1 0 | 328 3 9 |

| | | | | | | | | | |
|----|-------------------|----|---------|----------|----------|----------|----------|-----------|-----------|
| 45 | Butala .. | .. | 332 5 3 | 50 10 0 | 382 15 9 | 279 2 0 | 226 10 0 | 565 12 0 | 888 11 9 |
| 46 | Naurangpur .. | .. | 59 12 3 | 22 3 6 | 81 15 9 | 6 0 0 | 93 11 0 | 94 1 0 | 176 0 9 |
| 47 | Rajedewal .. | .. | .. | 5 11 3 | 5 11 3 | .. | 26 4 0 | 26 4 0 | 31 15 3 |
| 48 | Jolapur Sheron .. | .. | .. | 7 14 6 | 7 14 6 | .. | 29 2 0 | 29 2 0 | 37 0 6 |
| 49 | Kartarpur .. | .. | .. | 6 7 0 | 6 7 0 | .. | 27 6 0 | 27 6 0 | 33 13 0 |
| 50 | Jamatpur .. | .. | .. | 11 13 6 | 11 13 6 | .. | 51 4 0 | 51 4 0 | 63 1 6 |
| 51 | Sattowal .. | .. | .. | 11 14 3 | 11 14 3 | .. | 49 3 0 | 49 3 0 | 61 1 3 |
| 52 | Kamoke .. | .. | 93 3 0 | 26 9 9 | 119 13 0 | 44 10 0 | 142 5 0 | 186 15 0 | 307 12 0 |
| 53 | Shahpur .. | .. | 9 5 6 | 25 1 9 | 34 7 0 | .. | 88 9 0 | 88 9 0 | 123 0 0 |
| 54 | Tapiala .. | .. | .. | 32 1 9 | 32 1 9 | .. | 114 8 0 | 114 8 0 | 146 9 9 |
| 55 | Devidaspur .. | .. | .. | 22 3 9 | 22 3 9 | .. | 88 8 0 | 88 8 0 | 110 11 9 |
| 56 | Buttar Siyya .. | .. | 42 6 3 | 238 7 6 | 280 13 9 | 194 12 0 | 816 7 0 | 1,011 3 0 | 1,292 0 9 |
| 57 | Takapur .. | .. | .. | 33 10 6 | 33 10 6 | .. | 125 11 0 | 125 11 0 | 159 5 6 |
| 58 | Khabba .. | .. | .. | 91 8 6 | 91 8 6 | .. | 368 0 0 | 368 0 0 | 459 8 6 |
| 59 | Chung .. | .. | .. | 18 2 3 | 18 2 3 | .. | 77 5 0 | 77 5 0 | 95 7 3 |
| 60 | Mehta .. | .. | .. | 57 14 0 | 57 14 0 | .. | 158 2 0 | 158 2 0 | 216 0 0 |
| 61 | Naugli .. | .. | 3 2 9 | 121 11 6 | 124 14 3 | 22 11 0 | 369 15 0 | 392 10 0 | 517 8 3 |
| 62 | Dhardeo .. | .. | .. | 23 5 9 | 23 5 9 | .. | 69 15 0 | 69 15 0 | 93 4 9 |
| 63 | Daud .. | .. | .. | 6 12 6 | 6 12 6 | .. | 25 1 0 | 25 1 0 | 31 13 6 |
| 64 | Ehalapur .. | .. | 68 15 6 | 19 14 6 | 88 10 0 | 209 11 0 | 58 5 0 | 268 0 0 | 356 10 0 |
| 65 | Rejthan .. | .. | 0 11 0 | 25 5 0 | 26 0 0 | 3 2 0 | 86 13 0 | 89 15 0 | 115 15 0 |

| Serial No. | Topographical No. | Name of village. | LAND REVENUE REMISSION ON AC- COUNT OF | | | WATER RATE REMISSION ON AC- COUNT OF | | | Grand total of columns 6 and 9. |
|------------|-------------------|--|---|--------------|---------------------------------|---|--------------|---------------------------------|---------------------------------------|
| | | | Hailstorm. | Gram blight. | Total of columns 4 and 5. | Hailstorm. | Gram blight. | Total of columns 7 and 8. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| | | AMRITSAR TAHSIL—BET BANGAR CIRCLE— concl. M. | | | | | | | |
| 66 | 74 | Maksampur Khurd .. | 5 0 0 | .. | 5 0 0 | 16 4 0 | .. | 10 4 0 | 21 4 0 |
| 67 | 75 | Maksampur Kalan .. | 35 13 6 | 19 10 0 | 55 7 6 | 92 2 0 | 48 13 0 | 140 16 0 | 198 6 6 |
| 68 | 76 | Jaspal .. | 5 7 3 | 24 7 3 | 29 14 6 | 17 10 0 | 82 6 0 | 100 0 0 | 129 14 6 |
| 69 | 77 | Kalike .. | 3 14 9 | 30 9 0 | 34 7 9 | 11 3 0 | 86 1 0 | 97 4 0 | 131 11 9 |
| 70 | 78 | Burewala .. | .. | 6 2 0 | 6 2 0 | .. | 28 10 0 | 28 10 0 | 34 12 0 |
| 71 | 79 | Dhulka .. | .. | 22 5 6 | 22 5 6 | .. | 68 15 0 | 68 15 0 | 91 4 6 |
| 72 | 80 | Jhamnangal .. | .. | 7 11 3 | 7 11 3 | .. | 26 8 0 | 26 8 0 | 34 3 3 |
| 73 | 81 | Ramana Chak .. | .. | 6 13 6 | 6 13 6 | .. | 20 4 0 | 20 4 0 | 27 1 6 |
| 74 | 82 | Bertari .. | .. | 9 9 6 | 9 9 6 | .. | 36 8 0 | 36 8 0 | 46 1 6 |
| 75 | 83 | Khalchian .. | .. | 4 8 6 | 4 8 6 | .. | 21 15 0 | 21 15 0 | 26 7 6 |
| | | Total Bet Bangar Circle | 1,381 6 0 | 1,773 10 0 | 3,155 0 0 | 1,069 7 0 | 6,533 13 0 | 7,608 4 0 | 10,763 4 0 |

| 76 | 223 | НАМИ СВЯТЫЕ. | .. | 3 9 3. | 3 9 3 | .. | 53 12 0 | 53 12 0 | 54 5 3 |
|----|-----|---|-----------|-----------|------------|-----------|-----------|------------|-------------|
| 77 | 307 | Shamnagar .. | .. | 20 6 3 | 20 6 3 | .. | 7 14 0 | 7 14 0 | 28 4 3 |
| | | Total Nabri Circle .. | .. | 23 15 6 | 23 15 6 | .. | 61 10 0 | 61 10 0 | 85 9 6 |
| | | Total Amritsar Tahsil.. | 1,381 6 0 | 1,797 9 6 | 3,178 15 6 | 1,069 7 0 | 6,600 7 0 | 7,669 14 0 | 10,848 13 6 |
| | | ТАБН ТАРАН ТАХСИЛ— UPPER MAHAJA. | | | | | | | |
| 1 | 47 | Pandori Sidhwan .. | 49 5 0 | .. | 49 5 0 | 109 12 0 | .. | 109 12 0 | 159 1 0 |
| 2 | 48 | Pandori Rahmanon .. | 33 11 3 | .. | 33 11 3 | .. | .. | .. | 33 11 3 |
| 3 | 49 | Pandori Takht Mal .. | 22 7 0 | .. | 22 7 0 | .. | .. | .. | 22 7 0 |
| 4 | 51 | Pandori Ransian .. | 36 7 3 | .. | 36 7 3 | 118 15 0 | .. | 118 15 0 | 165 6 3 |
| 5 | 111 | Kallah .. | 110 6 0 | .. | 110 6 0 | 441 5 0 | .. | 441 5 0 | 551 11 0 |
| 6 | 112 | Dulchipur .. | 7 6 3 | .. | 7 6 3 | 26 11 0 | .. | 26 11 0 | 34 1 3 |
| 7 | 128 | Waring .. | 120 15 6 | .. | 120 15 6 | 11 7 0 | .. | 11 7 0 | 132 6 6 |
| 8 | 129 | Khadur Sahib .. | 107 0 0 | .. | 107 0 0 | 140 11 0 | .. | 140 11 0 | 247 11 0 |
| 9 | 153 | Khojkipur .. | 21 6 9 | .. | 21 6 9 | 57 3 0 | .. | 57 3 0 | 78 9 9 |
| | | Total Upper Mahaja .. | 509 1 0 | .. | 509 1 0 | 906 0 0 | .. | 906 0 0 | 1,415 1 0 |

| Serial No. | Topographical No. | Name of village. | LAND REVENUE REMISSION ON AC- COUNT OF | | | WATER RATE REMISSION ON AC- COUNT OF | | | Grand total of columns 6 and 9. |
|------------|-------------------|--|---|--------------|---------------------------------|---|--------------|---------------------------------|---------------------------------------|
| | | | Hailstorm. | Gram blight. | Total of columns 4 and 5. | Hailstorm. | Gram blight. | Total of columns 7 and 8. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| | | TARN TARAN TAHSIL— CENTRAL MAHJA. | | | | | | | |
| 10 | 175 | Gahri .. | 11 11 3 | .. | 11 11 3 | .. | .. | .. | 11 11 3 |
| 11 | 206 | Bhojien .. | 4 9 0 | .. | 4 9 0 | 24 0 0 | .. | 24 0 0 | 28 9 0 |
| 12 | 303 | Sarbali Kalan .. | 0 11 0 | .. | 0 11 0 | 3 5 0 | .. | 3 5 0 | 4 0 0 |
| 13 | 315 | Dhotian .. | 5 13 6 | .. | 5 13 6 | 23 12 0 | .. | 23 12 0 | 29 9 6 |
| 14 | 316 | Lalpur .. | 4 15 6 | .. | 4 15 6 | 20 11 0 | .. | 20 11 0 | 25 10 6 |
| 15 | 318 | Wain Peri .. | 515 13 0 | .. | 515 13 0 | 365 13 0 | .. | 365 13 0 | 891 10 0 |
| 16 | 327 | Bhorawal .. | 1 6 9 | .. | 1 6 9 | 8 10 0 | .. | 8 10 0 | 10 0 9 |
| | | Total Central Mahja .. | 545 0 0 | .. | 545 0 0 | 446 3 0 | .. | 446 3 0 | 991 3 0 |
| | | Total Tarn Taran Tahsil | 1,054 1 0 | .. | 1,054 1 0 | 1,352 3 0 | .. | 1,352 3 0 | 2,401 4 0 |
| | | GRAND TOTAL OF THE DISTRICT. | 2,435 7 0 | 1,797 9 6 | 4,233 0 6 | 2,421 10 0 | 6,600 7 0 | 9,022 1 0 | 18,255 1 6 |

(Question No. *458, page 1526 ante.)

REALIZATION OF LAND REVENUE AFTER DUE DATE.

The Honourable Dr. Sir Sundar Singh Majithia : (a) The total amount of land revenue, abiana and rent for temporary cultivation realized during the year 1935-36 after the due date for their payment was :—

| | Rs. |
|---|-----------|
| (i) Land revenue | 69,22,688 |
| (ii) Abiana | 74,75,581 |
| (iii) Rent for temporary cultivation .. | 2,37,408 |

(b) The main reasons for late recoveries are :—

- (i) the habit of making delayed payments in certain districts ;
- (ii) the fall in the prices of agricultural produce and consequent unwillingness of zamindars to sell their produce in expectation of better prices that might be obtained, and
- (iii) the general economic depression.

(c) The following memorandum will show the relief granted by the Punjab Government to agriculturists during recent years to tide over the economic depression.

Remissions of land revenue on account of fall in prices.

| Division. | District. | Kharif 1930. | Rabi 1931. | Kharif 1931. | Rabi 1932. | Kharif 1932. | Rabi 1933. | Kharif 1933. | Rabi 1934. | Kharif 1934. |
|-------------|------------|--------------|------------|--------------|------------|--------------|------------|--------------|------------|--------------|
| | | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. |
| AMBALA. | Hissar | .. | 1,03,833 | 24,015 | 3,607 | .. | .. | .. | .. | .. |
| | Rohtak | .. | 2,35,228 | 83,282 | 31,007 | .. | .. | .. | .. | .. |
| | Gurgaon | .. | 2,39,204 | 1,41,839 | 70,923 | .. | .. | .. | .. | .. |
| | Karnal | .. | 2,483 | 13,140 | 51,612 | .. | .. | .. | .. | .. |
| | Ambala | .. | 2,25,225 | 71,414 | 1,31,895 | .. | .. | .. | .. | 56,832 |
| | Simla | .. | 2,972 | .. | .. | .. | .. | .. | .. | .. |
| | Total | .. | 32,839 | 10,18,975 | 3,33,690 | 2,89,044 | .. | .. | .. | .. |
| JULIANDHUR. | Kangra | .. | 98,663 | 19,076 | 26,978 | .. | .. | .. | .. | .. |
| | Hoshiarpur | .. | 2,70,938 | 61,877 | 36,851 | .. | .. | .. | .. | .. |
| | Jullundur | .. | 2,75,905 | 10,683 | 37,917 | .. | .. | .. | .. | 11,429 |
| | Ludhiana | .. | 836 | 1,98,064 | 2,941 | 10,340 | .. | .. | .. | .. |
| | Ferozepore | .. | 3,342 | 3,24,577 | 9,410 | .. | .. | .. | .. | .. |
| | Total | .. | 4,178 | 11,68,147 | 1,03,987 | 1,12,086 | .. | .. | .. | .. |
| .. | Lehore | .. | 1,453 | 2,46,456 | 76,931 | .. | .. | .. | .. | .. |
| | Amritsar | .. | 12,866 | 2,22,476 | 17,300 | .. | .. | .. | .. | .. |

| LABOR. | | | | | | | | | | | | | | | | | | |
|-----------------|-----------|-----------|-------------|-----------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Gurdaspur | 4,980 | 2,82,065 | 58,600 | 8,759 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Sialkot | 4,005 | 2,42,715 | 26,025 | 24,532 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Gujranwala | 93,152 | 2,38,906 | 40,114 | 2,716 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Sheikhpura | 1,13,021 | 4,24,910 | 1,23,572 | 1,45,704 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Total | 2,29,477 | 16,58,428 | 3,43,551 | 1,81,741 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Gujrat | 42,736 | 3,12,130 | 67,319 | 69,685 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Shahpur | 1,31,440 | 4,94,999 | 1,13,102 | 1,37,943 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Jhelum | .. | 1,35,482 | 25,835 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Rawalpindi | 599 | 1,04,781 | 4,450 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Attock | 1,522 | 1,22,977 | 26,632 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Mainwali | .. | 1,07,250 | 13,015 | 17,038 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Total | 1,76,266 | 12,77,619 | 2,50,353 | 2,24,666 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Montgomery | 1,63,132 | 4,86,314 | 1,11,802 | 1,00,593 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Lyalpur | 3,80,555 | 14,07,113 | 4,73,634 | 7,94,233 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Jhang | 37,226 | 2,98,292 | 1,15,223 | 61,434 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Multan | 94,902 | 5,30,233 | 2,41,766 | 1,40,042 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Muzaffargarh | .. | 1,87,896 | 35,213 | 32,384 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Dera Ghazi Khan | .. | 95,777 | 54,374 | 37,610 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Total | 5,75,815 | 30,05,625 | 10,32,012 | 11,66,286 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| GRAND TOTAL | 11,18,576 | 81,28,776 | 20,65,593 * | 19,73,823 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |

*Remissions given in the Nili Bar during previous harvests are included in the figures shown against Montgomery and Multan districts.

(Question No. *460, page 1530 ante.)

LAW LECTURERS EMPLOYED BY THE PUNJAB UNIVERSITY.

The Honourable Mian Abdul Haya : (a) The number of new appointments made during each of the years 1920 up to date in the staff of the University Law College, Lahore :—

| Year. | Total. |
|-----------------|--------|
| 1937-38 | 8 |
| 1936-37 | .. |
| 1935-36 | 1 |
| 1934-35 | 10 |
| 1933-34 | 7 |
| 1932-33 | 9 |
| 1931-32 | 2 |
| 1930-31 | .. |
| 1929-30 | 3 |
| 1928-29 | 3 |
| 1927-28 | 1 |
| 1926-27 | 1 |
| 1925-26 | 2 |
| 1924-25 | 2 |
| 1923-24 | 1 |
| 1922-23 | 3 |
| 1921-22 | .. |
| 1920-21 | 1 |
| 1919-20 | 2 |

There is no record of notified agriculturists and non-agriculturists either in the Law College, Lahore, or in the University Office.

(b) The following table gives community-wise the present strength of the teaching staff of the University Law College showing the number of notified agriculturists :—

| Present strength. | Hindus. | Muhammadans. | Sikhs. | Others. |
|------------------------------|---------|--------------|--------|---------|
| 24 (including Principal). | 11 | 9 | 2 | 2 |
| .. | Nil | 6 | Nil. | Nil. |

NOTIFIED AGRICULTURISTS.

The total number of Lecturers in the Oriental College, Lahore, is 4 out of which there are two Hindus, 1 Muslim and 1 Sikh. The information regarding notified agriculturists is not available; the college is at present closed for summer vacation.

There are six lecturers in the Hailey College of Commerce, Lahore, including part-time lecturers, out of whom there are 5 Hindus and 1 Muslim. None of them is a notified agriculturist.

(c) The following table shows the total number of appointments made for the session commencing October, 1937, their distribution community-wise and the number of such appointments given to members of notified agricultural tribes:—

| Total No. of appointments in the Law College. | Hindus. | Muhammadians. | Sikhs. | Others. |
|---|---------|-----------------|--------|---------|
| 27 | 12 | 10 | 3 | 2 |
| | | AGRICULTURISTS. | | |
| .. | Nil | 6 | Nil | Nil. |

NOTE.—There is no record of agriculturists and non-agriculturists in the case of three new appointments made for the year 1937-38, i.e., one Muhammadan and two Sikhs.

(d) Vacancies on the staff of the Law College are advertised as a general rule but not always. No applications were invited in 1937.

(Question No. *469, page 1536 ante.)

CONTRIBUTIONS FOR RED CROSS IN RAWALPINDI.

The Honourable Major Sir Sikander Hyat-Khan: (a) and (b). As the Red Cross Society is an unofficial organisation, the information cannot be supplied.

(c) Government has reviewed the recommendations in question, which are of a confidential nature, and finds no reason for taking the unusual course of publishing them.

(Question No. *481, page 1542 ante.)

The Honourable Major Sir Sikander Hyat-Khan: Statement which contains the required information is enclosed.

| Name of the Court. | NUMBER OF CASES | | | | | | | | |
|---|--|-------|-------|-------|-------|-------|-------|-------|-------|
| | <i>Before the appointment of a stenographer.</i> | | | | | | | | |
| | 1919. | 1920. | 1921. | 1922. | 1923. | 1924. | 1925. | 1926. | 1927. |
| (1) Sub-Divisional Officer, Rupar. | 81 | 89 | 66 | 71 | 150 | 92 | 170 | 163 | 119 |
| (2) Additional District Magistrate, Ludhiana. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| (3) Additional District Magistrate, Feroz-pore. | .. | .. | .. | 272 | 313 | 175 | .. | .. | 146 |
| (4) Additional District Magistrate, Lahore. | 440 | 370 | 306 | 270 | 567 | 682 | 625 | 622 | 686 |
| (5) Sub-Divisional Officer, Kasur. | 165 | 295 | 330 | 258 | 180 | 160 | 204 | 168 | 187 |
| (6) Additional District Magistrate, Amritsar. | .. | .. | .. | .. | .. | .. | .. | 200 | 576 |
| (7) Additional District Magistrate, Sargodha. | 74 | 65 | 220 | 230 | 200 | 259 | 356 | 535 | 517 |
| (8) Additional District Magistrate, Rawalpindi. | 397 | 201 | 399 | 628 | 921 | 1,697 | 2,234 | 1,967 | 4,201 |
| (9) Additional District Magistrate, Lyallpur. | .. | .. | 355 | 314 | 322 | 350 | 305 | 402 | 487 |
| (10) Additional District Magistrate, Multan. | .. | .. | .. | .. | .. | .. | 340 | 323 | 440 |

| DISPOSED OF | | | | | | | | | REMARKS. |
|---|-------|-------|-------|-------|-------|-------|-------|-------|---|
| <i>Since the appointment of a stenographer.</i> | | | | | | | | | |
| 1928. | 1929. | 1930. | 1931. | 1932. | 1933. | 1934. | 1935. | 1936. | |
| 132 | 84 | 230 | 1,082 | 872 | 782 | 731 | 1,114 | 921 | Figures for the years from 1919 to 1930 do not include revenue cases. |
| .. | .. | .. | .. | .. | .. | .. | .. | .. | There was no Additional District Magistrate from April, 1919, to March, 1928 Hence comparative figures cannot be given for this district. |
| 403 | 613 | 583 | 366 | 1,116 | 1,459 | 1,018 | 813 | 634 | Figures for the years 1919 to 1921 are not available and there was no Additional District Magistrate during 1925 and 1926. |
| 1,219 | 1,039 | 613 | 660 | 702 | 634 | 832 | 696 | 683 | |
| 140 | 241 | 296 | 445 | 429 | 464 | 299 | 284 | 960 | |
| 581 | 848 | 938 | 746 | 2,819 | 1,189 | 1,076 | 2,762 | 2,839 | Figures for the years from 1919 to 1925 are not available. |
| 462 | 562 | 756 | 810 | 1,059 | 1,107 | 1,418 | 1,182 | 1,998 | |
| 4,781 | 4,203 | 3,643 | 4,154 | 3,139 | 2,693 | 4,159 | 4,540 | 3,709 | |
| 342 | 253 | 350 | 374 | 421 | 401 | 316 | 349 | 267 | There was no Additional District Magistrate during the years 1919 and 1920. |
| 509 | 462 | 501 | 642 | 954 | 1,028 | 857 | 596 | 623 | Figures from the years from 1919 to 1924 are not available. |

(Question No. *543, page 1632 ante.)

ALLOWANCE TO TEACHERS IN TRAINING SCHOOL, LALA MUSA.

The Honourable Mian Abdul Haye : (a) 13.

(b) Government are aware that the District Board, Rawalpindi, has not granted any allowances to these teachers.

(c) Leave with such allowances as are admissible under the rules will be granted if these teachers apply for the same.

(Question No. *545, page 1633 ante.)

EDUCATION IN THE BEIT ILAQA, DISTRICT LUDHIANA.

The Honourable Mian Abdul Haye : (a) The district board educational budget is prepared for the whole of the district, including Beit ilaqa. No particular sum has been earmarked to educate the Beit ilaqa people. A proposal is, however, under consideration to give some relief to the poor children of this ilaqa in the shape of a free supply of takhties and slates. It is hoped that more attention will be paid to the educational needs of this backward ilaqa by the district board in future.

(b) Does not arise.

(Question No. *547, page 1634 ante.)

SCHOOLS IN BEIT ILAQA, DISTRICT LUDHIANA.

The Honourable Mian Abdul Haye : (a) The total number of schools in Beit ilaqa, Ludhiana District :—

| | | | High. | Anglo-vernacular. | Vernacular Middle with optional English classes. | Upper Middle. | Lower Middle. | Primary. | Branch. | REMARKS. |
|-----------------|----|----|-------|-------------------|--|---------------|---------------|----------|---------|----------|
| For boys | .. | .. | .. | .. | 1 | 5 | 6 | 15 | 4 | |
| For girls | .. | .. | .. | .. | .. | .. | .. | 5 | .. | |

(b) The total number of schools in other parts of the district :

| | | | High. | Anglo-vernacular. | Vernacular Middle with optional English classes. | Upper Middle. | Lower Middle. | Primary. | Branch. | REMARKS. |
|-----------------|----|----|-------|-------------------|--|---------------|---------------|----------|---------|----------|
| For boys | .. | .. | 2 | 3 | 8 | 14 | 41 | 96 | 32 | |
| For girls | .. | .. | .. | .. | .. | 2 | .. | 34 | .. | |

Rs.

- (c) Total cost of maintaining schools in Beit ilaqa 89,480 per annum.
- (d) Total cost of maintaining schools in other parts of the districts 3,47,096 per annum.

(Question No. *548, page 1634 ante.)

EDUCATION IN BEIT ILAQA, DISTRICT LUDHIANA.

The Honourable Mian Abdul Haye : (a) No preferential treatment is accorded to Dhaya ilaqa over Beit in Ludhiana district in the matter of public instruction.

(b) The Muslims are the majority community in the Beit ilaqa.

(c) 84 teachers belonging to the Beit ilaqa are in the service of the District Board, Ludhiana.

(d) There are 11 scholarship-holders reading in the schools of Beit ilaqa. School scholarships are awarded according to merit and the conditions laid down in the Punjab Education Code.

(e) Fee concessions are given to the school children according to the conditions laid down in the Punjab Education Code. The number of students enjoying fee concessions on the 31st March, 1937, was—

| | Free. | Half free. |
|---------------------|-------|------------|
| Muhammadans | 163 | 8 |
| Hindus | 48 | 13 |
| Sikhs | 24 | 1 |

(f) Following number of students from Beit ilaqa are reading in the district board high schools at Raikot and Samrala :—

| | |
|-----------------|---|
| Raikot | 8 |
| Samrala | 3 |

(Question No. *550, page 1635 ante.)

DIFFICULTIES OF PEOPLE OF BEIT ILAQA, LUDHIANA.

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

(b) Government is already aware of the needs of the people of the Beit ilaqa in the Ludhiana district. So far as agriculture is concerned, the conditions of this ilaqa are in no way different from those of other districts. In 1934-35 joint tours were, however, made in the ilaqa by Commissioner, Deputy Commissioner and Agricultural Department officers and special attention was directed to it. The areas under improved wheats and sugarcane have increased largely and are still increasing and recently the Agricultural Department itself bore the cost of transporting much of the sugarcane seeds. Important varieties of rice have been introduced and so have such fodder crops as Berseem and Cowpeas and the progress made has been satisfactory. As regards education, schools of all types which serve

almost every part of the ilaqa in question have been opened, but full advantage is not being taken of them by the public. Steps are now being taken to encourage education in this ilaqa. A special assistant district inspector of schools has now been appointed for this backward ilaqa. The District Board, Ludhiana, has agreed to give a free supply of slates and takhties to poor students in the ilaqa. So far as the public health is concerned, the only particular need of the ilaqa is to deal with malaria. A sum of Rs. 1,28,000 has already been spent by Government to improve the condition of Buddha Nullah as a result of which considerable portion of the land which was previously lying waste has been brought under cultivation and the incidence of malaria has shown a tendency towards decrease during recent years. An additional sum of Rs. 50,000 has also been sanctioned to train Budha Nullah further. As regards the provision of medical aid in rural areas, it is one of the functions of the District Board, Ludhiana, which has already opened dispensaries at certain places in the ilaqa. The question of giving a grant-in-aid to this district board for the opening of one more dispensary in the ilaqa is under the consideration of Government.

(Question No. *559, page 1643 ante.)

RECRUITMENT IN CONNECTION WITH HAVELI PROJECT.

The Honourable Dr. Sir Sunder Singh Majithia : (a) Since the reply given to Assembly question 123 (unstarred) the additional recruitment has been :—

| | |
|-----------------|----|
| Muslims | 8 |
| Hindus | 5 |
| Sikhs | 1 |
| Total | 14 |

which brings the total recruitment to 39. Of these 20 are statutory agriculturists and 19 others.

(b) Amount of money in the shape of monthly salary paid to each community is as below :—

| | |
|---------------------|-------|
| | Rs. |
| (i) Muslims | 930 |
| (ii) Hindus | 546 |
| (iii) Sikhs | 230 |
| Total | 1,706 |

and its further distribution is.—

| | |
|--------------------------------|-------|
| | Rs. |
| (a) Agriculturists | 910 |
| (b) Non-agriculturists | 796 |
| Total | 1,706 |

(Question No. *570, page 1648 ante.)

PURCHASE OF LAND BY MIRZA BASHIR-UD-DIN MAHMUD AHMAD.

The Honourable Dr. Sir Sunder Singh Majithia : (a) Yes.

(b) and (c) Government have no information that any portion of the sale price was paid by the "Nazarat-i-Amoor-i-Ama".

Out of 728 acres of land purchased, the purchasers have sold 118 acres to members of statutory agricultural tribes and 59 acres to non-agriculturists. Government have no information regarding the religious beliefs of the vendees or their successors-in-interest.

(d) No such representation has been received either by the Deputy Commissioner or the Financial Commissioner, Punjab (Revenue), nor has there been, so far as Government can ascertain, any evasion of the Act, seeing that the alienations to non-agriculturists have all been effected in due course of law with the sanction of the Deputy Commissioner.

(e) and (f) Do not arise.

(Question No. *584, page 1697 ante.)

COMPULSORY RETIREMENT OF LOCAL BODIES EMPLOYEES.

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Yes. there are some employees of local bodies who have either attained the age of 55 or have retired from Government service.

(b) The matter is under consideration of Government.

(Question No. *663, page 1796 ante.)

REMARKS BY SUB-JUDGE REGARDING JHANG CONCILIATION BOARD.

The Honourable Chaudhri Sir Chhotu Ram : Yes. The attention of the Honourable Judges of the High Court has been drawn to the expressions used by the Subordinate Judge.

(Question No. *675, page 1800 ante.)

INSPECTORATES OF LOCAL BODIES.

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Yes. The statutory responsibilities of the Commissioners and Deputy Commissioners are not removed by the appointment of inspectors of local bodies.

(b) Yes. It is also true that in only one instance a district board with a non-official chairman has been inspected. This is due to the fact that the District boards are not now being required to contribute to the cost of the inspectorate.

(c) The inspectors work under the control of the Commissioners of divisions and are not directly subordinate to the Deputy Commissioners.

(d) No. The executive officers are the servants of their municipal committees.

(e) Does not arise.

(Question No. *676, page 1800 ante.)

STREET PLANS AND BUILDING SCHEMES OF MUNICIPAL COMMITTEE,
AMRITSAR.

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) One.

(b) One.

(c) No. The schemes are never properly prepared by the committee.

(d) Yes.

(e) None, but one scheme was returned to the committee for re-consideration. The site of this scheme was inspected by the Deputy Commissioner of Amritsar.

(f) Four.

(g) No scheme is pending with the Commissioner. The scheme in question is pending with the committee.

(h) Government have no information.

(i) Government have no information, but the poor also require sunshine, fresh air and adequate drainage.

(j) No action is called for.

(Question No. *692, page 1811 ante.)

INSTRUCTIONS *re.* POSTINGS OF CANAL PATWARIS.

The Honourable Dr. Sir Sunder Singh Majithia : (d) Total number of Patwaris in the Raiwind division is 110 :

(i) 8 but none of them has any landed property except the houses in which they are living ;

(ii) Nil ;

(iii) There are two patwaris whose relations own land beyond 80 miles of their halqas ;

(e) Does not arise as the Executive Engineer is the final authority ;

(f) Does not arise.

(Question No. *697, page 1815 ante.)

CRIMINAL TRIBES IN MONTGOMERY DISTRICT.

The Honourable Dr. Sir Sunder Singh Majithia : (a) and (c) The following tribes and gangs in the Montgomery district hav

been declared to be criminal tribes under the Criminal Tribes Act, 1924 :—

A.—*Throughout the whole district.*

| | | | | | |
|-------------------------|----|----|----|----|-------|
| 1. Bars | .. | .. | .. | .. | (3) |
| 2. Baurias | .. | .. | .. | .. | (85) |
| 3. Harnis | .. | .. | .. | .. | (Nil) |
| 4. Parhars | .. | .. | .. | .. | (10) |
| 5. Sansis | .. | .. | .. | .. | (41) |
| 6. Tagus | .. | .. | .. | .. | (1) |
| 7. Taranas | .. | .. | .. | .. | (1) |
| 8. Aherias | .. | .. | .. | .. | (2) |
| 9. Baddons | .. | .. | .. | .. | (Nil) |
| 10. Barrars | .. | .. | .. | .. | (Nil) |
| 11. Baurias | .. | .. | .. | .. | (24) |
| 12. Behallias | .. | .. | .. | .. | (Nil) |
| 13. Bhangalis | .. | .. | .. | .. | (2) |
| 14. Bhedkuts | .. | .. | .. | .. | (8) |
| 15. Dhes | .. | .. | .. | .. | (10) |
| 16. Gedris | .. | .. | .. | .. | (4) |
| 17. Harni Rind Biloches | .. | .. | .. | .. | (Nil) |
| 18. Kuchbands | .. | .. | .. | .. | (8) |
| 19. Nat Sansis | .. | .. | .. | .. | (11) |
| 20. Rachbands | .. | .. | .. | .. | (25) |
| 21. Sansis | .. | .. | .. | .. | (1) |

B.—*In particular parts of the district.*

| | | | | | |
|--|----|----|----|----|-------|
| 1. Dullus.—In the area of Chak 121/9-L (Police Station Dera Rahim) | .. | .. | .. | .. | (77) |
| 2. Giloi Biloches.—In the area of Thatha Giloi (Police Station Nurshah) | .. | .. | .. | .. | (8) |
| 3. Mahtams.—In the area of villages Bunga Khan Singh, Haril, Jhuggian Sham Singh, Haji Chand, Bunga Amir Singh, Barianwali, Bunga Sahiba, Kamirian Ghore (Police Station Attari) and to the area of village Pir Hayat, (Police Station Attari) | .. | .. | .. | .. | (866) |
| 4. Wandars.—In the area of Chak 8/L. R. (Police Station Renala Khurd) | .. | .. | .. | .. | (1) |

C.—*Special Gangs.*

1. *Bhattis* of Thatha Bhattian (Police Station Gu-gera) (2)
2. *Kathias* of Chaḳ Bandi Nathu Amir (Police Station Harapa) (3)

The figures in brackets indicate the number of persons in each tribe or gang who have been sentenced to imprisonment. It would make this reply unduly long to give particulars of all these hundreds of cases.

(b) Total 2,950. Out of these 930 are restricted under section 11 of the Act, the area of restriction being either the village or the police station. In speaking of the number of persons "granted passes" the honourable member is probably referring to persons de-registered under rule 24. The number of these is 1,787.

(d) The honourable member is asked to read rules 3 and 4 of the rules framed by the Punjab Government under the Act, from which he will see that minors are comparatively seldom registered and also rule 24, regarding the de-registration of those criminal tribesmen whose records are found satisfactory.

(Question No. *700, page 1816 ante.)

ORDERS OF ARRESTS BY SUB-JUDGE OF JHAJJAR.

The Honourable Major Sir Sikander Hyat-Khan : (a) Thirteen.

(b) This information could not be collected without an examination of all the cases decided by the Subordinate Judge during the period, no separate record being kept of rejected applications. To carry out such a search would entail an expenditure of time and labour out of all proportion to the results to be secured.

(c) The references to the Code of Criminal Procedure and Punjab Debtors Protection Act, 1936, are not understood ; but it is not correct that warrants are issued on the bare statements of decree-holders. The provisions on section 34 of the Punjab Relief of Indebtedness Act, 1934, are observed in all cases.

(Question No. *708, page 1819 ante.)

NUR MAHARRAM AQUALA HAYATA CRIMINAL TRIBES, IN JHANG DISTRICT.

The Honourable Mr. Manohar Lal : (a) The Biloches of Jhok Nur Mahram and Akla Hayat were given land on the same scale as the other indigenous tribes when the Jhang Bar was colonised, namely, half a square for each male child ; and their criminal propensities, which have long been notorious, are by no means entirely the result of economic difficulties.

(b) and (c). Efforts are constantly being made by the Department to secure work for the members of the tribe in Government departments and with private employers, and a number of them have made good progress in such appointments. Much has also been done, since the Department took over control of these villages in 1934, to reduce indebtedness by the establishment of co-operative credit societies and conciliation boards, and by the introduction of improved methods of husbandry.

(Question No. *709, page 1819 ante.)

NUR MAHARRAM AND AQALA HAYATA TRIBES IN JHANG DISTRICT.

The Honourable Mr. Manohar Lal :

| | | | | | | |
|---------|----|----|----|----|----|----|
| (a) (i) | .. | .. | .. | .. | .. | 31 |
| (ii) | .. | .. | .. | .. | .. | .. |
| (iii) | .. | .. | .. | .. | .. | 1 |
| (iv) | .. | .. | .. | .. | .. | .. |
| (v) | .. | .. | .. | .. | .. | .. |
| (vi) | .. | .. | .. | .. | .. | .. |
| (b) (i) | .. | .. | .. | .. | .. | 17 |
| (ii) | .. | .. | .. | .. | .. | .. |
| (iii) | .. | .. | .. | .. | .. | 5 |

(Question No. *717, page 1825 ante.)

BHAI BASANT SINGH SARBRAH CHAK NO. 105-G. B., TAHSIL JARANWALA, DISTRICT LYALLPUR.

The Honourable Dr. Sir Sundar Singh Majithia : (a) It is a fact that Bhai Basant Singh was passed over for lambardari of chak No. 105-G. B., by the Settlement Officer, for the reasons given in his order of which a copy can be obtained from the district copying agency, on payment under the rules.

(b) Yes.

(c) Government have no information.

(d) The Financial Commissioner is the final statutory authority in such matters. It is for the aggrieved party to appeal or apply for revision if he is dissatisfied at his rejection. There is no case for Government to interfere.

(Question No. *723, page 1831 ante.)

DISCHARGE OF OUTLETS OF RAJBAH JETHOWAL.

The Honourable Dr. Sir Sundar Singh Majithia : The total number of representations is 17.

(Question No. *733, page 1840 ante.)

WATER SUPPLY FROM UPPER BARI DOAB TO AMRITSAR CITY.

The Honourable Dr. Sir Sundar Singh Majithia : (a) From 1860.

(b) The Canal runs two miles parallel to the boundary line of the Municipal area. It does not directly give any supply to the City but the Jethowal Distributary of this Canal gives 5 cusecs to the City.

ANSWERS TO UNSTARRED QUESTIONS.

(Question No. 54, page 367 ante.)

SUB-JUDGES AND DEBT CONCILIATION BOARDS.

The Honourable Major Sir Sikander Hyat-Khan: (a) A statement is enclosed giving the required information.

(b) *First Clause.*—Yes, except in the case of Garhshankar.

Second Clause.—It has not been found possible to reduce the number of subordinate judges at the other places for the following reasons:—

1. *Panipat.*—The subordinate judge posted at Panipat is now required to go to Sonapat for ten days each month, as the work at Sonapat has assumed abnormal proportions.
2. *Garhshankar.*—The institutions at Garhshankar have not shown any appreciable decrease and the work arising from this Tahsil continues to be more than enough for one officer. Indeed, a subordinate judge from district headquarters has to visit Garhshankar for a few days each month to assist the judge permanently posted there.
3. *Amritsar.*—The District Judge, Amritsar, reports that the decrease is entirely in money suits, and that if these had come into the courts they would have been compromised or otherwise easily settled. The contentious cases are still coming to the subordinate judges, whose work has not been appreciably lightened by the establishment of the Conciliation Board.
4. *Jhang.*—The district Judge, Jhang, has made a report in somewhat similar terms. He mentions also that one of the subordinate judges has lately been directed to devote himself primarily to insolvency and guardianship work.
5. *Kahuta.*—There is no subordinate judge at all at Kahuta.

APPENDIX.

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NUMBER OF SUBORDINATE JUDGES IN THE DISTRICT DURING

| Name of the place where the Debt Conciliation Board has been established. | Name of the District. | NUMBER OF SUBORDINATE JUDGES IN THE DISTRICT DURING | | | | | | | | | | | | | | | | | | | | | | | |
|---|-----------------------|---|------------|-------------|-------------|---------------|------------------|----------------|-----------------|-----------------|----------------|-----------------|--------------|----|----|----|----|----|----|----|----|----|----|----|----|
| | | April, 1934. | May, 1934. | June, 1934. | July, 1934. | August, 1934. | September, 1934. | October, 1934. | November, 1934. | December, 1934. | January, 1935. | February, 1935. | March, 1935. | | | | | | | | | | | | |
| Panipat .. | Karnal .. | 6 | 6 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | |
| Amritsar .. | Amritsar .. | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| Kahuta .. | Rawalpindi.. | 6 | 6 | 7 | 7 | 7 | 7 | 7 | 7 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| Garhshankar .. | Hoshiarpur .. | 10 | 10 | 9 | 8 | 9 | 10 | 9 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Jhang .. | Jhang .. | 4 | 3 | 4 | 4 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |

Note.—The Boards at Panipat, Garhshankar and Kahuta exercise jurisdiction over a single Tahsil only, not over the whole district. The numbers of the subordinate judges given above are for the whole district.

(Question No. 55, page 367 ante.)

REDEMPTION OF MORTGAGED LANDS.

The Honourable Major Sir Sikandar Hyat-Khan: The required information is contained in the attached statement.

Regarding the seventy cases in the Garhshankar Tahsil it is understood that the settlements involved the freeing of a small portion of the mortgaged area only, the entire mortgage money being made a charge on the rest of the mortgaged land.

Statement showing the number of cases in which Debt Conciliation Boards in the Punjab have authenticated agreements between debtors and creditors involving the redemption of mortgaged lands without payment of the mortgaged money. (Figures up to the 31st May, 1937).

| 1 | 2 |
|--------------------------|------------------|
| Name of Board. | Number of cases. |
| Jhang | Nil. |
| Panipat (Karnal) | Nil. |
| Kahuta (Rawalpindi) | 1 |
| Amritsar | Nil. |
| Garhshankar (Hoshiarpur) | 70 |

(Question No. 63, page 370 ante.)

SANADS TO TEACHERS EMPLOYED IN THE AIDED PRIMARY SCHOOLS
IN RUPAR TAHSIL.

The Honourable Mian Abdul Haya: (a) Two applications for the award of special sanads were received during 1935-36, from the teachers employed in aided primary schools in Rupar tahsil, out of which only one teacher was awarded a special sanad.

(b) Statement showing the annual result of each of the primary schools both private and those administered by local bodies which contain four primary classes with the pass percentage of each in the competition examination for the year 1936-37 is enclosed.

(c) —

| Names of aided primary schools in Rupar Tahsil. | AMOUNT OF GRANT PAID TO THEM DURING | | | Increase or decrease. |
|---|-------------------------------------|----------|----------|---|
| | 1933-34. | 1934-35. | 1935-36. | |
| 1. Vidia Sabha, Kotla Nahang .. | 303 | 315 | 300 | The decrease is insignificant and needs no explanation. |
| 2. Kh. Phool Khurd .. | 200 | 208 | 200 | |
| 3. Hindu, Samana Kalan .. | 299 | 334 | 328 | |
| 4. Islamia, Malakpur .. | 315 | 335 | 300 | |
| 5. Khalsa, Bharan Majra .. | 351 | 363 | 300 | |

Statement showing the annual result of each of the primary schools both private and those administered by local bodies which contain four primary classes with the pass percentage of each in the competition examination for the year 1936-37.

| Serial No. | Name and kind of school. | CLASSWISE ENROLMENT AS IT STOOD ON 31ST MARCH, 1937. | | | | | PERCENTAGE OF PROMOTION (CLASSWISE ON 31ST MARCH, 1937). | | | |
|------------|--------------------------------|--|-----|------|-----|--------|--|-----|------|-----|
| | | I. | II. | III. | IV. | Total. | I. | II. | III. | IV. |
| | <i>District Board Primary.</i> | | | | | | | | | |
| 1 | Dhangrahi .. | 20 | 12 | 13 | 9 | 54 | 86 | 75 | 77 | 100 |
| 2 | Panjkohta .. | 24 | 16 | 6 | 7 | 53 | 80 | 67 | 80 | 84 |
| 3 | Marraulikalan .. | 21 | 14 | 14 | 4 | 53 | 75 | 80 | 80 | 100 |
| 4 | Chotmla .. | 11 | 13 | 3 | 5 | 32 | 87 | 77 | 100 | 100 |
| 5 | Bela .. | 38 | 40 | 23 | 14 | 115 | 63 | 75 | 65 | 92 |
| 6 | Chamkaur .. | 44 | 24 | 17 | 13 | 98 | 56 | 76 | 82 | 85 |
| 7 | Bhallian .. | 28 | 16 | 14 | 5 | 63 | 59 | 88 | 93 | 80 |
| 8 | Muazzizdinpur .. | 30 | 35 | 21 | 11 | 97 | 67 | 63 | 71 | 100 |
| 9 | Hawara .. | 30 | 18 | 10 | 7 | 65 | 53 | 66 | 80 | 86 |
| 10 | Manoli .. | 13 | 6 | 4 | 3 | 26 | 30 | 83 | 75 | .. |
| 11 | Siddhopur Kalan .. | 33 | 21 | 19 | 8 | 81 | 64 | 57 | 79 | 75 |
| 12 | Roorki Heran .. | 19 | 11 | 7 | 3 | 40 | 32 | 91 | 71 | 33 |
| 13 | Sindhwan .. | 38 | 13 | 5 | 5 | 61 | 44 | 85 | 100 | 100 |
| 14 | Selampur .. | 21 | 22 | 16 | 9 | 68 | 68 | 84 | 88 | 100 |
| 15 | Sarhans .. | 16 | 10 | 8 | 8 | 42 | 50 | 80 | 87 | 100 |
| 16 | Dumna .. | 16 | 10 | 8 | 8 | 42 | 50 | 80 | 87 | 100 |
| 17 | Jalian Kalan .. | 11 | 13 | 6 | 5 | 35 | 33 | 70 | 66 | 100 |
| 18 | Balsandah .. | 13 | 9 | 7 | 5 | 34 | 54 | 73 | 60 | 100 |
| 19 | Dhanauri .. | 18 | 12 | 6 | 6 | 41 | 56 | 76 | 84 | 60 |
| 20 | Burmazra .. | 20 | 16 | 15 | 9 | 60 | 55 | 78 | 72 | 100 |
| 21 | Bamnara .. | 28 | 11 | 8 | 6 | 51 | 60 | 90 | 100 | 100 |
| 22 | Kainaur .. | 22 | 24 | 14 | 10 | 70 | 91 | 75 | 79 | 100 |

| Serial No. | Name and kind of school. | CLASSWISE ENROLMENT AS IT STOOD ON 31ST MARCH, 1937. | | | | | PERCENTAGE OF PROMOTION (CLASSWISE ON 31ST MARCH, 1937). | | | |
|------------|--------------------------------------|--|-----|------|-----|--------|--|-----|---------------------------------------|-----|
| | | I. | II. | III. | IV. | Total. | I. | II. | III. | IV. |
| | <i>District Board Primary—concd.</i> | | | | | | | | | |
| 23 | Meanpur .. | 22 | 17 | 12 | 12 | 63 | 68 | 100 | 70 | 90 |
| 24 | Akbarpur .. | 19 | 12 | 10 | 5 | 46 | 68 | 72 | 80 | 40 |
| 25 | Rangilpur .. | 23 | 15 | 11 | 5 | 54 | 60 | 79 | 100 | 100 |
| 26 | Kishenpura .. | 24 | 19 | 9 | 8 | 60 | 72 | 78 | 85 | 60 |
| 27 | Sehunmazra .. | 6 | 7 | 5 | 6 | 24 | 75 | 71 | Raised to Primary standard last year. | |
| 28 | Girdley .. | 19 | 7 | 4 | 5 | 35 | 37 | 57 | 75 | 40 |
| 29 | Awankot .. | 15 | 14 | 2 | 7 | 38 | 62 | 80 | 100 | 85 |
| 30 | M. B. Rupar .. | 93 | 44 | 30 | 26 | 183 | 50 | 87 | 96 | 87 |
| | <i>Aided Primary.</i> | | | | | | | | | |
| 1 | Samana Kajan .. | 25 | 25 | 17 | 8 | 75 | 63 | 89 | 90 | 100 |
| 2 | Kh. Bhaironmazra .. | 26 | 10 | 6 | 5 | 47 | 76 | 88 | 89 | 80 |
| 3 | Islamia Malakpur .. | 30 | 13 | 9 | 8 | 60 | 87 | 96 | 100 | 100 |
| 4 | V. S. Kotla Nihang .. | 31 | 17 | 9 | 17 | 74 | 45 | 71 | 100 | 80 |
| 5 | Khalea Phul Khurd .. | 22 | 13 | 14 | 11 | 60 | 57 | 85 | 87 | 80 |

(Question No. 65, page 371 ante.)

GOVERNMENT HIGH SCHOOL, RUPAR.

The Honourable Mian Abdul Haye: (a) A copy of a resolution on the subject passed by the Committee in December, 1930, is laid on the table. No other resolution is said to be "traceable in the records of the said local body."

(b) The available municipal records do not show that a copy of this resolution was ever sent to Government by the Committee for consideration.

Copy of resolution No. 22-B passed by the Municipal Committee, Rupar, in its ordinary meeting held on the 14th December, 1930.

No. 22-B.

Proposal.—Proposal from Pandit Ganga Ram Sharma, dated the 26th of November, 1930, the Honourable Minister for Education, Local Government, may be requested:—

A.—The high school with its building and furniture was handed over to the Government by the Committee. At present there is no need of this school as the different Anjumans' schools such as Hindu Public High School, Islamia School and Khalsa High schools are good enough for the educational purposes. The Government high school is being run on a heavy deficit, which is not warranted in the presence of the work of other local schools.

B.—It is reasonable and necessary that the Government should not bear such a heavy monthly loss. The secondary department be discontinued and the ninth and tenth classes be retained. From 1931 the school may be converted into an Intermediate college. The expenses of the college can be met by the amount of loss sustained at present.

C.—The college maintained by Rai Bahadur Lala Benarsi Das at Ambala has been closed. The proposal of the committee for the opening of the college was dropped by the Government. And a scheme for the starting of a private college was not granted by the authorities concerned. Under the circumstances and taking into consideration the number of students available for the college, situation of the town for the health of the students and the moderation of expenses here, it is most reasonable that a Government College may be opened here.

D.—If it is not possible to carry on the proposal, mentioned in paragraphs A, B and C above, the school may be transferred to and run at Morinda, a central place of the Ilaqa.

E.—If none of the proposals, proposed above are acceptable to the Government the committee most respectfully request to the Government that with the beginning of the next year the present high school be converted into a Girls High School with a Boarding house. It is reasonably expected that a considerable number of girl students from the surrounding Ilaqa will join the institution.

Resolution.—Proposal adopted unanimously. It is further requested that in case the Government agrees to the proposal the committee is prepared to maintain a girls high school; provided the present building with the furniture and appliances, etc., is handed over to the committee and substantial educational grant is granted by the Government.

Lala Shadi Ram did not vote.

(Question No. 70, page 513, ante.)

ELEMENTARY AIDED SCHOOLS.

The Honourable Mian Abdul Haye: (a) A statement showing the required information is laid on the table.

(b) The decrease in grant in the Ambala Division is chiefly due to the fact that the grant for 1936-37 was calculated on the primary school basis while the same was calculated on the elementary school basis in 1935-36.

Statement showing the number of primary aided schools in the province, the number of students in them and the amount of aid granted to them in 1935-36 and 1936-37.

| Name of Division. | Year. | Number of primary aided schools. | Number of students reading in them. | Amount of aid granted. |
|---------------------|---------------|----------------------------------|-------------------------------------|------------------------|
| | | | | Rs. |
| 1. Ambala | 1935-36 | 130 | 7,568 | 30,878 |
| | 1936-37 | 121 | 7,354 | 26,943 |
| 2. Jullundur | 1935-36 | 225 | 15,918 | 66,080 |
| | 1936-37 | 223 | 15,510 | 66,657 |
| 3. Lahore | 1935-36 | 217 | 19,396 | 83,629 |
| | 1936-37 | 226 | 20,526 | 94,882 |
| 4. Rawalpindi | 1935-36 | 102 | 13,461 | 65,055 |
| | 1936-37 | 175 | 12,423 | 57,909 |
| 5. Multan | 1935-36 | 178 | 12,030 | 52,811 |
| | 1936-37 | 158 | 10,666 | 49,679 |

(Question No. 73, page 514 ante.)

COMPARATIVE EDUCATIONAL PROGRESS IN DIFFERENT EDUCATIONAL DIVISIONS.

The Honourable Mian Abdul Haya : The required information is given below :—

| Division. | 1932-33. | 1933-34. | 1934-35. | 1935-36. | 1936-37. |
|------------------|----------|----------|----------|----------|----------|
| Ambala | 8,949 | 9,522 | 9,149 | 9,408 | 10,188 |
| Jullundur | 16,164 | 16,547 | 16,137 | 16,137 | 16,078 |
| Lahore | 17,421 | 19,029 | 19,473 | 20,234 | 21,458 |
| Rawalpindi | 15,483 | 16,564 | 16,933 | 17,336 | 18,589 |
| Multan | 15,148 | 15,967 | 14,791 | 15,863 | 16,575 |

(Question No. 74, page 514 ante.)

AMOUNT OF GRANT-IN-AID GIVEN TO LOCAL BODIES IN THE LAST FINANCIAL YEAR TO PROVIDE FOR BOOKS, ETC.

The Honourable Mian Abdul Haye : (a) Yes. The following local bodies supplied free books and writing material to the children of indigent parents during the last financial year :—

1. District Board, Simla.
2. District Board, Rohtak.
3. District Board, Karnal.
4. District Board, Attock.
5. District Board, Multan.
6. District Board, Dera Ghazi Khan.
7. Municipal Committee, Simla.
8. Municipal Committee, Ludhiana.
9. Municipal Committee, Fazilka.
10. Small Town Committee, Giddarbaha.
11. Municipal Committee, Montgomery.
12. Municipal Committee, Multan.
13. Municipal Committee, Shujabad.
14. Municipal Committee, Mian Channun.
15. Municipal Committee, Khanewal.
16. Notified Area Committee, Burewala.
17. Notified Area Committee, Vihari.
18. Notified Area Committee, Jahanian.
19. Notified Area Committee, Kahrur.

(b) The expenditure incurred by the District Boards on this account was included by them in the expenditure statements and was approved for the purpose of grant for vernacular education. In the case of committees no grant was given as the grant in their case is not based on expenditure but on the number of schools maintained or aided by them.

(c) It is not possible to give the exact amount as the expenditure on this account is not shown separately in the expenditure statements on which the grants are based.

(Question No. 75, page 514 ante.)

MARRIED BOYS IN HIGH SCHOOLS.

The Honourable Mian Abdul Haye : (a) Yes.

(b) No.

(Question No. 80, page 516 ante.)

SANADS TO TEACHERS EMPLOYED IN THE AIDED PRIMARY SCHOOLS IN RUPAR TAHSIL.

The Honourable Mian Abdul Haye : (a) Two applications for the award of special sanads were received during 1985-86, from the teachers employed in aided primary schools in Rupar tahsil, out of which only one teacher was awarded a special sanad.

(b) Statement showing the annual result of each of the primary schools both private and those administered by local bodies which contain four

APPENDIX.

primary classes with the pass percentage of each in the competition examination for the year 1936-37 is enclosed.

(c)

| Names of aided primary schools in Rupar tahsil. | AMOUNT OF GRANT PAID TO THEM DURING | | | Increase or decrease. |
|---|-------------------------------------|----------|----------|---|
| | 1933-34. | 1934-35. | 1935-36. | |
| 1. Vidia Sabha, Kotla Nahang .. | 300 | 315 | 300 | The decrease is insignificant and needs no explanation. |
| 2. Kh. Phool Khurd .. | 200 | 208 | 200 | |
| 3. Hindu, Samana Kalan .. | 299 | 334 | 328 | |
| 4. Islamia, Malakpur .. | 315 | 335 | 300 | |
| 5. Khalsa, Bharan Majra .. | 351 | 353 | 300 | |

Statement showing the annual result of each of the primary schools both private and those administered by local bodies which contains four primary classes with the pass percentage of each in the competition examination for the year 1936-37.

| Serial No. | Name and kind. | CLASSWISE ENROLMENT AS IT STOOD ON 31ST MARCH, 1937. | | | | | PERCENTAGE OF PROMOTION CLASSWISE ON 31ST MARCH, 1937. | | | |
|------------|--------------------------------------|--|-----|------|-----|--------|--|-----|------|-----|
| | | I. | II. | III. | IV. | Total. | I. | II. | III. | IV. |
| 1 | District Board Primary. Dhangrali .. | 20 | 12 | 13 | 9 | 54 | 86 | 75 | 77 | 100 |
| 2 | Panjkoah .. | 24 | 16 | 6 | 7 | 53 | 80 | 67 | 80 | 64 |
| 3 | Marraulikalan .. | 21 | 14 | 14 | 4 | 53 | 75 | 80 | 80 | 100 |
| 4 | Chotamla .. | 11 | 13 | 3 | 5 | 32 | 87 | 77 | 100 | 100 |
| 5 | Bela .. | 38 | 40 | 23 | 14 | 115 | 63 | 75 | 65 | 92 |
| 6 | Chamkaur .. | 44 | 24 | 17 | 13 | 98 | 56 | 76 | 82 | 85 |
| 7 | Bhallian .. | 28 | 16 | 14 | 5 | 63 | 59 | 88 | 93 | 80 |
| 8 | Mauzzidpur .. | 30 | 35 | 21 | 11 | 97 | 67 | 63 | 71 | 100 |
| 9 | Hawara .. | 30 | 18 | 10 | 7 | 65 | 53 | 66 | 80 | 86 |
| 10 | Manehi .. | 13 | 6 | 4 | 3 | 26 | 30 | 83 | 75 | .. |
| 11 | Siddhopur Kalan .. | 33 | 31 | 19 | 8 | 81 | 64 | 57 | 79 | 75 |

| Serial No. | Name and kind. | CLASSWISE ENROLMENT AS IT STOOD ON 31ST MARCH, 1937. | | | | | PERCENTAGE OF PROMOTION CLASSWISE ON 31ST MARCH, 1937. | | | |
|------------|--|--|-----|------|-----|--------|--|-----|---------------------------------------|-----|
| | | I. | II. | III. | IV. | Total. | I. | II. | III. | IV. |
| | <i>District Board Primary—concl'd.</i> | | | | | | | | | |
| 12 | Roorkee Heran .. | 19 | 11 | 7 | 3 | 40 | 32 | 91 | 71 | 33 |
| 13 | Sindhwan .. | 38 | 13 | 5 | 5 | 61 | 44 | 85 | 100 | 100 |
| 14 | Selempur .. | 21 | 22 | 16 | 9 | 68 | 68 | 84 | 88 | 100 |
| 15 | Sarhana .. | 16 | 10 | 8 | 8 | 42 | 50 | 80 | 87 | 100 |
| 16 | Dumma .. | 16 | 10 | 8 | 8 | 42 | 50 | 80 | 87 | 100 |
| 17 | Jallian Kalan .. | 11 | 13 | 6 | 5 | 35 | 33 | 70 | 66 | 100 |
| 18 | Balsandah .. | 13 | 9 | 7 | 5 | 34 | 54 | 78 | 60 | 100 |
| 19 | Dhansuri .. | 18 | 12 | 6 | 5 | 41 | 56 | 76 | 84 | 60 |
| 20 | Burmazra .. | 20 | 16 | 15 | 9 | 60 | 55 | 78 | 72 | 100 |
| 21 | Bamnara .. | 26 | 11 | 8 | 6 | 51 | 60 | 90 | 100 | 100 |
| 22 | Kainaur .. | 22 | 24 | 14 | 10 | 70 | 91 | 75 | 79 | 100 |
| 23 | Meanpur .. | 22 | 17 | 12 | 12 | 63 | 68 | 100 | 70 | 90 |
| 24 | Akbarpur .. | 19 | 12 | 10 | 5 | 46 | 68 | 72 | 80 | 40 |
| 25 | Rengilpur .. | 23 | 15 | 11 | 5 | 54 | 60 | 79 | 100 | 100 |
| 26 | Kishenpur .. | 24 | 19 | 9 | 8 | 60 | 72 | 78 | 85 | 60 |
| 27 | Sehunmazra .. | 6 | 7 | 5 | 6 | 24 | 75 | 71 | .. | .. |
| | | | | | | | | | Raised to primary standard last year. | |
| 28 | Girdley .. | 19 | 7 | 4 | 5 | 35 | 37 | 57 | 75 | 40 |
| 29 | Awankot .. | 15 | 14 | 2 | 7 | 38 | 62 | 80 | 100 | 85 |
| 30 | M. B. Ruper .. | 63 | 44 | 30 | 26 | 163 | 50 | 87 | 96 | 87 |
| | <i>Aided Primary.</i> | | | | | | | | | |
| 1 | Samana Kalan .. | 25 | 25 | 17 | 8 | 75 | 63 | 89 | 90 | 100 |
| 2 | Kh. Bhaironmaza .. | 26 | 10 | 6 | 5 | 47 | 76 | 88 | 89 | 80 |
| 3 | Ialamia Malakpur .. | 13 | 13 | 9 | 8 | 60 | 87 | 96 | 100 | 100 |
| 4 | V. S. Kotla Nihang .. | 31 | 17 | 9 | 17 | 74 | 45 | 71 | 100 | 90 |
| 5 | Khalsa Phul Khurd .. | 22 | 13 | 14 | 11 | 60 | 57 | 85 | 87 | 80 |

(Question No. 81, page 516 ante.)

APPOINTMENT OF EXECUTION AGENTS, ARBITRATORS AND LIQUIDATORS IN AMBALA.

The Honourable Chaudhri Sir Chhotu Ram : (a) Assistant Registrars are empowered, subject to the control of Registrar, to appoint and dismiss Arbitrators and Liquidators. Co-operative Societies can appoint their own agents for execution of their awards if they so wish, or they can request the Department or their Execution Union to make appointments.

(b) Does not arise.

(c) No special qualifications are prescribed.

(d) A list of persons dismissed from the offices of execution agent, liquidator and arbitrator during the incumbency of the present Assistant Registrar is placed on the table.

List.

DISMISSALS.

| Serial No. | Name. | Date of removal. | REMARKS. |
|--------------------------|----------------------------------|------------------------|--|
| <i>Execution Agents.</i> | | | |
| 1 | S. Bhagwan Singh of Birk .. | 16th March, 1936 .. | Due to careless and unsatisfactory work. |
| 2 | S. Naranjan Singh of Baddowal .. | 20th March, 1936 .. | Due to lack of interest and energy. |
| 3 | S. Rajinder Singh of Sahnewal .. | 25th October, 1936 .. | Due to unsatisfactory work. |
| <i>Liquidators.</i> | | | |
| 1 | S. Narain Singh | 3rd October, 1935 .. | Ceased to do work of his own accord. |
| 2 | H. Muhammad Eusooif .. | 11th February, 1936 .. | Proved unsuccessful. |
| 3 | S. Bhagwan Singh | 11th July, 1936 .. | Careless and unsatisfactory work. |
| 4 | Buldev Singh | Ditto .. | Failure to take over charge. |
| 5 | M. Rahmat Ali | 23rd January, 1937 .. | Ditto. |
| 6 | M. Ali Muhammad | Ditto .. | Ditto. |
| 7 | Ch. Zaildar Khan | 2nd February, 1937 .. | Unsatisfactory work. |
| 8 | Pt. Laohhman Das | 2nd July, 1937 .. | Resigned. |

DISMISSALS—CONCLUDED.

| Serial No. | Name. | Date of removal. | REMARKS. |
|---------------------|------------------------------|-----------------------|---------------------------------|
| <i>Arbitrators.</i> | | | |
| 1 | S. Narain Singh | 27th August, 1936 .. | Unsatisfactory work. |
| 2 | Pt. Narain Das | 27th February, 1936.. | Ditto. |
| 3 | S. Bhagat Singh | Ditto .. | Ditto. |
| 4 | S. Kehar Singh | 2nd March, 1937 .. | Ditto. |
| 5 | M. Rehmat Ullah (Patwari) .. | Ditto .. | On account of transfer. |
| 6 | S. Tulse Singh | Ditto .. | Unsatisfactory work. |
| 7 | S. Chullar Singh | Ditto .. | Ditto. |
| 8 | M. Allah Bakhsh | Ditto .. | Ditto. |
| 9 | S. Charanjit Singh | Ditto .. | Ditto. |
| 10 | S. Sawan Singh | Ditto .. | Ditto. |
| 11 | S. Gardial Singh | Ditto .. | Ditto. |
| 12 | M. Satya Pal | Ditto .. | On transfer to Ludhiana tahsil. |
| 13 | S. Harnam Singh | Ditto .. | Unsatisfactory work. |
| 14 | S. Kapoor Singh | Ditto .. | Ditto. |
| 15 | M. Sube Khan | Ditto .. | Ditto. |
| 16 | Pt. Puran Chand | 10th June, 1937 .. | Ditto. |
| 17 | S. Nahar Singh | Ditto .. | Ditto. |
| 18 | S. Ajeib Singh | Ditto .. | Ditto. |
| 19 | S. Rattan Singh | Ditto .. | Ditto. |

(Question No. 87, page 520 ante.)

ACCEPTANCE OF RUPEE COINS AND CURRENCY NOTES AT THE GOVERNMENT TREASURIES AND SUB-TREASURIES.

The Honourable Dr. Sir Sundar Singh Majithia : (a) No.

- (b) } Does not arise.
 (c) }

(Question No. 91, page 523 ante.)

GOVERNMENT INTERMEDIATE COLLEGES, DHARAMSALA AND GURDASPUR.

The Honourable Mian Abdul Haye : (a) 105.

(b) There are twelve teachers on the staff of the college and the monthly expenditure for running the college roughly amounts to Rs. 3,981.

(c) No.

(d) Yes.

(e) Yes.

(f) Government is not prepared at present to consider the opening of any new Intermediate colleges.

(Question No. 92, page 523 ante.)

GOVERNMENT GIRLS' HIGH SCHOOL, GURDASPUR.

The Honourable Mian Abdul Haye : Under existing orders pankhas are not supplied in schools.

Some classes are held in the verandabs, but they do not sit in the scorching heat. When funds are available extra class room accommodation can be provided.

(Question No. 100, page 682 ante.)

UNTRAINED TEACHERS IN THE M. B. PRIMARY SCHOOLS.

The Honourable Mian Abdul Haye : (a) Twenty-four.

(b) Yes, Government will insist on the employment of trained staff in municipal schools. Failing compliance with this requirement suitable action can be taken under article 45 of the Punjab Education Code.

(Question No. 102, page 682 ante.)

BOYS OF SCHOOL-GOING-AGE IN SCHOOLS IN RURAL AND URBAN AREAS.

The Honourable Mian Abdul Haye : (a) A statement showing the required information is laid on the table.

(b) Government is keenly alive to the problem of increasing the percentage of enrolment and one of the measures which it proposes to take to achieve this object is to amend the Punjab Primary Education Act in order to make compulsion more effective.

Percentage of boys of school going age enrolled on 31st March, 1937 in all recognised schools in compulsory areas.

| Serial No. | District. | RURAL. | | | | URBAN. | | | |
|------------|-----------------------|---------|----------|--------|---------|---------|----------|--------|---------|
| | | Hindus. | Muslims. | Sikhs. | Others. | Hindus. | Muslims. | Sikhs. | Others. |
| 1 | Hissar | 70 | 55 | 62 | 44 | 53 | 45 | 65 | 59 |
| 2 | Rohtak | 56·17 | 40·61 | 18·15 | .. | 57·35 | 50·11 | 39·38 | .. |
| 3 | Gurgaon | 54 | 43 | .. | 3 | 73 | 27 | .. | .. |
| 4 | Karnal | 51 | 40 | 53 | 90 | 70 | 33 | 73 | 100 |
| 5 | Ambala | 55·24 | 50·75 | 52·32 | .. | 83 | 81 | 90 | 73 |
| 6 | Simla | 84 | 89 | .. | 88 | 89·9 | 78·8 | 91·3 | 83·3 |
| 7 | Kangra | 69 | 6 | 1 | .. | .. | .. | .. | .. |
| 8 | Hoshiarpur | 68 | 10·4 | 7 | 2·6 | 36 | 32 | 6 | 4·1 |
| 9 | Jullundur | 70 | 80 | 89 | 71 | .. | .. | .. | .. |
| 10 | Ludhiana | 78·7 | 56·5 | 79·8 | 76·5 | 90·9 | 52·3 | 94·3 | 73· |
| 11 | Ferozepore | 72 | 74 | 34 | 61 | 87 | 75 | 85 | 858 |
| 12 | Lahore | 85 | 64 | 63·6 | 49·3 | 85 | 82 | 88 | 42·4 |
| 13 | Amritsar | 68 | 64 | 69 | 41 | 64 | 36 | 82 | 16 |
| 14 | Gurdaspur | 90·39 | 94·68 | 68·28 | 53·1 | .. | .. | .. | .. |
| 15 | Sialkot | 74·8 | 68 | 68·4 | 60·1 | 95·4 | 96·2 | 83·9 | 79·9 |
| 16 | Gujranwala | 74·36 | 42·15 | 93·48 | 33·5 | 80 | 79 | 93 | 78 |
| 17 | Sheikhupura | 92·9 | 69·8 | 79·3 | 66·8 | 85·1 | 72 | 74·2 | 25·5 |
| 18 | Gujrat | 77·3 | 52·09 | 66·8 | 47 | .. | .. | .. | .. |
| 19 | Shahpur | 81·6 | 85·5 | 74·8 | 70 | 88 | 84 | 100· | .. |
| 20 | Jhelum | 92·5 | 71·1 | 87·7 | .. | .. | .. | .. | .. |
| 21 | Attock | 93 | 57 | 94 | .. | 96 | 97 | 95 | 100 |
| 22 | Rawalpindi | 87 | 79 | 90 | .. | .. | .. | .. | .. |
| 23 | Mianwali | 91·6 | 77·7 | 98·4 | .. | 71·2 | 73 | 70 | 100 |
| 24 | Montgomery | 98·6 | 67 | 92·5 | 64 | 97·7 | 93·3 | 96·8 | 87 |
| 25 | Lyallpur | 81·2 | 92·2 | 84·7 | 78·3 | 83 | 82 | 83 | 59 |
| 26 | Jhang | 86 | 64 | 73 | .. | .. | .. | .. | .. |
| 27 | Multan | 83·6 | 86·5 | 77·3 | 24·4 | 83·2 | 68·4 | 86·6 | 57 |
| 28 | Muzaffargarh | 85·4 | 83·1 | 90·9 | .. | 83·2 | 77·8 | 83 | 80 |
| 29 | Dera Ghazi Khan | 72·6 | 84·1 | .. | .. | 94·9 | 45·1 | .. | .. |

(Question No. 108 at page 682 ante.)

**BUILDINGS OWNED AND RENTED BY THE MUNICIPALITIES OF THE
PROVINCE FOR PRIMARY SCHOOLS.**

The Honourable Mian Abdul Haye :

(a)

| | Number of primary school buildings owned by municipalities. | Number of school buildings rented for primary schools by municipalities. |
|--|--|--|
| Ambala Division | 28 | 61 |
| Jullundur Division | 11 | 37 |
| Lahore Division | 31 | 158 |
| Rawalpindi Division | 19 | 23 |
| Multan Division | 43 | 66 |
| Ambala Circle (for girls' schools) | 9 | 47 |
| Lahore Circle | .. | 102 |
| Rawalpindi Circle | 2 | 49 |

(b) In 1936 Director of Public Instruction issued a circular that when a new school applied for recognition a report from the Health Officer concerned should be obtained in respect of its building. Accordingly schools are not granted recognition until the Health Officer concerned certifies that the buildings are suitable.

Prior to 1936 Health Officers were generally not asked to report on the buildings. The inspecting officers of the Education Department, however, used to comment on the suitability of the buildings, adequacy of accommodation, cleanliness, sanitation, etc., in their annual inspection reports, and the school authorities were asked to remedy the defects.

The officers of the Health Department in the course of their tours occasionally visit the educational institutions and send up copies of their inspection reports to the Divisional Inspector concerned, who calls upon the school authorities to remedy the defects.

(c) During the last financial year some educational institutions were inspected by the officers of the Health Department and some of them received adverse reports. The municipalities concerned were addressed on the subject, and while action has been taken in a majority of cases, no action had so far been taken in a few cases. In the latter case the excuse generally is that no better buildings are available.

The main problem is in the case of big municipalities like Lahore, Amritsar and Multan, where some of the existing school buildings are very unhealthy and insanitary. But when these institutions are adversely reported upon, the Municipal Committees generally express their inability to do anything as they cannot find any suitable buildings in the town. In my opinion the committees would be well advised to prepare a five year or ten year building programme so that in course of time it may be possible for them to provide suitable buildings for their schools and also release them from the payment of rent which at present forms such a large item of expenditure.

Government Normal School, Gakhar.

NUMBER RECOMMENDED BY THE DIVISIONAL INSPECTORS FOR ADMISSION TO THE SENIOR VERNACULAR AND JUNIOR VERNACULAR CLASSES.

| | HINDUS. | | SIKHS. | | CHRISTIANS. | | MEMBERS OF DEPRESSED CLASSES. | | MUSLIMS. | |
|-----------------------------------|---------|-------|--------|-------|-------------|-------|-------------------------------|-------|----------|-------|
| | S. V. | J. V. | S. V. | J. V. | S. V. | J. V. | S. V. | J. V. | S. V. | J. V. |
| Inspector of Schools, Ambala. | 11 | .. | 2 | .. | .. | .. | 1 | .. | 8 | .. |
| Inspector of Schools, Jullundur. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Lahore. | .. | 8 | 2 | 5 | 1 | .. | .. | *2 | 2 | 19 |
| Inspector of Schools, Rawalpindi. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 13 |
| Inspector of Schools, Multan. | 8 | 6 | .. | 4 | .. | 1 | .. | 2 | 26 | 68 |

NUMBER ADMITTED BY THE HEAD MASTER, GOVERNMENT NORMAL SCHOOL, GAKHAR TO THE SENIOR VERNACULAR AND JUNIOR VERNACULAR CLASSES.

| | | | | | | | | | | |
|-----------------------------------|----|----|----|----|----|----|----|----|----|----|
| Inspector of Schools, Ambala. | 7 | .. | 1 | .. | .. | .. | 1 | .. | 5 | .. |
| Inspector of Schools, Jullundur. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Lahore. | .. | 5 | 1 | 2 | .. | .. | .. | 1 | 1 | 12 |
| Inspector of Schools, Rawalpindi. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 10 |
| Inspector of Schools, Multan. | 5 | 6 | .. | 2 | .. | 1 | .. | 1 | 20 | 55 |

*One did not turn up.

Government Normal School, Lalamusa.

NUMBER RECOMMENDED BY THE DIVISIONAL INSPECTORS FOR ADMISSION TO THE SENIOR VERNAICULAR AND JUNIOR VERNAICULAR CLASSES.

| | HINDUS. | | SIKHS. | | CHRISTIANS. | | MEMBERS OF DEPRESSED CLASSES. | | MUSLIMS | |
|-----------------------------------|---------|-------|--------|-------|-------------|-------|-------------------------------|-------|---------|-------|
| | S. V. | J. V. | S. V. | J. V. | S. V. | J. V. | S. V. | J. V. | S. V. | J. V. |
| Inspector of Schools, Ambala. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Jullundur. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Lahore. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Rawalpindi. | 8 | 2 | 4 | 1 | .. | .. | 1 | 2 | 41 | 48 |
| Inspector of Schools, Multan. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |

NUMBER ADMITTED BY THE HEAD MASTER, GOVERNMENT NORMAL SCHOOL, LALAMUSA.

| | | | | | | | | | | |
|-----------------------------------|----|----|----|----|----|----|----|----|----|-----|
| Inspector of Schools, Ambala. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Jullundur. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Lahore. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Inspector of Schools, Rawalpindi. | 8 | 2 | 4* | 1 | .. | .. | 1 | 2 | 41 | 46† |
| Inspector of Schools, Multan. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |

*Two Muslims and 1 Sikh left the school of their own accord.

†Two Muslims did not present themselves for admission.

(Question No. 118, page 687 ante.)

COMMUNAL REPRESENTATION AMONG BOYS ADMITTED TO THE NORMAL SCHOOLS.

The Honourable Mian Abdul Haye : (a) Three.

(b) All the three headmasters of these institutions are Muslims. The number of students admitted to these schools, community-wise, during 1936 and 1937 is given below :—

| | | Hindus. | Muslims. | Sikhs. | Christians. | Others. |
|------|-------|---------|----------|--------|-------------|---------|
| 1936 | .. .. | 73 | 180 | 13 | 4 | 5 |
| 1937 | .. .. | 64 | 207 | 14 | 1 | 2 |

(Question No. 145, page 1308 ante.)

KHUSH HAI SIYATI ON WADH WATTAR CULTIVATION.

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, except in the Multan District, where Wadh Wattar cultivation is assessed to land revenue at canal land revenue rate sanctioned for the Circle concerned.

(b) Yes, except gram. The reason for charging *khush Haisiyati* on Wadh Wattar is that the cultivators often give excessive irrigation to kharif crops merely in order to utilize the moisture in the land for sowing rabi crops.

(Question No. 158, page 1668 ante.)

REGISTERS MAINTAINED BY WASIKA NAWISAN.

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. Neither the writing of deeds nor the records kept by deed-writers are regulated by Government.

(b) Government have no information to this effect.

(c) No. The question of instituting a system of licensing for deed-writers has been considered on several occasions, but the decision has always been against any attempt to introduce measures of this kind.

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