

Punjab Legislative Council Debates.

January 9th to March 21st.

Vol. III.

OFFICIAL REPORT.



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1922.

Punjab Legislative Council Debates.

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PUNJAB LEGISLATIVE COUNCIL.

FIFTH SESSION.

Monday, 9th January 1922.

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

OATH OF OFFICE.

The following members were sworn in :—

(i) W. P. Sangster, Esquire.

(ii) Sodhi Lal Singh.

QUESTIONS AND ANSWERS.

LICENSE FOR DUSEHRA CELEBRATION IN RAWALPINDI.

1119: Lala Atma Ram : (a) Is it a fact that no license was required to be taken out for celebrating the *Dusehra* festival in Rawalpindi in past years?

(b) Is it a fact that the Rawalpindi people were asked by the Police this year to take out a license before they celebrated the *Dusehra* festival?

(c) If the answers to (a) and (b) are in the affirmative, will Government kindly state why a license for celebrating the *Dusehra* festival was considered essential this year?

Mr. J. Wilson-Johnston : (a) and (b) Yes.

(c) The conditions rendered it desirable that the proposed procession should be suitably controlled by the police.

INDIAN FAMILY AND PRIVATE WARDS, MAYO HOSPITAL.

1120. Lala Atma Ram : (a) Is it a fact that a daily visiting fee is charged from the patients living in the Indian Family and Private Wards of the Mayo Hospital?

(b) Is it a fact that in spite of the above-named fee, some of the physicians and surgeons of the Mayo Hospital object to treating cases in the Indian Family and Private Wards?

If so will Government be pleased to allow patients to call in private practitioners?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) Patients in the Indian Family and Private Wards of the Mayo Hospital have to pay daily visiting fees if they or their supporters can afford to do so.

(b) The answer is in the negative, and in view of that, the last part call for no answer.

**OPERATION ROOM IN RAI BAHADUR RAM SARAN DAS BLOCK,
MAYO HOSPITAL.**

1121. Lala Atma Ram : (a) Is it a fact that in the Rai Bahadur Ram Saran Das Block in the Mayo Hospital a separate operation room has been erected for Indian Family and Private Wards?

(b) If so, is it a fact that it has not yet been furnished, and that the patients are put to the trouble of being carried to the Mayo Theatre for operations?

If the answers to the above queries are in the affirmative, will Government be pleased to take early and necessary steps in the matter?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The answer to (a) and (b) is in the affirmative.

Government has administratively approved of the equipping of this operation theatre at a cost of Rs. 5,500, necessary provision being made in the schedule of new non-recurring expenditure for 1922-23. It will rest with the Finance Committee and the Council to approve of and sanction it or not.

**NURSING ARRANGEMENTS IN THE INDIAN FAMILY AND PRIVATE WARDS,
MAYO HOSPITAL.**

1122. Lala Atma Ram : (a) Is it a fact that in the Albert Victor Wing of the Mayo Hospital, each patient gets a separate nurse?

(b) Is it a fact that no proper arrangement for nursing has so far been made in the Indian Family and Private Wards? If so, will Government kindly look into the matter and do the needful?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) No.

(b) No, it is not a fact, but in order to place the standard of nursing and other arrangements in the Indian Private and Family Wards in the Mayo Hospital on the same level as in the Albert Victor Wing, Government have provided Rs. 25,000 in the schedule of recurring expenditure in the Medical Budget for 1922-23. It will rest with the Legislative Council to accept or reject the item.

COMMUNAL REPRESENTATION IN PROVINCIAL EDUCATIONAL SERVICE.

1123. - Chandhri Daya Ram : Will the Government please supply the following information :—

(a) Number of appointments in the Provincial Educational Service—

(i) How many of the above are Teaching appointments, and

(ii) How many Inspecting appointments?

(b) Number of Hindus, Muhammadans and Sikhs now occupying appointments in the Provincial Educational Service.

(c) Number of Jat Sikhs, Hindu Jats and Muhammadan Jats now occupying appointments in the Provincial Educational Service.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) 74 appointments.

(i) 41 teaching posts and

(ii) 33 inspecting ones.

(b)	Muhammadans	Hindus	Sikhs	Christians	Vacant	Total
	19	40	8	5	2	74

(c) 7 Muhammadan Jats

1 Sikh Jat

No Hindu Jat.

COMMUNAL REPRESENTATION IN PROVINCIAL EDUCATIONAL SERVICE.

1124. Chaudhri Daya Ram: (a) Does the Government make direct appointments to the Provincial Educational Service and, if so, how many of such appointments have been made during the last four years; and how many of them were given to Hindus, Muhammadans and Sikhs?

(b) Has any Jat-Hindu, Sikh or Muhammadan been appointed to the Provincial Educational Service during the past four years; if not, why not?

(c) Will the Government please ask the Director of Public Instruction to appoint some Jats to the Service if qualified candidates are forthcoming?

(d) Will the Government state the qualifications which are required to enter the services in both of its branches, Teaching and Inspecting?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) The Hon'ble Member is referred to the answer given to question 992* by Diwan Bahadur Raja Narendra Nath.

(b) 1 Sikh Jat,

7 Muhammadan Jats (promoted from the Subordinate Educational Service),

No Hindu Jat.

(c) The proposal will be considered.

(d) For teaching posts:—

M.A. or M.Sc., 1st class or 2nd class with previous experience.

For inspecting posts:—

B.A., S.A.V. or B.A., B.T.

Ordinarily, experienced Headmasters and Assistant District Inspectors are promoted from the Subordinate Educational Service to the Provincial Educational Service.

AGE LIMIT FOR MUNSIFS.

1125. Chaudhri Daya Ram: (a) Is it a fact (i) that a candidate for Munsifship can be accepted only up to the age of 23 years, and (ii) that formerly selected pleaders and advocates were eligible for appointment as Munsifs on Register A up to the age of 30 years, but that since 1916 an additional condition of at least 3 years' practice has been imposed?

(b) If so, is not an anomalous preference given to graduates in Arts and Laws under 23 years of age over graduates in Laws of over 23 years of age?

(c) Will the Government (i) recommend to the High Court to do away with the condition of 3 years' practice; and (ii) raise the age limit for ordinary candidates from 23 to 25?

Mr. E. Joseph: (a) The answers to both parts of this question are in the affirmative, it being understood that the first part of the question applies only to candidates for munsifship on Register "A" who are neither Government servants nor legal practitioners.

(b) The question is not clearly expressed but the preference does not appear to be anomalous.

(c) The question of raising the age limit for ordinary candidates from 23 to 25 is under the consideration of the Hon'ble Judges.

NEW MANDI AT CHAKWAL.

1126. Mr. K. L. Rallia Ram: (a) Will the Government state with what object a new mandi was founded by the District Board at Chakwal (District-Jhelum) at a distance of more than a mile from the city and outside the limits of the Notified Area?

(b) Was the site for the mandi acquired by the District Board by private purchase or under the Land Acquisition Act?

(c) What was the cost of the site, the amount realised by the auction of the site, the profit secured by the District Board and the profit secured by the seller of the site over and above the cost price?

(d) Is it a fact that the investment of the public of over 2 lakhs of rupees in the concern has been a dead loss to them as the mandi, though built outside the limits of the Notified Area, is not exempted from payment of octroi?

(e) Will the Government please enquire what causes have led to the failure of this concern and what steps does the Government contemplate taking to remove the disabilities that have stood in the way of the success of this venture?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) The object of founding the mandi was to give opportunities to traders and facilitate that extra trade expected on the opening of the Mandra-Bhaun Railway, as the existing mandi was considered to be quite insufficient. The site selected for convenience sake, was placed close to the Railway Station and is within the octroi limits of the Notified Area, about $\frac{1}{2}$ mile or less from Chakwal town.

(b) The site was acquired by private negotiation and not under the Punjab Land Acquisition Act.

(c) (1) The cost of the site was Rs. 10,380-4-0.

(2) The amount realised by the auction of the site was Rs. 33,090.

(3) The profits secured by the District Board were Rs. 13,493-0-0.

(4) The profits secured by the sellers of the site amounted to Rs. 7,569-12-0 and are included in the cost of Rs. 10,80-4-0 noted at (1) the actual price of the site at market value being Rs. 2,610-8-0.

(d) The mandi lies within the octroi limits of the Notified Area and has never been outside it; so much so that octroi was imposed on timber imported for its construction. The fact, however, remains that the mandi has never been occupied and therefore, those who invested money in it have received no return for it.

(e) The chief causes which have led to the failure of the concern are :—

- (1) The opening of mandis at Dhudial and Bhaun, which are octroi-free places drawing all the trade of the villages to the north and south-west of Chakwal respectively.
- (2) The recent crops have been so poor that there has been very little grain traffic through the town.
- (3) The main fact is that the place is within octroi limits and those concerned are determined not to use it until exempted from octroi. The Notified Area Committee refuses to agree to its total exemption as its only source of income is octroi and if it loses this income it will not be in a position to spend anything on the town, its sanitation, lighting, etc. The Committee, however, was prepared to recommend the reduction of octroi on goods brought into this mandi to half the ordinary rates if opened, but this too was not agreed to by those concerned.

Government do not propose to coerce the local body concerned in this matter.

SYLLABUS OF THE GOVERNMENT INSTITUTE OF COMMERCE, LAHORE.

1127. Mr. K. L. Ralla Ram : Will the Government kindly state —

- (a) if any person having commercial education or training was consulted when the syllabus of the Government Institute of Commerce, Lahore, was being drafted and whether the syllabus was referred to any commercial authority for approval before it was put in force ?
- (b) whether the only B. Com. in the Institute, Mr. D. Pant, has protested against its unworkable nature from time to time ; and if so, what action has been taken by the authorities concerned ?
- (c) will Government be pleased to consider the advisability of modifying and improving the syllabus on the lines followed in the New York School of Commerce, or the London School of Commerce ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : A reply has not yet been received from the University.

MR. B. C. LODHA OF THE GOVERNMENT INSTITUTE OF COMMERCE, LAHORE.

1128. Mr. K. L. Ralla Ram : Will Government kindly state if it is a fact that Mr. B. C. Lodha, B. Com., who was recently added to the staff of the Institute, has resigned, owing to the fact that he was unable to understand the syllabus of the Institute, and was dissatisfied with its present working, and uncertain future ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Mr. Lodha applied for the post. Within a few days of taking over charge he wrote on the 2nd of October intimating that he was leaving Lahore on the 4th of October to resume his duties at Jodhpur. From his letter it is impossible to answer the Hon'ble Member's question in the affirmative.

GOVERNMENT INSTITUTE OF COMMERCE AND PROVINCIAL EDUCATIONAL SERVICE.

1129. Mr. K. L. Rallia Ram: Will the Government kindly consider the advisability of putting more members of the Institute of Commerce in the Provincial Educational Service?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: Government is averse to taking such action until the University has come to a decision in regard to the higher teaching in Commerce; or until it has been found possible to include a larger number of headmasters in that Service.

RAISING THE STATUS OF THE GOVERNMENT INSTITUTE OF COMMERCE.

1130. Mr. K. L. Rallia Ram: Will Government be pleased to state what are the views of the University regarding the raising of the Institute of Commerce to the status of a B. Com. College?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: The reply of the University has not yet been received

VACANCIES IN THE OFFICE OF THE SUPERINTENDING ENGINEER, AMRITSAR.

1131. Chaudhri Ali Akbar: Is it a fact that in the office of the Superintending Engineer, Amritsar, Punjab Irrigation Department, vacancies occurring in the clerical department are not immediately filled up? If so, will the Government be pleased to issue orders that in future the practice should be to fill such vacancies when they occur?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia: The reply to the enquiry is in the affirmative. The clerks of the Punjab Irrigation Branch are on a Provincial scale and all appointments thereto are made by the Chief Engineers. It is not always possible to fill vacancies as soon as they occur, especially when men have to be transferred from one Circle to another for the purpose.

TRAVELLING ALLOWANCE TO MEMBERS OF THE P. C. S.

1132. Mr. Ganpat Rai: (a) Is it a fact that at the interview which the Hon'ble the Finance Member recently had with a deputation of the P. C. S. Association, he promised sympathetic consideration of their requests, including that for the grant of 1st class travelling allowance?

(b) Is it also a fact that only recently the hon'ble judges of the High Court have recommended that 1st class travelling allowance be granted to some members of that service?

(c) If the answers to (a) and (b) are in the affirmative, will Government please state what action they propose taking in the matter?

Mr. E. Joseph: (a) Yes.

(b) It is not desirable to disclose recommendations on which final conclusions have not yet been reached.

(c) The question is receiving the careful consideration of Government in connection with the re-classification for purposes of travelling allowance of all officers serving under the Punjab Government.

QUARTERS FOR INDIAN CLERKS AT LAHORE.

1133. **Mr. Ganpat Rai :** (a) Will Government kindly state when the request for providing Indian Clerks' quarters at Lahore was first put in ?

(b) What action has Government taken in the matter so far ?

(c) When does the Government propose taking up the building of these quarters ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : (a) A petition from the clerks of the Lahore Headquarters offices was received in February 1914.

(b) A committee was eventually appointed in May 1919 to report on the available sites in Lahore for this and other projects. As a result it was proposed to acquire a site at Misri Shah for building residences for 100 clerks and this site was notified for acquisition. The acquisition of this site for public purposes has been strongly opposed, and a further committee, over which the Financial Commissioner, Development, will preside, was appointed last month to consider alternative sites, finance, and connected matters. Non-officials are to be asked to serve on this Committee.

(c) Any further action in the matter depends on the report of the committee.

TRAVELLING ALLOWANCE TO PUBLIC PROSECUTORS.

1134. **Mr. Ganpat Rai :** Has Government recently allowed double 1st class travelling allowance to Public Prosecutors instead of 2nd class ? If so, for what reasons ?

The Hon'ble Sir John Maynard : The classification of Public Prosecutors as first class officers for the purpose of the regulations relating to travelling allowances was sanctioned by Government with effect from the 1st of October 1921. The reason for granting this concession is that they are ordinarily enjoying an income in excess of Rs. 500 per mensem, and that being so, are automatically entitled to be classified as 1st Class Officers (see Article 1002 of the Civil Service Regulations).

Mr. Ganpat Rai : Are there any specified rules under which this travelling allowance has been changed from 2nd to 1st class and was the sanction of the Council necessary or not ?

The Hon'ble Sir John Maynard : No, Sir. The sanction of the Council was not necessary. Under the operation of the Civil Service Regulations they are entitled to draw 1st class travelling allowance automatically.

CATTLE FAIR AT AMRITSAR.

1135. **Chaudhri Nabi Bakhsh :** (a) Has Government taken any action on the resolution passed by the District Board, Amritsar, urging the transfer of the management of the annual cattle fair at Amritsar from the hands of the Amritsar Municipal Committee to those of the District Board, Amritsar ?

(b) If not, is Government going to take any action ?

The Hon'ble Khan Bahadur Miran Fazl-i-Husain : (a) The question was referred to the Amritsar Municipal Committee who object to the transfer.

(b) Where two local bodies differ Government is unwilling to interfere, but will devise means to settle such differences in a manner consonant with the independence of such local bodies.

STANDARD OF QUALIFICATION FOR CANDIDATES AND VOTERS IN DISTRICT BOARDS.

1136. **Chaudhri Nabi Bakhsh:** (a) Is it a fact that in the various district boards of the Province the standard of qualification for the voters is different from the standard for the candidates for election? If so, will Government consider the desirability of equalising the standard for both the voters and the candidates for election?

(b) Is Government prepared to lower the standard of qualification for both the candidates and the voters?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) The property qualification required from candidates and electors is the same, except in the case of the 5 districts of Hoshiarpur, Ferozepore, Lahore, Gurdaspur and Amritsar.

(b) New rules for the qualifications of voters and candidates at election are under the consideration of Government and will shortly be published under Section 60 (2) of the District Boards Act for objections and suggestion.

ELECTORAL ROLLS FOR DISTRICT BOARDS.

1137. **Chaudhri Nabi Bakhsh:** Is it a fact that full publicity is not given to the Electoral Rolls drawn up in accordance with the District Board Election Rules. If so, will Government be pleased so to amend the rules as to obtain for these Rolls the same publicity as is accorded to the Punjab Legislative Council Electoral Rolls?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) The necessary publicity is ensured by Rule 4 of the District Board Election Rules published under Punjab Government notification No. 612 of 9th January 1918. This Rule provides "that as soon as the registers have been prepared public notice of the fact shall be given, together with an intimation of the place in each Election Circle where the register of voters in that Circle may be inspected."

(b) As at present advised Government do not deem it necessary to amend this Rule, but they are prepared to reconsider the matter if they receive specific complaints.

COMMUNAL REPRESENTATION IN AMRITSAR DISTRICT BOARD.

1138. **Chaudhri Nabi Bakhsh:** Will Government be pleased to introduce the principle of communal representation in the Amritsar District Board and to reserve half of the number of seats for Muhammadans?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: This matter is already under the consideration of Government, and the Commissioner of the Lahore Division has been asked to furnish a report.

QUALIFICATIONS OF INCUMBENTS OF POSTS IN THE PROVINCIAL EDUCATIONAL SERVICE.

1139. **Chaudhri Daya Ram:** Will Government please state what are the qualifications of the present incumbents of the posts in the Provincial Educational Service in both of its branches.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: The information required is given in the attached statement.

Name.	Qualifications.
1. Lala Hari Das	M.A.
2. Lala Ratan Lal	M.A.
3. Lala Chetan Anand	M.A., LL.B.
4. Mr. E. Smith	English Education Department certificate.
Munshi Abdul Latif, Arain	B.A., S.A.-V., Offg.
5. Lala Bihari Lal, Bhatia	M.Sc.
6. Lala Makand Lal	M.A.
7. Lala Man Mohan...	M.A.
Lala Sheo Dayal...	M.A., S.A.-V., Offg.
1. Mr. J. W. Wouters	S.A.-V.
2. Lala Sheo Dayal	M.A., S.A.-V.
Lala Gurenditta Mal	B.A., B.T., Offg.
3. Rai Bahib Lala Khushi Ram	M.A.
4. Lala Ram Nath	B.A., S.A.-V.
5. Lala Gulbahar Singh	M.A., LL.B.
6. Mr. Samarendra Nath Gupta...	Painting and Art.
7. Munshi Khurshed Ahmad	B.A., S.A.-V.
8. Chandhri Fatah-ud-din	B.A., S.A.-V.
9. Maulvi Badr-ud-din	M.A., D.Litt.
10. Q. Fazl-i-Haq	M.A., Munshi Fazl.
11. Mr. S. L. Ghose	M.Sc.
12. Lala Mukhan Lal	B.A., S.A.-V.
13. Lala Gopal Chand	B.A., S.A.-V.
14. Munshi Najm-ud-din (serving in Baluchistan)	B.A.
15. Lala Lachman Das	B.A., S.A.-V.
16. Lala Nihal Chand	B.A., S.A.-V.
17. Lala Devi Ditta Mal	B.A., S.A.-V.
18. Lala Ram Chandra	M.A., S.A.-V.
19. Lala Visanda Ram	B.A., S.A.-V.
20. Munshi Abdul Ghani	B.A., S.A.-V.
21. Munshi Fazl Hussain	M.A., S.A.-V.
22. Sardar Mohan Singh	B.A., S.A.-V.
23. Mr. J. Marr	B.A., S.A.-V.

Name.	Qualifications.
34. Lala Brij Bihari Lal	B.A., S.A.-V.
35. Chandhri Abdul Hamid	M.A.
36. Bhai Haseen Das Puri	M.A., S.A.-V.
37. Munshi Abdul Hamid	M.A.
38. Lala Karm Chand	B.E., S.A.-V.
39. Sardar Prem Singh	M.Sc.
40. Munshi Mohsin Mirza	M.A., B.T., S.A.-V.
41. Munshi Feroza Din	Drawing and Art.
42. Lala Sri Kishan Kapur	M.A.
43. Lala Madan Gopal	B.A., S.A.-V.
44. Lala Amolak Ram Khanna	M.A.
45. Lala Kheran Chand	B.A., S.A.-V.
46. Lala Bang Bihari Lal	B.A., B.T., S.A.-V., A.C.P. (Lon.)
47. Hafiz Ahmad Din	B.A., S.A.-V.
48. Lala Sita Ram Kohli	M.A.
49. Lala Lal Chand Nayyar	M.Sc.
50. Sardar Dera Singh	M.A.
51. Lala Madan Gopal Singh	M.A.
52. Munshi Mahammad Ibrahim	M.A.
53. Lala Ishwar Chandra Nanda	M.A.
54. Pandit Hari Kishan, Kanj	B.A., S.A.-V.
55. Lala Sham Chand	B.Sc., S.A.-V.
56. Sardar Daswanda Singh	B.E., S.A.-V.
57. Lala Barkat Ram Khosla	B.A., B.T.
58. Ch. Gyan Singh	B.A., S.A.-V.
59. Lala Bhagwan Das Kulkarni	M.A., S.A.-V.
60. Lala Shoo Dyal Jain	B.A., S.A.-V.
61. Lala Haryo Ram	B.A., S.A.-V.
62. Lala Shoo Saran Das	B.A., S.A.-V.
63. Lala Kanhaya Lal Bedi	B.A., S.A.-V.
64. Munshi Fazl Mahmud	B.A., S.A.-V.
65. Munshi Fazl Muhammad Khan	B.A., S.A.-V.
66. Munshi Ahmad Khan, Jangshu	B.A., S.A.-V.
67. Shaikh Allah Bakha	B.A., B.T., S.A.-V.

59.	Bhagat Lalshman Singh	H.E., S.A.V.
60.	Lala Kishan Lal	M.Sc.
61.	Mr. Barkat Ullah	M.A.
62.	Lala Sada Nand	M.Sc.
63.	Manshi Muhammad Hashid	M.A.
64.	Bhai Tara Singh	M.A.
65.	Khan Sahib Manshi Sher Muhammad (De-employed pensioner)	Drawing and Art.
66.	Shalith Ghulam Muli-ud-din	B.A., B.T., S.A.V.
67.	{ Vacant Bhai Bhagat Singh	B.A., B.T., S.A.V.
68.	{ Vacant Lala Sohan Lal	B.A., B.T., S.A.V.

COMMUNAL REPRESENTATION IN THE INDIAN EDUCATIONAL SERVICE

1140. **Chaudhri Daya Ram** : Will the Government please supply the following information :—

(a) Number of appointments in the province in the Indian Educational Service :—

(i) How many of the above are teaching appointments and

(ii) How many inspecting appointments ?

(b) Number of Hindus, Muhammadans and Sikhs now occupying appointments in the Indian Educational Service ?

(c) How many appointments have been made during last three years in the Indian Educational Service, and how many of them were given to Indians and how many from them were given to Hindus, Muhammadans and Sikhs ?

(d) How many Indian Educational Service appointments, officiating and otherwise, have been made since the new constitution came into operation, and how many of them have been given to Indians and how many from them to Hindus, Muhammadans and Sikhs ?

(e) On what principle has the Government made these appointments ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) There are 35 posts in the Punjab cadre of the Indian Educational Service excluding the Director of Public Instruction—

(i) 26 are teaching
(ii) 9 are inspecting and administrative } appointments.

(b) 7 Hindus

{ 1. 4 permanent.
2. 3 officiating and temporary.

6 Muhammadans

{ 1. 3 permanent.
2. 3 officiating.

1 Sikh (permanent).

(c) 17; 14 Indians were appointed, 7 being Hindus, 6 Muhammadans, and 1 Sikh.

(d) 6 permanent, 2 temporary and 4 officiating have been made. All appointments with one exception were of Indians. Five Hindus, 5 Muhammadans and 1 Sikh being appointed.

(e) Personal qualifications and communal representation form the basis of selection.

COMMUNAL REPRESENTATION IN THE INCOME-TAX DEPARTMENT.

1141. Chaudhri Daya Ram : Will the Government please supply the following information :—

(a) Number of appointments in the grade of Inspectors and upwards in the newly created department of Income-Tax, with starting pay and grade of each.

(b) Number of persons appointed to the above posts with their qualifications.

(c) Number of Hindus, Muhammadans and Sikhs appointed to the aforesaid appointments.

(d) Number of Jats—Hindus, Muhammadans and Sikhs appointed to the above appointments.

(e) What are the qualifications required for being appointed to the above posts?

(f) What is the age limit for candidates to the above posts?

(g) What is the method of recruitment and by whom and through what agency are the candidates accepted for the above posts?

The Hon'ble Sir John Maynard : Information is not yet available.

APPOINTMENT OF MUNSIFS AND EXTRA ASSISTANT COMMISSIONERS.

1142. **Chaudhri Daya Ram :** (a) Is it a fact that certain changes have been brought about in the pay and status of the Punjab Munsifs, if so, what are they ?

(b) What will be the difference in future in the status of a Munsif and an Extra Assistant Commissioner ?

(c) How will the Munsifs and Extra Assistant Commissioners be recruited in future and through what agencies ?

(d) Is it a fact that selected pleaders and advocates can be appointed as Extra Assistant Commissioners up to the age of 35 and as Munsifs only up to the age of 30 ? Will the Government extend the age limit in case of Munsifs also up to 35 ?

Mr. E. Joseph : (a) and (b) The Hon'ble Member is referred to the very full information contained in the reported* debates of this Council for 28th October 1921.

(c) This matter is still under discussion and it is not yet possible to make a pronouncement.

(d) The age limit for recruitment to Extra Assistant Commissionership before the amalgamation of the Munsifs in the Punjab Civil Service was and still is 25, but an exception used to be made in the case of candidates recommended by the High Court from members of the bar, who are under the authority of article 51, Civil Service Regulations, taken up to the age of 35.

It has now been decided that the age limit for the judicial branch of the Punjab Civil Service will be 27 with a further maximum allowance of 3 years in the case of practising lawyers. Government sees no reason to modify the age limit for recruitment to the executive side of the Punjab Civil Service.

COMMUNAL REPRESENTATION IN PROVINCIAL CIVIL SERVICE AND MUNSIFS.

1143. **Chaudhri Daya Ram :**—Will the Government please supply the following information :—

(a) Number of appointments in the Provincial Civil Service in all its branches.

(b) Number of Hindus, Muhammadans and Sikhs at present occupying appointments in the Provincial Civil Service.

(c) Number of Jats—Hindus, Muhammadans and Sikhs at present occupying appointments in the Provincial Civil Service.

(d) Number of appointments in the Provincial Civil Service and Munsifs made during the last three years, and number of Jats—Sikhs, Hindus and Muhammadans appointed during that period ?

Mr. E. Joseph : I regret the answer to this question is not yet ready. It will be communicated to the Hon'ble Member when ready.

SUPERIOR APPOINTMENTS IN THE CIVIL SERVICE.

1144. **Rai Sahib Lala Panna Lal :** Will the Government be pleased to state—

- (1) the exact number of superior appointments in the Civil Service on the 1st July 1915, 1916, 1917, 1918, 1919, 1920 and 1921, and on the 7th December 1921?
- (2) under the Statute to how many of these superior appointments could officers other than Punjab Commission officers have been appointed on the 1st July 1921, also the exact number (a) to which members of the Provincial Civil Service could have been appointed, and (b) to which other than Provincial Civil Service could have been appointed?
- (3) how many were actually held permanently by Provincial Civil Service officers on the 1st July 1921?
- (4) when does the Government propose to fill up the remaining appointments to which Provincial Civil Service Officers and outsiders could be appointed under the Statute?

Mr. E. Joseph : I regret the answer to this question is not yet ready. It will be communicated to the Hon'ble Member when ready.

GOVERNMENT QUARTERS FOR TARSILDARS AND NAIB-TARSILDARS.

1145. **Rai Sahib Lala Panna Lal :** (a) Is it a fact that Tarsildars and Naib-Tarsildars in most of the Tahsils in the province are not provided with Government Quarters and have consequently to live in hired houses?

(b) That the owners of these houses take undue advantage of their position as the landlords of these officers to exercise influence over the public of the locality?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : (a) Yes.

(b) Cases of the kind mentioned have not been brought to the notice of Government.

COMMUNAL REPRESENTATION IN MEDICAL AND EDUCATION DEPARTMENTS.

1146. **Rai Sahib Lala Panna Lal :** Will Government be pleased to state the number of Hindus and Muhammadans and "non-Hindus and non-Muhammadans" who have been appointed in 1921-22 to the posts of—

(a) Assistant Surgeon and Sub-Assistant Surgeon in the Medical Department?

(b) Teachers and Officers in the inspecting line in the Educational Department?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : From 1st April 1921 to 1st January 1922—

(a) No Assistant Surgeons in the Medical Department were recruited;

24 Sub-Assistant Surgeons were recruited and of these were—

Hindus	...	...	...	...	11
Muhammadans	...	...	...	...	5

Non-Hindus and non-Muhammadans 8. They were all Sikhs.

DEPARTMENT OF INDUSTRIES, PUNJAB.

1147. Rai Sahib Lala Panna Lal: Will Government be pleased to state—

- (a) when has the Department of Industries been made a separate department?
- (b) what has been the annual expenditure on it?
- (c) what work has been done by it, giving the detail of industries it has formed or improved?

The Hon'ble Lala Har Kishan Lal:

- (a) In 1918.
- (b) The information is contained in the annual Reports of the Director of Industries for 1919-20 and 1920-21, copies of which are laid on the table.

MOTOR DRIVING LICENSES.

1148. Rai Sahib Lala Panna Lal: Is it a fact—

- (a) that a motor-driving license is granted to anybody on his application without any regular test?
- (b) If so, will Government be pleased to prescribe a proper test before the grant of such licenses?

Mr. J. Wilson-Johnston: (a) Applicants are usually required to undergo an examination in driving, but this is at the discretion of the licensing authority.

- (b) The matter is under consideration

PANEL OF CHAIRMEN—LIBRARY AND HOUSE COMMITTEES.

Mr. President: I have to announce to the Council that I have re-appointed as chairmen and as members of the library and house committees of the Council the same gentlemen as were appointed last session.*

VACANCIES ON THE PUBLIC ACCOUNTS COMMITTEE.

Mr. President: I have to inform the Council that the following members resigned their seats on the Public Accounts Committee:—

Mr. Manohar Lal,
Mian Muhammad Shah Nawaz,
Sayad Muhammad Husain,
Mr. Ganpat Rai, and
Maulvi Muharram Ali Chishti,

*See Volume II page 811.

In virtue of the powers conferred on me by Standing Order 74-D, I made the following appointments to fill these vacancies :—

- Rao Bahadur Lieutenant Balbir Singh in place of Mr. Manohar Lal.
 Malik Karim Ullah Khan in place of Sayad Muhammad Husain.
 Nawabzada Muhammad Irshad Ali Khan in place of Mian Muhammad Shah Nawaz.
 Mr. K. L. Rallia Ram in place of Mr. Ganpat Rai.
 Khan Muhammad Saifullah Khan in place of Maulvi Muharram Ali Chishti.

CONSTITUTION OF THE STANDING COMMITTEES.

Mr. President : I have to announce to the Council that the following members constitute the following committees :—

FINANCE COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Sir John Maynard.
2. The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.
3. The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
4. The Hon'ble Lala Harkishan Lal.

ELECTED MEMBERS.

5. Mr. Manohar Lal.
6. Sayad Muhammad Husain.
7. Mr. Ganpat Rai.
8. K. B. Malik Muhammad Amin Khan.
9. Mian Muhammad Shah Nawaz.
10. Sardar Bakhtawar Singh.
11. Sardar Randhir Singh.
12. Maulvi Muharram Ali Chishti.

CANALS COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.
2. Sir Patrick Fagan.
3. Mr. E. R. Abbott.
4. Mr. W. P. Sangster.

ELECTED MEMBERS.

5. Diwan Bahadur Raja Narendra Nath.
6. Sardar Sahib Bisaldar Dilbagh Singh.

7. Sayad Muhammad Hussain.
8. Mian Muhammad Shah Nawaz.
9. Rai Bahadur Lala Sewah Ram.
10. Chaudhri Ghulam Muhammad.
11. Chaudhri Daya Ram.
12. Rai Bahadur Lala Hari Chand.

JAILS COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Sardar Bahadur Sardar Sandar Singh Majithia.
2. Colonel E. C. MacWatt.
3. Mr. D. J. Boyd.

ELECTED MEMBERS.

4. Maulvi Muharram Ali Chishti.
5. Pandit Daulat Ram Kalia.
6. Sayad Muhammad Hussain.
7. Sardar Sahib Risaldar Dilbagh Singh.
8. Mr. Ganpat Rai.

INDUSTRIES COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Lala Harkishan Lal.
2. Mr. E. R. Abbott.
3. Mr. E. A. Scott.

ELECTED MEMBERS.

4. Rai Sahib Lala Panna Lal.
5. Chaudhri Hans Gopal.
6. Nawabzada Muhammad Irshad Ali Khan.
7. Sardar Balwant Singh.
8. Chaudhri Ghulam Muhammad.

CO-OPERATIVE SOCIETIES COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Lala Harkishan Lal.
2. Mr. E. R. Abbott.
3. Mr. A. Laith.

ELECTED MEMBERS.

4. Rai Sahib Lala Panna Lal.
5. Chaudhri Ali Akbar.
6. Chaudhri Bans Gopal.
7. Rana Muhammad Jamil Khan
8. Sardar Randhir Singh.

EXCISE COMMITTEE.**NOMINATED MEMBERS.**

1. The Hon'ble Lala Harkishan Lal.
2. Sir Patrick Fagan.
3. Mr. A. Latif.

ELECTED MEMBERS.

4. Mr. Ganpat Rai.
5. Mr. K. L. Rallia Ram.
6. Rai Sahib Chaudhri Raja Singh.
7. Pandit Daulat Ram Kalia.
8. Chaudhri Kharak Singh.

LOCAL SELF-GOVERNMENT COMMITTEE.**NOMINATED MEMBERS.**

1. The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
2. Mr. A. Latif.
3. Mr. B. T. Gibson.

ELECTED MEMBERS.

4. Khan Bahadur Chaudhri Fazl Ali.
5. Sardar Sangat Singh.
6. Khan Bahadur Malik Muhammad Amin Khan.
7. Sardar Bakhtawar Singh.
8. Rai Bahadur Lala Hari Chand.
9. Sayad Ghulam Muhammad Shah.

PUBLIC HEALTH COMMITTEE.**NOMINATED MEMBERS.**

1. The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
2. Mr. A. Latif.
3. Colonel R. C. MacWatt.

STANDING COMMITTEES.

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ELECTED MEMBERS.

4. Khan Bahadur Malik Muhammad Amin Khan.
5. Mr. Nawab Din Murad.
6. Sardar Bakhtawar Singh.
7. Mr. Moti Lal Kaistha.
8. Dr. C. A. Owen.
9. Khan Bahadur Raja Muhammad Akbar Khan.

AGRICULTURE COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Lala Harkishan Lal.
2. Mr. E. R. Abbott.
3. Mr. C. A. H. Townsend.

ELECTED MEMBERS.

4. Rai Bahadur Lala Sewak Ram.
5. Rai Sahib Chaudhri Raja Singh.
6. Khan Muhammad Abdullah Khan.
7. Pir Akbar Ali.
8. Mr. Moti Lal Kaistha.

EDUCATION COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
2. Mr. G. Anderson.

ELECTED MEMBERS.

3. Mr. Manohar Lal.
4. Malik Firoz Khan.
5. Mian Muhammad Shah Nawaz.
6. Khan Bahadur Chaudhri Fazl Ali.
7. Sayad Muhammad Husain.
8. Mr. Ganpat Rai.
9. Maulvi Muharram Ali Chishti.
10. Pandit Daylat Ram Kalra.

LAND REVENUE COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.
2. Sir Patrick Fagan.
3. Mr. B. T. Gibson.
4. Mr. D. J. Boyd.

ELECTED MEMBERS.

5. Sayad Muhammad Hussain.
6. Mian Muhammad Shah Nawaz.
7. Diwan Bahadur Raja Narendra Nath.
8. Malik Firoz Khan, Nun.
9. Lient. Sardar Raghbir Singh.
10. Rai Bahadur Lala Sewak Ram.
11. Khan Bahadur Chaudhri Fazl Ali.

POLICE COMMITTEE.

NOMINATED MEMBERS.

1. The Hon'ble Sir John Maynard.
2. Mr. J. Wilson-Johnston.

ELECTED MEMBERS.

3. Malik Firoz Khan, Nun.
4. Maulvi Muharram Ali Chishti.
5. Rai Bahadur Lala Hari Chand.
6. Sardar Sahib Risaldar Dilbagh Singh.

MOTION FOR ADJOURNMENT.

Mian Muhammad Shah Nawaz : Sir, I move for the adjournment of the Council to consider the present situation arising out of the action of the Government in applying the Criminal Law Amendment Act and the Seditious Meetings Act to the Punjab.

Mr. President : Mian Muhammad Shah Nawaz moves for an adjournment of the business of the Council for the purpose of discussing the political situation arising out of the action of the Government in applying the Criminal Law Amendment Act and the Seditious Meetings Act.

Does any member raise objection ?

(No member raised objection.)

Mr. President : As no objection is taken, the debate will take place to-morrow at 11 a. m. and will last until 1 p. m. The Council will then adjourn until 2 p. m. for its ordinary business.

RESOLUTIONS.

RESOLUTION re HONORARY MAGISTRATES AND CIVIL JUDGES.

2.20 P. M.

Mian Bell Ram (Urdu). Sir, I move that

"This Council recommends to the Government that a committee of six members of this Council, including four practising lawyers of not less than ten years' standing, be appointed to enquire into and report on the need for retaining Honorary Magistrates and Civil Judges in the Punjab, and to make such rules and suggest such changes as modern conditions may require."

Sir, my resolution is in a way an amendment to resolution No. 5 standing in the name of Mr. Moti Lal Kaistha. I do not think there is any reason for abolishing at once all Honorary Magistracies throughout the Punjab. What I desire is to make this department more efficient and useful so that the public may have no more opportunity to complain against it. At present the main public grievance against this department is that worthless candidates of neither good qualifications nor of a judicial turn of mind are appointed Honorary Magistrates and Civil Judges by Government, and that such appointments do more harm than good to the public. Some years ago this question was discussed in a meeting. Among those who participated in the discussions were the Hon'ble Khan Bahadur Mian Fazl-i-Husain and the Hon'ble Mr. Shafi. The general complaint even there was that these Honorary Magistrates are very troublesome to the public. Most of these Magistrates being illiterate carry on the work through their readers, readily yield to illegal gratification and practise corruption. Being always afraid of the police they become an easy tool in the hands of police officers to do harm to the public. I would therefore request the House to think over this problem seriously. The time has now come when people expect to have their grievances removed through this Council. It has been a custom with the Government since 1914 that the jurisdiction of certain areas is handed over to irresponsible persons as a reward for their services. Most of these Magistrates are landholders and hence they take an undue advantage of their position. As human beings they are liable to be guilty of selfishness whereby other people may suffer seriously. To make their influence felt they often send innocent persons to jail. We have arrived at a stage when people can never tolerate to be treated like beasts by anybody. These are the general complaints. What my resolution aims at is to find out the remedy for these shortcomings. Some of the members object to the number of members forming the Committee I propose to be made. Well, I am not very particular about that. All that I desire is to make such rules and suggest such changes as modern conditions may require, so as to make the recurrence of such malpractices on the part of these Honorary Magistrates impossible.

2.35 P. M.

Raj Bahadur Lala Hari Chand (Urdu) : Sir, I have not been able to understand what the speech of the hon'ble mover of the resolution meant. I am ready to prove that in many cases certain Munsifs, Extra Assistant Commissioners and tahsildars have been posted in the same district or tahsil to which they belong, and yet nobody ever complains against their taking an undue advantage of their position. I fail to understand of what offence do the poor Honorary Magistrates become guilty if they are likewise posted in their

[R. B. Hari Chand.]

own areas. As a matter of fact Honorary Magistrates are seldom posted at a place where they own any land. Again it has been alleged that they do a great harm to the public by becoming a tool in the hands of police officers. This is absolutely wrong. I have been a Vakil and have been working as an Honorary Magistrate for the last 12 years. I have never been a tool in the hands of any police officer. Rather I may assert that as a matter of fact Extra Assistant Commissioners and other paid officers more readily become tools in the hands of police officers, and thus they do greater harm to the people. The Honorary Magistrates, being not paid by Government, have no cause to be afraid of anybody. Again it is equally wrong to say that Honorary Magistrates are always persons of low ability and worthless character. As a matter of practice the Government make a thorough inquiry about the qualifications and character of the candidates before making any appointment. I therefore oppose the resolution.

2-40 P.M.

Mr. President : Mr. Moti Lal, if you desire to move the resolution of which you have given separate notice, you will have to move it in the form of an amendment to this resolution. Once this resolution has been disposed of, you will not be able to move your resolution.

Mr. Moti Lal Kaistha : Sir, my submission is that the present resolution be first discussed and if that is withdrawn then I will move my resolution.

Mr. President : Such a course would be irregular. If you move your resolution at all you must move it as an amendment to this resolution in the form.

"That the words 'a committee of six members of this Council, including four practising lawyers of not less than 10 years' standing, be appointed to enquire into and report on the need for retaining Honorary Magistrates and Civil Judges in the Punjab, and to make such rules and suggest such changes as modern conditions may require,' be deleted, and in their place the words 'the Courts of Honorary Magistrates be abolished throughout the Punjab,' be inserted."

Mr. Moti Lal Kaistha : Mr. President, before moving the amendment, I must make an apology to all Honorary Magistrates who are present in this august Council. I am not making any personal attack upon their qualifications. I raised this question to begin with because it was a Kangra grievance. Then in obedience to your ruling I made it a provincial question. I have been put in a dilemma because I did not expect opposition from all the members of the Council. I want to restrict my resolution. I do not mean that the question is a provincial one.

Mr. President : If the hon'ble member moves the amendment he will be presumed to mean it; and should support it. He should not explain to the House that he does not mean what he moves.

Mr. Moti Lal Kaistha : I think under the circumstances, I will not move it.

Mr. President : I call upon Sayad Muhammad Husain to move the amendment standing in his name.

(Sayad Muhammad Husain was absent.)

The Honble Sir John Maynard : Sir, I may be permitted to say one word at this stage. If the amendment standing in the name of Sayad Muhammad Husain is not moved I shall be placed in a difficult position. My position

is that, if this amendment is moved and is accepted by the Council, I should support the resolution. But if no one moves this amendment I shall be compelled to oppose the resolution.

Mr. Ganpat Rai : Sir, the amendment which stands in the name of Sayad Muhammad Husain is exactly the amendment which I myself was going to move but as I noticed that my friend Sayad Muhammad Husain had given notice to move it I did not give any notice. I therefore apply for leave to move the amendment standing in his name.

Mr. President : Does any hon'ble Member raise any objection ?

(No member raised any objection.)

Mr. President : Mr. Ganpat Rai, you may now move the amendment standing in the name of Sayad Muhammad Husain.

2-48 P.M.

Mr. Ganpat Rai (Urdu) : Sir, what my amendment aims at is that in the committee proposed by Mian Beli Ram members ought to be nominated by Government. I don't like the idea that in the personnel of the committee the majority should be largely composed of lawyers. As regards the aim underlying the resolution, I heartily support Mian Beli Ram. The true type of an Honorary Magistrate is one who is trusted both by Government as well as by the people. There should in no case be an illiterate Magistrate, nor is it necessary that he may be a graduate of some university. He must possess, of course, good common sense. I therefore move this amendment to Mian Beli Ram's resolution that members to the committee be nominated by the Government. I understand that the hon'ble mover does not take objection to it.

Rai Bahadur Lala Sewak Ram : Sir, the original resolution clearly shows that its intention is that Government should not nominate the committee. The members of this Council who are the elected representatives of the people are in a better position to consider this question. I therefore oppose the amendment and support Mian Beli Ram that the members of the Committee should be members of this Council. And if Mr. President allows me I may move the amendment of which I have given notice.

Mr. President : No, not at once.

Rai Bahadur Lala Sewak Ram : All right, Sir. Then I oppose the amendment and support the resolution as originally moved.

2-54 P.M.

Sardar Randhir Singh (Urdu) : Sir, I wonder why such serious attacks have been made upon poor Honorary Magistrates. It is wrong to say that Honorary Magistrates are persons of no ability. I can safely say that as many as 80 per cent. of their decisions are not upset. I am myself an Honorary Magistrate, I have decided no less than 150 cases and not in a single case has my judgment been upset. If the hon'ble mover has ever cared to look into the new rules no illiterate person can ever dare to stand as a candidate for an Honorary Magistracy. Again it has been said that

[S. Randhir Singh.]

Honorary Magistrates accept bribes and are guilty of other corruption. I think the Extra Assistant Commissioners and other paid officers are more guilty of these faults and in fact many have been convicted for the same. I therefore oppose the resolution.

Mr. President: I now put the first part of the amendment to the Council—

"That the words 'including four practising lawyers of not less than ten years standing be appointed to enquire into and report on the need for retaining' be omitted."

The amendment was carried.

Mr. President.—Now I call upon Rai Bahadur Sewak Ram to move that the words "under the presidency of the Legal Remembrancer" be inserted.

Rai Bahadur Lala Sewak Ram: Under the present circumstances I do not wish to move this amendment.

Mr. President: I then put it that the remaining words of Mr. Ganpat Rai's amendment—

"Be nominated by the Government to report on the future appointment of" be inserted.

The amendment was carried.

Mr. President: The motion now runs as follows:—

"This Council recommends to the Government that a Committee of six members of this Council be nominated by the Government to report on the future appointment of Honorary Magistrates and Civil Judges in the Punjab and to make such rules and suggest such changes as modern conditions may require."

The Hon'ble Sir John Maynard: Sir, here I would like to point out that the Committee appointed presumably will not 'make' rules but will 'propose' rules. I therefore suggest to substitute the word "propose" for the word "make."

Mr. President: The Hon'ble Finance Member moves an amendment that in place of the word "make" the word "propose" be substituted.

The amendment was carried.

Mr. President: Does anybody wish to speak against the resolution as amended?

3-5 P.M.

Maulvi Muharrum Ali Chishti (Urdu): Sir, I do not think this resolution is destined to secure a whole hearted support from the House because it is wrong to suppose that all the Honorary Magistrates are corrupt and unworthy. In every department there are some black sheep and hence on their account the whole department must not be supposed impure and troublesome. Up till now this question has never been prominently discussed. I do not think any Honorary Magistrate has ever been held guilty of accepting bribes. At the same time I support the resolution.

Mr. President: I called upon the hon'ble member to speak on the understanding that he was against the resolution. He should not rise to speak for the resolution when I have called for speakers against it.

Maulvi Muharram Ali Chishti: I would take only a few minutes, Sir.

Mr. President: That is not the point.

(The hon'ble member then resumed his seat.)

Dewan Bahadur Raja Nurendra Nath : I wish to say a few words on behalf of the mover of the resolution. The Hon'ble Mover never meant to cast any reflection on the character of the Honorary Magistrates as a whole. In fact he began by saying that the influence of prominent members of noble families should be maintained. He simply wanted some definite rules to be framed which would guarantee ability and capacity in the selection made by the district officers. He only wanted to guard against undesirable selection. So far as that object goes he has the sympathy of the whole House. There was only one matter and that is that a rule would be made restricting only future appointments. I wish to point out that the appointments of Honorary Magistrates are periodical. They are for a term of five years only, and if rules are made restricting the appointments and regulating the manner in which the appointments have to be filled up, the rules will be considered when proposals are made for renewal after the expiry of the usual period. I think therefore, the Hon'ble Mover has nothing to say against the amended resolution as it stands:

Mr. President : Does the Hon'ble Mover wish to reply ?

3-15 P.M.

Mian Bell Ram (Urdu) : Sir, I have not said that Honorary Magistracies should be abolished. I have only pointed out the general complaints against some of the Honorary Magistrates and this I have done with a view to finding out the remedy. I perfectly agree with this amended form of the resolution. What I desire is that such rules be made and such changes be suggested as modern conditions may require.

3-15 to 3-30 P.M.

Mr. President : The motion before the Council is--

"That this Council recommends to the Government that a committee of six members of this Council be nominated by the Government to report on the future appointment of Honorary Magistrates and Civil Judges in the Punjab, and to propose such rules and suggest such changes as modern conditions may require."

The motion was carried.

3-17 P.M.

RESOLUTION RE TRAINING, PAY AND DESIGNATION OF COMPOUNDERS.

Dr. C. A. Owen : Sir, I beg to bring before you the resolution that stands in my name, and is framed in this way :—

"That this Council recommends to the Government—

- (i) that regular training classes be opened at Government expense for the training of compounders ;
- (ii) that their emoluments be raised materially ; and
- (iii) that their designation be changed to ' Medical Assistants '."

I am sure that it will be conceded by every one that the duties of compounders are most onerous, demanding a knowledge of drugs and their doses and their combination in mixtures, etc., and that the lives of all sick persons are in their hands, and that any mistake may have disastrous consequences. This being the case it follows that any money spent on their training is an asset to every medical institution in the country.....

Malik Firoz Khan, Num : Sir, I rise to a point of order. In the last council session you ruled that in future no written speeches must be read out and the hon'ble member is reading from manuscript.

Dr. C. A. Owen : Yes, I think the President also said that those who cannot speak well will be allowed to read.

Mr. President: I have known the hon'ble member too long to rank him amongst the novices in public speaking. He should not read his speech.

Dr. C. A. Owen: Well, Sir, other provinces have instituted medical schools for the training of compounders. There is a school at Patna called the Temple Medical School, then there is one at Cuttack in Orissa and one training school for compounders at Baribanki. I do not see why this Province should be backward in this respect. Compounders in the employ of Government are, except that they have to pass an English qualification which is usually conducted by the Civil Surgeon of the district, admitted as compounders and they get their training in different hospitals picking up odd bits of knowledge and after a local examination they become compounders. I think the time has come when this class should be put on a proper footing. If we have big medical institutions, large staffs who are paid big sums of money and all that kind of thing, I think the compounders of those institutions should be put on a proper basis. I am sure that if this is done it will materially advance these institutions. At present the compounders are in five grades. They start on Rs. 30 and after every four years they get a rise of Rs. 5 a month rising up to Rs. 50. I ask this House if men of that class, with the training that I have suggested should be given to them should receive this small pay. I propose that men should be taken from the ages of 18 to 21 and put in medical schools where they should be trained for at least eighteen months and that the standard of education should be that of a middle school. In addition to that they should also pass a qualifying examination in English. At present the district boards and municipalities allow Rs. 20 per month to apprentice compounders and this money could be well directed to their keep in the medical training school. These men who would be trained in the schools would also help in the administration of the hospital. They can help in dressing, assist in nursing and also assist in dispensing and compounding. I do not think it would cost much to give an allowance to a medical officer attached to say the Medical College here at Lahore to give lectures to compounders and train up this class. I would propose that while they are apprentices in hospitals under training they should get a stipend of Rs. 20, but when they pass out they should get Rs. 30 and be called third grade compounders. After five years (under the old system it was four years), they should be called second grade compounders and get Rs. 40. After five years more after passing the examination, they should be called 1st grade compounders and get Rs. 50. Up to now their present pay is Rs. 50 but I propose an additional grade of Rs. 70 for a senior grade and that would be limited to ten per cent. of the compounders. So that after all the scheme is not going to cost money and it would train a lot of men who are required very badly nowadays. I remember when I was in charge of a civil dispensary it was part of my duty to measure out all poisons. If I had a trained man I would have carried on my work properly. I was always under a sort of fear that something was going to happen and even when I retired from service I was very thankful when I got through without getting into a scrape and that was because I had compounders who could not be trusted. If you train these men all this responsibility will be taken off the Assistant Surgeons and the Sub-Assistant Surgeons. It is a well known fact that you cannot get a coolie under Rs. 1-4-0 a day and it is not too much to give these men an initial pay of Rs. 30 rising after twenty years to a pay of Rs. 70. They have to perform all kinds of duties in the hospital. They have to attend to an infectious case, they get no holidays, they

have to do nursing, attend to the diets of the patients, keep up the sick register, very often they are called upon to give chloroform and in small hospitals in the absence of Sub-Assistant Surgeons and Assistant Surgeons as the case may be they have got to treat patients.

Then I come to the question of the change in the designation. Most people like to have a change of designation. This House is not above the idea. Some members wish to be called "hon'ble". I propose that these men who are really medical assistants should be called Medical Assistants instead of Compounders. Their pay compared with those laboratory assistants who rise from Rs. 30 to Rs. 90 bears no comparison, considering the nature of work they do, and I do not think it is too much to ask this House that the pay of these men may be raised to Rs. 70 but I suggest this only when these men are properly trained. I would call upon the Government as in other provinces to take up this work and to train these men.

3-30 P.M.

Sayad Muhammad Husain: (Urdu), Sir, There was a time in her chequered history when India was self-contained and self-sufficient in almost all respects. In ancient times Vaidas and Hakims were commonly found in every village and were considered to be the guardians and trustees of public health. The old institutions and order have decayed yielding place to new and so have the antiquated Vaidas and Hakims fallen in the background making room for the doctors trained in western ways of treatment. The Vaidas and Hakims, instead of keeping pace with the march of times and assimilating the western science of medicine and combining it with their own, to advantage, rigidly excluded the idea and confined themselves to their own time-honoured herbs. Nor did the Government care to give them any encouragement in the matter. The rapidly developing public mind lost all faith and confidence in the Vaidas. Hakims and herbalists and betook itself to the western system of treatment. The hospitals and dispensaries have been established only in cities and towns, out of the reach of village people who have, on the one hand, lost the Vaidas and Hakims and on the other, unlike the town-people, gained nothing instead. In most of the villages, at present, medical aid cannot be had for love or money. Epidemics sweep over the country and take a heavy toll of human lives and in the last epidemic of influenza, village people died like flies for want of medical aid. Now that our attention has been forcibly drawn by the learned mover towards the necessity of improving the lot of the modern compounders, it will be in the interests of the public at large to make them more efficient so that they may migrate to the villages and set up their independent practice there.

As regards the change in title, there should hardly be any objection to their being styled medical assistants. It is known to every one of us that the financial position of the province is not what it should be. But I would respectfully urge that if there are any two things which call for unstinted expense, they are the gifts of education and medical aid. These are the crying and imperative needs of the village people. It is equally the responsibility of the Government and the representatives of the people in this Council to face the question squarely and do the needful not in piecemeal but in full measure. With these words, Sir, I most heartily support the motion.

3-35 P.M.

Mr. Ganpat Rai :—The amendment, Sir, of which I have given notice is a very simple one. It is—

“That after ‘Government’ the words ‘to refer to the Standing Committee on Public Health the proposals’ be inserted.”

I am sure no objection will be raised on behalf of the hon'ble mover to accept my amendment. The hon'ble mover has in his speech referred to a scheme which is not cut and dry. He proposed that the ages of those who will be admitted to do this work will be from 18 to 21, that they must have passed the Anglo-vernacular middle school examination and that they should further pass a qualifying test in English. Again he proposed that they should get, while apprentices, stipends of Rs. 20 each per mensem and they should start on a pay of Rs. 30 and after five years they should get Rs. 40 and after another five years they get Rs. 50 per mensem. Also like the Assistant Surgeons the hon'ble mover wants that there should be superior appointments with a senior grade of Rs. 70. Further on he raised a very important question—a question which requires great attention and advice of experts. He wishes to relieve the Assistant Surgeons and Sub-Assistant Surgeons of their responsibility of supervising the dispensation of poisons and so on. I have quoted the hon'ble mover's own words: “relieve the Assistant Surgeons and Sub Assistant Surgeons of their responsibility of supervising the dispensation of poisons”. I hope he does not mean what he has said that he wanted to throw all this responsibility on these “half-medical-men”, to quote my hon'ble friend Sayad Muhammad Husain. He used the expression “*nim-doctors*”. I hope the Council will never agree to this proposal. The hon'ble mover proposes that the Civil Surgeons, the Assistant Surgeons and the Sub-Assistant Surgeons should have nothing to do with the supervision of dispensaries. He wishes to put the dispensaries under the sole charge of these men. He referred to several other matters of detail also. I ask, Sir, is this Council competent to pass this resolution as it is, or whether this matter should be referred to the advisory committee on Public Health which has recently been appointed and which has only this morning been announced. What would be the function of this committee if all such things are to be decided by this Council. The scheme explained by the hon'ble mover involves the consideration of educational qualifications, the preparation of a syllabus, the fixing of duties and responsibilities of these compounders and also the duties which the Civil Surgeons and Assistant Surgeons are to be relieved of. We cannot decide all these things in the Council. This is why I have moved the amendment that the matter be referred for serious consideration to the Public Health Committee and if that committee reports favourably then this Council would be glad to consider the proposal moved by my hon'ble friend.

3-45 P.M.

Mr. President : Does anybody wish to speak against the amendment?

(No member arose to speak.)

Mr. President : I will then put the amendment before the Council. The amendment is—

That after the word “Government” the words “to refer to the Standing Committee on Public Health the proposals” be inserted.

The amendment was carried.

Mr. President : The motion before the Council now is—

That this Council recommends to the Government to refer to the Standing Committee on Public Health the proposals :—

- (i) that regular training classes be opened at Government expense for the training of compounders ;
- (ii) that their emoluments be raised materially ; and
- (iii) that their designation be changed to " Medical Assistants."

Dr. C. A. Owen : I consider the amendment to be a reasonable one and I agree to it. But I would point out that when this resolution of mine was put forward it was understood that the matter would be referred to the Government who would deal suitably with the case. As regards the responsibility of Assistant Surgeons I would point out that if the compounders received an efficient training then they would be fully qualified to dispense all medicines and obviate the present rules which state that Assistant Surgeons are themselves responsible for the dispensing of prescriptions.

Mr. President : I will now put the resolution, as amended, to the Council.

The resolution as amended was carried.

RESOLUTION RE DEPRESSED CLASSES.

4-5 P.M.

Mr. K. L. Ralla Ram : Sir, with your kind permission I shall read the resolution that stands in my name.

" This Council recommends to the Government to set apart a sum of ten lakhs in its next Budget for the benefit of the depressed classes in the Province and to appoint a Committee consisting of official and non-official members of this Council to study their conditions and to submit a report by the next session of the Council as to how this sum can be spent with the greatest advantage."

Sir, In presenting this resolution to the Council I recall to my mind a line of a stanza taken from the words of a great poet which runs as follows :—

" And in the lowest deep a lower deep "

Lower than the *Shudras* there live in India a submerged mass of 53 millions of people known as untouchables or depressed classes who constitute one-sixth of the entire population of India. Perhaps at the very outset, Sir, for the benefit of this House and in order to give them a clear idea of the subject we are going to discuss, it will not be out of place to tell them the figures about our own Province which fares no better in this respect. For these figures I am indebted to the Census Commissioner which are the latest (in fact the report is under preparation). The figures are as follows :—

In the Punjab there are 18,30,545 of untouchables and in the Native States 8,40,817. So practically, Sir, we have over 24,00,000 of such people which constitutes one-eighth of the entire population of the Province. It will be equally interesting perhaps for you to know how they stand as regards literacy. In this province there are only seven per thousand who can read and write and only two per thousand in the Native States. I may be allowed to say that this is the result of the philanthropic societies, such

[Mr. K. L. Ballia Ram.]

as the missionaries, the Arya Samaj and the Ahmadiyah people who have tried to find means for their education. These people have been the victims of circumstances. They have been kept low. Their poverty, their struggles, and their toils are indescribable. In order to have a clear idea of the conditions under which they live I will invite the House to go and see the villages where they are not allowed to live and to form themselves into a part of the village life. They are asked to stand aside; their very touch is supposed to defile things. It is not their bodies only but anything which they touch is supposed to be polluted. They are not allowed to use village wells; there are no schools for them. They have no choice in their professions. Despite their poverty, and despite their loneliness they are able-bodied men. They have rendered and are rendering a very great service to humanity in their own way. I will go so far as to say that but for their labour and honest work the rich people who are sitting in the Council would not have been what they are to-day. These people work whereas the rich derive the benefit of their labours. Sir, some might think that the work to uplift one-eighth of the population of this country should be left to the philanthropic societies but I maintain that the Government ought to be the most humane, the most philanthropic of all societies. It is the foremost duty of the Government to come to the help of these poor down-trodden people who have been the victims of circumstances and who have been kept in this state from times immemorial. Sir, the responsibility of those who want to have larger share in the administration of the country is equally large. How can we go on in the march of progress, to get more and more reforms and to ask the Government to confer greater benefits upon us when one-eighth of the population who are loyal, hard-working and able-bodied men cannot get a hearty meal, who are under-fed and who cannot enjoy the bounties of nature even, which are the birthright of every man? How long are you going to keep them in this state? How long will these people live as they have lived? How long are they going to remain poor? How long are they going to remain illiterate, and how long will you be indifferent to their needs? Sir, in saying these words I cannot but read out to you the words of His Highness the Gaekwar of Baroda, whose attitude to this question has been note-worthy. It reads:—"The same principles which impel us to ask for practical justice ourselves should actuate us to show social justice to each other. By the sincerity of our efforts to uplift the depressed classes, we shall be judged fit to achieve the objects of our national desire."

I may be allowed Sir, to refer very briefly to the great work which the Gaekwar of Baroda has done in this direction. It was my privilege two years ago to visit Baroda on behalf of the Lahore Municipality, with which I have been very intimately connected, to study the question of free and compulsory education, and during my short stay at Baroda nothing impressed me so much as the effort which the Government of that State, especially His Highness, has made to uplift these people. His Highness has provided separate schools. A separate Department of Education for these people has been opened. Here the depressed classes are not allowed to attend an ordinary school. His Highness goes even further than that. In order to show a good example to his subjects he invites these lowly forgotten people to his palace. He feeds them. He gives them a feast every year. He sits amongst them and eats with them. The attitude of the people of this land, for reasons which I need not discuss, has been sadly indifferent.

A few years ago in the district of Kohat a two-year old boy of a wealthy Hindu fell into the well of his father's courtyard. His father was away at the time and the women of the house not daring to go after the child stood round the well and began to scream and cry as is the characteristic of the fair sex. I say so without of course disparaging them in any way. An outcaste sweeper who was cleaning the street outside heard their cries and offered to climb down the well and save the child. The women scornfully refused to permit it. Better to let the child drown than to pollute both the child and the well, they thought. This is perhaps an extreme case but such has been the attitude of the people. Two years ago, Sir, when one of my friends who is present here, who is also a member of the Municipal Committee, where he has taken a very keen interest in the spread of education in the city proposed a scheme that there should be at least one school for "untouchables", one of the members of the committee, a man who is supposed to be enlightened, one who has been to England, said "But when you are going to educate these men who will do the dirty work for us? You are going to spoil them." That has been the attitude of the people more or less towards this question. As a result of this degradation these people have acquired a "slave mentality." I cannot do better than to read a line from the speech which once Lala Lajpat Rai who has taken a very keen interest in such matters, delivered a few years ago. He says, "No slavery is more harmful than that of the mind, and no sin is greater than keeping human beings in perpetual bondage. It is bad enough to enslave people, but to create and perpetuate circumstances which prevent them from making a change and becoming free is infamous." Naturally, Sir, you would like me to offer a constructive scheme. It is not for me here at this time to do so. This is why I have asked for the appointment of a Committee but surely I could suggest that we expect at least under the present *regime* when we have Khan Bahadur Mian Fazal-i-Husain to preside over our destiny so far as education is concerned to do something in this direction. At least we expect the Government to start a special department which would only deal with those people. As I have pointed out their number is not very small. If you leave them to the present conditions, perhaps for fifty years more nothing will be done for them. We would also like that Government should give special facilities for these people to raise themselves. There should be some industrial projects. They should be given the free use of land. Of course the process of bringing them up is bound to be very slow, yet something ought to be done. This is why I have asked for a very modest sum of ten lakhs of rupees, which I should say is nothing in comparison to their needs. Of course I know this is perhaps the most ticklish question before the Council how to find money. I perfectly realise that, yet at the same time the claims of these people are equally great. Because they have no representation in the Council is no reason why they should be left in this condition. If you take all those who have been educated by, I mean to say, as a result of the efforts of foreign missionaries, they have proved that they are as efficient, they are as able, they are of as independent a character, they are as good as any Raja in the country if they are given proper facilities, if they are given proper means. These people are able to hold their own and to stand shoulder to shoulder with any one here in this country. I am sure the British Government, whom I believe to be very humane, will not be indifferent to the needs of one-eighth of the population. Of course I quite realise that it requires the co-operation of the people. The Government perhaps has not thought it wise to interfere with the social and religious matters of the people, but I think this is neither social

[Mr. K. L. Rallia Ram.]

nor religious. It might be social but I think it is the foremost duty of the Government and of this Council to do something for these people that they may also enjoy at least those rights and those privileges which is the birthright of every man who is born in this country. We hear of slavery. How we condemn it. We hear of slavery in Africa and how our sentiments are aroused. But I ask you one question. Is the condition of the people in any way less than slavery? Are they not your slaves? If a man is not able to raise himself, when a man is not able to enjoy these privileges, when he is kept down, it is nothing short of slavery. It is for you, gentlemen, to decide whether you will have slavery in your midst. Perhaps it is because they have not raised their voice, because they have not got a voice. When they get a voice, I am sure they will raise it as we have done, but it is your duty not to wait. It is your duty to do it gracefully, to do something for these people because I fear unless you do that you have no right to ask others to help you. Those who want to raise themselves should raise others. Those who want rights to be conferred upon them should give them to those whom God has placed in their hands. I am sure it will appeal to the good sense of this Council and they will be moved to do something for these people and I am sure that in doing so we shall not be rendering service to humanity alone but we shall be rendering service to our Motherland; we shall be raising the people who are perhaps as good as we are but who, as the result of birth, have been placed lower than we are. I am sure they will bless you and our country. We cannot have our national aspirations fulfilled unless all people high and low work together and I am sure something will be done. I am thankful at the end for the patience with which you have listened to me.

4-18 P. M.

Rai Bahadur Lala Sewak Ram : May I make an amendment which is very ordinary. Sir, I entirely support Mr. Rallia Ram in this resolution which is very useful, but he himself has admitted that the question of money is a very ticklish question at this time and to demand ten lakhs of rupees for this purpose, I believe is rather too much. Therefore I submitted an amendment which I now present that in place of "ten" read "three" i.e. only three lakhs may be given by Government for the purpose as an experimental measure in order to see that the object of this resolution is carried into effect. I hope the hon'ble mover will accept it as under the present circumstances to demand ten lakhs would be rather too much. I therefore submit my amendment that rupees three lakhs would be sufficient for the purpose.

4-20 P. M.

Rao Bahadur Lieutenant Balbir Singh : (Urdu). Sir I beg to support the original resolution and oppose the amendment moved by the preceding speaker. The proposal is in itself so fine and self explanatory, that it hardly calls for any pleading on its behalf. From the dim and distant past down to the present age, in every clime and country, the learned men of the time have laboured to put an end to the arbitrary and man-created distinctions of high and of low, of blue and common blood. My friend, the mover of the amendment, has reduced the sum to 3 lakhs which he says should be used tentatively. The Christian missionaries and other cognate societies have been labouring in this direction for quite a long time and I believe we have passed the stage of experimentation. It must be said to the credit of the Christian missionaries that they have done more than any others to uplift the depressed classes.

The Arya Samaj and other Hindu and Muhammadan bodies have now earnestly taken up the humanitarian work of uplifting the long neglected depressed classes and are gradually reclaiming them in their fold. If the Government too lends its hand and money to their rescue and uplift, it will meet with the approval of the public at large. I believe, Sir, I am echoing the sentiments of the Council on this question and there will be hardly a dissentient voice.

I beg to oppose the amendment and support the original resolution most cordially.

4-15 P. M.

Mr. Moti Lal Kaistha : Sir, I submit that the demand of my hon'ble friend that a sum of ten lakhs should be provided in the next year's budget for the relief of the depressed classes is a very reasonable one and my learned friend Rai Bahadur Lala Sewak Ram's amendment that it should be reduced to three lakhs on account of the ticklish question of money is not at all just. It is a pity that the franchise here is based on the revenue paying capacity of voters but if the depressed classes had the right to vote according to the principle of one vote to one man, then the majority of the councillors would have been speaking in favour of the depressed classes. Many a purse-proud person here to-day is opposing this most reasonable request of my learned friend, Mr. Rallia Ram. Mahatma Gandhi has said that unless you reclaim the untouchables you do not deserve *Swaraj*. Such a proposal to allot ten lakhs for the benefit of the depressed classes should not be opposed and I hope the whole House will agree with me that this proposal should be carried at once. Of course next year when we are rolling in wealth we can provide more money for this branch of the community.

Mr. President : The amendment before the Council is—

"That for the word 'ten' the word 'three' be substituted."

The amendment was carried.

4-25 P. M.

Malik Firoz Khan, Nun : Sir, laudable as the motives have been behind the mind of the hon'ble member who has moved this resolution, yet I feel I cannot agree with him because he has only tackled one side of the question and not all the sides. Probably he has been reading books on the untouchables in Southern India and in some of the Indian States and perhaps he has not devoted so much attention to the circumstances as they exist in this province which is a province of agriculturists and of small communities living in small villages. He has put before us as an ideal an Indian State belonging to the Gaekwar of Baroda where His Highness on a particular day once in the whole year feeds the poor in his State. I wonder, Sir, if he will agree or accept such a proposal for the uplifting of the depressed classes in this province. The hon'ble mover has suggested that we should try and uplift the untouchables. But what about millions of other people who are not untouchables and who yet require a lot of uplifting. Are we to leave others alone and only uplift the untouchables? I think every member of all communities in this

[M. Firoz Khan, Nua.]

province has an equal share in the funds of the province to be utilised in their upliftment. There are Government schools already existing in which there is no rule that the untouchables cannot be admitted. An untouchable is as much entitled to enter a Government school as any of the highest and the bluest blood of this province. So there is no reason to say that the Government or the people of this province have tried to keep down the untouchables. There are a larger number of people who are still down on the ladder of social advancement. At the bottom of this whole question I do not only see the desire to uplift the untouchables but I think there is the need to uplift the whole community and if there are measures to be taken, they should be taken for the whole Province and not for any particular class of people. I put to the Council that if any money is to be voted or if any money is to be spent that should be spent for the benefit of all the classes and not for any particular society. If any particular society wishes to advance they are quite welcome to do so. If any particular district or Municipality takes steps in the matter they are quite welcome. But to spend a large proportion of the Provincial funds for a particular community does not seem to me to be acceptable and is undesirable. As you are aware, Sir, already there was a large deficit in the Budget last year. We exceeded our income by one crore of rupees and in the coming year we also foresee a lot of trouble. I can only say that there will be further trouble and discontent in the future because it will be necessary to raise taxation in one form or another if any action is to be taken for the upliftment of the poor. I think it is not proper for this Council to vote such a large sum as suggested by the hon'ble mover for any particular community.

I would point out to the hon'ble member that the question of untouchables is not so acute here as it is in the rest of India. By the "untouchables" in this Province are probably meant the sweepers and criminal tribes. I may point out also to the hon'ble member that if these people take to ordinary labour and do hard work they can earn a good deal rather more than the agricultural classes. So we cannot say it is the people who are keeping them down but it is the condition of the whole country that requires them to remain as such. I therefore suggest that the Resolution as put forward is not acceptable in the public interest.

4-41 P. M.

The Hon'ble Sir John Maynard.—Sir, we should be grateful to the hon'ble member that our attention has been drawn to the condition of depressed classes in this province and I for one have been much impressed by the benevolence and the generosity shown by the speakers. This shows that their hearts are in the right place though their hands are in the pockets of others and not in their own. I find that the hon'ble mover has proposed a substantial sum of ten lakhs for the depressed classes. I have listened to all the speeches of the hon'ble members on this resolution but I am astonished to find that there was not a single speaker who appeared to be aware of what Government has done or is doing in this direction. I would point out, Sir, that there are five departments which are doing service in one form or another to the depressed classes. I would first take the Revenue Department. I would point out that 30,000 acres of land on the Lower Bari Doab Canal was set aside for the depressed classes and was given to Missionaries, Salvation Army, Arya Samaj and some Muhammadan Society whose name I have forgotten, for distribution to settlers of these classes.

Then a great deal has also been done in the Department of Industries for these particular people. Mr. Scott, under the guidance of my friend, Mr. Har-kishan Lal, has established five weaving schools in the Province for weavers. In addition to that there is a dyeing school in which 54 students are studying. Almost the whole of the Cottage Industry Branch of the Department of Industries is meant for depressed classes. Then comes the Co-operative Department which is doing much for the depressed classes in its various useful and economic forms. This Department has started special co-operative societies for the depressed classes. There are a very large number of weavers' societies, sweepers' societies, and societies for the criminal tribes, and so on. This is what the Co-operative Department is doing for the depressed classes. Then something is also to be said of what the Department of Education is doing for the depressed classes. There is a certain institution of a very advanced type to which the bulk of the population of this province has not yet attained. I refer to compulsory education. Already the criminal tribes have compulsory education, so in that respect they are more advanced than the rest of the population. There are also some special schools for low castes and I notice a rather interesting fact with regard to those schools for low castes that in the Multan Division the Inspector of School reports that there are no less than 42 girls of the depressed classes attending schools, which shows that even female education among them is by no means neglected. That is a very interesting and important fact to which I think the Council would like to have their attention drawn. I call it a promising fact because it shows that there is some tendency to overcome social barriers, that there is a very marked tendency for the low caste children instead of their attending special low caste schools to be admitted into the ordinary schools, a fact which shows that the prejudices of the rest of the population are in some degree breaking down.

I have now to mention a department which is exclusively devoted to the interests of this particular class and that is the department of criminal tribes. There is a very interesting note which I think the hon'ble members of this Council would like to read. It is Sardar Sahib Hari Singh's interesting account of the administration of the criminal tribes in 1917 to 1919. If the member who took the trouble of going to Baroda were to read this account, he would arrive at a different conclusion to the one he has arrived at. He would discover that the Government has already given 3½ lakhs on initial expenditure and also provided a maximum of Rs. 1,90,000 recurring expenditure for the purpose of maintaining these settlements. Also in addition to the land which I have already referred to, 12,000 acres were given for agricultural settlements to criminal tribes.

Now, Sir, there is just one other thing I want to say and that is that it would really be a pity to pass this resolution. One wants the Council not only to be acquainted with facts, one also wants them to be reasonable and business-like. Government is most anxious to take action upon resolutions of this Council so long as the resolutions are really possible resolutions, and so long as it is within the power of Government to take action it will always do in accordance with the resolution, but if resolutions are passed suggesting the complete travesty of the ordinary financial procedure, if a resolution is passed which does not show where the money is to come from and if the money is available how to spend it, if a resolution of that kind is passed, it is impossible for Government to

[Sir John Maynard.]

act upon the resolution. It follows that the Council tends to lose that sense of responsibility which results from the knowledge that action will follow upon recommendations and therefore the process of co-operation is broken between the Councils and the Government.

Mr. President : Does the hon'ble mover wish to press his resolution to a decision ?

Mr. K. L. Ralla Ram : I should like to say a few words in reply Sir.

Diwan Bahadur Raja Narendra Nath : Sir, I may be permitted to move an amendment that the resolution be made over to the Finance Committee to report whether it is possible to provide the sum mentioned.

Mr. President : You can do so, if no member objects.

(No member raised any objection.)

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

" That after the word ' Government ' the following words be inserted ' to consult the finance committee on the proposal. ' "

The object on which this money is to be spent has been explained by the hon'ble mover. As far as I can understand him he means to provide out of this money schools for the depressed classes. He thinks, and I think he is right in it, that admission to ordinary schools of boys of the depressed classes is difficult and therefore special provision must be made. So far as this object is concerned and as far as I have been able to hear the hon'ble members the Council is agreed. The only difficulty is with regard to money. I therefore propose that the amendment proposed by me may be considered by the Council.

5-5 P. M.

Chaudhri Ali Akbar (Urdu) : Sir, it has not been shown that the money is really needed. Nowadays an illiterate man can earn Rs. 1-4-0 per day whereas a literate man can barely earn Re. 1 per diem. We have already a large number of schools and there is no reason why we should waste money in educating the depressed classes. The Zamindars are already suffering through the insolence of the Indian Christians belonging to the depressed classes. These people earn a good living and do not need to be uplifted. It is the sweepers whose condition should be improved. Improvement in the status of the depressed classes will be harmful to the Zamindars. The resolution is a novel one of its kind. Equality of status is an impossibility. That is a truism which I would like to demonstrate by the following anecdote. A man went to the Holy Prophet and begged him to offer a prayer for the betterment of the poor so that they might have an equality of status with the others. The Holy Prophet accordingly offered the prayer which was answered. When all came to have equality of status everybody began to strut about and would not work for the other and the business of life was at a standstill. The people therefore approached the Holy Prophet and begged him to offer a prayer for the division of society into two classes—rich and poor. This prayer having been offered and answered the normal business of life was resumed.

I do not see why the Zamindars should be compelled to give the depressed classes an equality of status with themselves. I have shown that life would be paralysed if all were to have an equality of status. I, therefore, strongly oppose the resolution.

The Hon'ble Sir John Maynard : I should like to point out that the amendment proposed now does not quite solve the difficulty. It is proposed that the question be referred to the standing finance committee. The finance committee advises on expenditure on specific purposes. In this case there is no definite scheme. If it is proposed to provide schools for depressed classes it is first for the Education Department to formulate a scheme and then for the standing education committee to consider such a proposal. It is then that the time comes for it to come to the finance committee for scrutinising the question of finance. Without any specific detail or precise work which it is proposed to carry out we shall place the finance committee in a difficult position.

Mr. President : The amendment before the Council is—

“That after the word ‘Government’ the following words may be inserted: ‘to consult the finance committee on the proposal.’”

The amendment was lost.

Mr. President : The discussion will now proceed on the original resolution.

5-10 P.M.

Mr. Ganpat Rai : Sir, I have full sympathy with the depressed classes. I do not wish to illustrate what practical work I have done during my life to show my sympathy, but I must say one word that the picture painted by my hon'ble friend of the depressed classes in the Punjab is not accurate. He has no doubt read books on untouchability but those books relate to other provinces and I can assure him that I have seen several provinces besides the Punjab. In some provinces I have spent months and months, for instance in Madras every third or fourth year I have gone and stayed there for two or three months. My experience is that the picture the hon'ble mover has painted can certainly be said to be true of that province but to say that this picture is true of the Punjab I emphatically deny and challenge that he should prove it. Besides as the Hon'ble Finance Member has so ably explained to this House the Government has not been slow with regard to the so-called untouchable classes of the Punjab. As regards education facts and figures have been given—and I can also say something from some practical knowledge I have of the district board schools of which I have been a member—that every facility is given to the children of the depressed classes to obtain education. In fact, I may mention that except in a case of one or two communities untouchability is not known in the central districts. I cannot speak of the Hissar side.

I speak with knowledge, Sir, that the children of the low and menial classes are admitted freely and they sit side by side with the children of the rural gentry and aristocracy without any objection on their behalf. I therefore think that there is no further need to provide separate funds for their education, especially as only last year the Council has passed a resolution to provide for primary education, and I am sure the Minister of Education

[Mr. Ganpat Rai.]

and his able Director of Public Instruction, no doubt, will see that some of the money is spent for the untouchables, who are not admitted into general schools. With these remarks I appeal to the Mover that he may be pleased to withdraw his resolution till he sees what the Education Department does for the untouchables.

Mr. President: Does the hon'ble mover wish to reply ?

5-17 P.M.

Mr. K. L. Rallia Ram : I am sorry one of the members who opposed me is not here. I mean Malik Feroz Khan ; but I will reply to some of the points he raised. He says that in Government schools there is no bar to admission. I am sorry to say that Malik Feroz Khan in support of his contention has not given me a single figure. Not to speak of Government schools, even in a Mission school with which I have been connected for the last 15 years I have failed so far to admit a single boy of the untouchables for fear of public sentiment. He says that the boys are admitted to the Government schools. I challenge that statement. He then referred to the work the Gaekwar of Baroda has done. The hon'ble member has not got at the point which I wanted to put before the House. By putting before the Council the example that His Highness invited the untouchables once a year, I meant that the Gaekwar of Baroda bears good will towards the depressed classes. His Highness has got throughout the length and breadth of his state innumerable schools which are entirely meant for these depressed classes. In fact he has given more education to them than to his ordinary subjects and the results have been marvellous

Mr. President: The hon'ble member should confine himself to the Punjab.

Mr. K. L. Rallia Ram (continued): Then I come to the remarks made by the Hon'ble Sir John Maynard. I must say I am very glad to know that the Government has done something in this direction ; although I doubt very much whether the weavers come under that class. There is one class known as *meh* which do come under that class, but if he means weavers in general then I do not know whether they come under that category. In fact I did not include them. Then he speaks of the co-operative societies and so on : and I must show my sense of appreciation for what the Government has done. The Hon'ble Finance Member lays stress on what Government has done for criminal tribes. I have read the report written by Sardar Hari Singh. I know that the efforts of the Government have been quite laudable and the results achieved quite wonderful, yet we must understand one thing that they do not come under this head. The Government has tried to help those people in order to save them from criminal propensities. They have helped no doubt to maintain law and order by directing their energies into healthy channels. In their own way when these people were left to themselves they were better off. (Laughter.) The Hon'ble Sir John Maynard has not told me what the Department of Education has done. There may be schools here and there, I do not deny. Lala Ganpat Rai has said that my knowledge is only based on books. This is true to a great extent ; but I have been to the villages to study this question and I can say that during the influenza days it served as an eye-opener to me. Lady O'Dwyer was the only person who thought of these depressed classes during those influenza days and asked me

if I could carry on a campaign in the villages especially for these people and it was my privilege to go to the neighbouring villages. I then saw the poverty and the appalling condition under which those people lived.

Lala Ganpat Rai says that they are admitted into schools. I would like to see a sweeper joining the school, meant for general classes. The attitude of Chaudhri Akbar Ali is that of rich men. He wants to keep them down for his own personal benefit.

Of course I do not wish to press this point and if the Department of Education assures me that out of that money which was voted last year they will set apart a reasonable sum for this laudable object. We must remember that the real question is of money. We have raised the emoluments of zamindars and lambardars. We have also raised our own emoluments from Rs. 10 to Rs. 15. At that time the question of money did not come, but now it has come in the case of untouchables who have no voice in this Council.

Mr. Ganpat Rai: I challenge that statement. The untouchables have their representatives in this Council.

Mr. K. L. Ralla Ram: There may be, but very few. What I should like to say, Sir, is that if an assurance is given to me I shall be willing to withdraw my resolution.

The Hon'ble Sir John Maynard: As the Hon'ble Minister for Education is not present, I would like to assure the Hon'ble mover on his behalf that he will give his careful attention to the question of the education of depressed classes. I hope this will satisfy the hon'ble member.

Mr. K. L. Ralla Ram: I am perfectly satisfied with the assurance given and ask leave to withdraw my resolution.

The motion was by leave withdrawn.

RESOLUTION RE EXTINCTION OF ANNUAL CONTRIBUTION PAYABLE TO THE
GOVERNMENT OF INDIA.

15-26 P. M.

Mr. Manohar Lal: I beg to move—

"That the Finance Committee of this Council be instructed to examine the question of the annual contribution to be paid by the province to the Governor-General in Council under Devolution Rule 17 with a view to the total extinction of the contribution within the next two years and its reduction by at least one-half from the beginning of this financial year; and further to take such steps as are necessary to that end, and to make a report on the subject to the Council within two months".

I feel, Sir, that I have not a difficult task before me so far as the passage of this motion is concerned, because I do not think it requires much persuasion on my part for the members of this House to be of this opinion: and if I trespass on the attention of the House for a few minutes it is in order to secure unanimous, considered and vigorous support for this motion from this House, no less from the Government members charged with the working of our finance and the running of the machinery of the Government than from the representatives of the people anxious for the welfare and development of this province.

[Mr. Manohar Lal.]

At the outset I may remind the house for a minute or two of the old system of provincial financial arrangements that existed before the reforms came into operation. The old theory was that the entire revenues of this country belonged to the Government of India. The central Government made over to the provinces what was regarded as necessary for provincial needs. This was done at first according to the arrangements that were made from year to year. There were, what we called, annual settlements, which were purely temporary in character. As times advanced and that system was found unworkable a quinquennial or five yearly settlement was introduced and this in time gave way to what are known as *quasi*-permanent settlements which were introduced in the year 1910. There was according to those settlements considerable difference in the treatment of the provinces as each provincial case was considered separately. The whole basic principle of these settlements was that the finances of India as a whole were under the control of the Government of India and they, to use the words of the Hon'ble Mr. Hailey (as he then was) Finance Member in the Government of India, allocated from time to time to the provinces such sums as were required for their expenditure in accord with the standard of administration which had from time to time been reached by them.

The system prevailing necessarily involved control and interference by the Indian Government in provincial matters, and in spite of all efforts to reduce detailed interference caused friction. The distinguished authors of the Reform Report—the Right Hon'ble the Secretary of State and Lord Chelmsford—rightly thought that “an arrangement which has on the whole worked successfully between two official Governments would be quite impossible between a popular and an official Government”, and they determined upon a complete separation of the resources of the central and provincial Governments. The provinces were to have complete control both over the revenue and expenditure of the subjects administered by them. Wide measures of administrative and legislative devolution contemplated by the Reforms involved as a necessary corollary the largest possible withdrawal of external control over provincial finances.

The Reforms Report outlined a scheme of this separation, the main feature of which is the doing away with the scheme known as the system of divided heads. Under the system of divided heads, in the case of certain principal heads of revenue, chief among which are Land Revenue, Excise, Stamps, Irrigation and Income-tax, roughly half the revenue came to the province, and half was taken by the Government of India. Under the new scheme advocated in the report and as later slightly modified Land Revenue, Excise, Stamps and Irrigation became entirely provincial, and Income-tax became an Imperial head. The result of this arrangement left the Government of India with a heavy deficit and this as the report suggests was naturally to be made good by the Province. The report suggested that this deficit should be made good by the Province on the basis of “assessment in the ratio of gross surplus,” though it was recognised and recognised in very clear terms, in the report, that the disparity that then existed marked by the system of divided heads would be continued under this scheme or arrangement. The deficit at that time was calculated to be 13 crores and 68 lakhs. They also calculated that on the basis of figures then available the gross surplus that would be available to the Provinces under this system of transfer of certain heads

entirely to the Province and the one head of Income-tax to the Imperial Government; the gross surplus available to the Provinces would be Rs. 15,64,00,000. It would be, therefore, a perfectly justifiable arrangement if the Government took over from this gross surplus of Rs. 15,64,00,000 a sum of Rs. 13,16,00,000 as it will still leave to the Provinces a little over two crores as a surplus. These figures were later examined by Conference now known as the Simla Conference and it then appeared that all that was available as a gross surplus in Provinces for the Government of India was no more than 13 crores. There would be left no surplus to the Provinces, and the Government of India, therefore, in a despatch on the 5th of March 1919, suggested the appointment of an expert committee to go into the whole question of Provincial contribution both initial and ultimate in order to meet the heavy deficit under this new arrangement. A Committee known as the Financial Relations Committee was in consequence appointed, and it was presided over by Lord Meston, and it settled the contribution that our province and other provinces were to make, and it also determined the ultimate standard by which the contributions are to be judged. I have said, Sir, already that the basis in the Reform Report fixed was that of assessment of a ratio of gross surplus. Lord Meston's Committee thought that that would not be a correct standard for various reasons. It is not necessary for me to go into this matter but they arrived at the conclusion that the best way would be something like this. That in the new arrangement certain additional revenue was made available to the provinces. On the other hand the provinces had undertaken the responsibility for expenditure, for certain heads of expenditure; and deducting the additional revenue from this additional expenditure transferred to the provinces there was a certain surplus which they called *increased spending power*, and the Committee decided that it would be quite fair or at any rate it would be quite a practicable scheme if the total deficit of the Government of India, which by this time had been calculated not at 13 crores but at Rs. 9,87,60,000 because of certain adjustments in the matter of stamp revenue and so on, should be met by contributions by the provinces out of what was their increased spending power. It is not possible for me now, Sir, to go into a detailed examination of how these figures were actually arrived at but what is important for us to realise is this that the calculations as to expenditure made by Lord Meston's Committee proceeded on basis of conditions obtaining at that time without any reference whatsoever to developments which had to be given practical effect to; and in other words the existing bases of expenditure in the estimates that were made by Lord Meston's Committee were practically stereotyped though it was known that urgent revisions of salaries were actually pending before the various provinces at that time. In calculating this increased spending power, Sir, Lord Meston's Committee so far as our Province was concerned arrived at these figures: That this province would have Rs. 2,89,00,000 of additional spending power available, and out of this the Committee proposed that the province ought to give Rs. 1,75,00,000 to meet the Government of India's deficit, still leaving for the province Rs. 1,14,00,000 as something with which this province could carry on its work of development and so on.

Now, Sir, I wish to approach this subject with a view to test Lord Meston's final judgment by reference to actual figures, i.e., by reference to our budget estimates and revised figures for 1921-22 the first year of reforms, and then estimated figures for the budget next year, that have been made available by the Finance Department. Sir, when tested by these figures it will be more

[Mr. Manohar Lal.]

than doubtful whether the increased spending power which was estimated at Rs. 2,89,00,000 really came up to that figure. In that estimate it could easily be shown that the claim stood considerably exaggerated. I would not be surprised personally if Meston Committee's estimate of increased spending power even when judged by facts available in 1919 is not exaggerated by anything between 30 to 50 lakhs and the crore and three-quarters of our contribution as settled by this Meston Committee represent no less than three-fourths of our increased spending power. Be that as it may, and I am confident that I am not exaggerating in the nature of the figures, it is obvious that the increased spending power of over 114 lakhs left with us after the contribution was really no addition to the resources of the province. This Council will remember, Sir, the words of the Hon'ble Finance Member when he said last year in introducing the budget that all this sum of Rs. 1,14,00,000 was more than swallowed up in the "additional expenditure on establishments due to the increased cost of living and the higher cost of labour and materials." The province did not start on its new career under the Reforms Scheme with any happy financial outlook. It really started distinctly worse on account of the stress of economic conditions which the Financial Relations Committee had not taken into account. Sir, the figures for 1921-22 budget after making certain formal corrections, for instance, deducting from both the income and the expenditure side the income-tax adjustment of Rs. 22,90,000, making a similar adjustment with reference to certain items on account of irrigation works, e.g., the item of interest standing at Rs. 74,81,000 and another sum which has actually been paid to the Government of India amounts to Rs. 73,93,000 and taking into credit the sum of 31 lakhs which are received by way of interest on the crore surrendered to the Government of India, the position is roughly this: that income for 1921-22 is Rs. 9,24,42,000; the expenditure including 1½ crores is Rs. 9,54,87,000; deficit Rs. 30,00,000. So far then as the budget figures actually presented are concerned there was no surplus of Rs. 1,14,00,000 left over. The facts were that our expenditure, including 1½ crores contribution to the Government of India, exceeded our income and that in the very first year of the Reforms Council budgets.

That immediately falsifies the position which Lord Meston's Committee took for granted so far as this Province was concerned, but, Sir, that was the position when the budget was framed last year. The position disclosed by the revised estimates for 1921-22 which are now made available by the Finance Department discloses a still more serious situation. I do not know whether these figures are available to all the members but they were placed before the finance committee. The position is this that by deducting the items of interest Rs. 74,81,000 and also Rs. 22,99,000 on account of income tax for the year our income according to revised estimates for the year is Rs. 9,53,11,000 and expenditure not including the contribution of 1½ crores is equal to Rs. 9,31,73,000. Therefore the balance out of which we can pay this 1½ crores is the palty sum of Rs. 25,38,000. So we are practically reduced to this situation that there are only Rs. 25,38,000 available with us out of which we are to pay to Government of India 1½ crores and it is for this reason that my motion distinctly asks that the remission should take place from the beginning of the current financial year, that is from the 1st of April 1921.

And, Sir, that does not disclose the full gravity of the situation so far as the provincial finances are concerned. Over and above this ordinary

expenditure we are still face to face with two big items : the first is an item of Rs. 58,72,000 on account of provincial loans account on account of heavy taccavi loans because of the year's failure of harvests and the second is an item of Rs. 22,70,000 which amount is anticipated to be paid to martial law sufferers because of the recommendation of the committee which was appointed under instructions from this council. Not including these items of Rs. 81,42,000 on account of provincial loans account and compensation to martial law prisoners.

The Hon'ble Sir John Maynard : I may be permitted to interrupt the speaker here. The compensation is to be paid to martial law sufferers and not to the martial law prisoners.

Mr. Manohar Lal (continued) : I thought I said martial law sufferers. Not counting these Rs. 81,42,000 on account of the provincial loans account and the compensation to martial law sufferers we are still in this position, as the revised figures show, that we have only Rs. 25,38,000 out of which we do not know how to pay 1½ crores to the Government of India. If we pay 1½ crores to the Government of India, then our opening balance which was expected to be 126 lakhs when the budget was framed would be completely wiped out and we shall have to start with a deficit of Rs. 22,87,000 ; and if we chose to include these two further items on account of the provincial loans account and compensation to martial law sufferers, the province is face to face with an actual *minus balance* of Rs. 1,04,29,000 instead of starting with an actual balance of Rs. 1,28,00,000. Thus our financial position has deteriorated to the extent of something like Rs. 2,30,00,000. Whatever book adjustments one may make and whatever entries one may make out of these items of expenditure merely to indicate that they are capital expenses and so on, the position is grave enough. The position, as further disclosed by the figures of estimated revenue and expenditure for the year on which we are about to enter, is equally serious. The figures so far compiled by the Finance Department and made available to the finance committee show that our income is Rs. 10,15,84,000 and the expenditure if we include this 1½ crores is Rs. 10,46,52,000, that is to say a deficit of Rs. 30,68,000. This deficit allows for no new expenditure not even of the most urgent character which even your scrupulous finance committee faced with heavy deficit, and cutting down proposals most sternly has willingly to allow.

Mr. President : The proceedings of the finance committee are confidential and must not be disclosed in the Council.

Mr. Manohar Lal (continued) : I am referring to the proceedings of the finance committee only in so far as the possible estimates for the next year are concerned.

My proposal therefore is that if the Government of India would reduce by one-half their contribution, we would have no deficit for 1922-23, and instead we would have about 50 lakhs available for new expenditure on urgent proposals. The Council only last year passed a resolution to incur an expenditure of 50 lakhs on primary education and besides there are other for example important industrial schemes to be carried out. The Council cannot in the least contemplate any such expenditure, nor is there any possibility of such expenditure being met from the provincial funds if no relief is available from the Government of India. Sir, Lord Meston's Committee laid down two or three important conditions in deciding upon this provincial quota.

[Mr. Manohar Lal.]

They said that one elementary condition that any determination of the provincial quota should satisfy is that no province should be driven as a result of this arrangement immediately and forthwith to impose taxation in order to carry its normal budget requirements. Each province is to be left with a *reasonable working surplus*. Imposition of new taxation *ad hoc* would be an unthinkable sequel to a purely administrative rearrangement of abundant general resources. Taxation should not be the first fruit of the reform because of the serious reactions of such a course—particularly in a province like ours. While there were the ideas lying behind Lord Meston's Committee's mind, the figures which I have given speak for themselves—our old balance—built up with hard economy and even then mainly out of sales of land wiped out, a heavy deficit, cutting out of all new expenditure, and the prospect of fresh taxation. Our demand for the reduction of half the contribution is, Sir, besides being necessary to secure the solvency of the province, a just demand.

(Here the speaker was interrupted by Mr. President as his time was up and he therefore resumed his seat.)

The Council then adjourned till 11 A.M. on Tuesday, the 10th January 1922.

PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 10th January 1922.

The Council met at the Council Chamber at eleven of the clock. Mr. President in the chair.

11 A.M.

MOTION FOR ADJOURNMENT.

Mian Muhammad Shah Nawaz : Sir, The present political situation is indeed extremely critical. The Government is determined to enforce respect for law at all costs. The non-cooperators are determined to defy the authority of the Government and court arrests and imprisonments. Every day we hear news of searches, of arrests and of prosecutions and convictions. Those who occupy a central position can no longer keep silent. They must express their opinion on the present situation which has arisen out of the action of the Government in extending the Criminal Law Amendment Act to the Khilafat, Congress and the national volunteers and in applying the Seditious Meetings Act to some of the districts of the Punjab. It is a very difficult task to convince either side : but the facts must be told in the interest of public.

Sir, I fully realise the difficulties of the Government to maintain law and order without which no civilised Government can exist, but at the same time I cannot help saying that a drastic policy of enforcement of law has miserably failed to achieve its object. As a matter of fact it has promoted the cause of non-cooperation and has led to greater defiance of law. It has actually increased disaffection and has rendered the position of the supporters of Government and the members of this Council quite helpless. It seems to me that the old policy of non-interference so far pursued so successfully by the Government was about the best policy in the circumstances. It is surely a big and dangerous jump to resort to a stern policy of enforcement of law from a policy of non-interference and masterly inactivity. Sir, I am not certain as to who is responsible for the present unwise and unjust policy of repression. It is said that the policy was dictated by the central Government to the local Governments. Let it be so : but the local Government cannot be relieved of its responsibility to launch upon a policy of this sort which is totally against the spirit of the reforms. Sir, is it fair, is it just, I ask, that a Government which acts on behalf of this Council should launch upon this policy without consulting the wishes of the members of this Council who are supposed to be the chosen representatives of the people. It is rumoured—though I do not believe it—that even the Ministers were not consulted. If it is so, it makes matter still worse.

Sir, I fail to appreciate the reasons which led the local Government to apply these two odious Acts to the Punjab which the Government of India had promised to repeal at the earliest possible opportunity. It may be that the authorities in their anxiety to accord a cordial welcome to His Royal Highness the Prince of Wales and to avoid *hartal* at the time have launched upon this policy by way of experiment. But has it succeeded to achieve its object? Has it not created more disaffection? Has it not excited the masses more and more? After the disturbances that took place at Bombay Mahatma Gandhi was thinking of revising his programme of non-cooperation movement and had virtually given up his subversive doctrine of civil

[M. Shah Nawaz.]

disobedience for a time at least. But the Government of India lost no time in coming to its rescue and inaugurated a policy which in my opinion has accelerated the advent of civil disobedience.

I claim, Sir, that the application of the Criminal Law Amendment Act to the Khilafat, Congress and the national volunteers is absolutely unjustifiable by the facts which have been brought to our notice. This Act, as you are aware, was passed in the year 1908 in the teeth of the opposition by political-minded people of India and it was meant to apply to secret revolutionary societies dangerous to public peace in the provinces of Bengal and Assam. It was never meant to apply to the cases of unarmed volunteers who are pledged to non-cooperation and who do not desire to defend themselves. I admit, Sir, that some of the volunteers have misbehaved themselves and violated law but to condemn and to penalize the whole volunteer movement is utterly un-called for. The case of each volunteer should be decided on its own merits under the ordinary law of the land. If he has committed violence he should undoubtedly be punished but if he has not committed violence I fail to see reasons why he should be arrested at all. The non-cooperator must be a misguided person but he is perfectly within his rights to carry on his non-cooperation activities if he is not violent. The proclamation under the Criminal Law Amendment Act is a direct challenge to Khilafat and Congress organizations. For the Mussalman the Khilafat organization is a sacred movement. The Khilafat volunteers have done some good work. The Congress is the biggest and the most powerful institution in India. Hence no body can afford to see these political bodies being strangled by the action of the Government. In my opinion, Sir, the Criminal Law Amendment Act should be withdrawn immediately and those convicted under it should be released.

I now come, Sir, to the Seditious Meetings Act. Last year this Act was applied to a few districts of the Punjab but it was withdrawn after a few months. I venture to submit that since then nothing has transpired so serious as to justify the Government to launch upon this policy of repression and apply this Act to a whole population of five districts or more and to deprive them of their elementary right of freedom of speech for the fault of individuals. The city of Lahore was particularly quiet, but the Act has been applied to a private meeting of the Congress committee held in a private building. Men of high reputation such as the ex-president of the Congress and the late vice-president of this Hon'ble Council have been convicted and punished heavily by magistrates steeped in bureaucratic traditions. This sort of thing will not do at all. In my opinion the Seditious Meetings Act should also be withdrawn and those convicted under it should be released.

The net result of the application of these two odious Acts is that a great deal of confusion is caused in this province. Every day we see hundreds of volunteers parading in the streets fearlessly, fully prepared to go to Jail. Every day we hear meetings being held in contravention of the Seditious Meetings Act. The Government cannot arrest all of them. It becomes a farce: a veritable *tamasha*. Sir, we are not here as mere administrators of law and to make a fetish of law. We should also act as wise statesmen. Statesmen with a large vision and a wider outlook do not decide important questions of policy on the narrow issues of stern enforcement of law at all costs. This is why Mr. Asquith and other liberal and even unionist statesmen in England did not attach much importance to a drastic policy of enforcement of law in Ireland where violent breaches of

law accompanied by murder and arson were committed in the broad daylight. What is true of Ireland is surely true of India—7,000 miles away. England has made peace with Ireland. In India the challenges are very serious. In these evil days "a truce" should be the motto of every Englishman and every right-minded Indian. I am afraid the Englishmen have not properly understood the political forces that are working in this country. They have not probed the psychological changes that have taken place in the minds of the people of India, who consider it a great shame now to remain in a subordinate position. The root causes of all this unrest and discontent are, of course, the swaraj and the Khilafat. I need not enter into the details of these questions. The khilafat wrongs must be righted without further delay. It should be decided in accordance with the wishes of the Mussalmans of India. The treaty of Sevres is an iniquitous document and it is doubly foolish because it cannot be enforced. The integrity of the Turkish Empire must be secured for ever. The swaraj, as I understand, "self-government" within the empire must be given as soon as possible. In order to effect compromise a time limit must be fixed for the transfer of political rights and attainment of Dominion status. Provincial autonomy should be given to the province after the expiration of the present term of the Council. Unless they are redressed there can be no question of any compromise. The immediate causes, however, are the two notifications under the Criminal Law Amendment Act and the Seditious Meetings Act. Both these notifications should be withdrawn and all those persons who are convicted under them should be released. The Government has tried a policy of repression and after a fair trial it has failed miserably. Let us now try a policy of conciliation.

11-19 A. M.

Mr. J. Wilson-Johnston : Sir, I may be permitted to read a few extracts from speeches made in the Amritsar and the Sheikhnpura Districts after the withdrawal of the Seditious Meetings Act in July last. This withdrawal was made by the Government in the hope that reason would assert itself but I think these extracts will show that the Government's hope in this respect was not realised. Not only did the situation not improve but it rapidly deteriorated after that date. These extracts are only a few and I hope they may be of some use in the debate which is now proceeding—

"A foreign Raja, who was ruling the Indians, massacred the people, dishonoured their mothers and sisters, and fed himself by murdering them."

"It is the duty of the Hindus to raise their weapons against those who have come across the seven seas to burn their cottages. It is no sin to raise hands against those who perpetrated the heinous crime of poisoning and murdering people. It is their duty to crush the heads of a people who have disarmed their brethren and then slaughtered them. They would do a sacred duty and not a sin if they did so."

"We wish to ruin those who massacred people to provide colonies for their bastards."

"It was the slaves and sycophants of the Government, and not the Moplahs, who perpetrated the crime of the forcible conversion of Hindus."

"Government has not the least regard and sympathy for . . . and has encouraged . . . to massacre two hundred of our brothers . . . Government has resolved to get our sacred places polluted."

[Mr. J. Wilson-Johnston.]

" Mussalmans should draw the sword and join the Hindus."

11-30 A. M.

Mr. E. Joseph : Sir, the hon'ble member who moved for the adjournment of the house for the purpose of this debate begged the question in saying at the beginning that the present situation had arisen out of the action of the Government in enforcing the Seditious Meetings Act in certain districts and in enforcing the Criminal Law Amendment Act in the province as a whole. He apparently described as dangerous the change from a policy of masterly inactivity into a policy of stern enforcement of law and he apparently desired nothing better or nothing worse than the return to that policy of masterly inactivity, even though the law should be defied to any length. He also said that something more was required than the enforcement of law. He said that wider statesmanship was required than was actually displayed by Government. He went on to say that that eminent Prime Minister of England, Mr. Asquith, and the members of the Unionist Government, attached great importance to such considerations when they were dealing with the Irish question and they took wider and more statesmanlike views and views which embodied more sympathy. The hon'ble mover wished us to follow the same example. I yield to none in my appreciation and admiration of the services that Mr. Asquith rendered to the Empire, but it appears to me that the policy which failed to grapple with the Irish situation in the beginning was responsible for all the misery, or I should say a great deal of the misery, murder, arson and pillage that followed. I think that if Lord Carson's volunteers had been prohibited in the first instance when they should have been prohibited, we should not have had the deplorable tale of murder and civil war that we have had for the last five years in Ireland. Does the hon'ble member wish to see the history of Ireland repeated in India? I feel sure that he does not. Here in India, too, we have tried the policy of non-interference and forbearance. As it has been pointed out, the enforcement of the Seditious Meetings Act terminated, I think, expired practically everywhere in the province by the lapse of time, as it was enforced for six months only, in July last year. The Government bore and forbore for a long time and it was hoped that this would result in an improvement in the attitude of the disturbing elements. But did it do so? We have heard the extracts of speeches from newspapers which have just been read out to us. We found that a crusade of violence and vituperation had resulted. In the last six months perpetual appeals have been made to promote race hatred. We have had from more than one community definite announcements of their intention to take back the *raj* of the Punjab, not in the interests of Hindus and Muhammadans combined, nor in the interests of the country as a whole, but we have had definite assertions that the Sikhs would take back the *raj* themselves and we have had definite assertions that the Muhammadans would take back the *raj* themselves. There cannot be two kings in Bountford at the same time. And if the Government were not to interfere what would be the result of the preachings of these speakers who were advocating openly the assertion of their own authority and crying for the recovery of the rule for their own community in the Punjab. There have been, Sir, in Lahore alone not less than 52 meetings in one week and they were all of a similar and mostly of a violent character. Mr. Wilson-Johnston has just quoted some extracts from various speeches. May I quote one more :—"We pray Anwar Pasha to come to India and break the necks of the traitors who have helped the

Government." Is it to be supposed that the members of this house desire to see Anvar Pasha come to break the necks of a very large number of their fellow Indians or to assert his own equally dominating authority in India? And if this is not to be supposed, do the members of this house wish that such incitements to violence should be allowed to continue unchecked?

The press, Sir, I say it with due deliberation, is choked full of lies. Despite constant repudiation of many lies and constant denials the same lie appears and reappears and reappears. I need only instance one—the story of firing on Mecca. Then, Sir, there is the story of an Englishman who is reputed to have lived on the blood of Indian babies and who, it is said, was sent to Kasauli and there pensioned off on Rs. 20 per mensem. I ask the writers of the papers who print these lies whether they really believe them. The press cannot be so stupid as to believe these stories. I know perfectly well that not one of them believe these stories. Their only object in repeating these stories is to create hatred against the race to which this fabulous monster is said to belong. There is again, Sir, the story of the blinding of thousands of Turkish prisoners who are said to have been given acid baths. The writers who put these stories in their papers and the editors and publishers who permit their papers to be continued on these lines know full well that there is not one word of truth in these stories. They know that the explanation given by Government is really true, namely, that certain Turkish prisoners were given disinfectant baths for very obvious reasons.

Again, Sir, there have been persistent attacks upon the police. There have been attempted boycott, interference and assaults upon the police reporters and other Officers who go to the public meetings. They are either not admitted at all or they are so hustled and submitted to such indignities that their work of reporting becomes practically impossible. If there be nothing at a meeting of which the conveners should be ashamed they would not adopt such tactics. It is not possible for the police to continue their proper duties if they are allowed to be insulted and hindered in their work and never to receive the support of the Government. It is well known that a great number of attempts have been made to induce them to retire and in certain cases they have actually retired sooner than face the difficulties placed in their way. Yet, Sir, at the same time we know that in many districts so much anxiety is being felt that peaceful inhabitants are asking for protection. They are asking for extra police and where they cannot obtain such protection they are in some districts actually arranging and trying to protect themselves by other methods of defence. I can give instances of this as we have only recently consulted the districts as to the position in this respect. But, Sir, perhaps the Council will take my word for it that we have reports from a number of districts of activities of this kind where the inhabitants are trying to arrange other means for their defence because they feel that the position is now so insecure that the police are unable to give them sufficient protection. Then, Sir, I would ask to be allowed to refer also to the activities of these volunteers. It is well known that they attempted, in many cases successfully, to picket cloth and liquor shops. In many cases the cloth merchants have been compelled actually to refuse to carry on their trade. In some cases they have been forced to refrain from giving fresh orders for foreign cloth and if they have been able to carry on their business it has been due to the fact that they had

[Mr. E. Joseph.]

sufficient stock in hand. Then, Sir, there is the social boycott and the pressure on shopkeepers for *kartals*. It is only by the organisation of these Volunteers that the *kartals* been so successful as they have been. When *kartals* are in progress we have examples of the forcible removal of harmless passengers from the carriages in which they are riding. This happened at a stone's throw from this building. Again, Sir, a member of the municipal committee here who wanted to vote in favour of according a welcome to His Royal Highness the Prince of Wales—I could give his name but he would not thank me for doing so—said that he would have to retire for about two months to Delhi if he recorded his vote. There have been attempts to over-awe the magistrates. Only recently in the Court of the District Magistrate here there were about five thousand people shouting and howling to prevent the administration of justice. It is for that reason that it has been found necessary to have recourse to trials in jail where only a limited number of persons can be admitted. These volunteers are the nucleus of the crowds which cause disturbance and alarm. I do not say that they are the only members of the crowds but it is they who organize the crowds and who enlist the support of the rowdies. Things come to such have a pitch that persons living in Anarkali have applied for protection and some of them have had to be removed from their houses for fear of violence. These, Sir, are the difficulties under which the police and the magistracy have to work. These are the events which occurred in increasing numbers since the Seditious Meetings Act was removed in July last. These are the circumstances under which the Government has reimposed the Seditious Meetings Act on three districts only and has proclaimed the volunteers associations under the Criminal Law Amendment Act. I think I have said enough to show that the present political situation has not arisen out of the enforcement of these Acts.

11-46 A.M.

Diwan Bahadur Raja Narendra Nath :—I should like to make only a few remarks as an expression of opinion on the present political situation. I fully realise that when notifications under the Seditious Meetings Act and the Criminal Law Amendment Act were issued, the political circumstances of the country were in a critical condition. My friend Mr. Shah Nawaz has proved, at least to my entire satisfaction, and I am prepared to endorse his views, that the remedy has proved worse than the disease. The policy introduced by the Government lays itself open to attack on three grounds. First of all there have been numerous arrests. Many persons have been sent to jail. There are a number of relations and friends who sympathise with the men who are sent to jail and foster or entertain a feeling of hatred against the Government on that account. The more prominent is the position of the person sent to jail the larger is the circle of his sympathisers. Under the policy which has been inaugurated the leaders of the non-cooperation movement in all provinces have been sent to jail. These leaders have a large following and a great number of sympathisers in their respective provinces.

The second ground for attack is that all these arrests have been made under laws that may rightly be termed repressive laws. They were originally intended to put down revolt. With regard to the Seditious Meetings Act, in the first session of the Council I moved a resolution to the effect that notifications under the Seditious Meetings Act should exempt such meetings as were held to discuss questions coming up before the Council. I am fully

well aware that that resolution was defeated but the point which I wish to urge is this that the right of holding public meetings should not be taken away. Constitutional freedom demands it just as much as the constitutional freedom has been the cause of the reforms scheme which has been introduced. The Criminal Law Amendment Act was, as pointed out by Mr. Shah Nawaz, intended for certain conditions which existed at the time when the Act was passed. I do not for a moment allege that the application of the Act to this Province or the notifications that have been issued under it are in any way illegal but convictions under the Act do not imply moral turpitude and do not wake public opprobrium which is the real guarantee against the commission of crime in all civilised societies. Convictions under these Acts evoke sympathy on a very large scale.

The last but not the least is the fact that the policy inaugurated has failed to achieve its object. When the Bombay riots took place Mahatma Gandhi announced that he was prepared to put off his programme of civil disobedience. The non-cooperation movement has been in existence for a long time and I must say that so far as each single item of this programme is concerned it has failed but it has succeeded in one thing and that is in creating an atmosphere of hostility against Government. Civil disobedience has been immensely strengthened by the introduction of the present policy. Civil disobedience in defiance of law has been precipitated. Hakim Ajmal Khan, if I remember aright, made a remark in his presidential address at the Khilafat Conference that Government had created an opportunity for the introduction of civil disobedience which otherwise would have been wanting. From all accounts received we learn that Mahatma Gandhi is jubilant that he has been able to entrap Government in the snare which he had laid for it. I am fully aware of the fact that there were circumstances which have the appearance of justification for the action taken by Government. I have heard with close attention the cases cited by Mr. Joseph and Mr. Wilson-Johnston, but the answer of the Indian public, the articulate portion of it is: "Why were not those who made those seditious speeches prosecuted? Why were not the volunteers who had encroached upon the liberty of others prosecuted under the ordinary law? Why a whole population and a whole organisation was put under the ban?" To this no answer has been offered by Government officers who have so far spoken on the subject. The object of the introduction of this policy, I understand, has been to prevent intimidation, to maintain law and order and to instil in the minds of the people a respect for law and authority. I ask if these objects have been achieved, or have they been frustrated. So far as my knowledge goes the objects have not been achieved. The Criminal Law Amendment Act has given rise to another difficulty. Volunteers have been enlisting in very large numbers. We hear of processions every day in the cities of Lahore and Amritsar, big processions, and the police is unable to bring about wholesale arrests. The result is that the police is compelled to disperse the volunteers by force. The adjustment of proper force to each case is a very difficult matter and a very delicate matter. The result is that in every case the public are able to accuse the police of the use of unnecessary and excessive force.

In conclusion, Sir, I would only make two suggestions. First of all so far as the present policy is concerned, I would say to Government "Halt". My suggestion can be best explained in the form of

[D. B. Raja Narendra Nath.]

an allegory and it is this. A patient was suffering from a sore and malignant disease. The doctor applied a remedy, assuming that the patient was suffering from fever and his temperature was 104 degrees but the medicine has increased the temperature to 106. All persons interested in the welfare of the patient and all friends of the doctor would advise him to desist from administering the medicine any longer. The doctor would say that the medicine has not been tried sufficiently long, but the friends of the patient and the friends of the doctor would say that any longer use of the medicine would still more aggravate the disease. Another suggestion that I wish to make is this that a Round Table Conference with the leader of the movement who is responsible for all that is happening in the country should be arranged as soon as possible. In the first session of the Council a resolution was brought forward by my friend Maulvi Muharam Ali, Chishti, to this effect and there was a long discussion on that resolution. That resolution would have been repeated if the Standing Orders had permitted it, but I cannot lay too much stress on the necessity of opening negotiations with the leader of the movement who has caused all this trouble.

Mr. President : The debate is limited to two hours. We have already exhausted 1½ hours over two or three speeches owing to the fact that members have spoken in English and their speeches have had to be repeated in Urdu. In the circumstances I have decided in the interests of the Council to stop the interpretation, and to give more members an opportunity of expressing their views.

12-9 P.M.

Khan Bahadur Chaudhri Fazal Ali (Urdu) : Sir, this is not the first time that this question has come up for discussion before the Council. I have been thinking over this problem and it would be gross injustice if we accuse the Government on account of their repressive policy without knowing whether or not the non-cooperators are willing to come to any understanding. It has become a custom with the people to criticise the Government whatever course the latter may follow. The people would be glad only if the non-cooperators be allowed to do anything they liked without any interference on the part of Government. Every Mussalman without any exception has a deep sympathy with the Khilafat question. This Council too passed a resolution to that effect to be presented before His Majesty's Government. This was all that the Government could do. Every one of us has a great respect for Khilafat but the problem becomes very delicate when Government has to deal with persons who carry on seditious propaganda under the garb of religion. During the recent Council elections the position of law-abiding and peace-loving citizens was rendered very miserable. The polling stations were picketed by non-cooperators. Nobody could dare come and vote. Those who attempted were stoned and beaten in many ways. Under these circumstances, is not the Government justified in using force for suppressing such lawlessness? We law-abiding and peace-loving people cannot tolerate to be tormented in any way by these non-cooperators. If Government is not going to protect us we shall be forced to devise our own means of self-defence. If a conflict arise between us and the non-cooperators, I am sure we people shall have to suffer in the end. The Government will ask us then why we

have failed to show forbearance even if there were aggression on the part of non-cooperators. I have to make a complaint against Government too. Why do they fail to show consistency in following their policy of repression? I don't believe the non-cooperators are going to stop at all. Under their false pretence of non-violence they are causing greater havoc than what they could do by violent means. In this Council we have here representatives from every community and of every religion. Can any member say that his religion forbids punishment for criminals who have revolted against a Government established by law? Or does any religion sanction the granting of rewards instead of punishments to such law-breakers? I can safely say that Government are quite justified in pursuing their present policy. They should not discontinue it only for the reason that there is agitation against it. I am afraid the Government will be involved in greater troubles if they do not pursue this policy with the utmost vigour.

Pir Akbar Ali: Sir, may I request the chair to rule that speakers will be allowed only five minutes to enable many to express their views.

Mr. President: I have no power to rule that speakers should take less than fifteen minutes. I have appealed to members that they should curtail their remarks as much as possible. I think it will be advisable if the remarks of hon'ble members are limited to five minutes, but I cannot compel this.

12-23 P.M.

Maulvi Muharram Ali, Chishti (Urdu): Sir, once two logicians discussed the question which existed first—the hen or the egg? We have discussed at length whether the Government or the non-cooperators began this contest. It is doubtful whether the present attitude of the non-cooperators is due to the repressive measures of the Government or that Government's present policy is due to that of the non-cooperators. Anyhow we must not take a one-sided view. We may discuss the situation with an impartial mind so as to reach a satisfactory result. Everybody knows that the pretence of non-violence on the part of non-cooperators is absolutely false. Preaching against violence is to lead people to violence. As a matter of fact it is not essential that violence may be done with a sword or a stick. The non-cooperators are guilty of violence all the same, if not in deed, at least in speech. Everybody knows that the wound of the tongue is more injurious and more lasting than that of the sword. I admit there has been repression by Government, but I believe the non-cooperators are more to be blamed. I would like to know from my friends Raja Narendra Nath and Mian Shah Nawaz whether they can enjoy the same amount of liberty of speech, in meeting a of non-cooperations, as they are doing here in the face of Government. I am sure they won't be able to utter a word against non-cooperators and if they ever attempt it they are sure to be hooted and abused. The non-cooperations movement therefore is a great menace to law and order. It is spreading seditious and revolutionary spirit throughout the country. Is there anything more seditious than to say before a court, "I do not acknowledge this law, this Government and this Court." Again, poisoning the minds of children and small boys with such revolutionary ideas is nothing but to prepare them for rowdyism. The treatment meted out to three loyal Municipal Commissioners at Lahore by non-cooperators because they did not join them in boycotting the Prince was disgusting. What should the Gov-

[Muharram Ali, Chishti.]

ernment do if not embark upon a policy of repressing such lawlessness and rowdyism? I am not going to overlook the mistakes and shortcomings of the Government. The most fatal mistake which the Government are apt to make is that they never care to invite the opinion of uninterested persons. The other fault is that they sleep over a matter when there is time to nip it in the bud and afterwards when the matter reaches an extreme stage they at once become desperate. There is an Urdu proverb, "یا مردہ بولے یا کفن پہاڑ لے" either the corpse does not speak or it shouts loud enough to rend the coffin. Again, when they take any injudicious step they won't recede even if they have full knowledge of their mistake. This is not commendable. Last year in this Council I put forward a proposal to hold a Round Table Conference. Nobody paid any heed to it because the proposal was the result of an Indian brain. Now after one year the Government of India is considering this very proposal. I would advise the Government to appoint a political advisory committee of non-official members which may help them with their valuable suggestions in time of need. The Government should rely upon and trust them.

12-39 P.M.

Pir Akbar Ali (Urdu): Sir, I have heard both sides. On the one hand Raja Narindra Nath is criticising Government for having enforced the Seditious Meetings Act and the Criminal Law Amendment Act and is of opinion that their operation has not produced any wholesome result. On the other hand I have heard Chaudhri Fazl Ali commending the present policy of Government as the only remedy for meeting the non-cooperation movement. I think if the operation of these Acts be stopped the non-cooperators will triumph all the more and they would next venture to incite people against paying taxes and revenues. Moreover what assurance do we have that the non-cooperators will stop this rowdyism if Government give up this repressive policy. If some responsible persons on behalf of non-cooperators give such assurances Government may then agree to change the policy.

12-45 P.M.

Raj Bahadur Lala Sewak Ram (Urdu): Sir, I support Mian Shah Nawaz. The most important thing is that Government should seek advice from this Council. Why should it not care to receive our suggestions? Next we may consider which of the two parties is more to be blamed. I think it is the Government, whose policy is becoming every day more repressive. The non-cooperators are defying law; Government has no right to complain against that because the Government have deliberately been convicting many non-cooperators quite contrary to law. Someone has said why do the non-cooperators fail to defend themselves when they have a right to do so. I think the non-cooperators are quite justified in refusing to defend themselves because they don't expect any justice from the courts. They consider themselves to be already convicted when arrested, so they do not bother themselves with any defence. In my opinion the Government should deal with the situation more leniently and give up repression.

12-50 P.M.

The Hon'ble Sir John Maynard:—Sir, I will not be able to say all that I had to say because the time is so very short and I shall not repeat anything

of what has already been said by my friends Mr. Wilson-Johnston and Mr. Joseph in explaining the situation which came into existence after the Government had as an experiment given up the application of special legislation in July last. I have been perhaps the most prominent advocate of a policy of leniency. I regret to say that I have found that policy taken by itself has failed. I have been convinced by circumstances. I have found that it was impossible to deal with the people in the manner in which I had hoped that it would be possible to deal. That is the change which has been produced in me by the facts of my own experience. I am not going to relate further the facts which have already been mentioned but I must point out one matter to which the attention of this House has not yet been drawn. It is not only the violence of speech, the violent writing and the demonstration of crowds in the towns and the volunteers, it is not only these things which have convinced me that the policy of leniency taken by itself has failed. It is something more than that. It is the sinister phenomenon which threatens the happiness and prosperity of this province even more seriously than these things do. During the period in which agitation has been acute there has been an immense increase in violent crime. It is a thing which touches Government in so far as Government is the protector and helper of the people and feels sympathy for their sufferings, but the actual pains and penalties of such violent crime fall upon the people themselves. Crime has increased in the province in an alarming manner and insecurity is existing now in many places where a few years ago peace and order were perfectly maintained. If it be asked me what are the causes of this increase in violent crime, I say no doubt the economic causes have contributed to it but there is another cause too. It is not possible to have the defenders of order and of peace systematically vilified, attempts daily made to seduce the police from their duty and to prevent them from carrying out their work. It is not possible to have men of light and leading perpetually persuading their fellow countrymen that the law is a thing to be disobeyed, without deeply affecting the minds of those people who are only too glad to have an opportunity of plundering their fellow creatures. We all know the nature of the typical uneducated man of the lower class, ignorant, ready, only too ready, to oppress his neighbour when the risks of penalties are withdrawn. As long as he believes that there is the strong arm of Government which would punish him if he commits an offence he is all right. He is like a child who is kept in good order. As soon as he believes that this strong hand is withdrawn or is convinced that this strong hand has been weakened then he naturally turns to courses which are profitable to himself, and the result is an enormous increase in violent crime.

Sir, we have heard much from various people of non-violence in the schemes of the non-cooperators. I shall not give many examples to show how false and vain is this pretence of non-violence. The one word Bombay should be enough to remind you how baseless and untrue it is. We all know the class of men who are known as "gundas", people who live one does not know how, by all manner of unlawful deeds of gambling, robbing and so on. Think for yourself what is the position of such a man when a saint comes to him and says "The law is not a thing to be obeyed". Is it not obvious that formerly lawlessness was to him a pleasure, now it has become a duty too. My friend, Raja Narendra Nath, gave us an example of the physician who made an error in the application of medicine to his patient, and I think by

[Sir John Maynard.]

implication he asked me to say what sort of medicine I should apply in such circumstances. Well, my answer is this. My patient is in a delirium. I would tie him down and hold him to his bed and then afterwards I would administer some soothing medicine in order to cure him. It is as though a very dear friend of mine had suddenly seized a big club, as the mace on the table, and rushed at me in his madness to strike me. What shall I do? Shall I allow him to hit me? No, I shall first take from him the club and afterwards I will administer to him the medicine which will cure him. Sir, that is my feeling at the present moment towards these persons who are conducting this agitation. They are still my dear friends but I would take from them the weapon and afterwards endeavour to cure their disease.

I realise that many of those who have spoken here in this House are my friends. I know that some even of those who have spoken most unsympathetically are far from being enemies. But as I listened to the words of those who appeared to be most strongly convinced of the errors of Government, I felt the truth of what Maulvi Muharram Ali Chishti afterwards said. What more perfect testimonial could there be to the reasonableness and forbearance of the Government than the boldness of those persons who venture to express themselves with so much freedom against it?

What, Sir, would happen to one of these gentlemen who have spoken against Government to-day if he had risen in a meeting of non-cooperators and there said about non-cooperators one half of the things here said about Government. Sir, I venture to say that there is not one of them who would have had the courage to say one word before such an audience of his own brethren or if he had had the courage he would have been booted down.

There is one more word I have to say. I have spoken of the patient in delirium. The first thing to do is to secure him and then administer to him a soothing medicine. I am prepared, quite prepared, to administer this soothing medicine. I am quite prepared—and I say this on behalf of Government—that there should be on the part of both a cessation of activities. If we can have the assurance of responsible men that all anti-Government activities on the part of the Khalafat workers and Congress shall be suspended, that there shall be no more public parading of volunteers, no more intimidation and insult, no more violent speaking and writing, no more talk of civil disobedience if those assurances are given by responsible leaders, then, Sir, this Government will be only too happy to cease the application of the special legislation which is its weapon against disorder and violence.

Mr. President: Two hours have now elapsed. The debate automatically stands adjourned under the Standing Orders. The Council will meet again at 2 P. M. in the afternoon.

(The Council re-assembled at two of the clock.)

QUESTIONS AND ANSWERS.

TIME FOR OPENING THE *Rajbhas* IN GURDASPUR DISTRICT.

1149. Chaudhri Ali Akbar.—(a) Is it a fact that after reaping the *sinje* and *masur* crops land is ploughed for the purpose of sowing sugar-cane; that

in the Gurdaspur District *Rajbahas* are opened on the 1st or the 15th of April, no matter whether the crop is that of sugar-cane or rice, and that the water-rate charged for sugar-cane is about $1\frac{1}{2}$ times as much as that charged for rice.

(b) Will Government, in order to enable farmers to sow the seed of sugar-cane in March, instruct the Irrigation Department to open the *Rajbahas* in the Gurdaspur District on the 15th of March instead of in April?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.—I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

SUGAR-CANE CROPS IN GURDASPUR DISTRICT.

1150. Chaudhri Ali Akbar.—(a) Is it a fact that sugar-cane crops are much damaged owing to excessive frost in January, and that this can be avoided if the crops are well watered before January?

(b) If the answer to the above is in the affirmative will Government be pleased to instruct the Irrigation Department to make arrangements for watering the sugar-cane crops in Gurdaspur in December or in the beginning of January?

(c) If the Irrigation Department is not able to do so, will Government be pleased to equalise the water-rate for sugar-cane and rice in Gurdaspur?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.—I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

CONTRACTORS FOR THE SUPPLY OF PROVISIONS TO TOURING OFFICERS.

1151. Chaudhri Ali Akbar.—(a) Is it a fact that Government have appointed contractors for supplying provisions to all touring officers, who are accompanied by ten or more persons?

(b) Is it also a fact that many officers are not accompanied even by ten persons?

(c) If the answer to (a) and (b) is in the affirmative, will Government be pleased so to arrange that contractors should supply provisions to all officers irrespective of their status and position.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.—(a) and (b) The answer is in the affirmative.

(c) Deputy Commissioners have already been authorised to extend to camps consisting of less than ten persons the system of provision of supplies by contractors provided that the budget allotment for the purpose is not exceeded.

DEPRIVATION OF ADULTEROUS WIDOWS OF THE PROPERTY OF THEIR HUSBANDS.

1152. Chaudhri Ali Akbar.—Is it a fact that a widow who commits adultery is not deprived of the property of her deceased husband even though she may have a child born out of wedlock? If so, will Government be pleased to amend the law on the subject?

The Hon'ble Sir John Maynard.—The question is within the purview of section 5 of the Punjab Laws Act and is therefore governed by custom. The prevailing custom in the Punjab is given in Article 31 of Rattigan's Digest of Customary Law which runs as follows :—

“ Amongst Hindus generally and less frequently amongst Muhammadans uncondoned adultery in the husband's lifetime deprives a widow of her right to succeed to his estate ; and her unchastity as a widow sometimes causes a forfeiture of her life-interest in that estate. But the *onus* is on those who assert the existence of a custom sanctioning forfeiture.”

As a matter of judicial experience, it has been found that the custom varies considerably both in tribes and in localities and probably the most widely spread variant of the custom is that unchastity does not involve forfeiture unless it is proved by the birth of an illegitimate child or the widow has left her late husband's house.

It is open to any member of the Council who thinks that the law requires amendment to take the necessary measures to introduce a Bill to amend it.

COMMUNAL REPRESENTATION AMONG TAHSILDARS AND NAIB-TAHSILDARS IN GURDASPUR.

1153. Chaudhri Ali Akbar.—Will Government be pleased to state—

- (a) the number of Tahsildars and Naib-Tahsildars in the Gurdaspur district ;
- (b) the number of Hindus and Muhammadans respectively amongst them ;
- (c) the number of tahsils in the Gurdaspur district, where both the Tahsildars and Naib-Tahsildars are either Hindus or Muhammadans ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The information asked for will appear from the following tabular statement :—

Tahsil.	Tahsildar.	Naib-Tahsildar.
1. Gurdaspur	1 Hindu	1 Sikh, 1 Muhammadan.
2. Batala	1 Hindu	1 Hindu, 1 Sikh.
3. Pathankot	1 Hindu	1 Sikh.
4. Shakargarh	1 Sikh	2 Muhammadans.
Total	4 (3 Hindu, 1 Sikh)	7 (1 Hindu, 3 Sikh, 3 Muhammadans.)

It will be seen that there is one Tahsil in which the Tahsildar and one of the Naib-Tahsildars are Hindus.

1154. **Chaudhri Ali Akbar.**—Is it a fact that there are only one or two Muhammadan Tahsildars and Naib-Tahsildars in the Gurdaspur district? If so, will Government consider the desirability of equalising the number of Hindu and Muhammadan Tahsildars and Naib-Tahsildars in the district?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.—The facts will appear from the answer to question 1153. The postings are regulated by the Commissioner of the Division, and Government does not propose to fetter his discretion.

COMMUNAL REPRESENTATION AMONG MUNSIFS.

1155. **Chaudhri Ali Akbar.**—Will Government be pleased to lay on the table a statement showing—

- (a) the number of Munsifs in the Province;
- (b) the number of Hindus and Muhammadans respectively amongst them;
- (c) The number of agriculturists and non-agriculturists, respectively amongst them?

Mr. E. Joseph.—I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

INCREASING THE NUMBER OF AGRICULTURIST MUNSIFS.

1156. **Chaudhri Ali Akbar.**—Will Government be pleased to state if it is a fact—

- (a) that *Sahukars* are non-agriculturists;
- (b) that a large number of Munsifs belong to the money lending class;
- (c) that the majority of respondents in civil suits are agriculturists?
- (d) If the answer is in the affirmative, will Government consider the desirability of increasing the number of agriculturist Munsifs?

Mr. E. Joseph.—I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

VILLAGES IN GURDASPUR DISTRICT DAMAGED BY *seema* FROM THE UPPER BARI DOAB CANAL.

1157. **Chaudhri Ali Akbar.**—With reference to the reply given to question No. 903 (b), will Government be pleased to state the number of villages on the Upper Bari Doab Canal in the Gurdaspur District whose houses, gardens and lands have suffered damage or are being damaged through *seema* from the canal?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.—I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

PAY OF CLERKS IN THE IRRIGATION DEPARTMENT.

1158. **Chaudhri Ali Akbar.**—Is it a fact that owing to the introduction of the new scale of pay in the Irrigation Department some of the senior clerks are getting less pay than junior and even temporary clerks?

If so, will Government be pleased to grant all senior clerks a uniform increase of 40 per cent. or a special increment in pay so as to enable them to get more pay than junior clerks?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The answer is in the affirmative. At the same time every clerk has gained by the revision of the scale, and no one has suffered in position relatively to his juniors.

[Questions Nos. 1159 and 1160 were not put owing to the absence of Malik Firoz Khan, Nun.]

COMMUNAL REPRESENTATION IN THE FOREST DEPARTMENT.

1161. Mian Ahmed Yar Khan, Daultana.—(a) Will Government be pleased to state the number of gazetted posts held by Indians in the Forest Department at present (both permanent and officiating)?

(b) How many such posts (held by Indians) are enjoyed—

(1) by agriculturists, and

(2) by Mussalmans?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—It is regretted that the material for the reply to this question is not yet forthcoming. The information is being collected and will be communicated to the hon'ble member as soon as available.

COMMUNAL REPRESENTATION IN CANAL DEPARTMENT.

1162. Mian Ahmad Yar Khan, Daultana.—(a) Will the Government be pleased to state the number of gazetted posts held by Indians in the Canal Department (both permanent and officiating)?

(b) How many such posts are enjoyed—

(1) by agriculturists, and

(2) by Mussalmans?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) The number of gazetted posts held by Indians in the Canal Department is 144.

(b) Of these—

(1) 22 are held by agriculturists, and

(2) 23 by Muhammadans.

APPOINTMENT OF A MILITARY OR CIVIL SERVICE OFFICER TO THE POST OF INSPECTOR-GENERAL OF POLICE.

1163. Mian Ahmad Yar Khan, Daultana.—(a) Has the post of Inspector-General of Police ever been held (1) by a military officer, or (2) by a member of the Civil Service in the Punjab?

(b) If so, does the Government intend to continue or abandon the practice of appointing such officers?

(c) If the answer to (a) is in the negative, does the Government propose to consider the question of appointing a member of the Civil Service (Punjab Commission) to the post of Inspector-General when vacancies occur?

The Hon'ble Sir John Maynard.—(a) During the 35 years of my service in the Punjab, no member of the Indian Civil Service has held the post of Inspector-General of Police in the Punjab. It has been held by Officers who, originally military officers, have served for long periods in the Police Department.

(b) There is no practice of appointing officers who are not members of the Police Department, but there is nothing to prevent the Government from appointing an Officer from outside the Department, for sufficient reasons.

(c) This is a matter which would naturally be considered only when a vacancy exists.

POSTPONEMENT OF ASSESSMENT OF LAND REVENUE IN KABIRWALA AND KHANEWAL TAHSILS.

1164. Mian Ahmad Yar Khan, Daultana.—(a) Is it a fact that the new assessment of land revenue has been postponed in Shujabad Tahsil in Multan District for some time?

(b) Does the Government propose to extend this privilege to Kabirwala and Khanewal Tahsils as well?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) The introduction of the new assessment of the Shujabad Tahsil has been postponed till *Kharif* 1922 because of the bad harvests of 1920-21.

(b) The assessments of these tahsils were actually introduced with effect from *Kharif* 1919 and 1920 respectively and consequently their introduction cannot now be postponed.

COMMUNAL REPRESENTATION IN CERTAIN DEPARTMENTS OF GOVERNMENT.

1165. Rai Bahadur Lala Sewak Ram: Will Government be pleased to state what is the percentage of Muhammadans and Sikhs in the Provincial gazetted branch of the following departments of the Government :—

- (1) Police.
- (2) Co-operative Credit Societies.
- (3) Agriculture.

The Hon'ble Sir John Maynard: (1) The details regarding the Punjab Police Service are as follows :—

- | | |
|------------------------------|--|
| (a) Muhammadans 48 per cent. | } Permanent and s. p. t. appointments. |
| Sikhs 7 per cent. | |
| (b) Muhammadan 50 per cent. | } Temporary Appointments. |
| Sikhs 7 per cent. | |
| (c) Muhammadans 75 per cent. | } Officiating appointments. |
| Sikhs 13 per cent. | |

The Hon'ble Lala Harkishan Lal : (2) & (3) There is no special staff for Co-operative Credit Societies only. There are seven Provincial service officers under the Registrar, Co-operative Societies, and 15 officers of the Provincial agricultural service. The percentage of Muhammadans and Sikhs in these Departments is—

		<i>Muhammadans.</i>	<i>Sikhs.</i>
Co-operative Societies	...	60	40
Agriculture	...	27	33

Rai Bahadur Lala Sewak Ram : Is it proposed to assimilate the percentage in these services to that laid down by the Minister for Education in the Medical and Education Services ?

The Hon'ble Sir John Maynard : So far as the Police service is concerned it is determined by the extent to which qualified members of each community present themselves for appointment to the department. The answer to the question is, no. With regard to the Co-operative Societies and Agriculture Departments, my friend the Hon'ble Lala Harkishan Lal will answer.

The Hon'ble Lala Harkishan Lal : There is no such proposal before Government.

SELECTION OF UPPER SUBORDINATES FOR THE PROVINCIAL ENGINEERING SERVICE.

1166. Rai Bahadur Lala Sewak Ram.—Will Government be pleased to state what are the principles on which selection from Upper Subordinates to the Provincial Engineering Service is made ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.—Reference is invited to Government of India, Public Works Department, Resolution* Nos. 192-E.A. and 441-E.A., dated 1st April 1920 and 16th July 1920, respectively, copies of which are placed on the table.

1167. Rai Bahadur Lala Sewak Ram.—Will Government be pleased to state if all the posts which had to be filled by selection : (a) from Upper Subordinates to the Provincial Engineering Service and (b) from the Lower Subordinate to the Subordinate Engineering Service, have been filled ? If not, to what is the delay due ?

The Hon'ble Lala Harkishan Lal : (a) The full number of appointments have not yet been made. It may be explained that the sanctioned cadre of the Provincial Engineering Service is twenty-four. Eighteen appointments from selected Upper Subordinates and temporary engineers have already been made leaving six vacancies which, under the orders of the Government of India, have to be reserved for passed students of the Roorkee Engineering College.

(b) See answer to (a). The total sanctioned cadre of the Subordinate Engineering Service, including the Upper and Lower Subordinate "Residue" Services is 100. Eighty-five appointments have already been made and the remaining 15 are open to be filled partly by qualified men from the Government School of Engineering, Rasul, and partly by Subordinates now in the Residue Services when the latter qualify for appointment.

GRANT OF JAGIR TO LALA SRI RAM, SUD.

1168. **Rai Sahib Lala Thakar Das.**—(a) Will the Government be pleased to state if it is a fact that Lala Sri Ram Sud has been granted a jagir by the Government?

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

- (i) the location, character and value of the jagir;
- (ii) the reasons which have prompted it to bestow the jagir;
- (iii) whether the jagir is personal for the lifetime of the grantee or is it to become hereditary in the family of which Lala Sri Ram Sud is the head; and
- (iv) Whether it will lay on the table the correspondence that has passed between Lala Sri Ram and itself relating to the grant of the said jagir together with the recommendations of the various Government officers concerned in the matter?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.—(a) The Punjab Government has not granted any jagir to the officer mentioned in the question, nor has it recommended any such grant.

(b) Does not arise.

TREATMENT BY POLICE OF THE LAHORE AND AMRITSAR VOLUNTEERS.

1169. **Rai Sahib Lala Thakar Das.**—(a) Is it a fact that serious allegations of maltreatment have been made against the Lahore and Amritsar Police in dealing with the Volunteers at those places immediately following on the arrests of the non-co-operation leaders?

(b) If so, will Government be pleased to consider the advisability of appointing an independent committee of enquiry to make a searching investigation into the matter?

The Hon'ble Sir John Maynard: (a) Allegations of the kind specified in this question have been made. The only specific cases of injury inflicted which have so far come to light are, first, the case of a man who was alleged to have been killed, but was subsequently ascertained after enquiry to have been quite well two days after the date of the injury, and secondly, the case of the Constable who was seriously injured in the execution of his duty by a brick which was thrown at him. The question appears to indicate some misunderstanding. Sections 127 and 128 of the Criminal Procedure Code contemplate the use of physical force to disperse an unlawful assembly which does not disperse on being ordered to do so. The force employed must not be more than is sufficient to compel obedience to the order; but if persons do not obey the order to disperse till force is applied, it is inevitable that they should receive hurt of some kind.

(b) The Commissioner of Lahore has been directed to report on specific allegations of injury to individuals.

PRESS SEARCHES IN LAHORE.

1170. **Rai Sahib Lala Thakar Das:** (a) Is it a fact that several printing presses in Lahore were searched indiscriminately in the beginning of October, that nothing resulted from the searches, and that much harassment and dislocation of their business was caused to the presses concerned?

(b) If so, will Government be pleased to state the reasons it had for instituting these searches and the source on which its information was based?

(c) Will Government also be pleased to state how it has dealt with the persons who furnished the baseless information, and whether it proposes to compensate the presses concerned for the dislocation caused to their business, and how?

The Hon'ble Sir John Maynard : (a) Three presses, namely, the Shauq Press (also known as the Congress Electric Press), the Hindustan Press, and the Hindu-Muslim Press, the premises of the *Zamindar* newspaper and the office of the Punjab Khilafat Committee were searched on the 16th September, 1921, in connection with the publication of a pamphlet in Urdu entitled "*Tamam Hindustan ke Alimon ka Sharai Fatwa*" (Religious Fatwa by all the Ulama of India), and of a Fatwa in Urdu entitled "*Muttifiga Fatwa*" (Unanimous Fatwa) published in the issue of the *Zamindar*, dated the 5th August, 1921, both of which were proscribed by the Punjab Government in its notifications Nos. 22807-J. and 22808-J., dated the 8th September 1921.

153 copies of the "*Muttifiga Fatwa*" and a copy of the *Zamindar*, dated the 5th August, 1921, in which this Fatwa was reproduced were found in the Punjab Khilafat Office.

73 copies of the issue of the *Zamindar*, dated the 5th August, 1921, were found in the *Zamindar* Newspaper Office.

Two copies of the "*Muttifiga Fatwa*" were recovered from the premises of the Hindu-Muslim Press. The Manager admitted having printed 1,000 copies at his press at the request of the Lahore Khilafat Committee.

Nothing was recovered from the premises of the Shauq Press, but it was admitted that 3,200 copies of the Fatwa had been printed in pamphlet form and 5,000 copies had been printed in form of a poster on behalf of the Lahore Khilafat Committee, and the fact was verified by an examination of the press registers.

(b) The reasons for the searches are indicated in the reply to (a). The Fatwas had been proscribed and the presses and offices searched had been concerned in printing and publishing them. The source of information leading to the searches will not be disclosed.

(c) The information received was not without foundation and no case for the payment of compensation has arisen.

USE OF FORCE BY POLICE AT LAHORE AND AMRITSAR.

1171. Mr. Ganpat Rai : (a) Is it a fact that excessive physical force was used by the police at Lahore and Amritsar on the 13th and 14th December 1921 and that hurt was caused thereby to certain people?

(b) If so, what action has Government taken against the offending police officers and men?

The Hon'ble Sir John Maynard : (a) Force was used by the Police under the provisions of Sections 127 and 128 of the Criminal Procedure Code, for the dispersal of unlawful assemblies. There is no reason for supposing that it was excessive.

(b) The hon'ble member is referred to the answer given to question No. 1169.*

Mr. Ganpat Rai : Is it a fact that for the use of such force in Lahore a reward of Rs. 3 per head per constable was given to those who used this force ?

The Hon'ble Sir John Maynard : I have no information that such is the case, but I will enquire.

WATER-LOGGING IN CHAKANWALI.

1172. **Mr. Ganpat Rai :** (a) Has Government received a memorial from the zamindars of village Chakanwali, Tahsil Wazirabad, District Gujranwala, complaining that nine-tenths of their lands has been rendered useless by means of water-logging on the Lower Chenab Canal ?

(b) What action does Government propose to take to prevent such water-logging, and will it make suitable compensation to the zamindars of the village ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Yes. The memorials are now under consideration.

(b) Compensation is granted wherever claims are established.

GRIEVANCES OF CIVIL SUB-ASSISTANT SURGEONS IN THE PUNJAB.

1173. — **Mr. Ganpat Rai :** (a) Has the attention of the Government been invited by the Civil Sub-Assistant Surgeons in the Punjab to their grievances ?

(b) If grievances do exist what action has Government taken or does it propose to take to remove them ?

The Hon'ble Khan-Bahadur Miran Fazl-i-Husain : (a) The reply to the first part of the question is in the affirmative.

(b) Government considered with care and sympathy all the representations made to them. All that could be accepted with due regard to the interests of the tax-payer have been accepted and the remainder rejected.

Mr. Ganpat Rai : Is it a fact that the Punjab Government in the medical department has passed orders over-riding the orders of the Government of India as regards certain privileges of the Sub-Assistant Surgeons ?

Chaudhri Bans Gopal : I regret I am not in a position to answer this question at once. I should require notice of this question.

BUILDING SITES IN SARGODHA.

1174. **Rai Sahib Lala Thakar Das :** (1) Will Government be pleased to state whether the purchasers of sites in Sargodha from 1915 to 1918 were compelled under penalty of forfeiting their sites to build upon them within 18 months of the date of purchase ; whether the sites were duly built upon, and whether municipal taxes have been realised from the owners since ?

(3) If the reply is in the affirmative, will Government be pleased to say whether drainage, pavement, water-pipes and lights have yet been provided in the above blocks of houses and shops, and if not, why not, and when will the want be supplied?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

COLONEL RENNICK'S ORCHARD.

1175. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state when it will give the answer to question No. 1109 relating to Colonel Rennick's Orchard promised on the 10th November last?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Efforts are being made to obtain an alternative site for the Kulu Forest Offices. Until their result is known a complete answer to question No. 1109 cannot be given.

ADMISSION TO GOVERNMENT, MEDICAL AND TRAINING COLLEGES.

1176. Diwan Bahadur Raja Narendra Nath : Will the Hon'ble Minister for Education be pleased to state whether orders have been issued by him to the Principals of the Government, Medical and Training Colleges to the effect that admission to these institutions must be regulated on a communal basis, *viz.*, Muhammadans 40 per cent., Sikhs 20 per cent. and others 40 per cent. including 5 per cent., from North-West Frontier Province?

If so, will he be pleased to lay on the table the instructions issued by him?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : No such instructions have been given in connection with the Central Training College.

1. In regard to the Government College, I would refer to the answer given to question No. 741, a copy of which is placed on the table.*

2. With regard to the King Edward Medical College, a copy of the

*Letter No. 29205-Med., dated the 23rd November 1921, from Secretary to Government, Punjab. Transferred Departments, to the Inspector-General of Civil Hospitals, Punjab.

instructions* issued to the Inspector-General of Civil Hospital is laid on the table.

3. In the case of the Central Training College, it has not been found necessary to issue any instructions.

(Answer to Question No. 741.)

(a) The following statistics show that there has been a paucity of Muhammadans at Government College for some years past :—

Percentage of Muhammadan students rolls of the College for the past five years—

1916-17	...	23.2 per cent.
1917-18	...	15.2 " "
1918-19	...	19.2 " "
1919-20	...	18.9 " "
1920-21	...	23.2 " "

(b) A different procedure has been adopted in regulating admissions this year with the result that 43 out of 64 Muhammadan applicants have been admitted.

(c) While recognising that larger number of Muhammadans should be admitted to the college, Government does not feel that half the vacancies can be awarded to Muhammadans forthwith. If suitable and duly qualified Muhammadan Candidates are forthcoming they will be admitted up to 40 per cent. of the total number of new admissions, i.e., admissions of students (previously reading in other institutions) to the first and third years' classes.

No. 29205-Medl, dated the 23rd November 1921.

From—The Secretary to Government, Punjab, Transferred Departments,
To—The Inspector-General of Civil Hospitals, Punjab.

IN continuation of Punjab Government letter No. 27623, dated the 8th November, 1921, I am directed by the Punjab Government (Ministry of Education) to say that for the present admissions to the King Edward Medical College, Lahore, should be regulated with a view to attaining the following distributions :—

Muhammadans	...	...	...	40 per cent.
Sikhs	...	...	...	20 " "
Others	...	...	...	40 " "

This is for admissions from the Punjab and exclusive of five students to be admitted annually from the North-West Frontier Province.

2. It should be understood that within each of these percentage groups, educational qualifications will be the sole test, subject to the existing concession to the sons of medical men.

3. 40 per cent. is the minimum percentage guaranteed to Muhammadans with requisite qualifications, provided they have passed in the Second Division.

GRANT OF JAGIR TO RAI SAHIB SIRI RAM, SUD.

1177. **Diwan Bahadur Raja Narendra Nath:** Is it a fact that a recommendation has been made by the Punjab Government for the grant of a jagir to Rai Sahib Siri Ram, Sud, for his services during the disturbances of 1919? If so, will Government be pleased to state what is the amount of compensation recommended by the Compensation Committee presided over by the Commissioner of Lahore to be given to those who received bodily injury or suffered loss of property in consequence of orders passed by the said Rai Sahib?

The Hon'ble **Sardar Bahadur Sardar Sundar Singh, Majithia:** Reference is invited to the answer to question No. 1168.*

APPLICATION OF THE CRIMINAL LAW AMENDMENT ACT TO THE PUNJAB.

1178. **Diwan Bahadur Raja Narendra Nath:** Will Government be pleased to state the facts which justified the application of the Criminal Law Amendment Act to the Punjab; how many convictions have taken place under the Act up to 20th December 1921?

The Hon'ble Sir John Maynard : Numerous cases of intimidation, insult and annoyance of private persons were reported on the part of members of the Volunteers Associations which have been declared unlawful under part II of the Criminal Law Amendment Act. In some cases complaints were made by persons who did not venture to go about their lawful avocations by reason of such intimidation, insult and annoyance, and proposed to leave their houses and go elsewhere in consequence. The Volunteers were particularly active in enforcing the *hartal* on November 17th and tonga drivers and the occupants of vehicles were assaulted in Lahore. The number of members of unlawful associations convicted up to December 20th was 68.

RESOLUTIONS.

RESOLUTION RE EXTINCTION OF ANNUAL CONTRIBUTION PAYABLE TO GOVERNMENT OF INDIA.—(contd.)

Mr. President : The motion before the Council is—

“ That the Finance Committee of this Council be instructed to examine the question of the annual contribution to be paid by the province to the Governor-General in Council under Devolution Rule 17 with a view to the total extinction of the contribution within the next two years, and its reduction by at least one-half from the beginning of this financial year; and further, to take such steps as are necessary to that end, and to make a report on the subject to the Council within two months.”

2-14 P.M.

Mr. Ganpat Rai : Sir I beg to move.

“ That after the word ‘total’ the words ‘and immediate’ be added.”

The object of my amendment is that we want funds at once as explained yesterday by the hon'ble mover who gave details of the deficit which we have this year and which we expect next year. For this reason it is imperative that we should have revenues at our command immediately in order that there should be no deficit. Now the reasons why I want immediate extinction are these: During the war this province devoted itself wholly to winning the war and exercised great economy and it was very slow in spending the revenues at its disposal. The result of this was that the balances of the province accumulated and an amount to the extent of one crore belonging to this Province is with the Government of India which we have not been able to get.

Then, Sir, another reason why we are burdened with such a heavy contribution and practically double of what we would have otherwise paid has been explained by the Finance Member of India before the Legislative Assembly that the land revenue in this Province is elastic, while in the case of Bengal in whose case this contribution has been waived for a certain number of years, the land revenue was inelastic. I submit, Sir, that that is no reason for burdening this Province with such a heavy contribution. As a matter of fact, that is one reason why the agriculturists in this Province complain that they have to pay double the amount of the contribution that they would have otherwise paid and that the burden was very heavy on them, simply because our land revenue system is elastic. I therefore submit that it should be made inelastic as in the case of Bengal. Then another reason which was given in the Legislative Assembly is that the excise revenue is going down in this Province, and from the information which I have been

able to gather from a rough estimate there was a deficit of about forty lakhs in the current year and we expect that the deficit under that head will be more than forty lakhs next year. Then, Sir, when we compare this Province with other provinces which are making contributions and are favoured provinces I find that we are backward in education as also in industries, and that is another reason why we should have immediate extinction of our contribution. Then, Sir, we have been told that unless some money is found by one way or the other we must start with a fresh taxation. I submit, Sir, that to burden this Province with any more taxation at the present time and especially the poorer people of the Punjab is an impossibility. This Province practically starved during the time of War and the result was that when the joint Parliamentary Committee sat in England, this Province was practically unrepresented. Then, Sir, in the year 1920 a sum of ninety-one lakhs of rupees was to be provided for raising the salaries and allowances of the non-gazetted establishment in this Province and that came into effect from the 1st October 1920. Since then this expenditure has gone up and it is now more than one crore. That is another reason why the contribution should be waived. Lastly, I would say that having regard to the services which this Province has rendered during the war in supplying combatant and non-combatant recruits, the Government of India should immediately waive this contribution altogether. For these reasons I beg to move my amendment.

2-22 P.M.

Mian Bell Ram (Urdu) : Sir, for the convenience of rural members I would speak in Urdu. The question before us is that the contribution of Rs. 1,75,00,000 paid to the Government of India by the Punjab should be reduced by half. As a matter of fact our needs do not permit of paying even the other half. This Province deserves to be treated in the same way as Bengal which is required to pay only a contribution of Rs. 65,00,000 per annum. Moreover, Bengal enjoys the benefits of permanent settlements. On the other hand this Province has no such benefits and a large amount of expense and trouble have to be incurred in connection with new settlements. The zamindars of Bengal have other means to improve their condition. Land tax is, after all, not the only source of Government revenue. There are also other sources such as stamps and taxes. It is a pity that the demand for contribution should be met by overburdening the zamindars. Unlike Bengal, Punjab is very backward educationally, and in order to effect an improvement money is needed. To enable us to have money for our needs our share of the contribution should be remitted. Punjab was foremost in assisting Government during the war, for which it ought to be given some recompense. If we cannot receive better treatment than that accorded to Bengal we should at least be treated on a par with that province, especially when we are lagging far behind in the matter of progress. I support the amendment.

2-27 P.M.

Sayad Muhammad Husain (Urdu) : Sir, the resolution is a very important one. We have a deficit of over one crore in connection with the fresh expenditure and we have been unable to meet the requirements of education, agriculture and sanitation. We need money badly. I understand that Bengal's contribution of Rs. 65,00,000 has been totally remitted. Our

[Sayad Muhammad Husain.]

request is not only that one-half of our contribution should be remitted within two years but that the contribution itself should be done away with. Unlike Bengal, new settlements are made in the Punjab almost every year to the great inconvenience and hardship of the people. Notwithstanding the fact that the Punjab rendered signal service during the war we have as yet received no requital for that service. We can make no headway in the path of progress until we are provided with sources of income and expenditure. I am told that the Government of India is indebted to us and it still owes us one crore on account of education. It, therefore, behoves it, in view of the Punjab's services, to remit the contribution *in toto*. I strongly support Lala Ganpat Rai's amendment because I know that the amendment is calculated to promote the wellbeing of the zamindars of this Province in particular and of its people in general.

2-30 P.M.

Raj Bahadur Lala Sewak Ram (Urdu) : Sir, all that we desire is that we might effect a saving for ourselves, but all the same we should not lose sight of the needs and difficulties of the Government of India. The total stoppage of our contribution will land them in difficulties. The suggestion for total stoppage is, to my mind, impracticable. Only the resolution, as it stands, should receive support. I oppose the amendment on account of its impracticable character. Only the resolution, as it stands, should be accepted.

2-34 P.M.

Mr. President : The amendment before the Council is—

“ That in line 5 after ‘ total ’ insert ‘ and immediate. ’ ”

The amendment was carried.

2-35 P.M.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

“ That in lines 5-7 leave out ‘ within the next two years, and its reduction by at least one-half ’ from the beginning of this financial year. ”

Sir, my first amendment having been accepted by the Council, my second amendment which is supplementary to the first is bound to be accepted also, as it is intimately connected with the first amendment, and indeed is only formal.

Mr. President : I will now put the amendment to the Council.

The amendment was carried.

2-37 P. M.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

“ That in lines 8 and 9 leave out ‘ and to make a report on the subject to the Council within two months. ’ ”

Sir, the third amendment standing in my name is that the words ‘ and to make a report on the subject to this Council within two months ’ should be omitted from the resolution. The two months’ time will be up in April and by that time we shall have applied to the Government

of India. As we need money so badly a wire should be sent to the Government of India so that our application for stoppage of contribution might be granted without delay and our financial position, which is weak, strengthened. Will it not be a good thing if we are relieved from the burden of contribution from April next

2-39 P. M.

The Hon'ble Sir John Maynard : Sir, I support this amendment on the ground that two months will not be necessary for this matter. It will be disposed of much more rapidly than that.

2-40 P.M.

Mr. Manohar Lal : Sir, the amendment now proposed by Mr. Ganpat Rai seems to be based on a misunderstanding. The words immediately preceding those that he wishes to omit are that the Finance Committee after having examined the question is further to take such steps as are necessary to that end. These steps, Sir, I understand, contemplate a possibility of an immediate application on behalf of Government in consultation with the Finance Committee to the Government of India for the immediate extinction of this contribution from us. The words that he wishes to have omitted do not in the least stand in the way of that application being made practically at once. All that my resolution means is this that the proper steps having been taken the Finance Committee is to report to this Council, which has constituted this Finance Committee, that certain steps in pursuance of the desires of this Council have been duly taken by the Finance Committee and if an answer is actually received from the Government of India that may also be placed before this Council. In view of this, Sir, I hope that Mr. Ganpat Rai will not press his amendment in the House at all.

Mr. Ganpat Rai : Sir, having got the support of the Finance Member I do not wish to withdraw my amendment.

Mr. President : I will now put the amendment to the Council.

The amendment was carried.

Mr. President : The motion now before the Council as amended is—

"That the Finance Committee of this Council be instructed to examine the question of the annual contribution to be paid by the Province to the Governor-General in Council under Devolution Rule 17 with a view to the total and immediate extinction of the contribution, and further to take such steps as are necessary to that end."

2-45 P.M.

The Hon'ble Sir John Maynard : Sir, I think it is desirable that I should make a brief statement on this resolution. Briefly and plainly the position is this. Lord Meston's Committee, the Committee on Financial Relations, fixed upon 1,75 lakhs out of the 2,89 which were assumed to be the spending power of the Province, as the Provincial contribution for three reasons. The first reason was that the windfall which had come to the Province was a large one. By "windfall" the Financial Relations Committee meant that the redistribution of revenue and expenditure which was made in consequence of the Reforms had the effect of giving a

[Sir John Maynard.]

particular sum to the Province it had not had before. The first reason was that this windfall was a large one. The second reason assigned was that the Punjab balances were full and the third reason was that the revenues in the Punjab moved upwards with marked ease. As to the first reason of the windfall it can only be said that the figures show that the windfall was substantially less than the Committee supposed them to have been. It was less, as my hon'ble friend, the mover of this resolution, has said, by a sum which might be 30 or 40 or even 50 lakhs. The second reason was that the Punjab balances were full. In that respect, I may say, we were unfortunate. It is a curious thing to say that we were unfortunate, but in this particular instance the impression produced by the Punjab balances was unfortunate because it formed one of the reasons which led the Financial Relations Committee to put a heavier burden on the province than they would have otherwise. The balances of the provinces were not so full as they appeared to be or rather the circumstances were such as to convey a misleading impression. This was due to two reasons. In the first place during the war the very strictest economy was exercised in the Punjab which caused the balances to appear somewhat larger than they would normally have been. In the second place we had in the Punjab one very large source of income of a temporary kind. In any case it produced for the time being a very large increase in the income of the province. I am referring to the sales of land. Where you have got land for sale you can sell it once only. If we have once sold a piece of land there is no further income from it after that. We sold a considerable amount of land and our balances were consequently swollen by those sales. Therefore in this important respect the Financial Relations Committee were misled. In the third place they said that the Punjab finances moved upwards with marked ease. I have carefully considered what precisely they meant by this expression. I should think that the impression of marked ease in the upward movement was produced very largely by two or three things. One of them was the irrigation income. The irrigation income was forced up owing to the very great schemes of development which have added very considerably to the resources of the province, but this income is accompanied, of course, by a good deal of capital outlay and also very great recurring expense. The second item which has probably produced this impression in the minds of the Financial Relations Committee was a very remarkable upward movement in the income-tax in the Punjab. A very great deal of attention has been paid during the last four or five years to the income-tax of the province and there has been a very marked rise in consequence. Unfortunately income-tax happens to be precisely one of those items which are now exclusively the property of the Government of India and any remarkable increase in that source does not profit this Province. Another item which I think probably gave this impression to the Financial Relations Committee is the item of excise. There was a time when there was a most remarkable development in the excise income. It moved upwards in such a manner as to surprise many and shock some. Sir, that upward movement has been succeeded by a downward one. The excise revenue so far from being elastic now shows a tendency in the direction of contraction. It has gone down by 30 lakhs in the last year and we expect it to fall still further during the next year. Such are the facts which produced the impression and it was an erroneous one. On this basis and for these reasons the Financial Relations Committee made a sort of rough approximation to what they thought possible

to obtain from the Punjab. It was not based on any principle of any kind. It practically amounted to this that they took what they could obtain and they took it for reasons which can be shown to be in some respects misleading. These are in brief the reasons which make a strong case for an improvement in the position.

The hon'ble mover has suggested that this work should be done by the finance committee. That, Sir, is perhaps not quite the best way of putting it. The work should be done by the Finance Department. The finance committee is merely an advisory body. It is for the Finance Department to work out the figures and of course it will be glad to receive the advice of the finance committee in the process, but the instructions to be given should be given to the Finance Department whose duty it is to deal with such matters. For this reason I hope the hon'ble mover would be willing to accept an amendment to the effect that for the words "finance committee" in the resolution the words "Finance Department of the Government" be substituted.

Mr. President : It is not desirable that amendments should be moved at this stage without previous notice. The Council is justified in authorising its own committee and the meaning of the motion is quite clear. I will now put the motion to the Council.

The motion before the Council is—

"That the Finance Committee of this Council be instructed to examine the question of the annual contribution to be paid by the provinces to the Governor-General in Council under Devolution Rule 17 with a view to the total and immediate extinction of the contribution ; and further to take such steps as are necessary to that end."

The motion was carried.

Mr. President : The next resolution No. 5, on the continuous list is in the name of Mr. Moti Lal Kaistha. This relates to the question of Honorary Magistrates which subject was discussed yesterday, and cannot therefore again be discussed today. Resolution No. 6 stands in the name of Mr. Daulat Ram Kalia who is not present. I therefore call upon Rai Sahib Lala Thakar Das to move his resolution No. 7 on the continuous list.

RESOLUTION RE TREATMENT OF POLITICAL PRISONERS IN JAILS.

Rai Sahib Lala Thakar Das : Sir, I beg to move—

"That this Council recommends to the Government that political prisoners in the Punjab be given better treatment both before trial and after conviction, than is usually meted out to ordinary offenders against the law."

Sir, with the advance of liberal education and spread of idea of freedom and independence, there is

Malik Firoz Khan Noon : I rise to a point of order, Sir. The hon'ble member is reading out his speech from manuscript, whereas the hon'ble the president has given a ruling against so doing.

Mr. President : The hon'ble member is in order as he is not a practised speaker and is availing himself of the exception under which he is going to confine his remarks to five minutes only.

Rai Sahib Lala Thakar Das : (continued). Sir, with the advance of liberal education and spread of ideas of freedom and independence, there is bound to be a conflict between the people and the Government as to their relative status in political life. India, the home of Governments, has witnessed this conflict in one form or the other for the last 30 years, but has now entered upon a stage where the struggle may be said to be the keenest. There are two political parties in the country who are fighting for complete independence and self rule, *vis.*, the liberals and the non-co-operators. In the Punjab, however, political activity properly so called is at the present moment centred in the non-co-operation movement, the liberals or the moderates being in a hopeless minority owing to the direct effects of the martial law régime, and the subsequent policy of indifference and apathy adopted by the Government. The elements of non-co-operation which received an impetus by the martial law happenings found unrestricted play for a period sufficient to establish the movement deeply in the land, and we now find the Government committed to a policy of all round repression with a view to suppress it. There have already been numerous arrests and trials in the province among non co-operators who as a rule refuse to put up any defence and willingly court imprisonment. Whatever views the Members of this Council may hold with regard to the nature of the offences committed by those who have been tried and sentenced under Sections 124-A, 153-A, the Seditious Meetings Act, the Press Act or other penal measures, there is, I believe, perfect unanimity among them that the Government should not give proof of its vindictiveness in the matter and that it should treat political prisoners both during trial and after conviction in a manner analogous to that in which they are treated in the Western countries. This kindly treatment to political offenders against law and authority is likely to produce more healthy influence upon them than the most severe punishment can possibly do. After all they are not criminals in the ordinary sense of the term, and suffer persecution and trial for their political opinions which they honestly hold. They are not courting imprisonment and the hardships that it involves for the sake of fun, but because rightly or wrongly they are convinced that non-co-operation is the only effective weapon to deal with the existing Government. No punishment, however severe, can have a deterrent effect unless the offender is morally convinced that he is really guilty and that he has been justly treated. In the case of the Seditious Meetings Act, the Press Act and other similar measures, the legality of these is openly questioned and the lease of their life is believed to have already expired. It is, therefore, doubtful whether the Government has been justified in having recourse to measures which have been pronounced by competent authority to be out of date. But, however that may be, the Government has every thing to gain and nothing to lose by being civil and considerate towards offenders against law, whose legality has been brought into question. The Legislative Council of Behar, the youngest of all provinces, led the way for us when it adopted at its last session a resolution recommending to Government that early steps should be taken to treat all political prisoners including the non co-operators as similar prisoners are dealt with in England and that pending necessary arrangements facilities in the matter of food, clothing, lodging, interviews and communications now given to European prisoners be extended to such prisoners. My resolution though differently worded is intended to make a similar demand, a demand which is by no means extravagant but has been pronounced by one of the most sober-minded journals in the country, the *Bengales* as "quite fair and reason-

able". In my own Province my resolution has indeed been regarded as not going far enough, but I should be satisfied for the present if facilities in the directions indicated above and foreshadowed in the recommendations of the Jail Committee are provided for all political prisoners in the Province. The complaints against their maltreatment have been numerous, and in the interests of peace and order as well as with a view to the maintenance of good relations between the Government and the people, it is necessary that these should soon become a thing of the past. It is disgraceful that there should be hunger strikes in our jails by some of the most prominent men in our public life on the ground that the food supplied to them was not fit for human use. I am glad the strike did not last long and that better food has since been supplied to those concerned. But in this matter as in all others all political prisoners should be treated alike and there should be no preference given to one over the other. The quality of labour in cases of political prisoners should also be determined by their status in society and the work should be intended more to keep them occupied than as an exhibition of power or force by those administering the law. Similar facilities should be provided in the case of clothing. There should, in my judgment, be no objection to political prisoners being allowed to wear home dress. In the matter of interviews, the Jail authorities require to be made more lenient and sympathetic, for the interviews are usually sought for, more for the benefit of the outside relation or friend than of the inside criminal. The prisoner should also be allowed free communication and a liberal use of newspapers. In the case of under-trial political prisoners hand-cuffs should be scrupulously avoided, for besides being highly offensive these serve no useful purpose unless a man is unruly, which in ninety nine cases out of a hundred he is not. The Editor of a leading Urdu daily in Lahore, I am told, was produced in handcuffs while he was being tried under a political offence of which he was subsequently found innocent and discharged. One might grieve over such a lack of foresight and wisdom on the part of the subordinate Magistracy and a resolution of the kind I have moved is urgently called for to serve as a corrective where it may be found necessary. I don't wish to say more.

3-7 P. M.

Lala Atma Ram (Urdu) : Sir, there is a general feeling of resentment in the length and breadth of the province against the unbecoming and inhuman treatment meted out to political prisoners. It is extraordinary to say the least of it that the Local Government should be so unimaginative as to mete out the same treatment to the idols of the people as it does to the felons and criminals of the blackest dye. The Behar Government has taken a most opportune step in this direction. The rules and regulation it has made for this purpose are happily conceived. The Governments of Bengal and of the United Provinces have followed suit. Although the rules of the latter two Local Governments cannot be characterised as liberal yet they are distinct improvements upon the existing state of things. It is high time that the Government of this province, too, should move in the matter and place the political prisoners on the same footing with the prisoners of this class in Western countries. It is but fair that they should be provided with better dietary, better clothing and better accommodation than hitherto, befitting their position and the nature of their offence. With these few words I support the resolution.

3-10 P.M.

Chaudhri Kharak Singh (Urdu) : Sir, those charged with political offences should certainly be considered as special class prisoners deserving at any rate better treatment than what is meted out to prisoners charged with offences involving moral turpitude. So far as I understand the real object of the Government is not so much to punish as to remove them from their sphere of action. The primary object is to put a stop to their propagating the sinister doctrines of sedition. This can be achieved by mere confinement rather than by inflicting vindictive punishments or meting out humiliating treatment. It is a travesty of justice to treat them as hardened criminals and to make them work at grinding mills. And there is one thing more. The political prisoners are handcuffed. Does any one honestly believe that persons who are courting arrests will make good their escape. It will be far better if things like these are dropped at once and a steady, conciliatory policy is pursued. In short, I beg to support the resolution.

3-12 P.M.

Sardar Kartar Singh (Urdu) : Sir, the public mind is highly indignant at the harsh and degrading treatment meted out to political prisoners. They are, most of them, men of position, light and learning, and it is inconceivable that they should be put at grinding mills. They suffer incarceration for honestly holding certain political opinions and their crime is not such as calls for rigorous punishment. It is enough for the purposes of peace and order that they are segregated from the public and thus checked in spreading further seditious contamination. They should be more humanely treated than hitherto. They should be considered as prisoners of war and should be treated as such. They are not charged with some heinous or violent crime, so they should not be treated like the worst criminals. I tend my most hearty support to the resolution.

3-13 to P.M.

Man Beh Ram : I have one thing to add, Sir, it is this that in 1907 certain people were tried for political offences in Lahore. Those men under trial were handcuffed and brought to Court by the Police. This matter went to the notice of the Secretary of State, and I remember having read in one of the circulars that the Local Government was addressed on the subject by the Secretary of State that unless the man under trial was of a very violent nature and there was a reasonable apprehension that if not handcuffed he would run away, handcuffs should not be employed. I remember having read in that circular that the Police opposed it, but the Lieutenant-Governor ruled that that should be observed. But we find that in practice that rule, that circular, that order of Government is observed more in the breach than in practice. The Government has already drawn the attention of the Police and the Magistrates to it. That has already been done and Government need not trouble about it.

The second thing which I wish to press for the consideration of the authorities is this, that our Government is civilised. If there is anything done by the Government or by any official in the name of the Government which is not dignified and which shows vindictiveness and a desire for revenge, a desire to humiliate and crush all principles of humanity, that is not dignified and it creates a very unfavourable impression on the minds of

the public. I, therefore, for these reasons which are very brief, most strongly urge for the kind consideration of the Government that the resolution which is a very modest one ought to be accepted and carried.

3-16 P.M.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : Sir, the resolution of my friend I must say at the outset, bristles with difficulties. It has been urged in the public press that this sort of prisoners should be treated differently from the ordinary prisoners in the jail. My difficulty is that no mention is made either in the statutes of this country or, I hope I am right, in the statutes of England describing political prisoners as such, because it is difficult to define an offence, the essence of which is political and also because political crime may in some cases be deserving of the severest possible punishment in view of the terrible results that may accrue. Thirdly, a theft, dacoity or a murder or even incitement to murder through the public press committed though they may be from political motives, or in the furtherance of political movements do not become less heinous or less deserving of condign punishment. The loss to society is the same in both cases.

The question has not, however, been neglected by the Punjab Government. During the time of the disturbances of 1919 prisoners' cases were considered and concessional treatment was meted out to them. The Punjab Government, however, based their decisions then on the mode of living and the status in society of the person. Again in the early part of 1921 the question was considered by the Punjab Government. The Punjab Government consulted the High Court and selected Government officials on the subject and though the opinions expressed were varied in nature it was after due consideration thought desirable to devise some means of providing for men who do not commit crimes from the common vicious motives; a form of imprisonment which will not degrade them, or for those who from their previous habits of life were sufficiently punished for their crimes by their mere incarceration in jail. His Excellency the Governor who was then the Lieutenant-Governor was prepared to classify prisoners into grades and to issue orders under the Prisons Act that when a court makes recommendation of classifying a prisoner, e.g., into a 'Class I' prisoner, that in the absence of express orders to the contrary from Government, he be given certain concessions regarding food, clothing, bedding, etc. These concessions included the following :—

- (1) Work if volunteered for to be of a kind suitable to the prisoners station in life.
- (2) Prisoners accustomed to live in European style should be accommodated in the European wards so far as room is available.
- (3) Their food should be separately cooked and in separate cook-houses from that of the rest of the prisoners.
- (4) A special dietary should be allowed.
- (5) The prisoners should be allowed to retain their own clothing and to use their own bedding and cups and plates instead of the jail articles.
- (6) Certain concessions might also be allowed in the restrictions placed on the use of books, correspondence and interviews.

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The case was again considered in September 1921 by a small official committee at Simla, and independently of the above they came to the conclusion that the principle determining differential treatment should not relate to the motive of the crime (*e.g.*, political offence) but to the education and status in life of the prisoner; that the court should determine the class and the sort of treatment which should be meted out to the prisoner while in jail; that the clothing should be conformable to the ordinary style of dress of the prisoner but it should not provide facilities for suicide or escape and should provide a means of identifying the wearer as a prisoner; that a better dietary be allowed on a scale to be approved by rule, provided that the prisoner paid the difference between the cost of this dietary and that of the ordinary prisoner; that ordinarily prisoners of this class should be in association barracks, but this rule might be varied for sanitary or other reasons; that in the summer the prisoners should be allowed to sleep outside and that they should be provided with latrine accommodation that secures privacy; that intervals prescribed for sending and receiving letters and between visits should be reduced.

As the treatment meted out to the political prisoners in different provinces varied greatly it was considered desirable by the Panjab Government to address certain other Local Governments and the rules that have been framed for the purpose were sent to the provincial Governments, Bengal Government inclusive, and some of the Bengal Government rules have been framed on the rules that were sent to them. Though I have no definite information on the subject, but their rules and our rules which we proposed are very much the same except for very slight differences.

My friend the mover of the resolution suggests that political prisoners should be treated like first division prisoners in England. May I be permitted, Sir, to read a few passages from the report of the Jails Committee which went into the matter thoroughly. Perhaps it may be interesting to the members to know what the report says on this subject. It may be a little tiring to the members to hear something of the Jails Committee report but I have marked certain passages in it which might be of interest to this House. The report says: "If, however, the court 'having regard to the nature of the offence and the antecedents of the offender' directs that the prisoner be treated as an offender of the first or the second division, he is specially dealt with in prison. The Act further provides that persons imprisoned in default of finding sureties to keep the peace or be of good behaviour shall be treated in the first or second division, unless they are convicted prisoners, and that persons imprisoned in default of payment of a debt or in lieu of distress, when the imprisonment is to be without hard labour, shall be placed in one of the three special divisions. An offender of the first division is kept apart from all other classes of prisoners; he is placed in a room or cell specially appropriated to prisoners of this class; he is allowed to supply his own food, which may include limited quantities of wine or beer, to wear his own clothing, and to provide his own furniture. On payment of a small sum weekly he can have a room or cell specially furnished and assistance in keeping it clean and tidy." I may point out that the number of persons placed in the first

division in recent years is very small and shows a tendency to diminish as the following figures prove :—

		Males.	Females.	Total.
1911-12	...	35	...	35
1912-13	...	37	1	38
1913-14	...	18	...	18
1914-15	...	15	1	16
1915-16	...	8	5	13
1916-17	...	7	5	12

It will throw further light on the use made of this division to state the offences for which these offenders of the first division had been convicted, so far as information is available.

Offences	1911-12.	1912-13.	1913-14.
Against the Elementary Education Acts.	34	32	15
Against the Vaccination Acts	...	1	4
Against the Highway Act	...	...	1
Against the law relating to the Territorial forces.	...	1	...
In relation to dogs	...	1	1
Total	35	38	18

Sir, my object in reading this out to this Council was that the persons who were relegated to the first division were somewhat different from the class of offenders now contemplated. Generally speaking the figures about the second class offenders are comparatively larger than these, but I may be permitted to say that they are about one per cent. of the total.

I have pointed out, Sir, at the beginning of my speech that in English Acts there is no such classification as 'political prisoners.' Now let us see what the Jail Committee has to say with regard to the political prisoners. I am afraid I shall again have to read from the same volume which I am carrying in my hand at the present moment.

It seemed to be thought that as persons who commit certain political offences, such as those punishable under Sections 124 A or 153 A of the Indian Penal Code are generally not inspired by the same motives as those which actuate ordinary criminals, therefore all persons who commit offences from political motives are deserving of special consideration and leniency. While it is easy to see the sentiment which underlies this proposal, there appear to us to be many great and serious objections to its acceptance. In the first place we think that the suggestion that the law should expressly recognise motive, whether political or otherwise, as an ingredient in crime is a step very much to be deprecated. It is no doubt true that every court, in estimating the degree of guilt and the need for punishment, does take motive into account; but that is done with reference to the special circumstances of each individual case. It would be a very different thing to lay down by legislative or executive enactment that a particular motive, for example, a political motive should always differentiate a crime and mark it out for more

[S. B. Sundar Singh Majithia.]

lenient treatment. Such a declaration would, it seems to us, be tantamount to an encouragement to crime of that description. A further objection to the proposal is the extreme difficulty of ascertaining true motive and the extreme case with which political motive can be alleged as an excuse for ordinary crime. Experience has proved that even where crime may have an underlying political object private revenge or greed is far from being always absent. Mixed motives occur in this, as in many other matters, and it would be very dangerous to furnish a criminal with the ready-made excuse that he committed his offence from a political motive. Lastly, it is quite impossible from the point of view of the public safety to accept the view that because a theft, a dacoity or a murder is committed from political motives or in the furtherance of a political movement, such crimes become less heinous or less deserving of condign punishment. Crime remains crime, whatever the motive of the criminal may be. The loss to the community through the destruction of life or the dishonest seizure of property is none the less because the criminal intends to use the property for the purposes of a political propaganda, or because the person murdered was opposed to the political party to which the murderer belongs. It may be pertinent to ask whether an ordinary bazar ruffian, if he takes to the committing of a political crime, is also to be treated with special consideration. His bringing up and his mode of living is not in consonance with the habits and mode of life of an educated person. Before I sit down, Sir, I may be permitted to make a few observations about the speeches that have been delivered today. It has been pointed out by several friends here that European prisoners are treated differently. So far as their mode of living is concerned that is so, but I am told by the Inspector-General of Prisons that the European prisoners have also to work on the *chakk* (grinding mill) as ordinary prisoners are required to do. I may also be permitted to read out to the Council the rules that have been promulgated by the Punjab Government and which His Excellency the Governor has approved to be issued on the subject. Let me hope that after my friend, the mover, has heard these rules he will be prepared not to press his motion to a division. The rules are as follows:—

(1) Special class prisoners shall be classified as such by the Superintendent by reason of the nature of the offence and the antecedents of the offender including his social position, education and standard of living.

(2) The Superintendent shall so far as possible allot to special class prisoners sentenced to rigorous imprisonment such tasks as may be suitable.

If any special class prisoner who is sentenced to simple imprisonment elects to labour, the Superintendent of the Jail shall allot to him such task as is suitable to his station in life.

(3) Every special class prisoner shall be permitted to provide his own clothing. The clothing may be comfortable to the ordinary style of dress of the prisoner, but shall not offer facilities for suicide or escape; and shall provide a means of identifying the wearer as a prisoner.

(4) A special prisoner shall receive a special dietary which shall be prescribed by the Inspector-General of Prisons with the previous sanction of the Local Government, provided that no such prisoner shall be entitled to a diet on the special scale unless he pays the additional cost over that of the ordinary prison diet prescribed for European prisoners.

(5) The food of special class prisoners shall be separately cooked and in separate cook-houses from that of other prisoners.

(6) Special class prisoners shall be permitted to use their own cups and plates and bedding.

(7) Special class prisoners shall, if possible, be confined separately from convicts of other classes in cells or in an association ward with other either prisoners of the same class but this rule may be varied by the Superintendent for sanitary or other sufficient reason; such reason shall be recorded in writing.

(8) Special class prisoners shall take such exercise daily in the open air as the Medical Officer considers necessary and under such regulations as the Superintendent shall prescribe.

(9) Every special class prisoner shall be permitted to sleep in the open in summer, and separate latrine accommodation shall be allotted to them, of such a type as may ensure privacy.

(10) Every special class prisoner shall be allowed to have an interview with his friends and to write and receive a letter once a month during the term of his imprisonment, provided that the exercise of this privilege shall be contingent on good conduct and may be withdrawn or postponed by the Superintendent of the jail for bad conduct, or for abuse of the privilege.

(11) Special class prisoners may be given a light in their cells or ward till 10 P. M. and if there is a jail library may be allowed books from it on such conditions as the Superintendent may deem necessary.

(12) Any act of misconduct on the part of a special class prisoner shall render him liable to the forfeiture of any or all of the concessions allowed by these rules for such period as the Superintendent may deem proper, in addition to any other punishment to which he may be liable under the Jail Code.

(13) The Superintendent shall cause an abstract of the rules relating to discipline and conduct, rewards and punishments affecting prisoners to be placed in each cell or ward.

In rule 1 it is proposed later on to take away the word "superintendent" and to leave this to the discretion of the court. And on this subject Government is going to address the High Court and ask their advice whether they would have any objection to the court classifying the prisoners.

I hope that these rules which have been issued will satisfy my friend and also the public outside that the Punjab Government has not been behind other provinces in this matter.

3-45 P.M.

Mr. Ganpat Rai : Sir, after hearing the Hon'ble Member in charge of the Jails and having heard all what he has said that the Government is doing whatever it can and is not behind any other Provincial Government in this country, I submit, Sir, that there should be no difficulty on the part of the hon'ble member to accept the resolution which has been proposed by the hon'ble mover. What the resolution asks is only this that there should be better treatment as compared with the ordinary criminals convicted of serious

[Mr. Ganpat Rai.]

crimes. When it is admitted that the Government has already done a great deal and intends doing more, where comes in the difficulty of accepting the resolution which has been moved. I, therefore, trust that the Government would not insist that the resolution should be withdrawn, but it should be accepted.

3-50 P.M.

Rao Bahadur Lieutenant Balbir Singh (Urdu): Sir, I beg leave to lend my support to the resolution before the house. The political prisoners deserve very considerate and human treatment at the hand of the powers that be. The offences they have been judged guilty of are surely not such as deserve condign punishment. It is an honest difference of opinion with the Government of the time and I am afraid the humiliating treatment of such persons cannot be justified by canons of justice, law or common sense. I would respectfully urge upon the attention of the authorities that treatment of this kind rather perpetuates the bitterness in the heart of the prisoner, estranges his friends and alienates public sympathy.

With these few words, Sir, I beg to support the resolution for differential and preferential treatment to political prisoners.

3-57 P. M.

Sayad Muhammad Husain Shah (Urdu): Sir, among these political prisoners there are some who have been presidents of the National Congress. The Government must therefore accord a better treatment to them. I am certain sooner or later there will be a compromise between the non-cooperators and Government. Perhaps at the next election they may be returned to these Councils and some of these prisoners may rise to high official posts just as we have among ourselves Lala Harkishen Lal. We are glad that Lala Harkishen Lal received quite fair treatment in the jail. The political prisoners are not like ordinary offenders—guilty of theft or murder—that they may get exemplary punishments in the jail. It is sufficient that they are kept away from the people so as no longer to poison them with their revolutionary ideas. I therefore strongly support the resolution.

3-59.

The Hon'ble Sir John Maynard: Sir, may I point out, that we are merely disputing over words. The hon'ble mover is insisting that a particular thing should be done for political prisoners, and my friend the Hon'ble Sardar Sundar Singh, Majithia, is doing that particular thing but we cannot say that we are doing it for political prisoners because that is an indeterminate category. As my friend, Mr. Ganpat Rai, knows perfectly well the expression 'political prisoners' has no precise significance at all. How are you going to classify the political prisoners? Are you going to say that any person who commits a crime and prefers to non-co-operate and in consequence puts in no defence should be treated as a political prisoner? If that were so, each and every criminal would non-co-operate and would not defend himself. Are you in such circumstances going to say that everyone who is guilty of an offence and non-co-operates is to be treated as a political prisoner? Or are you going to say that everyone who is a member of an unlawful assembly is to be treated as political prisoner? If so many ordinary rioters are included

That proves, Sir, that we cannot agree to the particular form of wording of this resolution when we do not know, and in fact no one knows and says, what is really meant by the term 'political prisoner.' We are going to draw up new rules on the subject and that would meet all that is wanted.

4-2 P.M.

Mian Muhammad Shah Nawaz (Urdu) : Sir, the Behar Government too have carried a resolution of this nature. There too the word used is 'political prisoners.' I don't think there is any difficulty in defining the term 'political prisoners.' Moreover, political prisoners are easily distinguishable from ordinary offenders against the law. For example Messrs. Zafar Ali Khan, Akhtar Ali Khan, Dr. Gopi Chaud and K. Santanam are political prisoners. I would request the Government to take the words 'political prisoners' in the same sense as used in England or by the Behar Government.

4-6 P.M.

Pir Akbar Ali (Urdu) : Sir, who are the political prisoners can be quite easily ascertained. I would request the Government to treat such prisoners more mildly without any idea of revenge. Perhaps Government may succeed in winning over the non-cooperators in that way. I support the resolution.

4-9 P.M.

Rai Sahib Lala Thakar Das (Urdu) : Sir, I am certain that Government has already been doing a good deal in this respect, but I would like to press my resolution and call for a division.

4-9 P.M.

The Hon'ble Sardar Bahadur Sardar Sunder Singh Majithia : Sir, there is nothing to reply on this subject which has been raised by Rai Sahib Lala Thakar Das. I have practically said what I had to say on the subject and I had hoped that my friend would see that we are practically doing all that he wants us to do, though there is a difference in the words which we are using here and in the words which he wants us to use. I have already explained the difficulty. It is very hard to decide the nature of the crime which has been committed. We are meting out concessional treatment as I have said before according to the social status and the mode of living of the man who happened to be in trouble. Perhaps I have not said in the opening part of my speech what sort of treatment will be meted out to the under-trial prisoners. I may assure this House that similar treatment, if not a little better, will be meted out in the case of under-trial prisoners and if this assurance does not satisfy the mover of this resolution I am afraid I cannot help him any further and I shall be very sorry to have to oppose him though I wish he would act on my suggestion.

4-12 P.M.

Mr. President : The motion before the Council is—

'That this Council recommends to the Government that political prisoners in the Punjab be given better treatment, both before and after conviction, than is usually meted out to ordinary offenders against the law.'

The resolution was carried.

RESOLUTION RE COMPULSORY ACQUISITION OF PROPERTY ATTACHED TO
RELIGIOUS INSTITUTIONS.

4-13 P. M.

Maulvi Muharram Ali, Chishti (Urdu).—Sir, I beg to move the resolution standing in my name and which runs as follows :—

"This Council recommends to the Government to order that in no circumstances shall any religious place of worship or any immovable property attached to any religious institution or shrine, or any *wagf* property be acquired compulsorily under the Land Acquisition Act."

Sir, the resolution standing in my name is quite clear and simple. I don't think I should make any lengthy speech in moving it. Every member belongs to some religion and my resolution relates to followers of all religions and sects. The Land Acquisition Act has proved a blessing in some respects and quite a curse in others. For example whenever any property attached to any shrine or other religious institution has been acquired under this Act, it has greatly injured the feelings of the people. I think even members coming from outside are fully aware of the fact that with the help of this Act, Government has quite recklessly encroached upon property attached to the tombs of great saints. The English people do not realize how reverently we respect the monument or tomb of a religious leader. The reason for such indifference on their part is due to the fact that in Europe people have lost all interest in matters of religion. I thank God that such is not the case here in India. The English people will consider it as quite an ordinary thing to demolish a small shrine or tomb of some saint in order to straighten a railway line or some canal. To them the importance of a railway or canal project may be very great, but I may say it is nothing as compared with the love and reverence, which an Indian may have for that "small shrine or tomb." What my resolution aims at is that Government must now stop and no longer injure the religious feelings of the people by encroaching upon property attached to any religious institution and taking an undue advantage of the Land Acquisition Act. I don't think the Government officials are ignorant of the fact that the present all round agitation is due to Government's luke-warm sympathy with Musalmans in their Khilafat question and no regard for Sikh feelings in the Gurdwara question. The Government should always respect and never injure the susceptibilities of the people in matters concerning their religion. In my resolution I have brought the *wagf* property too under the same category. The reason for so doing is to keep the *wagf* property intact and more secure from waste.

4-26 P. M.

Sir Patrick Fagan : Sir, the Hon'ble the Revenue Member will, I have no doubt, expound the position of the Government in this matter to the Council. All I intend to do is to make a few remarks regarding certain difficulties which the hon'ble member's resolution is likely to raise. I think I may begin by saying that it may be taken as certain that Government is in full sympathy with the religious sentiment on which the resolution is based. That is a matter which I do not propose to deal at length. The hon'ble member did, I think, let fall a few words which seem to indicate that he thought that the officers who have been responsible for Government in the past did not exhibit that sympathy which might have been expected.

but as to that I would only refer to the large number of those ancient, historic and religious remains which in this country are protected under the Ancient Monuments Protection Act. I am quite sure that the religious sentiment on which this resolution is based does command the sympathy of Government, but the resolution of the hon'ble member in its practical bearings goes a good deal further and raises several points of difficulty. In the first place I would note that even as matters stand at present there are instructions to which the hon'ble member has referred which tend to show that Government has not in any way been oblivious to its obligations in this matter. But the resolution goes a good deal further than those instructions and will certainly operate to raise very considerable difficulties in working the provisions of the Land Acquisition Act in the future. In the resolution there are two distinct kinds of property mentioned which we may well differentiate. The first comprises religious buildings and the immovable property attached to them, by which I understand actual religious structures, graveyards, shrines or whatever they may be, and the sites or land immediately surrounding them. The second kind consists of the immovable property attached to a religious institution.

This I understand may be land not owned by the manager on behalf of the shrine but merely land in regard to which the shrine and its manager occupy the position of a Jagirdar as being entitled to enjoy its revenue without having any proprietary rights on the land. I understand that the object of the resolution is to make it absolutely impossible for Government to acquire such land even though it may be separated by a long distance from the shrine. As regards the practical effect of the resolution it is quite possible that in such a case as that of a project for a canal or a canal distributary or a railway for which there is one and only one possible alignment available, the whole of the project might have to be abandoned because such alignment was obstructed by a single religious structure.

Again according to the wording of the resolution Government might be precluded from acquiring land for the purposes of a canal or railway even though it be situated at a distance of 50 miles from the shrine to which it was attached. It is rather difficult to regard such a resolution with complete sympathy.

As regards religious buildings themselves, graveyards and such like, personally I am prepared to admit that some more definite provisions are required than at present exist, but I would put it to the hon'ble member whether, instead of having an absolute prohibition of the kind which he has embodied in his resolution, it would not be possible and sufficient to refer each case as it arose to some sort of committee which would carefully enquire into the desirability or otherwise of the acquirement of land immediately attached to a shrine, and possibly Government might undertake to be bound by the finding of that committee. That would give a somewhat greater degree of protection than at present exist as regards such buildings. I hope that this suggestion or something like it might possibly satisfy the hon'ble mover. As regards lands at a distance from the shrines, jagir lands or musafi lands and such like in which shrines have some form of light or interest I fail to see how they can be considered as religious buildings in the same category as the shrines themselves.

Considering these and many other difficulties which I apprehend I hope the hon'ble mover will be prepared to modify his resolution.

4-42 P. M.

Rai Bahadur Lala Hari Chand (Urdu) : Sir, I oppose this resolution. It would be very difficult to give effect to such a resolution. For example the *wagf* property of a shrine at Lahore is situated in the United Provinces. How can we manage to protect that property and prevent it from being acquired by the United Provinces Government? Again, there are several fictitious shrines and tombs raised with a view to preclude the Government from acquiring lands attached to them. Moreover, the hon'ble mover has failed to define what he means by religious institutions and shrines. On these grounds I oppose the resolution.

4-44 P. M.

Rai Bahadur Lala Sewak Ram :—It is very difficult for any one to support the resolution of Maulvi Sahib as it stands, because it absolutely prohibits Government in future to acquire any land whatever which is attached to a shrine or which is even under the ownership of one who is in charge of a shrine. Therefore I have submitted an amendment which solves this difficulty. If it is added at the end of the Resolution that "unless it is at a reasonable distance from such religious institution or shrine," the whole question will be solved because in that case whenever any occasion arises to acquire land attached to a religious shrine, the Government who will be in charge of the acquisition will see that it is at such a reasonable distance that it does not wound the religious feelings of the people, and that respectable and reasonable distance can be such that cannot at all be offensive to anybody. For instance, supposing it is a *Khangah*. I think a distance of 200 or 300 yards would be quite sufficient. Or supposing it is only a graveyard. The distance could be such that for the future land may be acquired at a longer distance. So if this sentence is added to the end of this resolution I think the whole difficulty will be solved and I submit that the resolution which has now been put before the Council may be so worded.

4-46 P.M.

Sayad Mohammed Husain Shah (Urdu) : Sir, being myself a Sajjada Nashin and a member of the Revenue Committee I may venture to take part in discussing this resolution. I strongly support Maulvi Maharam Ali Chisti. In no case should the Government acquire any immovable property attached to religious institutions compulsorily under the Land Acquisition Act. The incident of the Cawnpore Mosque is still fresh in our minds. I am sure the Government will have full sympathy with this resolution. The Government has already given proof of its sympathy in giving up nearly 500 acres of land attached to a mausoleum. The Government, I believe, will have no objection to the first part of the resolution at least.

4-49 P.M.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Sir, with certain aspects of the resolution which my friend is moving, I am in full sympathy. But worded as the resolution is in its present form if accepted by Government it would create a position of difficulty which from many points of view would not be desirable. Religious places of worship are as sacred to Government as they are to the community to which they belong and Government has generally been very considerate in the matter of acquisition of property pertaining to these places of worship. To avoid all possi-

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[S. B. Sundar Singh Majithia.]

bility of giving any cause of offence, certain rules have been promulgated which the officers are required to keep strictly in view and which must be strictly observed when any property is acquired. But where my friend who has moved the resolution goes beyond the sacred places and refers to immovable property attached to any religious institution or shrine or any *wagf* property and wants that such property be not compulsorily acquired under the Land Acquisition Act, I am afraid that in the ordinary course of things I am not prepared to accept that part of the proposition.

My friend has himself dealt with the Standing Orders on the subject, and I need not repeat what he has already seen from the copy which I lent him only yesterday. It will shorten the debate if I leave out all portions which refer to the rules under the Standing Order 28 which my friend has already quoted. As I have said previously, I am in full sympathy with the objects of the mover of the resolution so far as they concern religious places of worship, but as regards the immovable or any *wagf* property, it may happen that for public purposes such as railways, canals, public schools or such like objects of public utility, land may be needed and the acquisition of the property could not be avoided. Under these circumstances I hope he would not tie the hands of Government.

He has himself said that in some cases the property may be at a place where it may be more valuable and as such it may fetch a very heavy price. So I think if it is stopped from being acquired the *wagf* or the religious place of worship may be deprived of the large amount of money which may come into its hand and with which any property of greater value, one which would give greater income to the shrine might be acquired. What is necessary to do under the circumstances is that *wagf* property be not allowed to be wasted. As has been done hitherto in certain cases—and I believe that that is the real root cause of the trouble—that certain *mutwallis* or certain men in charge of these shrines have hitherto sold the property and utilised the proceeds for their own personal ends or in some cases in debauchery. I am quite at one with the mover of the resolution that any of these *mutwallis* or all the people in charge of shrines should not be allowed to misuse the property which has been placed as *wagf* with an institution or shrine.

So far as the first part of the resolution of my friend is concerned, I am prepared to give an assurance or even I will go to the length of accepting that part of the resolution on behalf of the Government. Though there are several safeguards in the Standing Order which precludes the acquisition of such sacred places but still I am prepared to give such an assurance. As regards the second part of his resolution if it remains in its present form, I am afraid I shall not be in a position to accept it. But if my friend, the mover, be prepared to accept a slight modification of the language, which with your permission, Sir, I may be permitted to propose.....

Mr. President : I may point out to the Hon'ble Revenue Member that at present the amendment moved by Rai Bahadur Lala Sewak Ram is before the Council and no new amendment can be proposed.

Rai Bahadur Lala Sewak Ram : Sir, I apply for leave to withdraw my amendment.

The amendment was by leave withdrawn.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Sir, I beg to move

"That after the word 'worship' the words 'or any immovable property..... Land Acquisition Act,' be left out and instead the following words be inserted: 'shrine, tomb, graveyard or any immovable property attached to any such institution; and the boundaries of which are continuous with the site of the same, be acquired compulsorily under the Land Acquisition Act, and moreover that, if any other immovable property attached to any such institution, or any *wagf* property, be required, the Government will consult at least four non-official members of the community concerned before taking action."

The amendment was carried.

Mr. President: The resolution now before the Council will run as follows:—

"That this Council recommends to the Government to order that in no circumstances shall any religious place of worship, shrine, tomb, graveyard or any immovable property attached to any such institution, and the boundaries of which are continuous with the site of the same, be acquired compulsorily under the Land Acquisition Act, and moreover that, if any other immovable property attached to any such institution, or any *wagf* property, be required, the Government will consult at least four non-official members of the community concerned before taking action."

The resolution was carried.

RESOLUTION RE SUPPRESSION OF MENDICANCY.

5-10 P.M.

Sardar Bakhtawar Singh (Urdu) : Sir, I beg to move.

"That this Council recommends to the Government to appoint a committee consisting of official and non-official members of this Council to prepare a scheme for the suppression of mendicancy in the Province."

Sir, I might admit in the very beginning that charity forms a part and parcel of our religions. By the commandments of our religion we have to give away a portion, howsoever small, of our incomes for charitable purposes. Those who receive such charities are by themselves a separate class in each community. They are in their turn most of them, keepers of religious places or are connected therewith in one way or the other. I might say at the same time that I do not feel like objecting to the establishment of orphanages or other kindred *quasi*-religious institutions which depend on charity. I, in fact, object to the beggary which is spreading by leaps and bounds and is converting useful stout able-bodied men into useless unearning drones who are a burden on the people and the State. They are infesting roads and streets. You are sure to meet one at every corner. They are ubiquitous, here, there and everywhere. They are experts in their trade, they will try to wheedle or extort money out of you by threat or by adjunctions. They will exhibit their self-inflicted wounds and deformities to evoke your feelings of compassion. They have, Sir, become a veritable nuisance. There are three main reasons of the creation and spread of beggars. Firstly, unemployment leaves many of them no alternative. To check this, unemployment bureaux can be opened and relief houses started where honest men of this class may work and earn their day's living. Secondly indiscriminate charity by some of us and our womenfolk is daily adding to the beggar class. Their ambition in life does not extend beyond a full day's meal. They live from day to day, idle

hands contributing nothing to the national earnings and undeservedly taking advantage of the weakness of others. And yet another class exists who come under vagrancy. They are able-bodied men who are importunate imposters deceiving people with concocted tales of woe and affliction which overtook their once great family. This class also includes 'Bhats,' the fortune tellers, and others of the same ilk. They catch hold of some simple fellows who are by no means uncommon in this world, and by blessings or by imprecations, by hook or by crook relieve the fellow of his earnings. With the general evolution and changes in the world, the beggars too are undergoing the process and with every new sun there is a change in the ways of begging. I believe, Sir, I have sufficiently made out a cause for the acceptance of this resolution by the Council and I hope not to find a dissentient voice against it.

5-20 P. M.

Sayad Muhammad Husain : So poor is India that most of its population live upon begging. Once driven to begging by the pinch of poverty they adopt it as a profession, where they procure bread easily. Actually these mendicants have become a nuisance on all the Railway stations, where any number of them are seen begging from passengers and degrading the national honour. All the highways are strewn with them, and they molest the passers-by. Let us see how it originated and how it assumed such a dangerous aspect. India is a very poor country, the home and haunt of famine which decimates its population to a great extent. Groups of the people died in the streets, numbers perished in fields. Roads were strewn with dead bodies in the Madras Famine of 1833. There has been a rotational series from that day till now. The views adopted by Government were that Government should offer employment to those who could work but the relief of the helpless and infirm should be left to the charitable public. Writes Mr. Datt : "Within the last forty years within the memory of the present writer there have been ten famines in India and at a moderate computation the loss of lives from starvation and from diseases brought on by these famines may be estimated at fifteen millions within these forty years. It is a melancholy phenomena which is not presented by any other country on earth enjoying a civilised administration." These are the circumstances under which mendicancy started in India. People started begging when they had no sources to draw upon, when they were famished and starved, when they were incapacitated for work by old age, or were rendered helpless by the death of those near and dear to them. What should they do when the Government even has left them to public charity? In the years of drought we found Bikanirases in hundreds and thousands wandering and roaming about with no work to perform and living upon alms alone. In our Province the conditions have been a bit improved, the severe ravages of plague and influenza took away a great number of the poor famished population. The country became depleted in man power and simultaneously and fortunately there was started the triple project of canals which gave occupation to thousands of the population and when that came to a close a great deal of work was procured in the colonies for the people and last though not least, war broke out and the teeming millions of the Punjab found occupation as combatants and non-combatants. Besides, the indigenous industries got impetus for the supply of war materials to the Government. But for the great demand and consequently the rise in the wages of the coolies, the present dearth and famine would have been far very severe unequalled in the past. Instead of making law and legislation at this stage we must organise our public charity and give

[S. Muhammad Husain.]

relief to the poor. Ninety per cent of the mendicancy is due to sheer necessity and ten per cent to habitual beggars. The organization of relief measures on a proper footing will remove much of the mendicancy. The only place where the mendicants are causing a great nuisance to the public are the Railway Stations. The evil can be easily remedied if the railway authorities take steps by not permitting any one other than the ticket holders to enter the precincts of the station. Let us see what measures were adopted by the rich countries of Europe and how far they have succeeded in dealing with their paupers. In England every pauper is entitled to get food from the state by joining the poor house. Notwithstanding that the English are the richest people of the world, notwithstanding that all the wealth of the world flows into her shores the relations of the poor and rich are very estranged. In the extremely cold atmosphere where very warm clothing is required to protect from snow, poor people prefer to die in the streets frozen and famished than to entering the poor houses, why because they are not properly treated and when once entered they are doomed for ever and are not allowed to come out. Rightly did a civilian tell me that the poor of England are in a far worse condition than the poor of India. In the materialistic age the doctrine of the struggle for existence and the survival of the fittest is pushed to such an extreme that no sympathy can possibly exist between the rich and the poor. Instead of trying to uplift these unfortunate beings they are supposed to be worthless men, a great nuisance to society and the sooner they perish the better it is for the rest of society. Man instead of developing his angelic instinct has degraded himself to his primitive animal passions. Like the birds these poor people are left unfed, unclothed and unlooked-for, the sooner they die the better. Millions of rupees are wasted and spent on luxurious articles, on the keeping of dogs, etc. Whereas man, the image of God and His Highest Creature, is left uncared for if he does not come out successful in the struggle for existence. Just imagine the multitudes of Red Indians and original Australians who perished for want of sympathy on the part of the white men. The population of India would have shared the same fate but for the sympathy of its inhabitants, rich and poor alike. With the exception of a few educated imbued with the materialistic idea, no Indian would bear to eat his food when his neighbour is dying of hunger. Charity is our life, our daily routine. However rich we become, we are one with our poor; they are a part and parcel of us. The barriers between the rich and poor are not so strong in India as in other countries. In India rich and poor intermingle with each other, mix with each other on equal footing; and many a time the mixture on terms of equality tends to elevate the poor. It is a damning sin among us to refuse alms to the needy; we are always in search of the needy and regard ourselves fortunate if we find one. But for this spiritual idea pervading our actions, our nation would have been long exterminated from the face of earth. We have survived through all the trials and vicissitudes by our sympathy and cohesion. In my opinion it would be inadvisable at the present stage to take any action in the way of legislating for the stopping of mendicancy, rather we should organise our charity, ask the Government to improve the former relief measures, try to give the poor work and education in order to uplift them. Last though not the least, we must do away with the evil of untouchability which is eating away the life-blood of our nationality, and I assure the house that mendicancy will die a natural death.

5-30 P.M.

Mian Beli Ram (Urdu) : Sir, at the very outset I might say that I have very great sympathy with the aims and objects of this resolution. I wish that begging may be put a stop to and I further wish that every individual of every community should be an earning and a working hand. I agree so far and no further. What is it that we mean by 'mendicant.' Mendicant is not an exclusive word for beggars, as we understand the latter to be. Mendicants' is a comprehensive word and means among others those religious sects which live on alms. Alms giving is a part of religion. Government will then be open to the charge of intervention in religious matters. If this resolution was carried out it will mean an extra burden of lakhs of rupees on the public exchequer because it contemplates the establishment of poor houses and relief houses by Government. The proposals embodied in the resolution or at least contemplated by the resolution are not workable in the peculiar and particular conditions of our country. If it is at all desired to curtail beggary or mendicancy, we should curtail as well our womenfolk's charitable instincts and propensities. I still believe that the hon'ble mover will not press his motion in the Council and will withdraw the same.

5-30 P.M.

Mr. Ganpat Rai (Urdu) : Sir, I beg leave to say that Mian Beli Ram has imported a lot of irrelevant matter in the discussion on the resolution. The resolution is quite simple, and feasible, and the motives behind it noble and obvious to the meanest understanding. There is, however, some misunderstanding on the interpretation of the word 'mendicant.' I believe the hon'ble mover of the resolution means beggars thereby and does not wish to impugn the religious sects who live on alms. So that obviously the Government is not laid open to the charge of undue intervention in religious matters as alleged by the previous speaker. The resolution is a very modest one and is not likely to be a drain on the public coffers. It recommends the appointment of a committee to formulate a scheme for the suppression of mendicancy and there can be hundred and one schemes, productive and self-supporting at the same time. I give my cordial support to the resolution.

5-42 P.M.

Dewan Bahadur Raja Narendra Nath. (Urdu) : Sir, Mian Beli Ram has done sufficient justice to the subject and there is hardly any necessity for adding to his remarks. I wonder if the resolution aims at anything else but the establishment of poor and relief houses. The hon'ble mover wants to westernise the time-honored institutions of the country. The establishment of poor and relief houses will entail an enormous unproductive expense and more so when these will have to be established separately for each community. Besides this it will very likely touch the religious susceptibilities of one class or community or the other. So I most emphatically oppose the motion.

5-45 P.M.

Chaudhri Ali Akbar (Urdu) : Sir, This resolution should have been taken up seriously because it has an important bearing on the economic situation as well. Strong men take a fancy to begging and do beg, or wheedle, enough for the day. Thus a stout man settles to the life of a beggar, who otherwise would have been a working hand in some zamindar's land or factory. Many a factory is languishing for want of coolies, many a field remains unploughed for want of a hand. There is another notable aspect of the question too. Many of so-called fakirs are thieves in disguise. During the day under the

[Ch. Ali Akbar.]

Sir, some controversy has raged round the word 'mendicant' and the opposing hon'ble members have made capital out of it. I beg leave to say, guise of fakirs they spy out the richmen's houses and at night they are veritable thieves. If some kind of restraint could be put on these fakirs, offences too will decrease. I therefore support the resolution and believe it will be accepted by the house.

5-47 P.M.

Mr. A. Latiff: Sir, after what has fallen from Mian Beli Ram and Raja Narendra Nath it will not be necessary for me to do more than mention one or two facts which have not yet come before this Council. In the first place, I am sorry I am not able to meet the Hon'ble mover's resolution quite squarely because I do not entirely understand what he wants. The Raja Sahib has interpreted the Resolution as meaning to establish a system of poor houses in the country on the analogy of the poor houses in Europe, especially in England. The hon'ble gentleman who has just sat down apparently interprets it as meaning to introduce some kind of legislation which would prevent mendicancy. Now, Sir, as regards the first point, that is the establishment of poor houses, the Raja Sahib has very well met the hon'ble mover's argument. He has very rightly pointed out that it is a foreign system which unfortunate circumstances have forced on England and luckily we are not in the same predicament as England. It is therefore not necessary for us to adopt the system of poor houses which is prevalent in England. As to the other point, that is to say the passing of some legislation to stop mendicancy in this country, there are various and cogent arguments against it. The most important argument is the one pointed out by Mian Beli Ram, namely, that the religious sentiments of the country are entirely against it. If we did pass some sort of law as is desired such law would not exempt even a man like the Lord Budha from arrest for mendicancy. But as a matter of fact we have already got a law on our statute book which ought to meet the hon'ble mover's wishes to a great extent. Section 151 of the Punjab Municipal Act runs as follows:—"Whoever, in any street or public place within the municipality, begs importunately for alms or exposes or exhibits, with the object of exciting charity, any deformity, disease, or any offensive sore or wound shall be punishable with fine which may extend to twenty rupees." I should like to know how many members are aware of the existence of this section and how many have taken steps to enforce it. I would ask the gentleman who last spoke to put in practical shape his suggestion by moving the municipality in which he lives to have this section put into force, and I would suggest his withdrawing his motion for the present and coming and reporting to us in the next session how far he has succeeded. I repeat, Sir, that any measure for the suppression of mendicancy in this country would go dead against the religious sentiments of the people and no Government which respects popular opinion could enforce such a measure whatever its economic advantages in advance of popular opinion. On this ground, Sir, I strongly oppose this resolution.

Mr. President: Does the hon'ble mover press his resolution?

5-55 P.M.

Sardar Bakhtawar Singh (Urdu): Yes, Sir. I wish to press my resolution.

Sir, that I, in fact, mean and meant 'beggars' and used the Urdu equivalent 'Gada Gar' for the same. Some of the opposing members have declared their sympathy with the aims and spirit of this resolution. I, then, fail to understand the hitch in the matter. It has also been urged, Sir, that the establishment of the poor and relief houses will be an unnecessary burden on the public exchequer. I on the contrary think, that they can be made self-supporting by making able-bodied men work for the same. It will only require organisation in the first instance, and I am confident that by public subscriptions and charities it will carry on easily.

I have suggested the appointment of a small committee which will thrash out the question and consider it in all its aspects. I hope, Sir, the hon'ble opposing members will have been satisfied by now and that they will waive aside their objections and lend their unanimous support to this resolution.

Mr. President : Does the Government member wish to reply ?

Mr. A. Latif : No, Sir.

Mr. President : The motion before the Council is—

"That this Council recommends to the Government to appoint a committee consisting of official and non-official members of this Council to prepare a scheme for the suppression of mendicancy in the Province."

The motion was lost.

Mr. President : Before the Council separates I should say that owing to the expeditious manner in which business has been disposed of yesterday and to-day it is possible that there will not be sufficient business on the agenda to occupy the full four hours of tomorrow's sitting. I have endeavoured to get out a fresh agenda, but find it is quite impossible. In the circumstances the Council will sit to-morrow till such time as the business on the present agenda has been concluded and will then adjourn.

The Council then adjourned till 2 p.m. on Wednesday, the 11th January 1922.

PUNJAB LEGISLATIVE COUNCIL

Wednesday, 11th January 1922.

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

QUESTIONS AND ANSWERS.

TREATMENT BY POLICE OF THE LAHORE AND AMRITSAR VOLUNTEERS.

1179. **Diwan Bahadur Raja Narendra Nath:** Will Government be pleased to state whether—

- (a) In dealing with the volunteers in the city of Lahore on the 13th of December and in Amritsar city on the 13th and 16th of December the police beat the volunteers, and if so, whether that beating was administered before the volunteers were ordered to disperse?
- (b) Did the volunteers surrender themselves for arrest, and if so, why were they not arrested but beaten instead?

The Hon'ble Sir John Maynard: (a) In dealing with volunteers and a turbulent crowd which accompanied them in the City of Lahore on the evening of the 13th of December, force was employed by the Police in order to disperse the crowd. Force was only resorted to after the crowd had been called upon to disperse and had not obeyed the order. The presence of some 20 volunteers among the crowd was only disclosed after the crowd had been driven back. These volunteers were then removed under arrest.

The crowd numbering at least 1,000 persons had again to be dispersed as it followed the arrested volunteers and stoned the Police, consisting of some 50 men, inflicting severe injuries on one Constable.

Three of the 20 volunteers have been sent for trial. One other implicated in assault on a police officer near Delhi Gate has also been sent for trial.

In regard to the occurrences at Amritsar some volunteers accompanied by a crowd were dispersed by force in accordance with the provisions of section 128 of the Criminal Procedure Code on the 13th December, after they had been directed to disperse and had refused to do so. On the 16th December 38 volunteers who were defying the law were arrested.

(b) There is no provision in the law under which members of an unlawful assembly may elect to be arrested in preference to being dispersed. The law on the subject is contained in sections 127, 128 of the Criminal Procedure Code.

ACTION TAKEN BY THE GOVERNMENT ON THE RESOLUTIONS PASSED IN COUNCIL.

1180. **Khan Muhammad Saif Ullah Khan:** Will the Government please lay on the table a statement for the information of this Council showing how many resolutions passed by this Council during the last sessions have been accepted by the Government, and what steps have been taken accordingly with regard to each accepted resolution?

Mr. E. Joseph—The hon'ble member is referred to *Punjab Government Gazette* notification No. 25851, dated the 22nd October 1921, which gives the information for which he asks down to the end of the session which terminated on August 2nd, 1921. Similar information is being compiled and will be duly published for subsequent sessions. The *Punjab Gazette* is in the Council Library and is supplied to all members of this house.

CHOS ACT.

1181. Sardar Bakhtawar Singh : With reference to question No. 967 will Government be pleased to state the result of the enquiry held by the Commissioner, Jullundur Division, into the working of the Chos Act in Katardhar, Hoshiarpur District?

The Hon'ble Lala Harkishan Lal : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

LEGISLATION PRESCRIBING PUNISHMENT FOR RUNAWAY WIVES.

1182. Sardar Bakhtawar Singh : Will Government be pleased to state when it will give the answer to question No. 970 relating to legislation prescribing punishment for runaway wives, promised on 24th October last?

The Hon'ble Sir John Maynard : The information called for is being collected by the High Court and as soon as it is complete it will be furnished.

AWARD OF RECTANGLES TO GENTRY.

1183. Sardar Bakhtawar Singh : With reference to the answer to question No. 971 will Government be pleased to state the "other reasons" mentioned in the answer?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia— "Other reasons" include the fact that when land becomes available it may be in the public interest to dispose of it in other ways than by grants to landed gentry.

SQUARES ON SHAHNAB, MONTGOMERY AND MULTAN.

1184. Sardar Bakhtawar Singh : Will Government be pleased to lay on the table a statement showing—

- (a) The number of commanded and non-commanded squares respectively on the Shahnahr in the Montgomery and Multan Districts?
- (b) The number of squares which have been permanently awarded to the gentry, abadkars, and military officers, also the number of squares that have been sold?
- (c) The number of squares that have been reserved for sale and or military officers?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : It is regretted that the material, for the reply to this question is not forthcoming. The information is being collected and will be communicated to the hon'ble member as soon as available.

FEE ON LICENSES FOR ARMS.

1185. Sardar Bakhtawar Singh : Is it a fact that the fee on licenses for arms was increased on the understanding that licenses would be available for the whole of India?

(b) If so, why have certain persons been granted licenses which are not available outside their own province or even their district?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : (a) The reply to the first part of this question is in the negative.

(b) This question does not arise.

ARMS RETURNED OWING TO INCREASE IN FEE ON LICENSES.

1186. Sardar Bakhtawar Singh : Will Government be pleased to lay on the table a statement showing for each district of the province the number of guns and pistols returned by people owing to the increase in fee on licenses for arms?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : It is impossible to differentiate arms returned owing to increase in license fees and those returned for other reasons; it is therefore regretted that such a statement cannot be laid on the table.

DIET AND TRAVELLING EXPENSES FOR PROSECUTION WITNESSES.

1187. Sardar Bakhtawar Singh : Is it a fact that owing to the insufficiency of the sums paid for diet and travelling expenses people are unwilling to appear as prosecution witnesses in chalan cases? If so, will Government consider the desirability of increasing the sums now allotted?

The Hon'ble Sir John Maynard : I regret the answer to this question is not yet ready. Enquiries are being made and the result will be communicated to the hon'ble member when received.

ACTION TAKEN ON RESOLUTIONS CARRIED IN COUNCIL.

1188. Sardar Bakhtawar Singh : Will Government be pleased to state—

(a) the number of resolutions carried in Council,

(b) the number of resolutions which have been accepted by His Excellency the Governor,

(c) the number of resolutions disallowed by His Excellency the Governor, and

(d) the number of resolutions which are under consideration?

Mr. E. Joseph : For information down to the end of the Summer Session the hon'ble member is referred to Punjab Government notification No. 25851, dated 22nd October 1921, which he has already received.

In the October Session four resolutions were carried, of which one has been accepted, none disallowed and four are under consideration.

LIST OF PERSONS CONVICTED FOR POLITICAL OFFENCES.

1189. **Maulvi Muharram Ali Chishti**: Will the Government be pleased to furnish the list of all the persons (with names and description) who have been convicted in the year 1921, for the offences of civil disobedience, sedition and other political offences with details of the punishment awarded in each case?

The Hon'ble Sir John Maynard: I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

LIST OF PERSONS ORDERED TO FURNISH SECURITY UNDER SECTION 107 OR 108, CRIMINAL PROCEDURE CODE.

1190. **Maulvi Muharram Ali Chishti**: Will the Government be pleased to lay on the table a list of all the persons (with names and description) who have been ordered to furnish security under section 107 or 108, Criminal Procedure Code, on account of their political activities, in the year 1921?

The Hon'ble Sir John Maynard: I regret the answer to this question is not yet ready. Enquiries are being made and the result will be communicated to the hon'ble member when received.

FAMINE IN THE PROVINCE.

1191. **Maulvi Muharram Ali Chishti**: (a) Is it a fact that since some years famine has become an almost permanent feature of this province, and, that the people, especially the poorer classes, are in a most distressed condition and are being starved?

(b) If so, what steps have the Government taken in the year 1921 to solve the economic difficulties in this province and what further steps does it intend to take in this direction?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia: (a) The answer is in the negative. The failure of attempts to start test works in several districts in the summer of 1921 proved that famine conditions were not prevailing.

(b) The steps taken by the Government to relieve distress in 1921 are indicated in the *Press Communiqué*, dated 5th September 1921, of which a copy is laid on the table. The only steps which at present appear necessary are the provision in the budget of an allotment for takavi and of the sum of Rs. 3,81,000 for expenditure on famine relief, should any necessity arise, as required by Schedule IV of the Devolution Rules. Should famine occur, arrangements will be made for concessions for the carriage of fodder and for the measures of relief prescribed in the Punjab Famine Code.

Maulvi Muharram Ali Chishti: Am I to presume that the Government thinks that there is no famine at present in this province?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia: I think there is a scarcity of food and nothing further than that.

EXPULSION OF STUDENTS FROM GOVERNMENT COLLEGES.

1192. **Maulvi Muharram Ali, Chishti:** (a) Will the Hon'ble the Education Minister be pleased to lay on the table a copy of the rules for the expulsion of students from the Government Colleges?

(b) Has the case of Abdul Salam who has been expelled from the Government College been brought to his notice?

(c) If not, will the Hon'ble Minister be pleased to call for the file of the case, together with an application, dated 7th December 1921, addressed to the Principal of the Government College on behalf of Mr. Ghulam Muhammad, Head Master, Islamia High School, Rawalpindi, the guardian of the said student, in order to see whether the punishment of expulsion from the college was justified?

(d) Is there any precedent of the same punishment having been awarded to any student of a college for a similar fault when coupled with extenuating circumstances?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

Maulvi Muharram Ali Chishti: Can the Hon'ble Minister say when I should expect an answer to this question?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: The answer to this question will be available during the course of this year.

MEASURES FOR THE MAINTENANCE OF PEACE AND ORDER IN THE PROVINCE.

1193. **Maulvi Muharram Ali Chishti:** (a) Is the Government satisfied that the measures taken by it in order to maintain peace and order in the Province have improved the situation? If so, to what extent?

(b) What further measures does the Government intend to take in this direction?

The Hon'ble Sir John Maynard: (a) The measures taken by Government are believed to have diminished the amount of intimidation and annoyance to which private persons were being subjected, and the collection of crowds in circumstances likely to lead to dangerous excitement.

(b) It is hoped that further special measures may not be necessary. But in the event of attempts at civil disobedience on any considerable scale, it will be necessary to increase the strength of the police and of the executive staffs, and to pursue a rigorous policy in dealing with incitements to illegal action. The hon'ble member is referred to the *communiqué* recently issued by the Punjab Government on this subject.

PETITION OF THE INHABITANTS OF MAHAWA.

1194. **Malik Firoz Khan, Nun:** Will the Government be pleased to lay on the table the full text of the petition of the inhabitants of the village Mahawa along with the note by Mr. Scott, dated 5th October 1921, and also the Deputy Commissioner's note, if any, referred to in the proceedings of the Drainage Board meeting, dated 29th October 1921, as published in the *Punjab Gazette*, dated November 25th, 1921?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia: A translation of the petition referred to along with copies of the notes of the Deputy Commissioner and of Mr. Scott, Superintending Engineer, are laid upon the table.

Punjab Drainage Board Meeting, 29th October 1921.

Agendum No. 1 (c).

DRAINAGE OF THE HUDIARA NALLAH.

Note, dated 5th October 1921, by C. V. G. SCOTT, Esq., Superintending Engineer, Punjab Drainage Board.

I HAVE received a letter No. 2325, dated 28th September 1921, from the Deputy Commissioner, Amritsar, enclosing a note by him and a petition received from the people of Mahawa village, Tarn Taran Tahsil, copies of which are attached to this note.

The papers concern a complaint received from the villagers that during the rain this year their village was flooded by overflow from the Hudiana Nallah and requesting that the Nallah should be widened and deepened, and that remedial measures should, if possible, be taken this cold weather.

2. The village of Mahawa is close to the Hudiana Nallah opposite R. D. 95,000 feet of its proposed new alignment and is also less than one mile below the outfall for the Amritsar City Drain where the former joins the Hudiana Nallah at R. D. 90,000 feet.

The present bed level of the Hudiana Nallah at R. D. 95,000 feet is 716.6 and the natural surface at the village is 720.0 or only 3.4 feet above the present bed of the Nallah.

The design full supply level in the Hudiana Nallah has been taken at R. L. 719.5 at R. D. 95,000 feet and the highest probable flood level at R. L. 722.0, therefore if the flood this year reached the designed level only the village would be liable to flooding, and if it reached the highest flood level or near it conditions must have been worse.

3. The surface drain project for the Hudiana Nallah, which has been accepted by the Drainage Board as being the most feasible, will only lower the bed of the Nallah 2.2 feet below its present level, also the present bed width of the Nallah at R. D. 95,000 feet is 25 feet and the proposed bed width as per the surface drain project will be 30 feet, therefore it is unlikely that the surface drain project will have much effect in protecting this village, especially when the flood water entering the Nallah upstream of the village site will be augmented by flow from the Amritsar City outfall at R. D. 90,000 feet.

This particular village therefore provides an example that should induce caution in accepting the surface drain project which all along I have not recommended to the Drainage Board.

4. On the contrary, the deep drain project would protect this village because the designed bed will be 4.1 feet below natural surface at the village and the bed width will be 43 feet instead of 30 feet which should keep the surface level in the Nallah much lower and ensure a rapid run off of the flood water. If the flood this year exceeded R. L. 719.5, as it appears to have done, it must have flooded the village, and if at any future time the water reached the highest estimated flood of level 722.0, then the village would be badly submerged and these conditions may be intensified by flow from the Amritsar Outfall Channel which will join the Hudiana Nallah less than one mile upstream of the village.

5. The surface drain project for the Hudiana Nallah which has been considered by the Drainage Board to be the most economical, will not effectively lower the bed of the Nallah below its present level, also the present bed width of the Nallah is 25 feet, and the surface drain project will only widen this to 30 feet, therefore it is unlikely that the surface drain project will have much effect in protecting this village from flooding.

The conditions at this village therefore are such that they should induce caution in accepting the surface drain project for training the Hudiana Nallah, which, as I have pointed out in former notes, cannot be regarded as more than a tentative measure of relief, and one that may quite fail in times of heavy rainfall.

6. On the contrary, the deep drain project would be effective in protecting this village, because the designed bed of the Nallah will be 4.1 feet below the natural surface, also the bed width will be increased from 30 to 43 feet, which would allow free flow past the village at a lower level than in the surface drain project.

7. As regards remedial measures these will depend upon which project for the training of the Hudiana Nallah is finally adopted by the Drainage Board.

8. Copies of Deputy Commissioner Amritsar's letter and note with a translation of the petition from Mahawa village are attached.

No. 2825, dated 28th September 1921.

From—J. M. DUNNERT, Esq., Deputy Commissioner, Amritsar,
To—The Drainage Engineer, Lahore.

I HAVE the honour to send herewith a copy of the petition of the villagers of village Mahawa in Tarn Taran Tahsil, together with a copy of note recorded by me, with the request that you will kindly consider whether anything can be done during the cold weather to diminish the liability of the village to floods.

Translation of a petition, dated 29th July 1921, from the residents of village Mahawa, Tahsil Tarn Taran, District Amritsar, addressed to the Deputy Commissioner, Amritsar.

THE applicants are residents of village Mahawa, Tahsil Tarn Taran, District Amritsar. Unfortunately our lands are either uncommanded or in low level. Although the rain was badly wanted: through God's grace rain has fallen. Our village is situated at a low level, the surplus rain water of other villages came through the Nallah to our village. The Hudiana Nallah which was constructed by the Government for the carriage of rain water, overflows on account of large volume of water of other villages coming in it. This water injures our crops. This loss we are enduring from the last 20 years. We have been put to great loss by the rain fallen day before yesterday and future danger is apprehended. We therefore humbly request that after due inspection necessary measures may kindly be taken for the protection of your helpless subjects. After due inspection you very kindly

ordered for submission of a petition mentioning all grievances. Our grievances are as follows and these you can very easily remove :—

- (a) The present Hudiana Nallah which overflows its banks in the rainy season on account of accumulation of rain water and water of Ganda Nallah of Amritsar, and this process of overflowing greatly injures our crops, and we and our cattle are put to great trouble, we therefore request that the Nallah be deepened and widened.
- (b) In rainy season Hudiana Nallah cannot be crossed, a bridge may kindly be constructed for our convenience.
- (c) Our lands are injured by rain water and our uncommanded lands cannot be irrigated by the canal, and rain water does not stop there, we therefore request that recommendations may kindly be made to the Canal Department to give us water from Dande Distributary.
- (d) The present *Kharif* crop has been destroyed, and on account of destruction we cannot get loans. Necessary remissions may kindly be ordered.

Note by the Deputy Commissioner.

THE season has been a dry one, and up to a few days ago the monsoon has been practically a failure. On the 25th July, however, Amritsar had about $3\frac{1}{2}$ inches of rain. There has been practically no rainfall since. The Attari *ilaga* however, has been more fortunate, but it is improbable that this tract including the village of Mahawa has received more than 5 inches in the last week. The rainfall in the country in the north of Mahawa and in the Hudiana Nallah has probably been similar to that of Amritsar.

In consequence of a telegram received from the Lambardar I visited the village yesterday evening. I found that the Hudiana Nallah had overflowed its banks on both sides, and that the whole country between it and the village was under water. The floods were continuous up to the village tank which was brimful and the water had reached the extreme houses in the *abadi*. The impression left on my mind was that more rainfall in the next day or two would involve a portion of the village being submerged, and this fate is probable if any time a sudden rainfall much exceeds the amount recently received.

The people are aware that nothing can be done at present, and the deepening and widening of the channel of Hudiana Nallah can protect them only against the ordinary consequence of rainfall and not against cataclysmic outbursts; but during the coming cold weather serious efforts to widen and deepen the channel of the Hudiana Nallah should be made and this request seems to me to be reasonable.

9-7-21.

SINDH SAGAR CANAL.

1195. Malik Firoz Khan, Nun : (a) Will Government please say with regard to the proposed Sindh Sagar Canal what will be its total length; what is the estimate of the total expenditure to be incurred on it; what percentage of net income is likely to be obtained from it; and what is the total area of land that will be irrigated by it?

(b) Will Government also please lay on the table a copy of the conditions prescribed under section 5 of Act I of 1902, and say what is the total area of land agreed to be surrendered to the Government under section 3 and section 5 of the same Act, and what is the total area of common lands of which not less than 2/3rds of the owners have agreed to surrender their rights to the Government under section 7 of the same Act, and what is the total amount of the area which the Government expects to secure by surrenders under the same Act?

(c) Is there any Government land in the Sindh Sagar Doab other than that obtained by surrender which will be irrigated by the proposed canal and could be sold? If so, will Government please give its area in acres?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia: The Project* Estimate of the Thal Canal with appendices 1919 in which all the available details asked for will be found is laid on the table.

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

1196. Malik Firoz Khan, Nun: What are the intentions of the Government with regard to the resolution passed by the Legislative Council in favour of a separation of the judiciary from the executive?

The Hon'ble Sir John Maynard: The terms of reference to a Committee and the constitution of the Committee are at present being worked out by Government and will be shortly announced.

PROHIBITION OF WHIPPING.

1197. Malik Firoz Khan, Nun: (a) How many persons have received the punishment of whipping during the last six months in the Punjab?

(b) Will the Government be pleased to take the necessary steps to prevent the infliction of the punishment of whipping in the future?

The Hon'ble Sir John Maynard: (a) The figures are not at present ready, but will be communicated to the hon'ble member when received.

(b) No proposal is before the Government for repealing the legislation which regulates this form of punishment.

EXEMPTION OF SWORDS FROM THE OPERATIONS OF THE ARMS ACT.

1198. Malik Firoz Khan, Nun: (a) Is it a fact that kirpans are exempted from the operation of the Arms Act in this province and that the law prescribes no length for a kirpan?

(b) If so, does the exemption apply to Hindus and Muhammadans as well as to Sikhs?

(c) If not, will the Government be pleased to exempt swords from the operation of the Arms Act in this province, or else to put Hindus and Mussalmans in the same position as their brother Sikhs with regard to the wearing of kirpans?

(d) If Government is not so willing, will it be good enough to give the reasons for its unwillingness?

The Hon'ble Sir John Maynard : (a) The law as it stands extends the exemption only to kirpans worn by Sikhs. A recent judgment of the High Court explains the legal situation.

(c) and (d) The Government consider it inadvisable in the interests of the public peace to exempt swords from the operation of the Act. The present exemption relates to Sikhs only on the ground that the kirpan is worn by them as a religious emblem and this ground does not apply to members of other communities.

TREATMENT OF CONGRESS AND KHILAFAT VOLUNTEERS BY POLICE AT LAHORE, ETC.

1199. Rai Sahib Lala Panna Lal : Will the Government be pleased to state—

(a) whether assaults were made by the Police upon unresisting members of Congress, Khilafat, district volunteers and certain on-lookers at Ludhiana, Amritsar and Lahore?

(b) If so, were these assaults authorized by responsible officers?

(c) If not, will the Government be pleased to publicly issue early instructions to stop them?

The Hon'ble Sir John Maynard : (a) In regard to the events at Amritsar and Lahore the hon'ble member is referred to the answers given to questions Nos. 1169 and 1171.* In regard to Ludhiana the only incidents known are that the police were hustled by the mob on three occasions, twice when escorting prisoners and once when barring the road to a procession of volunteers in uniform. There is no reason for believing that any unnecessary violence was used by the Police who were themselves assaulted and injured in performing the duties noted above.

(b) This portion of the question would seem to be based upon a misapprehension. I would refer the hon'ble member to that part of the answer given to question No. 1169 which explains the provisions of sections 127 and 128 of the Criminal Procedure Code.

(c) Under the circumstances explained there is no need for Government to issue instructions of the kind desired by the hon'ble member.

ELECTIVE SYSTEM IN SIMLA MUNICIPALITY.

1200. Rai Sahib Lala Panna Lal : Will Government be good enough to state if a decision has been arrived at on the subject referred to in my question No. 689 of the 28th July 1921?

The Hon'ble Khan Bahadar Mian Fazl-i-Husain : The answer is in the negative.

INCREASE IN HOUSE-RENTS.

1201. Rai Sahib Lala Panna Lal : Will Government be pleased to state what decision it has arrived at on the subject referred to in my question No. 649 of the 29th July last?

The Hon'ble Lala Harkishan Lal : The matter is still receiving my attention. I am arranging to meet representatives of various Landlords' and tenants' Associations in the near future to discuss the matter with a view to the possible introduction of legislation to regularize rents in the Province.

TRAVELLING ALLOWANCE ADMISSIBLE TO MEMBERS OF THE PROVINCIAL CIVIL SERVICE.

1202. Rai Sahib Lala Panna Lal : Will Government be pleased to state if it is a fact that—

- (a) according to the old Gradation Scheme under the Civil Service Regulations, members of the Provincial Civil Service whose pay exceeded Rs. 500 were classed as 1st class officers for the purposes of travelling allowances, and that, according to the new time-scale Scheme such officers are to be treated as 2nd Class Officers?
- (b) If so, will Government be pleased to give reasons why the status of the Provincial Civil Service men has been lowered in this respect?

Mr. E. Joseph : No Sir ; Article 1002, Civil Service Regulations, provides for first class travelling allowance for officers whose pay exceeds Rs. 500, and it makes no difference whether the limit is reached on a graded scale, or on a time-scale.

TRAVELLING ALLOWANCE TO PRESIDING OFFICERS OF COURTS.

1203. Rai Sahib Lala Panna Lal : Will Government be pleased to state if it is a fact that (a) (i) Public Prosecutors are given 1st class travelling allowances, (ii) while the presiding officers of the courts before whom they work are allowed 2nd class?

- (b) If so, will Government be pleased to take action in the matter.

Mr. E. Joseph : (a) Public Prosecutors draw 1st class travelling allowance. The travelling allowance of the presiding officer of the Court varies as explained in the answer to the last question.

- (b) The hon'ble member is referred to the answer given to question No. 1132* put by Mr. Ganpat Rai.

COMMUNAL REPRESENTATION AMONG MIDDLE SCHOOL TEACHERS IN LYALLPUR.

1204. Khan Muhammad Abdullah Khan : Will Government kindly state the number of Muslim and non-Muslim teachers working in each of the Middle Schools in the Lyallpur District?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : I regret the information is not available. It has been called for.

COMMUNAL REPRESENTATION AMONG DRILL AND GYMNASIIC INSTRUCTORS.

1205. Khan Muhammad Abdullah Khan : Will Government kindly state the number of Muslim and non-Muslim Drill and Gymnastic Instructors working in the District Board Schools in the Lyallpur District?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: I regret the information is not available and has been called for.

TRANSFER FROM JULLUNDUR OF MUSLIMS IN THE EDUCATION DEPARTMENT.

1206. Khan Muhammad Abdullah Khan: Will Government kindly lay on the table a statement showing the number and, if possible, names of the Muslims in the Education Department who were transferred from the Jullundur Division on the report of the Inspector of Schools during the last 5 years?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: The information is being collected and will be submitted when ready.

COMMUNAL REPRESENTATION IN AGRICULTURAL COLLEGE, LYALLPUR.

1207. Khan Muhammad Abdullah Khan: (a) Will Government kindly lay on the table a statement showing the number of Muslim and non-Muslim candidates admitted to the Agricultural College, Lyallpur, in 1920 and 1921?

(b) If the number of Muslims admitted in 1921 was small, as compared with that admitted in 1920, what were the reasons?

(c) Is it a fact that a Muslim matriculate candidate from the Mianwali district, who belonged to a zamindar family, was refused admission, while a non-agriculturist and non-matriculate Hindu from Multan was admitted.

The Hon'ble Lala Harkishan Lal: (a) A statement giving the information required as regards the candidates selected from various communities is laid on the table.

(b) There was no material difference in the number of Muslim candidates admitted in the two years.

(c) There was no Muslim applicant from the Mianwali district.

STATEMENT.

Students selected from the Punjab for admission to the Agricultural College, Lyallpur—

				<i>Muslims</i>	<i>Non-Muslims.</i>
1920	...	...	...	25	28
1921	...	...	...	22	30

LAHORE GOVERNMENT COLLEGE HOSTEL.

1208. Khan Muhammad Abdullah Khan: (a) Will Government kindly state the number of Hindu, Sikh and Muslim students admitted this year to the newly-built hostel attached to the Lahore Government College?

(b) How many Muslims applied for admission and were refused and on what grounds?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

RESOLUTION *re* MOVING HIGH COURT TO EXAMINE RECORDS
OF NON-CO OPERATORS' CONVICTIONS.

107

Supplementary question to question No. 1171.

The Hon'ble Sir John Maynard: May I answer Mr. Ganpat Rai's supplementary question No. 1171 of yesterday's date?

Mr. President: Yes.

The Hon'ble Sir John Maynard: Mr. Ganpat Rai's yesterday's statement about giving a reward of Rs. 3 to the Police is incorrect. The Police were given Rs. 3 for the extra work that they have to do now-a-days.

2-10 P.M.

RESOLUTION *re* EXAMINATION BY THE HIGH COURT OF THE RECORDS
OF THE CONVICTIONS OF NON-CO-OPERATORS.

Diwan Bahadur Raja Narendra Nath: I beg to move —

"This Council recommends to the Government to request the High Court of Lahore to call under section 439, Criminal Procedure Code, for the records of each and every case in which a non-co-operator has been convicted so that the validity in law and fact of such convictions may be examined."

Some of my friends spoke yesterday at length on the theory and practice of non-co-operation. I need not repeat today what was said yesterday. Suffice it to say that the object of non-co-operation is to paralyse the Government and to create an atmosphere of hostility. The object of co-operators is, and should be, to create an atmosphere of friendliness and amity. It is with this motive and in this spirit that I have moved the Resolution, which is now before the Council. The non-co-operator when he comes before the Court does not cross-examine the witnesses, he puts in no defence, he engages no counsel, he institutes no appeal to a higher Court and he makes no application for revision to the High Court. The greater his helplessness the greater is the success of his movement and the more triumphant is the victory in being able to create an atmosphere of enmity against Government. The Government have been wise enough to allow the engagement of what are called *Amici curiae* in some of the recent cases against non-co-operators. The meaning of these words is the friend of the court and not of the accused. The principle on which the *Amici curiae* were introduced is to help the highest object of administering of justice. The framer of this phrase perhaps foresaw with intuition the conditions now prevailing in this country, condition in which it is possible for accused person to forego legal assistance.

Before bringing this Resolution before the Council I have had opportunities of discussing it with my friends and I have heard some of the criticism which they were able to urge against it. I do not know if they have changed their minds since, but by way of anticipation I should like to answer some of the criticism which may be offered. It is said that the executive government should not interfere with the independence of the High Court. It is not my intention to advocate any interference with the independence of the judiciary. I simply say that Government may request the High Court to examine such cases. Surely it is not the first time that we hear of requests of this nature and of facts brought to the notice of the High Court on which they have taken action. Less than six months ago, the Punjab Government brought certain facts to the notice of the High Court with regard to the disposal of cases under the Charitable Endowment Act and the High Court were pleased to issue instructions to subordinate Courts that these cases should be expeditiously dealt with.

[D. B. RAJA NARENDRA NATH.]

About two years ago the Government of India appointed two Judges of the High Courts, one from Patna and another from the Punjab to examine the files of Martial Law convicts. They were able to make recommendations which were accepted and the public demand was to a certain extent satisfied. My resolution therefore does not make any new departure. It is said that the files of these cases are meagre, that the High Court will not be able to alter the decisions already given, but this plea about the meagreness of records was also raised in respect of Martial Law cases and the popular demand was that all the Martial Law convicts should be released without any examination of files, because the files were meagre. Many members of this House are aware that popular opinion questions the legal validity of certain convictions in cases against non-co-operators by courts below. It is said that committee meetings should not be considered to be public meetings. It is said that certain meetings convened to discuss religious questions were covered by the exemption allowed under the notification issued under the Seditious Meetings Act. These are questions which ought to be fully tested by a higher court and I think that the course which I have suggested to Government will satisfy the public demand.

I have also heard it urged that the examination of files will entail a great amount of work on the Judges of the High Court and perhaps the reversal of the orders of the lower court may be done in a very few cases. I do not consider this to be a valid objection at all, because the percentage of reversals of sentences of Lower Courts is perhaps very small in the Punjab. That is no argument against the High Court being saved from the trouble which is entailed in the examination of cases. The generally accepted principle of the criminal law is this, that if one hundred guilty persons escape, it does not matter, but one innocent person should not be allowed to be convicted. It is in extension of this principle that I have put forward my proposal and I hope that Government will also take it in the spirit in which it has been put. I do not mind slight alteration of words which may be necessary for legal phraseology, and if the amendment, of which notice has been given is moved by my friend in whose name it stands, I shall be very glad to consider it.

2-23 P. M.

Mian Bell Ram : Sir, I whole heartedly support the resolution which has been put forward by my friend Raja Narendra Nath. I congratulate him upon the courage and wisdom with which he has moved it. I have to explain to the House that though the High Court has the power to send for the records of any case, yet the usual practice is that an application be preferred whether on behalf of a private individual or on behalf of more than one person. It is then that the records are sent for and examined. In these cases this motion is necessary, because the Crown is the prosecutor, and a servant of the Crown is the judge. Therefore if the accused is not defended by a counsel and does not exercise all his legitimate rights, there is always considerable doubt in the mind of the public, and I daresay in the minds of high functionaries, as to whether or not the trial has been fair. One of the essentials of the trials should be to satisfy the Government and the public that the men who have been sent to jail have been sent not because they were undesirable persons but because they actually did commit certain offences against the laws of the country. I am of this opinion that Government will be in a far better position if this resolution is accepted. - At present it might very easily be asserted against Government

that these convictions were made in a spirit which was not strictly judicial. I say it will be to the interest of the Government to have these records examined by the ablest judges available who are independent of the executive. Such an action will satisfy the public and satisfy the Government that at least in matters of law the judgments are correct. It might be said that we are not right in asking the Government to move the High Court in the matter, because the Government can examine the record themselves. But that would be an act of the executive which might or might not satisfy the people. Therefore it is that I say it is very necessary to have these sentences revised by the highest judicial authority in the Province. Sir, our Government is a civilised Government. It is a Government which is carried on by law. When the executive takes action and conviction after conviction follows it is perfectly natural for the public to entertain suspicions as to the legality and propriety of the sentences. I fully remember the reason given by Lord Sinha some years ago in the Executive Council that Government is generally successful in cases of public prosecution, not because the Magistrates are the servants of the Government but because the Government examines each case beforehand; they see that the case is a sound one and then a prosecution is launched. It may be urged that that is true only in cases in which sanction of the Government is taken, and that this is not done in each and every case, but even that reason is not in favour of the Government for not moving the High Court. I think, in order to maintain the position which the British Government have in this country, it is necessary that the highest tribunal of the province be moved to consider whether or not these cases have been in point of law rightly decided. There is no doubt that some of these cases do involve very fine points of law. One of the cases which has only recently been disposed of involved the point whether a certain meeting was or was not a public meeting. In another the point was involved whether or not a certain meeting could be proclaimed unlawful under the Seditious Meetings Act. There was another question of law involved in another case whether certain facts alleged against an accused person, even if proved, did amount to a reasonable cause for action under section 108 of the Criminal Procedure Code. I as a lawyer would certainly say that these are very fine points of law and on these there is a considerable difference of opinion, and public opinion demands that there should be a final test to determine them. As far as I know there are no judgments of any High Court clearly laying down the principle on which these sections are based. It is for this reason that I urge that this motion should be accepted. Another reason, as has been briefly mentioned by Raja Sahib, is that these non-co-operators want to secure public sympathy for themselves. Sympathy for these people would mean antipathy for Government. Government should therefore do and leave nothing undone to remove this chance for the non-co-operators. Government should always prove to the satisfaction of the people as far as it lies that they have done everything in their power to do justice and wherever justice is not done it is the duty of the Government to see that it is done. For this reason I would submit that the resolution moved by Raja Sahib should be accepted. I am quite confident that some of the non-co-operators do not like the step suggested by the resolution and they have a reason for not liking it. They think that now they as well as the public are sympathising with the convicted persons and they are in a position to say that these trials were a farce, but if these cases came up before the High Court and the High Court upheld the convictions, then this advantage which stands to their credit to-day would go. I feel

[Mian Beli Ram.]

that we must defeat the non-co-operators in this respect. I hope Government will not only move the High Court, but will move the Chief Justice personally to consider each case as far as he can.

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

“ That in line 2, instead of the word ‘ request ’ the word ‘ move ’ be substituted.”

It is a formal amendment and requires no explanation.

Mr. President : The amendment is a formal one and I therefore put it to the Council.

The amendment was carried.

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

“ That after the words ‘ every case ’ the words ‘ connected with the recent political unrest in the Punjab ’ be inserted.”

This does not require any explanation.

Mr. President : Does any member wish to speak against this amendment?

No member rose to speak.

Mr. President : In that case I will put the amendment to the Council. The amendment was carried.

Mr. President : The resolution as amended will run as follows :—

“ That this Council recommends to the Government to move the High Court of Lahore to call, under section 439, Criminal Procedure Code, for the records of each and every case connected with the recent political unrest in the Punjab in which a non-co-operator has been convicted, so that the validity in law and fact of such convictions may be examined.”

2.45 P.M.

Mr. Ganpat Rai : Some of the members in this House were surprised to see that I have stood up to oppose this Resolution, but when I have fully explained my reasons for so doing I think it will not be a surprise to anybody in this House. As Raja Sahib has said he had an occasion to talk to me about his Resolution and I gave my reasons for not agreeing with him. In his eloquent speech he has failed to convince me at least. Perhaps Raja Sahib is not fully aware of the case which is known as the Fuller Case, which was taken up by the High Court of Bengal in the seventies and formed the subject of consideration and issue of a despatch by the then supreme Government. If he had studied that case (and the other cases in which that case has been referred to, I believe his Resolution would not have been framed as it now stands. In the Fuller Case it was decided by the supreme Government that the local Governments should not move the High Courts in such questions in the way as has been suggested by Raja Sahib in his Resolution. It is laid down that the Government should make such application in open court giving its reason. Therefore the Government should make application in each individual case through Government Advocate or other legal agency. I quite sympathise with the object which he has in view, and I share the same feelings which have prompted my friend to propose this Resolution, but the remedy does not lie in moving this Resolution. The remedy is quite independent of it and is not in the hands of the Government, but it is by proper procedure that can be remedied. His Resolution is :—“ This Council recommends to the Government to request the High Court of Lahore to call, under section 439, Criminal Procedure Code, for the records of each and every case in which a non-co-operator has been

convicted so that the validity in Law and fact of such convictions may be examined." This is the procedure which is not sanctioned by any law of the land. Local Government cannot, as a rule, whatever may be the reason ask the High Court to examine each and every case. There are several rulings on the point and one such case is reported in the Indian Law Report, 16 Bombay, on page 582, where this procedure is laid down. This is a new principle which Raja Sahib is asking this Council to adopt in moving the local Government to call each and every case. The second point on which I object to this Resolution is this that it is decidedly and emphatically an interference with the independence of the Judges of the High Court. The High Court, which is independent of local Government, should not be intermingled in such a way. I do not think Raja Sahib or any one in this Council would like the independence of the High Court to be interfered with by the Executive Government. When we had the Chief Court we agitated for converting it into a High Court. This agitation was made on the ground that Chief Court is not independent of the Executive Government. It was the Congress, which about 25 years ago moved in the matter asking the Government of India to convert the Chief Court of Punjab into a High Court. Now when we have got High Court, whose Judges are appointed by His Majesty, a resolution is proposed asking the Executive Government to move the High Court for the examination of each and every case. It is insulting and derogatory to the position of the Judges of the High Court. This is the second objection on which I am sorry to say I have to oppose this resolution. Thirdly anybody who has read section 439, will find that this Resolution is against the principle underlying this section. The High Court has full discretion in such cases. It has no fetters. By this Resolution we attempt to fetter the discretionary power of the High Court. It has been repeatedly said by eminent judges that there should be no fetters on the discretion of the Judges of the High Court so far as the question of revision is concerned. Several reasons have been given by the hon'ble mover in support of his Resolution. He has said that recently in connection with the shrine cases or *Waqf* cases local Government, in consultation with the High Court, interfered with the independence of the High Court. But this is wrong. Then another case was quoted. The mover said that two Judges were appointed to revise Martial Law cases. But that is quite a different matter altogether. The Martial Law Courts having been abolished there were no other higher courts to revise those cases and the Government of India appointed a special agency to revise them, because it was admitted that the records were meagre and the people were not satisfied. The High Court, even if moved as suggested in this Resolution, will not be able to give satisfaction to the public, because there are meagre records. There has been no evidence on behalf of the accused. Therefore for these reasons while sympathising with the object of the mover, strongly oppose this Resolution.

3 P. M.

The Hon'ble Sir John Maynard : Sir, the law provides for an appeal by persons who are not satisfied with the decisions of the Court of first instance and it also provides for the revision of sentences by the higher courts. Two speakers have already explained to you the reasons why non-co-operators do not employ the remedies which the law provides. Briefly it comes to this that for ordinary methods of defence they substitute manifestos, and agitation in the press and appeals to popular sentiment and no reference is made to the higher court which has the power to correct mistakes and modify sentences which are passed. Government recognises the object of the

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tactics of the non-co-operators. The object as has been explained is simply the same object which runs through all their tactics, that is to say, to create popular sympathy for themselves and to destroy the affection and respect in which the Government is held. Those are the objects undoubtedly with which these tactics are pursued and the tactics have been very cleverly designed to gain that end. Therefore, even if there were no higher object to be gained, it would be necessary for Government to find some means of countering those tactics. There is a higher object to be gained. It is the great desire of Government that justice shall be done. Therefore, quite apart from the details of what is proposed, the Government is entirely in sympathy with the object of this motion. The Government would welcome the exercise by the High Court of its powers of revision in cases in which there is any substantial doubt or any question of the propriety of the sentences which have been imposed. It has been a subject for very anxious consideration by the Government by what method we can best attain the object, that object being the reconsideration of sentences in regard to which there is any doubt, but of course in considering this subject the Government has been obliged to ask itself what method may be followed which will not only be effective for the immediate object in view, but also be compatible with the full respect which is due to the Hon'ble Judges and which will fit in perfectly well with the requirements of other provinces which are similarly situated. The Government, I may say, had devised a method of its own for meeting this particular case, but circumstances in other provinces have also to be considered before we apply the method which we contemplate to apply. All that I can give at present is an assurance that some method will be found of reconsidering the decisions in cases of the kind to which the hon'ble mover has referred and of reconsidering the sentences which have been imposed. I cannot say that the particular method which he recommends will be adopted because there are reasons some of which have been indicated by my friend, Mr. Ganpat Rai, which make it difficult to take that course. But as I have said I can give the assurance that the Government, firstly because it desires justice, secondly because it also desires to defeat mischievous tactics on the part of enemies, will find some method of revising orders and sentences in cases of the kind intended by this resolution, whenever there is a substantial doubt of their legality and propriety. As an example I will tell you what the Government has decided to do in one particular case which I fancy is possibly the origin of this resolution. That is the case in which four gentlemen have been convicted recently in Lahore for an offence under the Seditious Meetings Act and also under section 145 of the Indian Penal Code. The decision of the Government in this case is this. These gentlemen have been sentenced to one year's rigorous imprisonment under section 145, Indian Penal Code; and different terms of simple imprisonment under the Seditious Meetings Act. The Government is about to remit entirely the sentences of rigorous imprisonment under the Indian Penal Code and as regards the sentence under the Seditious Meetings Act it will take steps to examine the legality of the finding.

3.11 P.M.

Mr. Manohar Lal : Sir, the opposition offered to this resolution by Mr. Ganpat Rai seems to be based on no real ground whatsoever. The first objection which Mr. Ganpat Rai raised was this that for the local Government to move the Judges of the High Court to reconsider the cases as con-

templated by the resolution would be something unusual. Well, Sir, I take it that that is not the intention of the hon'ble mover of this resolution. The resolution distinctly contemplates that the High Court be moved to act under section 439. I take it, Sir, as a lawyer, that as the High Court proceeds under section 439, Criminal Procedure Code it will proceed as an open court and not as a body of judicial experts sitting in camera to decide these cases one way or the other. The second objection that Mr. Ganpat Rai raised was that the resolution implies an interference with the independence of the High Court. That, Sir, is not within it. The resolution provides a method by which certain records will come to the High Court and, Sir, in order that the High Court may proceed to examine the records, the law pays down that the proceedings of the records must somehow first come to the knowledge of the High Court. I do not see how it constitutes an interference with the independence of the High Court. If the Government decides to bring to the knowledge of the High Court the records of the cases it would be for the High Court to decide whether or not it would be prepared to exercise the powers which the law gives it under this section. The resolution does not mean that when the Government moves the High Court that the High Court is immediately compelled to revise the judgments. Nothing of the kind. All that happens then is that certain records are placed before the High Court and the proceedings are brought to the knowledge of the High Court and the High Court begins to consider them and makes use of the powers which it possesses. The third objection that I want to answer is this, that this resolution places certain fetters on the discretion of the High Court. But that was not intended by the mover of the resolution. The resolution does not contemplate that the High Court will not have the fullest possible discretion in reference to the examination of these records. All that the resolution does is this. It gives an occasion to the High Court which the High Court would not have had otherwise. Surely the High Court could not proceed merely because certain newspapers have from day to day written that convictions in certain cases were not just.

It would give an occasion to the High Court, if it so desired, to look into certain proceedings and see whether they are in accordance with law or whether certain sentences which have actually followed on certain convictions are appropriate sentences. And, of course, it is recognised on all hands that the award of appropriate sentences is a very delicate question. These are the objections which Mr. Ganpat Rai thought should prove fatal to this resolution. And it has been a matter of considerable gratification to us, Sir, that the Government is prepared really to welcome the spirit of this resolution; and if any words that I have said dispel the doubts as regards the possible interference with the independence of the High Court I would urge that the machinery which Diwan Bahadur Raja Sahib's resolution suggests is a very appropriate way of having these matters looked into. The last thing Mr. Ganpat Rai referred to was certain instances. I do not think that Raja Sahib particularly intended that because the Government took particular action on a previous occasion that that was intended by this resolution. This resolution refers to a particular section of the Criminal Procedure Code under which the High Court has jurisdiction. All that Raja Sahib intended was that some method should be devised by which the High Court's jurisdiction may be invoked. It is not suggested in the least that in invoking that jurisdiction it should act in a manner likely to interfere with the independence of the High Court.

Mr. President : Is the hon'ble member satisfied ?

Diwan Bahadur Raja Narendra Nath : I am very much indebted to Mr. Manohar Lal, Sir, for having met the points advanced by Mr. Ganpat Rai, and he has saved me the trouble of covering the same ground again. There is, however, one point which is left and on which I should like to offer a few remarks.

Mr. President : Do I understand that you do not withdraw your resolution ?

Diwan Bahadur Raja Narendra Nath : No, Sir, I do not withdraw my resolution.

Mr. President : Then you should wait to reply till other members have spoken.

8-17 P. M.

Sardar Bakhtawar Singh (Urdu) : I oppose this resolution in spite of the fact that those who have spoken in its favour are men of far greater ability than I am. The hon'ble mover himself has admitted that the underlying object of non-cooperators is not putting in any defence while under trial is to disseminate a feeling of disgust against British justice among the people. Supposing we pass this resolution, on what record is the High Court to revise those sentences ? The non-cooperators have not put in any defence and the convictions being entirely based on prosecution witnesses the High Court will not but confirm the sentences. The result will be that the public will still more sympathise with the convicts and this will lend a fresh support to the non-cooperation movement. On these grounds I would ask the hon'ble mover to withdraw his resolution.

8-22 P. M.

Chaudhri Kharak Singh (Urdu) : Sir, I heartily support the resolution. Although the Hon'ble Finance Member has given assurances to do something in this respect, I would be glad if those sentences are revised by the High Court and no other body, because this would give a greater satisfaction to the public.

8-24 P. M.

Mr. Moti Lal Kaktha : Mr. President, I take this question from a different standpoint. In this resolution a much bigger issue is involved. We are all co-operators here and none of us is a non-co-operator. Then the question arises whether this Council or even the courts of law have any jurisdiction over the non-cooperators. I ask whether the laws of this land can be applicable to the people who refuse to admit themselves within this empire. I ask what is the good of recommending to the Government to move the High Court in the matter. I ask whether this resolution, even when accepted, will satisfy the non-cooperators. I say, not. Government should take up the question in a straight light. They should at once declare whether the movement of non-cooperation is *ipso facto* illegal. That is a point which this Council should take into consideration. We want the High Court to revise these judgments according to our own laws. A question has arisen whether a certain meeting was a public or private meeting. I say that I have about 40 years' experience as a lawyer and I can say with authority that that meeting was a private and not a public meeting. But even here the views of this house differ. There is another view which I wish to express: that is that non-cooperation is to go on and it is a futile

exertion on our part to get these sentences revised. I should like to let this motion drop as I do not want this futile attention on our part to bring round the non-cooperators. I consider it a waste of time. Finally I submit, Sir, that so far as the motive behind Raja Sahib's motion is concerned I support him, but so far as my general views are concerned I oppose the motion.

3-30 P.M.

Malik Firoz Khan Nun : Sir, it has been pointed out by more than one speaker that the action suggested by the hon'ble mover is not only for the interest of the public justice but also in the interest of the Government itself. It is the foremost duty of every Government to create and maintain in the minds of the public an idea that nothing but justice is being administered in its courts. No doubt, non-cooperators are being convicted for breaches of law and their convictions according to law are absolutely justified, but then the question comes as to whether the sentences are justified or not. There it is quite possible that some of the magistrates might have imposed heavier sentences than are called for by the circumstances. The non-cooperators may not appeal and they may not ask for revision because of their creed, but it is necessary that the Government, in order to satisfy the public which is not constituted by a handful of non-cooperators in the town but by the vast majority of people living in mufassil. In order to satisfy the people the Government should find some means of revising the sentences and showing to the public that these people are getting punishment according to their deeds and are not innocents. As to the question whether the High Court should revise the sentences or some other authority, all that we can do at the present moment is to pass this resolution as it stands that the High Court Judges should revise the sentences as the public have greater confidence over this body all over the place. But if the Government will take some other steps even then the public would be satisfied. The question is that the Government should take some immediate step and not say to the public: wait and see, till the very object of revising the cases is not fulfilled. With these few remarks I heartily support the Resolution.

Diwan Bahadur Raja Narendra Nath : Sir, I beg to move the closure.

Mr. President : The motion before the Council is—

"That the question be now put."

The motion was carried.

The Hon'ble Sir John Maynard : Sir, I only want to say one word. I hope I have made it clear to the Council that there are some practical difficulties in accepting the Resolution. The Government is entirely in accord with the hon'ble member, but owing to those practical difficulties it will be difficult for the Government to carry out the Resolution even though passed. This is the point to which I wish to draw the attention of the Council.

Mr. President : The motion before the Council is—

"This Council recommends to the Government to move the High Court of Lahore to call under Section 439 of the Criminal Procedure Code for the record of each and every case connected with the recent political unrest in the Punjab in which a non-cooperator has been convicted so that the validity in law and fact of such conviction may be examined."

The Council then divided. Ayes 38, Nos. 31.

AYES 38.

Chaudhri Bans Gopal.
 Malik Firoz Khan, Nun.
 Pir Akbar Ali.
 Lala Amar Das.
 Khan Sahib Amir Khan.
 Chaudhri Ata Ullah Khan.
 Lala Atma Ram.
 Sardar Sangat Singh.
 Sardar I. Asaundha Singh.
 Khan Bahadur Rai Wali Muhammad Khan.
 Chaudhri Ghasi Ram.
 Sardar Sahib Gopal Singh, Labana.
 Captain Sadar Gopal Singh.
 Chaudhri Ghulam Muhammad.
 Rai Bahadur Lala Hari Chand.
 Sayad Hussain Shah.
 Sardar Jamal Khan.
 Sodhi Lal Singh.
 Chaudhri Kharak Singh.
 Mr. K. L. Rallia Ram.

Malik Najabat Khan.
 Misar Mela Ram.
 Mr. Moti Lal Kaistha.
 Chaudhri Muhammad Hayat Khan.
 Sayad Muhammad Hussain.
 Sayad Muhammad Raza Shah.
 Khan Muhammad Saif Ullah Khan.
 Mian Muhammad Shah Nawaz.
 Chaudhri Nabi Baksh.
 Diwan Bahadur Raja Narendra Nath.
 Rai Sahib Lala Panna Lal.
 Rai Sahib Chaudhri Raja Singh.
 Mr. Manohar Lal.
 Sardar Kartar Singh.
 Rai Bahadur Risaldar Sarup Singh.
 Khan Bahadur Khawaja Yusuf Shah.
 Rai Bahadur Lala Sewak Ram.
 Khan Bahadur Malik Muhammad Amin Khan.

NOES 31.

The Hon'ble Sir John Maynard.
 The Hon'ble Sardar Bahadur Sardar Sunder Singh Majithia.
 The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
 The Hon'ble Lala Harkishan Lal.
 Mr. E. Joseph.
 Mr. J. Wilson-Johnston.
 Mr. A. Latifi.
 Mr. B. T. Gibson.
 Mr. P. J. Fagan.
 Mr. E. R. Abbot.
 Colonel R. C. MacWatt.
 Mr. W. P. Sangster.
 Mr. D. J. Boyd.
 Mr. M. G. Anderson.
 Mr. Nawab Din, Murad.
 Sardar Randhir Singh.

Mian Ahmad Yar Khan, Daultana.
 Chaudhri Ali Akbar.
 Khan Sahib Pir Ali Haider Shah.
 Malik Karim Ullah Khan.
 Sardar Bakhtawar Singh.
 Sardar Balwant Singh.
 Pandit Daulat Ram Kalia.
 Chaudhri Daya Ram.
 Sardar Sahib Risaldar Dilbagh Singh.
 Nawabzada Muhammad Irshad Ali Khan.
 Rana Muhammad Jamil Khan.
 Maulvi Muharram Ali Chishti.
 Mr. Ganpat Rai.
 Lieutenant Sardar Raghbir Singh.
 Dr. C. A. Owen.

The motion as amended was carried.

RESOLUTION REGARDING THE RELEASE OF SIKH PRISONERS.

Mr. President : I call upon Sardar Kartar Singh to move the following resolution :

"This Council recommends to the Government that the Sikh leaders and other members of the *Shiromani Gurdwara Parbandhak Committee* arrested and convicted for holding meetings or making speeches in connection with the keys of *Sri Darbar Sahib*, Amritsar, be released."

3-46 P.M.

The Hon'ble Sir John Maynard : Sir, with your permission I will make a statement which I trust will make it unnecessary for the hon'ble member to move his resolution.

"The Government is glad to announce what they hope will be considered a satisfactory conclusion to the discussions which have taken place regarding the management of the Darbar Sahib at Amritsar.

As has been before explained, the Government which had previously retained the power of appointing a Manager to the Golden Temple, appointed on November, 1920, a Provisional Committee to advise how the Temple and its connected shrines might in future be managed without the intervention of Government and in the meantime to supervise administration. This Committee never reported and indeed became almost immediately merged in a larger self-constituted body known as the Shiromani Gurdwara Parbandhak Committee which has since continued to administer the shrines.

The Parbandhak Committee was in the summer of 1921 reconstituted by means of a system of election by Sikhs in the various parts of the Province, but the committee expressed views on political matters outside the scope of religious administration and complaints were made by important sections of the Sikh community that they were not properly represented on the committee. When therefore it was understood that the committee were about to take charge of the keys of the treasury which were still in the hands of the Manager appointed by Government, the Government decided that this should not be done except by lawful authority. In the meantime an amicable suit was instituted by the Government under Section 92 of the Civil Procedure Code with a view to obtaining a scheme of administration on a legal basis. The keys were given over to the custody of the court and on the 3rd January 1922, the Government expressed its readiness to hand over the keys to the Shiromani Parbandhak Committee pending the conclusion of the suit.

In bringing the suit the Government suggested that the Court should consult members of the Sikh community regarding the future management of the shrine. A certain number of gentlemen were summoned and some of them were present on the 7th January, 1922, when the suit came on for hearing. These gentlemen gave it as their opinion that the Shiromani Gurdwara Parbandhak Committee might for religious matters be considered as a representative Sikh body and no contrary view was put forward by anybody of Sikh opinion in opposition to this declaration. The Deputy Commissioner, Amritsar, has at the same time been in communication with the working committee of the Shiromani Gurdwara Parbandhak Committee, and it is understood that the committee is prepared to consider the addition to its members of a suitable number of representatives from the Sikh States and recognise itself as fulfilling functions of a primarily religious character.

The Government has accordingly decided to make a final withdrawal of its connection as an Executive Government with the management of the Darbar Sahib and to leave any further proceedings that may be thought necessary to the Sikh community itself. So far as the Government is concerned it is prepared to leave the administration, as it now stands, in

[Sir John Maynard.]

the hands of the Shiromani Gardwara Parbandhak Committee and to allow the keys to be given over at once to that committee and it will at the next hearing on the 16th instant take the necessary legal steps, the precise nature of which have yet to be determined to this end. It does this in the belief that by this step it is meeting the wishes of the Sikh community.

The action of the Government in November, 1921, in taking charge of the keys of the treasury was, as has been noted in the previous *communiqués*, subjected to misrepresentation and led to a considerable amount of feeling among certain sections of the Sikhs. When the Government in November, 1921, for reasons entirely unconnected with the Darbar Sahib, forbade by law the assembling of public meetings in the Lahore, Amritsar and Sheikhupura Districts, certain Sikhs held meetings at which, among other matters, the question of the keys was discussed. The Courts held—and the Government agree with the view—that the meetings were not religious meetings exempted from the prohibition laid down under the law, and a number of Sikhs have been imprisoned for their breach of the law. The Government recognises that in many cases their attendances at such meetings was due to excitement based on the action taken by Government in respect of the Darbar Sahib rather than to a desire to join in any campaign of disobedience to the law, and, in view of the satisfactory settlement now reached regarding the administration of the shrine, the Government desire to mark their continued goodwill and friendliness to the Sikh community by ordering the release of all Sikh prisoners who have been convicted under the Seditious Meetings Act for attendance at meetings at which the question of the administration of the Darbar Sahib was discussed.

The Government hopes that with this settlement of the Golden Temple question there may be no more misunderstanding as regards its attitude. Its intention has been throughout to divest itself entirely of the management of the Darbar Sahib and the delay in reaching this point has been due to the intrusion of political propaganda and to the difficulty of obtaining any satisfactory means of ascertaining the general wishes of the Panth. The Sikh community, as a whole, has been for more than seventy years the firm friend of the Government and a stout upholder of the law, and it is to be hoped that the cordial relations which have hitherto been maintained between the Sikhs and the Government may continue uninterrupted for the perpetual benefit both of the Government and of the community."

Sardar Kartar Singh : After the announcement made by the Finance Member, there is no necessity to move the resolution which stands in my name. My object having been attained, I beg for leave to withdraw the resolution. I thank the Government for the kind step they have taken.

4 P. M.

Sardar Randhir Singh (Urdu) : Sir, I thank the Government from the bottom of my heart for this wise and kind action in the matter. The Government has won over the hearts and goodwill of Sikhs and it will be not long ere the same firm and cordial relationship is established between the

two. The Sikhs had had many opportunities, from the days of the mutiny down to the great war, of proving their loyalty to the British connection and well wishers of the community and friends of the Government were seeing with no small concern the growing estrangement between the two. It is a happy turn of the wheel that augurs well for the future. I once again thank the Government.

4-3 P. M.

Maulvi Muharram Ali Chishti (Urdu): Sir, it is not matter for which Sikhs alone are thankful to the Government for its statesmanlike action, but Hindus and Muslims, too, join in offering thanks to the Government.

The Government has shown to-day beyond any shadow of doubt that it is prepared to concede to reasonable limits and further, that it is only too glad to be relieved of opportunities to arrest and clap people into prisons or to keep them there if it can be reasonably avoided or helped.

4-5 P. M.

Diwan Bahadur Raja Narendra Nath (Urdu): Sir, I most gladly join these felicitations and thanks offered to the Government. I am glad that Government has found a way out of the Shri Darbar Sahib Key imbroglia. I am most sincerely pleased, above all, at the release of our late Deputy President Sardar Bahadur Sardar Mehtab Singh for whom I have the truest regard and highest esteem. I once again thank the Government and congratulate the Sikhs.

4-7 P. M.

Mr. K. L. Hallia Ram (Urdu): Sir, I on behalf of the Indian Christians whom I represent in this Council, thank the Government for its wise and courageous action in the matter. I also congratulate the Sikhs on the release of their leaders. These are the happy signs of times.

RESOLUTION re PAY OF CHAPRASSIS.

4-9 P. M.

Mr. Ganpat Rai (Urdu): Sir, I beg to move

"That this Council recommends to the Government that the monthly salary of chaprassis throughout the Province be fixed at Rs. 15-1-20 and the pay of the Jemadars be fixed at Rs. 21-1-25 and that those persons who have rendered five years' approved service be given the maximum."

Sir, I see the house is thinning as the resolution before it relates to that poor class of Government employees in whom few people feel interested. Before the application of the Reforms Act the Government of India with the sanction of the Secretary of State, increased the salaries of Imperial services in India and granted an oversea allowance for obvious reasons. The non-gazetted officers of the Government, too, had their share in the general promotion when the revision of the pay was being done. For this purpose alone 91 lacs of rupees were granted in the last provincial budget. It will thus be clear that superior officers and ministerial staffs were given promotions and the menial employees were absolutely overlooked. I put it to the Council to imagine how a chaprassi with a couple or more of children and a wife can pull on with Rs. 14 in these days when the famine prices are prevailing in the country. Some of these unfortunate fellows of course eke out their income by obtaining tips from the visitors to their Sahibs. But in these days, Sir, when visitors are few, and they too unwilling to be fleeced by a chaprassi, theirs is indeed a

[Mr. Ganpat Rai.]

hard lot. The only other addition to their slender incomes was a few chips given occasionally by sahibs for doing their private work at their houses. I learn from an unimpeachable source that a circular has been issued to stop the chaprassis being given anything extra by Sahibs. The Government has given them bright and shining uniforms but does not look to their empty stomachs. The main plank of Government opposition is the deficit in the provincial budget. I, indeed, intend to quote figures and facts and show that the increase is by no means such that either the Government or the Council should shrink and grudge the sum. There are Sir, 46 jemadars who are getting Rs. 16 each, 103 jemadars who are getting Rs. 15 each, and 3,555 chaprassis who are getting Rs. 14 each. The total present expenditure on this establishment amounts to Rs. 52,142. If we give them an increment of Re. 1 to start with the total amount will not exceed Rs. 67,400. The maximum expenses can not be more than Rs. 1,88,000. Surely, Sir, this is not so big a sum in comparison with the destitute and impoverished condition of the chaprassis. I hope the Council will take to this resolution sympathetically.

4-20 P.M.

Mr. E. Joseph: The hon'ble mover has called attention to the fact that his resolution has come up before the Council after nine months. I can only say I regret that it ever came to birth at all. In my opinion matters of this kind should not be introduced in this Council. I do not think the Legislative Council is a body which ought to fix the pay of a particular class of Government servants. In a similar way another member would move a resolution on behalf of kanungos, sweepers and blishties that their pay should be fixed at so much. This Council has more important business before it than such matters are the members of this Council, after hearing the speeches of Mr. Ganpat Rai and myself in a position to decide straightaway whether the pays of the chaprassis is to be revised. The pay of these chaprassis was fixed only recently after nine months' assiduous labour. Mr. Hallifax was put on special duty and some staff was employed under him. They, after nine months' arduous work fixed the pay of various employees of Government. I do not say that what Mr. Hallifax has done is perfect but I must say that the Government has passed its final orders after careful consideration. If we are going to discuss similar questions in this Council there will be a great deal of agitation among all Government servants. I would, therefore, ask the Council not to interfere in such matters. Mr. Ganpat Rai has said something about the pay of chaprassis which I could not catch, as so much talk was going on at the time. The pay of chaprassis was fixed along with other subordinates of the Government.

As regards the figures which Mr. Ganpat Rai has quoted, I should like to enquire where he got these figures from. At present the pay of 42 jemadars ordinarily is Rs. 18 and the pay of 153 chaprassis is Rs. 15 and the pay of remaining chaprassis is Rs. 14. I repeat I should like to ask Mr. Ganpat Rai as to where he got these figures from.

Mr. Ganpat Rai: I shall give my reply later on.

Mr. E. Joseph: I ask where he has got these figures.

Mr. President: The hon'ble member cannot insist on a reply. If a reply is refused all he can do is to draw such deductions from the refusal as seem suitable.

Mr. E. Joseph : I presume then that he has got these figures from confidential information derived from the Finance Committee which he was not entitled to refer to.

Now, Sir, the Government has improved the rates of grain compensation allowance. Jemadars are drawing grain compensation allowance. Higher paid Jemadars getting Rs. 18 are now getting extra grain compensation allowance of Rs. 4-8-0 and other chaprassis are getting an extra allowance of Rs. 3 a month which adds substantially to their pay. We are having absolutely no difficulty in getting men on this pay. Mr. Ganpat Rai has then said that officers used to give small tips every month to their orderlies, but this has now been discontinued under certain orders. Mr. Ganpat Rai may have confidential information about any such orders. As a matter of fact, Government officers still give some tips to their servants and there exist no rulings against it. Government has, of course, recently addressed a circular to all heads of departments calling attention to the practice of employing chaprassis on private work and desiring that such employment should be remunerated.

I have attempted to say something on principle : now I will have something to say from the economic point of view. If Mr. Ganpat Rai's resolution is accepted, it will involve an expenditure of Rs. 1,83,000. Many other more important matters have to be cut out owing to the present financial position. Would it then be a step in the right direction to spend so much money on the improvement of the pay of a particular class of servants, who are not, as I maintain, so hard-pinched and in whose case there is no difficulty in attracting recruits on the present rate of pay. That is all, Sir, that I have to say.

4-30 P.M.

Mian Mohammad Shah Niwaz (Urdu) : Sir, it is strange that Government has thought fit to take up an unsympathetic attitude in the matter. I had not expected Mr. Joseph saying that there are plenty of men willing to replace the chaprassis on the same pay.....

Mr. Joseph : I did not say that we can afford to dispense with their services and get other men.....

Mian Mohammad Shah Niwaz (contd.) : But, Sir, the hard and bare fact has been overlooked. Is it or is it not possible to live in the present famine condition on 14 or 15 rupees. As explained by the mover of the resolution, their other sources of income too have been stopped. It might be that chaprassis of the Government House manage to obtain something over and above their salaries, they require a most sympathetic treatment and there ought to be some increment in their pay. Private people have increased the pay of their servants and sweepers and it is surely expected of Government to do likewise. I once again request the Government to approach this question with a sympathetic mind. I most heartily support the motion.

4-35 P.M.

Sardar Bakhtawar Singh (Urdu) : Sir, I am surprised to see the members not rising to speak against the resolution from fear of incurring the displeasure of the chaprassi class. We must strive to keep up the dignity of this Council and abstain from bringing in resolutions which to all intents and purposes mean to serve the interests of a limited number of Government employees and

[S. Bakhtawar Singh.]

surely cannot be classed as public affairs. If we increase the salaries of one class of servants to-day, we might be called upon in the next session to take up the case of some other similarly suffering employees. We should keep ourselves above these matters and let the Government do the needful.

4-40 P. M.

Chaudhri Ali Akbar (Urdu) : Sir, the previous speaker happens to think that members although out of sympathy with this resolution are afraid of saying so. If we care at all, we will surely prefer to win the pleasure of Government and speak against the resolution. On the contrary we are in total agreement and hearty sympathy with the resolution. I feel, Sir, that Government yields only when some pressure is brought to bear upon it. It does not know the way of giving in with grace and earning the best thanks of all concerned. The Government should see with one eye the interests of all its employees, high and low. It should not give more and more to those who already get fat salaries and starve those who get bare living wages. If they will not get enough to live upon, they will have to add to their slender resources by unfair means and it is tantamount to agreeing to the unfair means they adopt, on the part of Government if a living wage is not given them. I can multiply instances of corruption which do not proceed from greed but from insufficiency of salaries.

4-44 P. M.

Rana Muhammad Jamil Khan (Punjabi) : Sir, I am in sympathy with the resolution, but am not sure if it covers the case of the chaprassis of all the departments. There is also the question of expense which will have to be borne by the zamindars in the shape of increased land revenue. We zamindars are already burdened with all kinds of administrative expenses. If it is necessary to raise the pay of the chaprassis, it could be done by curtailing the salaries of high officials. The Patwaries, who were recently given an increase in pay and who earn a great deal over and above their pay, are still discontented. The officials will remain discontented for ever, and if we go on spending money on increases, it will be impossible to find money for education and other useful objects.

Mr. Nawab Din, Murad : Sir, I beg to move—

"That the question be now put."

Mr. President : The question before the Council is—

"That the question be now put."

The motion was carried.

4-46 P. M.

Mr. Ganpat Rai (Urdu) : Sir, with reference to the remarks that have fallen from Mr. Joseph, I will say that the facts and figures quoted by me are correct. Indeed several of the allegations contained in Mr. Joseph's remarks have been met by my colleagues in this Council, before. Rana Jamil Khan is right in saying that the salaries of high officials should be cut down in order to grant increases to the poorly paid officials. This will save the zamindars from additional burden. I would ask, Sir, is it fair to refuse the chaprassis a living wage. Ours is a poor country and when we ask that something should be given to the poorly paid officials we are told that Council's time is wasted. My previous resolution too did not receive proper

attention. The clerical class too is finding it very difficult to make the two ends meet, but can the chapprassis possibly keep body and soul together on Rs. 14 per mensem. If an item of crores is brought forward, Government sanctions it without delay, but when the question comes up for granting increases to poorly paid officials the matter is put off. If the Council sees its way to accept this resolution, we will find the money somehow or other, unless the official members stand in our way.

4-52 P.M.

Mr. E. Joseph : Sir, I will not detain the Council long. I would like once again to emphasise the point that while possibly there may be grounds for reconsideration of the work which Mr. Halifax did—I do not say that there are grounds but it might be reasonable to have the work reconsidered—it will take a long time and it will also involve expense. No doubt the motive behind this resolution is kindly and charitable but it does not justify the Council in considering such impulsive resolutions for revising the pay of particular persons. Then, Sir, I would like to allude to what Mian Muhammad Shah Nawaz said. I think he said that my attitude was unsympathetic or that I showed that the attitude of the Government was unsympathetic. I entirely repudiate any such suggestion. The proof of the pudding is in the eating thereof. It is necessary for Government not only to consider how it can be liberal, but it must also consider whether it can pay more money, whether it is necessary to do so and whether the modern market rates justify it. I never said that there should be wholesale dismissals of the existing men. What I did say was that there was no difficulty in getting recruits on the existing pay and that demobilized soldiers were asking the Deputy Commissioners for such employments. I said only that the question of the market rate was to be considered and if it was not necessary to revise to attract recruits the pay we ought not to do so. Then, Sir, Mian Shah Nawaz complained that he had himself to raise the pay of his sweeper from Rs. 3 to Rs. 8 per mensem. This may be a calamity but it serves as a good answer to the question asked by Chaudhri Ali Akbar as to how a man could live on Rs. 14 a month. If there are people who are drawing Rs. 8 and can manage to live, it suggests by itself that chapprassis can live on Rs. 14. But even so, Sir, both Mr. Ganpat Rai and Chaudhri Ali Akbar neglected to notice what I said before that the chapprassis and jemadars do still draw grain compensation allowance. I said that higher paid jemadars drawing Rs. 18 per mensem are now getting an extra amount of Rs. 4-8-0 a month as grain compensation allowance and the other jemadars and chapprassis are getting an extra allowance of Rs. 3 a month which is a very substantial addition to their income. Again Mr. Ganpat Rai asked whether during all these nine months since he gave notice to move his resolution Government had showed any sympathy or had done anything. I say, Sir, that Government has improved the rates of grain compensation allowance and extended it to a larger number of officials than those who were drawing it in the past. That is a fair answer to the charge that Government has taken no notice of Mr. Ganpat Rai's resolution. There is only one more remark to make. I think that the correctness of my view was challenged when I said that some officers did pay something to chapprassis from their own pockets. I do not do so myself, but I know of officers—more than one—who do so.

Mr. President : The motion before the Council is

“That this Council recommends to the Government that the monthly salary of chapprassis throughout the Province be fixed at Rs. 15—1—20 and the pay of the

members be fixed at Rs. 21—1—25 and that those persons who have rendered five years' approved service be given the maximum.

The Council then divided: Ayes 26, Noes 19.

AYES—26.

Mr. Nawab Din, Murad.
Sardar Randhir Singh.
Chaudhri Ali Akbar.
Malik Karim Ullah Khan.
Chandhri Ata Ullah Khan.
Sardar Basundha Singh.
Khan Bahadur Rai Wahi Muhammad Khan.
Sardar Sahib Gopal Singh, Labana.
Captain Sardar Gopal Singh.
Chaudhri Ghulam Muhammad.
Sodhi Lal Singh.
Misar Mela Ram.
Mr. Moti Lal Kaistha.

Khan Muhammad Abdallah Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Hussain.
Sayad Muhammad Reza Shah.
Khan Muhammad Saif Ullah Khan.
Mian Muhammad Shah Nawaz.
Maulvi Muharram Ali Chishti.
Chaudhri Nabi Baksh.
Mr. Ganpat Rai.
Mr. Manohar Lal.
Sardar Kartar Singh.
Rai Bahadur Lala Sewak Ram.
Khan Bahadur Malik Muhammad Amin Khan.

NOES—19.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar Sunder Singh, Majithia.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. P. J. Fagan.
Mr. E. R. Abbott.

Colonel R. C. MacWatt.
Mr. W. P. Sangster.
Malik Firoz Khan, Nun.
Sardar Bakhtawar Singh.
Chaudhri Daya Ram.
Chaudhri Ghazi Ram.
Rana Muhammad Jamil Khan.
Rai Bahadur Risaldar Sarup Singh.
Khan Bahadur Khawaja Yusuf Shah.

The motion was carried.

The Council then adjourned until 2 P. M. on Friday, the 13th January 1922.

PUNJAB LEGISLATIVE COUNCIL.

Friday, 13th January 1922.

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

QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION AMONG HEADMASTERS IN LYALLPUR.

1209. **Khan Muhammad Abdullah Khan:** With reference to the answer given to Question No. 1070, part (III), in this Council on the 4th November 1921, will the Hon'ble Minister for Education kindly state if it is true that non-Muslim headmasters are working in the following Middle Schools in the Lyallpur District where the population is mainly Muslim:—

Chak 196 G. B. Syal, Chak 254 G. B. and 284 G. B.?

The Hon'ble Khan Bahadur Mian Fazal-i-Husain: I regret the information is not available. It has been called for.

Raj Bahadur Lala Sewak Ram: Will Government please lay on the table a statement of such schools where there are Muhammadan Headmasters and the population of that place is mainly of Hindus?

Mr. President.—This question hardly arises out of question No. 1209. You should give separate notice.

HEADMASTERS OF PROVINCIALISED HIGH SCHOOLS.

1210. **Khan Muhammad Abdullah Khan:** Will the Hon'ble Minister for Education state the educational qualifications of the headmasters appointed to the various provincialised High Schools in the Province?

The Hon'ble Khan Bahadur Mian Fazal-i-Husain: The statement is enclosed, but the incumbents of the posts are still on probation.

Serial No.	Name of Head master.	School.	Qualifications.
1	Lala Daxwar Lal	Headmaster, Government High School, Jagadhri	B.A., S.A.-V., Trained
2	Tickur Ram Nand Singh	Ditto	B.A., S.A.-V., S.G.T., Trained
3	Lala Mohan Lal	Ditto	M.A., B.T., S.A.-V., J.G.T., Trained
4	Lala Sunder Das Bhatia	Ditto	B.A., B.T., S.A.-V., Trained
5	M. Mubarak Ali	Ditto	B.A., B.T., Trained
6	Lala Diwan Chand	Ditto	B.A., S.A.-V., S.D.M., S.G.T., Trained
7	M. Ghulam Hussain	Ditto	B.A., B.T., S.A.-V., J.D.M., Trained
8	B. Bhabra Singh	Ditto	P.A., S.A.-V., J.D.M., Trained
9	Lala Dhannat Rai	Ditto	B.A., S.A.-V., Trained
10	Lala Aas Ram	Ditto	B.A., B.T., S.A.-V., Trained
11	Lala Rooh Lal	Ditto	P.A., S.A.-V., Trained

COMMUNAL REPRESENTATION AMONG CLERKS IN OFFICES OF DIVISIONAL INSPECTORS OF SCHOOLS.

1211. Khan Muhammad Abdullah Khan : Will Government kindly lay on the table a statement showing the number of Muslim and non-Muslim clerks working in the office of each of the Divisional Inspectors of Schools in the Province ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The required information is given in the statement submitted below :—

<i>Name of Divisional Office.</i>	<i>Number of Muslim and non-Muslim Clerks.</i>	
Ambala	Muslim	= 5
	Non-Muslim	= 3
Jullundur	Muslim	= 4
	Non-Muslim	= 4
Lahore	Muslim	= 2
	Non-Muslim	= 6
Rawalpindi	Muslim	= 3
	Non-Muslim	= 5
Multan	Muslim	= 4
	Non-Muslim	= 4

COMMUNAL REPRESENTATION AMONG HEADMASTERS OF PROVINCIALISED SCHOOLS.

1212. Khan Muhammad Abdullah Khan : (a) Is it a fact that three Board Schools have been provincialised in the Multan Division during the current year ?

(b) Is it a fact that more than 80 per cent. of the total population of the Multan Division is Muslim ?

(c) How many of the new headmasters appointed to these provincialised schools are Muslims ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Answer to (a) and (b) is in the affirmative.

(c) Two Muhammadan headmasters are being appointed at Jampur and Kahrur.

COMMUNAL REPRESENTATION AMONG TEACHERS IN SARGODHA.

1213. Khan Muhammad Abdullah Khan : Will Government kindly state the number of Muslim and non-Muslim teachers working in the Government High Schools, Sargodha ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain :

Number of Muslim teachers, 6.

Number of non-Muslim teachers, 12.

DISTRICT BOARD GIRLS' SCHOOL, MUZAFFARGARH.

1214. **Khan Munammad Abdullah Khan** : Will the Government be pleased to lay on table the number of literate and illiterate mistresses of the District Board Girls' Schools of the Muzaffargarh District, and also give a note as to whether the illiterate mistresses teach their pupils and direct their schools, without the help of their husbands, satisfactorily?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : I would surgest that the Member should make the necessary inquiries from the Muzaffargarh District Board, and if he cannot get the required information efforts will be made to secure it for him.

MUHARRAM AND DUSEHRA FESTIVALS IN MUZAFFARGARH.

1215. **Khan Muhammad Abdullah Khan** : Is it a fact that during the years when the Muharram and Dusehra festivals took place on the same date, the police department of the Muzaffargarh District, with the approval of the District Magistrate, ordered that the Muharram ceremony should be conducted on a license? If so, will the Government be pleased to direct the police department to allow the Muharram festival to be carried on without a license, now that the two festivals no longer take place on the same date.

Mr. J. Wilson-Johnston : It has been ascertained that the facts as stated in the first part of the question are correct. As regards the recommendation contained in the latter part, it must be understood that these licenses are only insisted on when there is any apprehension of friction from any cause.

As Sardar Balwant Singh was absent questions Nos. 1216 and 1217 were not put.

GOVERNMENT SERVANTS AND PRIVATE SERVICE.

1218. **Mr. Ganpat Rai** : (a) Will Government please state if it is a fact that no person in the service of Government is allowed to receive more than his salary or pay for the time being, and that no Government servant may take up any private service whilst he is serving the Government?

(b) If the reply is in the affirmative, will Government please state whether any member either of the Punjab Secretariat, Public Works Department, or of any other department, or any subordinate officer at Lahore has been permitted to take up private employment with any merchant, trading firm, agent, contractor, educational or other institution, society, association or the like, and to receive remuneration for such employment contrary to the existing rules on the subject?

Mr. E. Joseph : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

HILL EXODUS OF THE CIVIL AND PUBLIC WORKS SECRETARIAT TO
SIMLA.

1219. **Mr. Ganpat Rai** : (a) Is it a fact that the Government of Sir Louis Dane ordered that the Assistant Secretaries and other officers of similar standing should remain in charge of the headquarter offices at Lahore whilst the Local Government was absent in Simla, and that the Government of Sir Michael O'Dwyer confirmed this order?

(b) If the reply is in the affirmative, will Government please state (i) why the Assistant Secretaries, Registrar and Chief Superintendent of the Public Works Department Secretariat have all been allowed to proceed to and remain at Simla, with the Local Government, and (ii) why the Public Works Headquarters Secretariat at Lahore has been placed in charge of comparatively junior office superintendents and clerks during the same period?

(c) Will Government please state if it proposes to take measures to reduce the expenditure on hill and travelling allowances incurred annually by taking up to Simla the Assistant Secretaries, Registrar and Chief Superintendent of the Public Works Secretariat and of the Civil Secretariat and other departments?

Mr. E. Joseph : (a) The order of Sir Louis Dane, to which the hon'ble member appears to refer concerned only the Civil Secretariat in the year 1911, and was to the effect that two Under-Secretaries, Assistant Secretary, Financial, and the Registrar should take in turn to remain in Lahore for five weeks each during that summer. In 1912 the previous practice was reverted to and was subsequently continued with the reservation that the Registrar did not go up to Simla for more than 2½ months. In 1919 the orders were further modified and the Registrar was expected to remain in Lahore during the whole summer. When the Registrarship was abolished and two Assistant Secretaries were substituted in 1920 it was decided that one of them should remain down in Lahore and the other go to Simla by turns.

(b) The facts stated in part (a) of the question not being correct, part (b) does not arise.

(c) The hon'ble member is referred to item No. 13 in the announcement made in Punjab Government notification No. 25851, dated the 22nd October 1921, which is already in his hands. Government will continue to take all possible steps compatible with efficiency to reduce expenditure in the move to Simla.

GRANT OF LAND ON *BARA* CONDITIONS TO INHABITANTS OF PIRALLI AND MASSANKE.

1220. Sayad Muhammad Husain : (a) Is it a fact that on account of diluvion the villages of Piralli and Massanke, situated in the tahsil of Okara, in the Montgomery district have lost much of their area, and consequently that the owners are in a helpless condition?

(b) Is it also a fact that Government is going to distribute *bara* land in the colony for reclamation?

(c) If the answer to the above two questions be in the affirmative, will Government be kind enough to grant to the inhabitants of the above-mentioned villages land on *bara* conditions?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : (a) Government has no information on the condition of the villages in question.

(b) Government has no intention of distributing any more *bara* land on the Lower Bari Doab Colony for reclamation.

(c) The reclamation of *bara* land is the subject of scientific experiment by the Agricultural Department. A grant of untractable land of this character to the two villages mentioned would not be a kindness. Government does not propose to make any such grant.

LAND REVENUE ASSESSMENT IN DIPALPUR AND PAKPATTAN TAHSILS.

1221. Sayad Muhammad Husain : (a) Is it a fact that in November last a deputation of the zamindars of the Tahsils of Dipalpur and Pakpattan waited upon the Hon'ble Revenue Member to impress upon him the severity of the assessment which the Settlement Officer proposes to impose upon the two above-mentioned Tahsils ?

(b) If the answer to the above question is in the affirmative, what action does the Government propose to take in the matter ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia :

(a) Yes.

(b) The matter is under consideration.

WATER-LOGGING IN WAZIRABAD, ETC.

1222. Sayad Muhammad Husain : (a) Is it a fact that most of the area of the Tahsils of Wazirabad, Hafizabad and Khangah Dogran, and especially of Hafizabad has become unculturable on account of water-logging and that consequently discontent prevails among the inhabitants, especially the agriculturists ?

(b) If so, will the Government be kind enough to state what steps it has taken or does it contemplate taking to alleviate the condition of the people ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

WATER-LOGGING IN KOT PANAH.

1223. Sayad Muhammad Husain : (a) Is it a fact that out of the total area of 1,929 acres of the village of Kot Panah, Tahsil Hafizabad, over 1,500 acres have been ruined by water-logging ?

(b) Is it also a fact that the owners of the said village were recently given 18 squares in the Sharaqpur District which they all gave up on account of the soil being poor ?

(c) If the answers to the above two questions are in the affirmative, will the Government kindly state if they are going to take action to ameliorate the condition of the owners of Kot Panah and, if so, what ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

WATER-LOGGING IN KOT JAN BAKHSI.

1224. Sayad Muhammad Husain : Is it a fact that the village of Kot Jan Bakhsh, in the Tahsil of Wazirabad, suffered most from water-logging and that its *pacca* buildings, mosque, and houses, besides its land, also, suffered ? If so, will the Government kindly grant the people concerned land in the Colony area ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

BARBERS AND GOVERNMENT SERVICE.

*1225. **Lala Uttam Chand:** Will Government be pleased to state—

- (a) The total number of barbers in the Government offices in Punjab holding superior appointments, giving details (i) Hindu barbers, (ii) Muhammadan barbers and (iii) Sikh barbers.
- (b) The total number of barber graduates, and if there are none or a very small number, will Government take steps to grant special scholarships for the barber community.
- (c) Is there any bar to barbers being taken in the higher civil services of the Government? If so, will Government take steps to remove such prohibition?

Mr. E. Joseph: (a) and (b) Government has not the information and is not prepared to make the necessary enquiries to obtain it. It would, however, if those interested in the barber community care to compile the statistics, be glad to receive them and to consider the necessity of granting special scholarships for the community.

(c) There is no bar except in so far as the services are filled by nomination. In such cases the nominating authority would no doubt in practice consider the relative suitability of the candidates in other respects as well as in respect of their moral, intellectual, and physical attainments.

ELECTION OF VICE-CHAIRMEN OF DISTRICT BOARDS.

1226. **Pir Akbar Ali:** (a) Is it a fact that in some District Boards Vice-chairmen are nominated by the Deputy Commissioner and not by the Board?

(b) If so, will Government kindly issue the necessary instructions to the boards concerned so that they may always elect Vice-chairmen from among the non-official members?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) Under Section 19 of the District Boards Act the Vice-chairman must be elected by the District Board. Government are not aware that the chairman of any District Board has contravened this provision of the law.

(b) In case this provision of the law is contravened by any District Board, Government is prepared to draw the attention of that District Board to Section 19 of the District Boards Act. Under the law it is open to the members of the District Board to elect a Vice-president, and there is nothing to prevent them electing a non-official member as their Vice-chairman, but it is not right to compel them to do so.

MAGHI RAM'S COMPLAINT AGAINST A POLICE SUB-INSPECTOR.

†1227. **Mr. Ganpat Rai:** Arising out of the answers given to question Nos. 85 and 728, will Government be pleased to state—

- (a) Whether it is a fact that a Special Magistrate was appointed to conduct an enquiry into the allegations made against the Sub-Inspector, and that the Magistrate finished his enquiry some months ago?

*Mr. Ganpat Rai put question No. 1225 on behalf of Lala Uttam Chand.

†Volume I, page 87, and volume II, page 169.

- (b) If so, what was the report of the Special Magistrate, and has any action been taken on it, and if not, why not ?
- (c) What action has been taken and when by Government by way of suspension, prosecution or otherwise against the Sub-Inspector, and if none, why not ?

The Hon'ble Sir John Maynard : (a) The reply to the first part of the question is in the affirmative and to the second part in the negative.

(b) The case not having been decided, there is as yet no report by the magistrate.

(c) The Sub-Inspector is under suspension.

Mr. Ganpat Rai: How long will it be before the Government takes action ?

The Hon'ble Sir John Maynard: I would like to have notice of that question.

COMMUNAL REPRESENTATION IN INCOME-TAX DEPARTMENT.

1228. **Maulvi Muharram Ali, Chishti :** (1) Will the Government be pleased to lay on the table statements showing (a) the number of posts of Deputy Commissioner, Collector and Inspector which were vacant in the Income-tax Department in July last, and the number of Hindus, Muhammadans, Sikhs and Christians taken for each of these grades, and (b) the qualifications of all the persons who were candidates for these posts and the names of those who were selected ?

(2) Was the question of the due proportion of each community considered in filling up the vacancies with due regard to the efficiency of the service ?

The Hon'ble Sir John Maynard : (a) The present Income-tax Department was created in September last (not in July) with the following appointments :—

	Deputy Commissioners.	Collectors.	Inspectors.
	2	20	54

These appointments are filled up thus :—

	Hindus.	Muhammadans.	Sikhs.	Christians.
Deputy Commissioners	2	...	...	...
Collectors	11	3	3	3
Inspectors	22	13	14	...

(2) DEPUTY COMMISSIONERS.

Names.	Qualifications.
L. Arjan Dass, Vasudev	Both are members of the P. C. S. with 15 years' service each.
L. Badha Kishen	

COLLECTORS.

Name.

Qualifications.

L. Raghunath Das

L. Hargobind

M. Muhammed Yusuf

L. Basant Lal

R. S. Lal Lal Chand Bohl

L. Tej Ram Gupta

Mr. W. B. Pearce

Ch. Narain Singh

M. Gyan Singh

Mr. Norris

Members of the Provincial Civil Service.

L. Kashi Nath

Mir Afzal Ali

M. Dalip Singh

L. Asa Nand Kumar

L. Lal Chand Khanna

L. Krishan Chandra Khanna

L. Devi Dayal

M. Muhawar Sher-Dil

S. Surain Singh

Mr. E. C. Webb

1st grade Tahsildar and M.A.

M. A.

B. A., LL.B.

Do.

Member of the Local Fund Accounts. On deputation to the Government of India, War Accounts Department.

INSPECTORS.

L. Goverdhan Nath

L. Diwan Chand

L. Hira Nand

S. Jai Singh

L. Lal Chand Culati

M. Nazir Ahmad

S. Ganda Singh

Pir Muhammad AlPShah

L. Ram Ji Lal

L. Ganga Ram

M. Tajumal Hussain

L. Hira Nand

M. Saadat Ali Khan

L. Amin Chand

M. Ahmad Hussain, B.A.

M. Abdul Aziz Khan

L. Sham Bihari Lal

S. Man Singh

M. Muhammad Anwar, B.A.

L. Hans Raj, I.

L. Hans Raj, II, Kohli

S. Vir Singh

L. Thakar Dass

Naib-Tahsildars and Naib-Tahsildar candidates attached to the special income-tax assessing agencies prior to the inauguration of this Department.

Naib-Tahsildars and Naib-Tahsildar candidates.

The first 6 were appointed as they were already working as Special Income-tax Officers.

<i>Name.</i>	<i>Qualifications</i>
INSPECTORS—<i>conold.</i>	
L. Amir Chand	... Tahsildars and Naib-Tahsildar candidates (continued).
S. Dhian Singh	... 2nd Clerk, doing income-tax work in Deputy Commissioner's Office, Simla, prior to the inauguration of this Department.
L. Bishambar Nath, Puri	... } B.A.
M. Bilag-ud-Din	... }
M. Abdul Aziz	... Income-tax Clerk in Deputy Commissioner's Office, Lahore.
S. Gurdial Singh	... }
L. Kanshi Ram, Suri	... }
M. Muhammad Abdul Hamid	... } B. A.
L. Kidar Nath	... }
M. Zaffar Hussain	... }
L. Wazir Chand	... }
L. Gyan Chand, Khana	... B. A., LL.B.
L. Pyare Lal Uppal	... M. A.
L. Ram Narain Singh	... Head Clerk in previous Special Assessing Agency, Rawalpindi.
M. Muhammad Bakhsh	... Previous income-tax Clerk, Rawalpindi.
S. Sujan Singh	... Clerk and Record-keeper Commissioner's Office, Rawalpindi. Has been an income-tax Clerk previously.
M. Abdul Rashid	... B. A.
M. Bahadur Khan	... Sub-Inspector, Co-operative Societies.
L. Sangat Bai	... B. A.
S. Bishen Singh Gil	... }
M. Ghulam Hussain Ahmadi	... } Punjab Signal Section.
L. Atma Singh	... }
S. Isbar Singh	... }
L. Abnashi Ram	... B. A.
M. Ghulam Tahir	... B. A.
S. Ujjagar Singh	... Punjab Signal Section.
L. Bishambar Das	... B.A.
S. Ude Singh	... Studied up to B. Sc.
M. Muhammad Hussain	... }
S. Ajaib Singh	... } Risaldar.
M. Alaud-ud-Din Arshad	... M.A.

(24) Yes.

COMMUNAL REPRESENTATION AMONG PUBLIC PROSECUTORS.

1229. Maulvi Muharram Ali, Chishti : (a) Does the Government contemplate increasing the number of Public Prosecutors in the Punjab ?

(b) If so, will the Government be pleased to consider the proportion of the members of each community with due regard to their fitness in filling up these posts ?

The Hon'ble Sir John Maynard : (a) and (b). There are no proposals at present under consideration for increasing the number of Public Prosecutors ; but when the question arises, it is the declared policy of Government to make professional efficiency the first consideration in filling up appointments. Subject to this principle, an endeavour will be made to see that the numbers of each community shall receive proper consideration.

COMMUNAL REPRESENTATION IN THE I. E. S.

1230. Sardar Dasaundha Singh : Will the Government be pleased to say what was the number of Sikhs, Muhammadans, Hindus and Christians in the Indian Educational Service in the Province at the end of the year 1920 and what is the number now ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The information is given below :—

		<i>At the end of 1920.</i>	<i>At present.</i>
Sikhs	...	1	2
Muhammadans	...	1	3
Hindus	...	3	4
Christians (including Indian Christians).	...	21	23

COMMUNAL REPRESENTATION IN THE P. E. S.

1231. Sardar Dasaundha Singh : Will the Government say what was the number of Sikhs, Muhammadans, Hindus and Christians in the Provincial Educational Service in the Province at the end of the year 1920 and what is the number now ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain :

		<i>At the end of 1920.</i>	<i>Now.</i>
Sikhs	...	8	8
Muhammadans	...	20	21
Hindus	...	40	39
Christians	...	4	4

PAUCITY OF SIKHS IN THE P. E. S. AND I. E. S.

1232. Sardar Dasaundha Singh : (a) Is it a fact that the number of Sikhs in the above two services is far short of what is their due in view of their numbers ?

(b) If so, will the Government be pleased to give preference to the Sikhs and especially zamindar Sikhs in filling up vacancies in the above services by promotion or direct recruitment till their number is brought up to the proper strength ?

The Hon'ble Khan Bahadur Mian Faz-i-Hussain :

(a) The answer is in the affirmative.

(b) With due regard to the rights of others, efforts will be made to increase the Sikh representation in the services.

1233. Cancelled.

REPORT OF THE COMMITTEE ON CORRUPTION AND BRIBERY.

1234. **Sardar Dasaundha Singh** : (a) Will the Government be pleased to state what action, if any, has been taken on the report of the Committee appointed to prevent bribery and corruption among Government servants?

(b) Will the Government be pleased to place a copy of the report on the Council table?

The Hon'ble Sir John Maynard : (a) The report of the Committee appointed to investigate the extent of corruption among officials and the remedies to be applied is now receiving the consideration of Government and a resolution on the subject will issue shortly.

(b) Government desires to have an opportunity of studying the report in print before deciding anything in regard to the action to be taken upon it.

MUNSIFFS AND EFFICIENCY BAR.

1235. **Rai Bahadur Lala Sewak Ram** : Will the Government be pleased to state why a first efficiency bar has been created in the case of the existing Munsifs, whilst new recruits will not be subjected to this bar hereafter.

Mr. E. Joseph : The first efficiency bar is necessary in the case of existing Munsifs in order that Government may be satisfied that they are fit for advancement to the higher stages of pay that have now been opened to them. It will not be necessary in the case of new entrants who will be recruited on a different basis and with direct reference to the new scale.

Rai Bahadur Lala Sewak Ram : Has such restriction been put on Extra Assistant Commissioners?

The Hon'ble Sir John Maynard : The answer is 'no.' The cases are in no way the same.

SEDITIONS MEETINGS ACT.

1236. **Rai Bahadur Lala Sewak Ram** : Will Government be pleased to state :—

(a) the facts on which is based the application of the Seditious Meetings Act to various districts in the Punjab?

(b) the number of convictions under the Act which have taken place up to the end of December?

(c) the total number of persons involved?

The Hon'ble Sir John Maynard : (a) and (b).* The hon'ble member is referred to the answer given to question No. 1178 put by Raja Narendra Nath.

(c) Figures are not known but will be communicated when obtained.

*Vol. I.i. Pages 67—8.

Note.—Sardar Dasaundha Singh being absent the answers to questions Nos. 1230, 1231, 1232 and 1234 were given by Government in the public interest.

UNREST IN THE PROVINCE.

1237. **Raj Bahadur Lala Sewak Ram :** (a) Is it a fact that there is general unrest at the present moment throughout the Province?

(b) If so, will the Government state the causes which have contributed to this unrest, and say if they will appoint a Committee of officials and non-officials to enquire into the present situation and to suggest alleviative measures?

The Hon'ble Sir John Maynard : (a) There is unrest, which is not limited to the Punjab.

(b) The causes are complex and various ranging from matters arising out of the Peace with the Turkish Empire, to the economic conditions of the world in general and of India in particular. A Committee of the kind suggested would not be likely to produce a useful result.

ASSESSMENT OF INCOME-TAX IN RAJANPUR.

1238. **Raj Bahadur Lala Sewak Ram :** Will the Government be pleased to lay on the table answer to question No. 1008* put by me on 1st November 1921?

The Hon'ble Sir John Maynard : No such complaints have been received by the Deputy Commissioner, Dera Ghazi Khan or by the Deputy Commissioner of Income-tax. 27 cases of "objections" are pending.

TALAI EMBANKMENT.

1239. **Raj Bahadur Lala Sewak Ram :** Will the Government be pleased to lay on the table the answer to question No. 1005* put by me on 1st November 1921?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : It is a fact that the Talai Embankment, in the Rajanpur Tahsil, of the Dera Ghazi Khan District, breached in August 1921, also in 1909. Measures are being taken to strengthen the embankment and estimates of the cost of the scheme are under preparation.

2. It is regretted that there are no records to show the crop area damaged and the loss of life and other property caused by the floods of 1909, but the information for 1921 is as follows :—

Loss of life.

I. Human	...	... Nil.
II. Cattle	...	... 2 bullocks, valued at Rs. 120.

Damage to crops.

4,657 acres damaged.

Damage to katcha kula.

Number 440, approximate value at Rs. 4,592.

Damage to dry fodder.

3,160 maunds bhusa, valued at Rs. 1,580.

On the other hand—

(a) 407 acres of banjar qadim, unfit for cultivation, has been rendered good culturable land by silt deposits.

(b) 395 acres of additional rabi cultivation was enabled to be done.

DERA GHAZI KHAN INUNDATION CANALS.

1240. Rai Bahadur Lala Sewak Ram : Will the Government be pleased to lay on the table the answer to question No. 1006* put by me on 1st November 1921 ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : A statement is laid on the table which disposes of part (a), (b), (c) and (d) of the question.

As regards part (b) of the question, it is stated that to make the Inundation Canals in the Dera Ghazi Khan District perennial would involve the construction of a weir across the Indus which is at present quite impossible financially.

**STATEMENT SHOWING AREA COMMANDED, AREA
IRRIGATED, AREA MATURED, AREA FAILED
AND AREA FAILED ON ACCOUNT OF SHORT
SUPPLY ON THE CANALS IN DERA
GHAZI KHAN DIVISION.**

*Statement showing area commanded, area irrigated, area matured area
Ghazi Khan*

Serial No.	Name of Canals.	Area of land commanded by each canal, i.e., gross culturable area commanded.	1911-12.			
			Irrigated.	Matured.	Fertilised.	Benefited on account of short supply.
1	2	3	4	5	6	7
		Acres.	Acres.	Acres.	Acres.	Acres.
1	Masuwah	14,272	4,961	3,183	1,818	1,518
2	Fazalwah	12,618	5,487	4,398	1,091	88
3	Monka	129,727	68,024	54,271	12,763	6,736
4	Shoria	71,119	42,487	33,743	8,739	5,304
5	Kasturi	33,495	3,619	2,234	1,895	1,246
6	Dhingana	68,354	21,190	16,535	4,611	3,410
7	Chibri	12,211	8,717	7,417	1,300	261
8	Sahiban	33,154	18,636	15,370	3,266	959
9	Gazun	9,849	5,961	5,218	735	269
10	Nar Dhandi	113,256	50,828	39,032	11,546	4,413
11	Dhandi Kutab	114,893	32,739	23,430	9,409	2,534
12	Kadra	100,417	16,042	11,024	5,003	2,373
	Total	680,532	273,507	215,903	62,702	30,533

failed and area failed on account of short supply on the canals in Dara Division.

543.

1912-13.				1913-14.			
Irrigated.	Watered.	Benited.	Benited on account of short supply.	Irrigated.	Watered.	Benited.	Benited on account of short supply.
9	9	10	11	12	12	13	14
Acrea.	Acrea.	Acrea.	Acrea.	Acrea.	Acrea.	Acrea.	Acrea.
3,045	1,987	2,008	1,564	4,098	3,125	956	272
5,280	9,074	1,556	1,268	5,841	4,564	1,077	138
42,118	31,111	18,007	15,001	61,003	41,638	9,370	6,073
47,547	33,937	8,330	3,320	45,036	34,712	6,881	2,305
6,347	4,458	1,379	1,753	5,651	5,045	616	400
20,633	14,263	6,325	5,546	17,952	14,654	3,299	2,423
5,234	6,355	1,879	1,267	7,944	5,245	1,999	1,046
16,615	12,900	3,639	2,487	15,463	12,499	2,964	1,174
5,533	4,305	623	542	5,305	4,723	539	180
42,303	20,516	13,335	11,089	37,399	29,369	7,910	2,793
23,533	20,534	9,304	7,483	20,171	24,749	5,429	2,377
15,332	7,326	7,946	7,757	19,437	12,474	6,963	78
249,183	175,484	79,704	59,172	245,704	183,131	47,573	19,497

Statement showing area commanded, area irrigated, area matured, area
Ghazi Khan

Serial No.	Name of Canals.	Area of land commanded by each canal, i.e., gross culturable area commanded	AB			
			1914-15.			
			Irrigated.	Matured.	Remitted.	Remitted on account of short supply.
1	2	3	16	17	18	19
		Acres.	Acres.	Acres.	Acres.	Acres.
1	Masnuwah ...	14,272	4,869	3,141	1,258	131
2	Fazalwar ...	12,618	4,067	2,072	1,996	1,668
3	Mauka ...	120,727	34,980	20,733	14,192	11,874
4	Shoria ...	71,119	42,231	22,866	9,865	5,183
5	Kasturi ...	33,595	6,271	4,760	1,506	1,196
6	Dhingana ...	33,984	18,187	12,361	5,776	4,857
7	Chibri ...	12,311	7,798	5,474	2,324	1,353
8	Sahiban ...	33,154	13,562	8,743	4,319	4,256
9	Gamun ...	9,349	5,753	4,599	1,154	843
10	Nur Dhundi ...	116,363	34,413	23,923	9,496	5,173
11	Dhundi Kutab ...	114,393	31,081	25,462	5,619	1,942
12	Kadza ...	100,417	15,244	10,153	9,091	6,064
	Total ...	686,522	223,892	157,293	66,594	43,993

failed and area failed on account of short supply on the canals in Dera Division—continued.

MAE.

1915-16.				1916-17.			
Irrigated.	Matured.	Remitted.	Remitted on account of short supply.	Irrigated.	Matured.	Remitted.	Remitted on account of short supply.
20	21	22	23	24	25	26	27
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
8,875	2,844	1,081	356	8,944	3,064	880	32
5,515	4,611	804	967	5,882	4,953	929	55
54,725	44,258	10,487	3,709	59,068	51,600	7,468	904
42,875	33,096	9,782	2,665	43,402	35,243	8,159	418
5,414	4,159	1,255	623	9,411	7,822	1,589	354
20,462	15,107	5,355	1,597	21,833	16,391	5,442	781
6,452	4,811	1,641	759	7,328	6,198	1,130	285
12,809	9,527	2,782	292	13,731	11,178	2,553	164
5,698	4,228	810	487	4,765	3,638	1,097	304
34,048	24,470	9,579	5,117	45,195	30,814	14,382	2,865
29,549	24,014	5,535	1,099	31,031	23,947	8,114	4,855
15,375	10,904	4,471	921	19,542	12,667	6,875	1,203
285,941	182,029	53,612	17,999	265,153	203,350	56,773	12,170

*Statement showing area commanded, area irrigated, area matured,
Ghosi Khan*

Serial No.	Name of Canals.	Area of land commanded by each canal i.e. gross culturable area command- ed.	1917-18.			
			Irrigated.	Matured.	Emitted.	Remitted on account of short supply.
1	2	3	38	39	40	41
		Acres.	Acres.	Acres.	Acres.	Acres.
1	Maswah	14,272	8,997	2,786	1,111	...
2	Fazalwah	12,818	7,120	6,198	924	...
3	Mankra	129,727	40,783	32,909	7,874	20
4	Shoria	71,118	35,490	27,347	8,143	...
5	Kasturi	33,595	7,045	5,719	1,326	...
6	Dhingana	33,394	17,681	11,980	5,711	...
7	Chibri	12,911	6,923	5,410	1,512	...
8	Sahiban	33,154	18,532	10,964	7,568	3
9	Gaman	9,849	4,537	3,232	1,305	...
10	Nur Dhandi	216,283	32,385	16,102	14,283	...
11	Dhandi Kutah	114,593	19,504	13,355	6,649	...
12	Kadra	100,417	15,554	4,180	11,374	...
Total		636,522	204,213	141,069	63,150	23

failed and area failed on account of short supply on the canals in Dera Division—continued.

1918-19.				1919-20.			
Estimated.	Matured.	Remitted.	Remitted on account of short supply.	Estimated.	Matured.	Remitted.	Remitted on account of short supply.
22	25	26	28	29	37	38	39
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1,950	1,318	682	465	3,889	3,181	708	54
5,813	4,725	1,088	332	5,853	3,317	2,536	490
30,086	12,589	10,447	3,915	27,392	33,174	9,308	117
31,208	30,317	10,391	3,025	32,898	29,558	3,340	1,303
4,119	3,371	1,748	1,533	7,985	6,405	1,580	8
11,939	6,761	5,228	4,440	30,523	15,453	5,070	435
6,603	5,402	5,201	146	6,760	5,033	1,727	335
13,399	11,342	3,557	204	13,827	12,524	4,103	596
9,997	3,955	1,043	922	5,233	4,206	1,027	100
36,530	23,744	9,736	3,695	41,362	30,003	11,354	222
20,913	13,424	7,459	6,293	27,919	21,936	5,983	193
14,040	9,348	4,693	4,305	17,743	13,354	4,384	273
181,097	123,793	50,301	42,231	239,643	183,434	56,179	4,231

Statement showing area irrigated, area matured, area failed and area failed on account of short supply on the canal in the Dera Ghazi Khan Division—concluded.

Serial No.	Name of Canals.	Area of land commanded by each canal, &c., gross culturable area commanded.	Areas.			
			1920-21.			
			Irrigated.	Matured.	Remitted.	Remitted on account of short supply.
1	2	3	40	41	42	43
		Acres.	Acres.	Acres.	Acres.	Acres.
1	Masuwah	14,278	3,028	928	2,100	2,100
2	Fazalwah	12,618	7,408	6,892	1,026	710
3	Manka	129,727	47,190	90,849	16,842	14,917
4	Shoria	71,119	37,502	23,410	14,092	6,562
5	Kasturi	38,595	7,182	4,748	2,496	...
6	Dhingan	88,384	20,639	14,215	6,414	1,299
7	Chibri	12,311	5,158	2,679	2,474	1,923
8	Sahiban	33,154	11,057	4,982	6,075	5,089
9	Gamun	9,849	5,327	3,478	1,749	1,065
10	Nur Dhundi	116,393	55,636	33,249	22,387	8,096
11	Dhundi Kutab	114,593	32,374	22,529	9,845	981
12	Kadra	100,417	17,021	10,163	6,858	161
	Total	696,522	249,402	157,104	92,296	40,832

STEAMER SERVICE ON THE INDUS.

1241. **Rai Bahadur Lala Sewak Ram :** Will the Government be pleased to lay on the table the answer to question No. 1008* put by me on 1st November 1921.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The breadth of the river Indus at the Kot Mithan Ferry is about ten miles across at full flood. It is then somewhat risky, though not "very dangerous," to cross it in a country boat.

(b) Government do not consider the traffic sufficient to justify the starting of a steamship service at the said ferry.

SESSIONS COURT, DERA GHAZI KHAN.

1242. **Rai Bahadur Lala Sewak Ram :** Arising out of the answer given to question No. 1004† on 1st November 1921, will Government be pleased to state whether the Hon'ble Judges have been consulted as promised and with what result?

The Hon'ble Sir John Maynard : An enquiry has been made from the Hon'ble Judges, as to part 2 of question No. 1004 put in the Council on 1st November 1921. The reply will be communicated to the hon'ble member when received.

SUPPLY OF COPIES OF THE PUNJAB LEGISLATIVE COUNCIL DEBATES TO DISTRICT COURTS.

1243. **Rai Bahadur Lala Sewak Ram :** Arising out of the answer given to question No. 1050‡ put by me on 3rd November 1921, will the Government be pleased to enquire from Deputy Commissioners whether there is a demand locally for the Punjab Legislative Council debates? If there is, will the Government reconsider the question of supplying a copy of the debates to all District Office Libraries.

Mr. E. Joseph : The matter is already under consideration but no local demand has yet been brought to the notice of Government.

PROVINCIAL EDUCATIONAL AND MEDICAL SERVICES.

1244. **Rai Bahadur Lala Sewak Ram :** (a) Is it a fact that recruitment to and promotion in the Provincial Educational and Medical Services are being made on communal lines?

(b) If the reply is in the affirmative, will the Government be pleased to lay down that recruitment should be made and promotion given on merit and merit only.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) The answer is in the negative, but Government has recognised the claims of those communities

* Vol. II, page 451.

† Vol. II, page 450.

‡ Vol. II, page 481.

whose representation in public services of the province has hitherto been inadequate, but in practice effect has not been given it to any appreciable extent. In the Medical Services of the Province, there has been no recruitment of the Assistant Surgeons, but 24 Sub-Assistant Surgeons were recruited during the period commencing 1st April 1921, and ending 31st December 1921, and of these 11 are Hindus, 8 Sikhs, 5 Muhammadans ; and

(b) " Government desires to replace, as far as possible, the system of promotion by seniority by one of promotion by merit."

STANDING COMMITTEES OF THE COUNCIL AND GOVERNMENT DEPARTMENTS.

1245. **Rai Bahadur Lala Sewak Ram :** Will the Government be pleased to refer to the Standing Committees concerned of this Council all matters involving a change in the existing policy and procedure of the various Departments of Government.

Mr. E. Joseph : Standing Order 74-A (1) shows that these Committees are constituted for the purpose of advising Government in such matters as may be referred to them for opinion. The two-fold object of the creation of the Standing Committees is to help Government by association of the representation of the people and to assist those representatives in the understanding of public business. While therefore the hon'ble member may rest assured that the Standing Committee will be freely consulted in important matters of policy or procedure Government is unable to fetter itself beforehand in the exercise of the discretion vested in it as to the matters to be referred to the Committees.

GOVERNMENT'S SUPPLEMENTARY DEMANDS FOR GRANTS.

GRANT FOR LOANS AND ADVANCE ACCOUNTS.

The Hon'ble Sir John Maynard : I beg to move :

" That a supplementary sum not exceeding Rs. 4,00,000 be granted to the Governor in Council, Punjab, under the Major Head ' Loans and Advance Accounts ' to defray the charges which will come in course of payment during the year ending on 31st March 1922. "

The motion was carried.

TOKEN GRANTS.

LAND REVENUE GRANT.

The Hon'ble Sir John Maynard : I beg to move :

" That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head ' 5 - Land Revenue ' to defray the charges which will come in course of payment during the year ending on 31st March 1922. "

The motion was carried.

GRANT FOR GENERAL ADMINISTRATION.

The Hon'ble Sir John Maynard : Sir, I beg to move—

" That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head " 22—General Administration " to defray the charges which will come in course of payment during the year ending on 31st March 1922. "

The motion was carried.

GRANT FOR ADMINISTRATION OF JUSTICE.

The Hon'ble Sir John Maynard : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '24—Administration of Justice' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

GRANT FOR JAILS AND CONVICT SETTLEMENTS.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '25—Jails and Convict Settlements' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

POLICE GRANT.

The Hon'ble Sir John Maynard : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '26—Police' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

In doing so, I wish to point out that items (a) and (b) which are shown among the details are contemplated to be for six months only. Item (c) was contemplated under the advice of the Finance Committee to be in the first instance for one year only. Of course, the present demand is only for that portion of the expenditure which falls during the balance of the current year.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

"That the demand of Rs. 10 under the Major Head '26—Police' be reduced by Rs. 2 on account of the item Rs. 16,651 (a) Recruitment of 150 additional police constables with necessary officers and equipment."

2-20 P.M.

Sir, my amendment simply concerns the item of Rs. 16,651. Subsequent to the budget of April 1920, money has been twice asked for, for the Police. What I mean to say is that more money is now wanted in addition to the expenditure that is at present being incurred on the up-keep of the Police. Previous to this a sum of Rs. 86,000 was sanctioned for the Police. At that time I withdrew my objection at the instance of some friends. After that, when another demand was made for the Police *personnel*, I had to bow before the arguments brought forward by the Hon'ble Finance Member. At present I am taking strong exception to the item of Rs. 16,651, there being already a deficit of one crore in our finance. The Excise Department alone has come up with a deficit of Rs. 40,00,000. I have, Sir, no objection to raise against the item of Rs. 34,000 included in the demand. We have already sanctioned a sum of Rs. two and a half lakhs odd for the Police and a further demand is now uncalled for. We are told that Police

[Mr. Ganpat Rai.]

force is to be strengthened. We find that in spite of the existence of Police, thefts and dacoities are rampant. Seeing that we have failed in checking crime even after spending two-and-a-half lakhs, I would say that all this expenditure is wasted. The non-co-operationists are non-violent and in the present state of things it seems useless to provide (additional) police. It is the Police themselves who are provoking the non-co-operationists. Moreover, there is already sufficient Police in the Eastern Range. There was some anxiety owing to the attitude adopted by the Sikhs in connection with the Golden Temple affair. That anxiety no longer exists, as a settlement has since been effected. The item of Rs. 16,651 should certainly not be sanctioned.

2-26 P. M.

Malik Firoz Khan, Nun : Sir, I should have thought that the hon'ble member with many wise years behind him should have come out at this moment with a counsel far different to the one he has been expounding before the House just now. We are not here, Sir, to discuss as to the merits and objects, praiseworthy or otherwise, of the non-co-operation movement, but we all know, Sir, and that is as clear as anything, that the one thing that the non-co-operators are doing by civil disobedience is to create in the minds of the public a spirit of lawlessness which can be turned into any channel at any moment. They may at the present moment be striving to destroy the present system of Government but when once in the mob you have created the spirit of lawlessness and disobedience then it is impossible for an ordinary human being, any political leader, I would go so far as to say, even a Mahatma, to control it. We all know what happened at Bombay recently where the Mahatma himself was sorry to say that he was unable to control the excited mob. Similarly here, Sir, we know that in the Province the non-co-operators are agitating and working hard to create a spirit of lawlessness and of disobedience to the existing law of the land. If that goes on, Sir, you do not know what will happen to-morrow or the day after. It is absolutely necessary for the peace of this country that the Government may be prepared to meet the situation, and we should do all to strengthen the hands of the authorities. It is essential that we should have a large police force which the authority in charge deems necessary to get ready. My friend says that the agitation will disappear. I am not quite so hopeful as he is. Supposing, Sir, there is some lawlessness or disorder or some riots, then if we start to create a Police force, it will be impossible to control the situation. When we want the Police to be of any use we want at least six months to train it. It is no use to begin to create it just at the moment when we want its services.

With these few remarks I hope the Council will not spend much time over the item which is very necessary. It is an item which is being spent for the peace of the country, for the peace of everybody and if you want peace and if you must have law and order you cannot have that without the Police.

2-35 P. M.

Sardar Bakhtawar Singh (Urdu) : Sir, Government should first see if the speaker has made his remarks from a good and well-meaning motive. They should not impugn his motive without sufficient reason. It is futile to ask for additional Police in order to check agitation. I am against the spread of agitation, but am nevertheless opposed to money being spent in an extravagant fashion. The non-co-operators offer no resistance to the

Police and are no enemies of theirs. In the event of grave necessity Government could draft Police from other places. I support the amendment of Lala Ganpat Rai.

2-40 P. M.

Maulvi Muharram Ali, Chishti : (Urdn)-Sir, Mr. Ganpat Rai has remarked that the Finance Member is always showing the dark side of things. We should not, however, object when the Finance Member presents a true picture. Supposing that flames are about to issue from a volcano, but that there is no fixed time. If any one, on becoming apprised of the hour when the flames will issue, gives us a warning, we should not discourage him. The Hon'ble Finance Member has informed us of future dangers and we should not oppose him. The movement of non-co-operation is spreading day by day. My esteemed friend Raja Narendra Nath has also admitted that the disease is not yet cured and that the treatment has proved useless. In order to check the dangers of the movement we should adopt measures by taking action beforehand. Even Mr. Ganpat Rai I think would not like to make Government impotent in the fight against non-co-operation. The state of things already is by no means bright. The situation may perhaps improve but we ought to be on the guard against the sudden flood which comes and carries its victims away unawares. We should commend the man who warns us against such a flood. Malik Feroz Khan has said that the Police is needed for checking civil disobedience and non-co-operation. I should say that in consequence of non-co-operation professional criminals are committing thefts and dacoities. Such thefts are frequently occurring in our own city of Lahore. As the phrase goes example is contagious. What happened in Bombay will happen here also. The state of affairs in the Eastern Range has also at times given cause for anxiety. I support the Finance Member.

2-44 P. M.

The Hon'ble Sir John Maynard : Sir, I should like just to say a few words. My friend Sardar Bakhtawar Singh still favours the idea that non-co-operation is non-violent even when an instance has occurred in the Eastern Range within the last few days. This instance should tend to convince him that he is to some extent mistaken in his optimistic view. What happened at Firozpur Jhirka in Gurgaon District. I presume, the hon'ble members must have heard already. I might describe the incident briefly. Certain persons assaulted certain other persons. Those who assaulted the other persons were arrested. Thereupon a crowd collected and threw stones at the officials and Police. The Police were driven into the thana and the tahsil buildings to defend themselves. Villagers collected from the neighbourhood, crowds of people came in from the neighbouring Native State. The threatening attitude of the crowd and the throwing of stones compelled the Police to fire. Seventeen Government officials were injured and a somewhat larger number of other persons also were injured, three were killed and one died subsequently. This is the kind of incident which has necessitated the addition of Police. It is the result of the persistent effort of those who desire to undermine the authority of Government and destroy the respect and affection in which it is held. It is the kind of incident which in existing conditions is at any moment likely to repeat itself in any portion of the Punjab. It is for these reasons that this particular proposal for addition in the Police in the Eastern Range has been brought forward. My friends who have spoken in defence of the proposal have said so much on the subject of the dangers of the criminal tenden-

[Sir John Maynard].

cies which are being created by the agitation that it is not necessary for me to add much on the subject. But I must, I think, remind the hon'ble members that within a very few days it has been necessary for Government to issue a solemn warning on the subject of the tendencies of the existing movement toward civil disobedience. A solemn warning has been issued and in the course of that warning it has been pointed out that one of the necessary and inevitable consequences of attempts in the direction of civil disobedience must be a very great addition to the burden of the Province and the increase of executive and police staff in order to cope with the evil. We all regret the addition of this burden but let me tell the Council it is inevitable and further similar addition will be inevitable so long as the efforts to undermine the authority of Government continue to be made.

Mr. President: The amendment before the Council is —

"That the demand of Rs. 10 under the Major Head " 26—Police " be reduced by Rs. 2 on account of the *item* Rs. 16,851 (a) Recruitment of 150 additional Police constables with necessary officers and equipment."

The amendment was lost.

Mr. President: The original motion before the Council is —

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "26—Police" to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

GRANT FOR SCIENTIFIC DEPARTMENTS.

The Hon'ble Lala Harkishan Lal: Sir, I beg to move —

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "30—Scientific Departments" to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

MEDICAL GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: Sir, I beg to move —

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) under the Major Head "32—Medical" to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

CIVIL WORKS GRANT.

The Hon'ble Lala Harkishan Lal: I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) under the Head "41—Civil Works" to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

The Hon'ble Sardar Bahadur Sardar Sunder Singh Majithia : I beg to move, Sir—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "45—Superannuation allowances and Pensions" to defray the charges which will come in course of payment during the year ending on 31st March 1923."

The motion was carried.

MISCELLANEOUS GRANT.

The Hon'ble Sir John Maynard : I beg to move, Sir—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "47—Miscellaneous" to defray the charges which will come in course of payment during the year ending on 31st March 1922."

Mr. President : I call upon Mr. Ganpat Rai to move the amendment of which he has given notice and which runs as follows—

"That the demand of Rs. 10 under the Major Head "47—Miscellaneous" be reduced by Rs. 2 on account of the *item* Rs. 45,000 (a) Reappropriation of the provision for civil residential buildings at Amritsar."

Mr. Ganpat Rai : Sir, I am given to understand that notice of this amendment was given by me under a misapprehension. I was told that the correction would be announced in the Council. If the correction is not announced by the Government Member I shall have to move my amendment.

Mr. B. T. Gibson : I might explain that the hon'ble member is under some misunderstanding. I gave him an explanation and he agreed that he would withdraw the amendment. I explained to him that the words "re-appropriation of the provision for Civil residential buildings at Amritsar" meant that this amount would not be spent on Civil residential buildings at Amritsar. The entry should have been in favour of the Government reserve.

Mr. President : Does that satisfy the hon'ble member ?

Mr. Ganpat Rai : Yes, Sir. I will not move the amendment standing in my name because an explanation has been given.

Mr. President : I will now put the original motion to the Council.

The motion before the Council is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "47—Miscellaneous" to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

The Council then adjourned *sine die*.

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PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 21st February 1922.

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

QUESTIONS AND ANSWERS.

REMISSION OF REVENUE IN CERTAIN TAHSILS OF KANGRA DISTRICT.

1246. Mr. Moti Lal, Kaistha : (a) Will the Government be pleased to lay on the table a return showing the villages in the Kulu, Kangra, Palampur and Nampur Tahsils of the Kangra District where the rice crop was totally destroyed by the hail-storm?

(b) Will the Government be pleased to remit the revenue of these villages?

(c) Will the Government be pleased to say what steps, if any, have been taken to give relief to the sufferers by this calamity?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

ARREST OF SIKHS IN AMRITSAR UNDER THE SEDITIOUS MEETINGS ACT.

1247. Captain Sardar Gopal Singh : (a) Will Government please state whether the meetings held at Amritsar last month in which Sikhs were arrested were religious or political meetings?

(b) Are religious meetings prohibited under the Seditious Meetings Act?

(c) Did the Sikhs who were arrested deliver any speeches before they were arrested? If so, were they religious or political speeches.

The Hon'ble Sir John Maynard : (a) Political meetings.

(b) No.

(c) Yes. The speeches were political.

CLOTHES TO SIKH PRISONERS.

1248. Captain Sardar Gopal Singh : (a) Were the clothes of the Sikh prisoners removed by the jail authorities, and, if so, on their own responsibility or under Government instructions?

(b) If the jail authorities acted on their own authority, will Government take action against them?

(c) Is it a fact that M. Zafar Ali in the Montgomery Jail is allowed to wear his own clothes?

(d) If all other such prisoners are deprived of the privilege of wearing their own clothes then will Government please issue a *communiqué* stating this fact?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : (a and b) The question presumably refers to Sikh prisoners sentenced under the Seditious Meetings Act and confined in the Dera Ghazi Khan Jail. Under paragraph 903, Jail Manual, every convict shall ordinarily wear the prescribed prison dress, and unless and until the jail authorities receive orders to the contrary they are bound to see that this rule is observed. They did so in the case of the prisoners in question. When the matter was brought to the notice of Government orders were at once issued and they were allowed to wear their own clothes.

(c) Yes.

(d) Government have already issued rules which will regulate the clothing (among other things) of prisoners of superior social status and education.

LAND GRANTED ON BARA CONDITION IN MONTGOMERY COLONY.

1249. **Captain Sardar Gopal Singh :** Will Government please state the total area of land granted on *bara* conditions to Sikhs, Muslims and Hindus separately in the Montgomery Colony?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The question presumably refers to grants to peasants of inferior land on "half resumable" terms. These grants are scattered about the Lower Bari Doab Colony and are still being allotted. The labour of collecting the information asked for by the hon'ble member, which would be out of date as soon as obtained, would be very considerable. Government does not propose therefore to impose this burden on the Colonization Officer.

PROVINCIALISATION OF HIGH SCHOOLS IN AMBALA DIVISION.

1250. **Lala Atma Ram :** Will Government be pleased to give the names of the High Schools in the Ambala Division which are still under the control of the local boards, and also say how many schools in the same division it proposes to provincialise during the current year?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain :—

(a) The following High Schools are still under the control of local bodies :—

1. Municipal Board High School, Sirsa.
2. " " " " Bhiwani.
3. " " " " Bahadurgarh.
4. " " " " Kaithal.
5. " " " " Rapar.

(b) The matter is under consideration.

PROVINCIALISATION OF THE SIRSA HIGH SCHOOL.

1251. **Lala Atma Ram :** Is it a fact that the pecuniary condition of the Sirsa Municipal Committee is not good, and that, in order to be relieved of educational expenses, it has agreed to part with its school and hand over the buildings to the Government?

If so, will Government kindly provincialise the Sirsa High School as early as possible?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) The Sirsa Municipal Committee has expressed its desire to have its High School provincialised, but has not stated whether this is due to its financial embarrassment.

(b) The matter is under consideration.

LALA DINA NATH, TEACHER, GOVERNMENT HIGH SCHOOL, FERROZPORE.

1252. **Pandit Daulat Ram, Kalla :** (a) Is it a fact that Lala Dina Nath, a teacher in the Government High School, Ferozepore, was deputed on 17th June 1917 as a non-stipendiary student to the Central Training College, Lahore, for a course of training in the B. T. class?

(b) Is it a fact that the period of his training in the Central Training College, Lahore, was counted as privilege leave on half pay for two months and 18 days from 17th June 1917 to 3rd September 1917 and leave without pay from 4th September 1917 to 14th April 1918?

(c) Is it a fact that the Punjab Government letter No. 1272, dated 19th October 1908, provides that the permanent teachers sent from a Government institution to undergo training in the Central Training College who are in receipt of emoluments of more than 40 rupees per mensem will be given three-fourths of their substantive pay subject to the minimum of Rs. 40 per mensem?

(d) If the answer to (c) is in the affirmative, what was the reason why differential treatment was accorded to Lala Dina Nath and what was the reason of departure from the rule contained in the letter referred to?

(e) Is it also a fact that Lala Dina Nath was asked by the Director of Public Instruction to apply for leave without allowances for this period; if so, what was the special necessity for this requisition, and was it meant to override the provisions of this rule; if so, why was this course adopted?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The answer to (a), (b) and (c) of the hon'ble member's question is in the affirmative.

(d) Lala Dina Nath was admitted to the Central Training College as a non-stipendiary student, at his own request, all stipends having already been awarded.

(e) Lala Dina Nath was given privilege leave for two months and eighteen days, combined with leave without allowances.

This was done in order to maintain his lien on his permanent post, he having been admitted as a non-stipendiary student at his own request.

GRANT OF LAND ON THE UPPER CHENAB CANAL.

1253. **Khan Bahadur Chaudhri Fazl Ali:** (a) Will the Government be pleased to state the names of the persons to whom land was granted on the Upper Chenab Canal on cattle-breeding conditions, the area of such lands in each case and the dates on which these grants were made?

(b) Have the grantees fulfilled all the conditions on which land was granted to them?

(c) If the answer to (b) is in the negative will the Government be pleased to state the names of such grantees and the reasons for not fulfilling the original conditions?

(d) If the conditions have been fulfilled, what results have accrued therefrom?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia: The Deputy Commissioners concerned have reported that no grants for cattle-breeding have been made on the Upper Chenab Canal.

1254. **Khan Bahadur Chaudhri Fazl Ali:** Will the Government be pleased to state that where conditions of cattle-breeding have not been fulfilled, whether the Government is prepared to take back such lands and grant them in smaller areas to small zamindars who may be expected to fulfil the conditions?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia: Reference is invited to the reply to question 1253.

1255. **Khan Bahadur Chaudhri Fazl Ali:** Has the Government made sufficient enquiries about getting satisfactory results concerning the increase in the breeding conditions of cattle and about the fulfilment of the conditions of these grantees, and, if not, will it appoint a small sub-committee from the official members of the Council to report after full enquiry?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia: Reference is invited to the reply to question 1253.

SCARCITY OF WATER IN KASALI CANTONMENT.

1256. **Rai Sahib Lala Panna Lal:** In support of the reply given to my question No. 1114, put in the Council meeting on the 10th November 1921, will Government be pleased to lay on the table a copy of the proceedings of the Cantonment Committee on the subject?

The Hon'ble Sir John Maynard: A copy of the proceedings of the Cantonment Committee, Kasali, is laid on the table.

*Extract from the Proceedings of a Cantonment Committee of Kasali,
dated 30th March 1921.*

No. 16.—WATER SUPPLY.

The question of the extreme shortage of water for the coming hot weather months was considered and discussed at length with reference to a written representation made by the Garrison Engineer.

It was resolved that public notices under section 162 (a), Cantonment Code, be issued without delay to all European and Indian residents in Kasauli Cantonment bringing to their notice the acute shortage of the present water supply and exhorting them to exercise their utmost care and precaution to prevent wastage or its illegitimate use. Water for gardening or roads must cease. These rules to come into force from the 15th April 1921.

WATER SUPPLY.

In view of the probable extreme shortage of water during the ensuing hot weather months, all European and Indian residents are requested to conserve the water with the utmost care and attention and limit themselves to the scale as detailed below.

The Cantonment Committee have fixed the 15th April as the date from which residents will be rationed, and they exhort all to kindly give them their help and co-operation.

It is estimated that the total yield which, at present, can be allowed for troops, the hospital, food laboratory, research institute, dairy, and all residents in Kasauli Cantonment, is approximately 30,000 gallons a day, and if there is no rain between now and the monsoon the probabilities are that this amount may even have to be considerably curtailed.

The amount of consumption of water allowed for each individual and unit from 15th April is as follow :—

SCALE.

Hospital ...	...	1,500	gallons per day.
Food Laboratory ...	...	800	do.
Pasteur Institute ...	...	500	do.
Research Institute ...	...	800	do.
Dairy ...	...	1,000	do.
Club S. W. Factory ...	...	100	do.
Kasauli Club ...	...	300	do.
Dépôt S. W. Factory ...	...	150	do.
Bakery ...	...	70	do.
Slaughter House ...	...	50	do.
<hr/>			
European Troops ...	...	7	gallons per head.
Married quarters ...	...	10	do.
Indian Troops ...	...	3	do.
Indian followers ...	...	3	do.
European residents ...	...	7	do.
Indian residents ...	...	3	do.

The total consumption worked out at this scale comes to 29,356 gallons a day which is just under the total estimated allowance. It is evident, therefore, that no water can be wasted and none used for gardens or, for

watering of streets. The water is primarily intended for drinking and cooking purposes.

This notice is issued under the provisions of section 162 (a) of the Cantonment Code and anyone found wasting water or in any way diminishing the quantity is liable to prosecution and to a fine of Rs. 50 or days imprisonment.

By order,

(Sd.)

MAJOR,

Cantonment Magistrate, Kasauli.

Note.—Standposts will be open every day from 7 A.M. until the morning supply of 15,000 gallons is consumed and again from 4 P.M. until the evening supply of 15,000 gallons is exhausted. Every endeavour will be made to have a responsible person supervising at each standpost. Residents are reminded that they should inform their watermen of these rules, and that they should instruct them to take no more than the legitimate share of each household. It would simplify matters if the head of every household would give their bhikshi a certificate showing the number of European residents and servants, residing in each house. The bhikshi could then show the certificate to the supervising official at each standpost.

No. 172-87-W.F., dated 6th August 1921.

From—The Cantonment Magistrate, Kasauli,

To—The Deputy Commissioner, Ambala.

Reference your No. 6743-M., dated 2nd August 1921.

ON account of the abnormally dry weather, and a larger influx of Europeans and Indians than usual into Kasauli this season there has been scarcity of water.

The Cantonment Committee passed a resolution copy of which is attached—

Indian residents of the Bazar were allowed under this resolution 3 gallons of water per head per day, and European residents in the bungalow area were allowed 7 gallons per head per day. The resolution was badly worded as the lesser quantity was only restricted to Bazar residents. Indians residing in bungalows in the residential area were allotted 7 gallons per day, the same as European bungalow residents.

HORSE ALLOWANCE TO EXCISE INSPECTORS AND SUB-INSPECTORS.

1257. **Lala Atma Ram :** (1) Is it a fact that the Excise Inspectors and Sub-Inspectors while on privilege leave get no horse allowances and that the vacancies caused by them are always filled up by the Probationary Inspectors and Sub-Inspectors who are already in receipt of horse allowance?

(2) Is it a fact that Excise Inspectors and Sub-Inspectors have to maintain their horses even during the period of their privilege leave as they cannot dispose of them for a short time?

(3) If the answers to the above queries are in the affirmative will Government kindly see its way to grant horse allowance to Excise Inspectors and Sub-Inspectors while they are on privilege leave?

The Hon'ble Lala Harkishan Lal : The answer to the first part of the first paragraph is in the affirmative. The second part is not understood. There are no Probationary Inspectors and none of the inspecting staff (whether probationary or otherwise) draw the allowance except when on duty.

In regard to the second paragraph, the officers referred to are not compelled to maintain their horses while on privilege leave and Government have no information as to what they do with them while on privilege leave.

The third paragraph of the question consequently does not arise.

GURDASPUR AGRICULTURAL FARM.

1258. Chaudhri Kharak Singh : Will the Government be pleased to state—

- (a) whether the experiment of a tube well has proved successful in Gurdaspur Agricultural Farm?
- (b) If answer to the above be in the affirmative will Government be pleased to sink one in Shakargarh Tahsil, District Gurdaspur, at some suitable place, say Reba Kalan or Hallan, to induce the zamindars of the locality to profit by the demonstration?

The Hon'ble Lala Harkishan Lal : (a) The well in question is not a complete success, from an economical point of view. It was put down some years ago. If a similar well was being put down now, it is possible that different types of well, pump and engine would be used.

(b) Government is not prepared to sink an isolated well as a demonstration in privately owned land until it is satisfied that tube well irrigation is a paying proposition.

IRRIGATION BY THE BARI DOAB CANAL IN GURDASPUR.

1259. Chaudhri Kharak Singh : Is it a fact—

- (a) that the Bari Doab Canal runs through the Gurdaspur District but irrigates a very small portion of the commanded area of this district?
- (b) that a good many owners of the commanded area are desirous of receiving water from the canal for their lands?
- (c) If the answers to the above are in the affirmative will the Government be pleased to direct the canal authorities to enlarge irrigation in the district?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : Replies to (a) and (b) are in the affirmative. With regard to (c) extension of irrigation in the Gurdaspur District is not practicable as water cannot be made available unless irrigation elsewhere be restricted. As rainfall is greater and spring levels generally higher in the Gurdaspur District than in tracts lower down the Doab there are no grounds for restriction of irrigation in the latter.

PUNJAB UNIVERSITY EXAMINATIONS.

1260. Chaudhri Kharak Singh : Is it a fact—

- (a) that when a student of the Punjab University has failed in one or more subjects and is desirous to appear again in the following year, he has, except in the case of those who have to pass by compartment examination, not only to pass in those very subjects in which he failed but even in those in which he had passed?

- (b) that it happens not infrequently that some fail in those very subjects in which they had been declared to have passed a year before ?
- (c) If the answers to the above are in the affirmative, will Government kindly be pleased to move the Punjab University so to alter the rules as to require a student under re-examination to pass only in those subjects in which he has failed previously ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Answers to (a) and (b) are in the affirmative. The practice obtaining in this University is the practice obtaining in all the other Indian Universities.

(c) Government does not wish to interfere with the internal affairs of the University, but the suggestion has been forwarded to the University.

ADMISSION TO THE AGRICULTURAL COLLEGE, LYALLPUR.

1261. Chaudhri Kharak Singh : Will Government be pleased to state—

- (a) on what principle admissions to the Agriculture College, Lyallpur, are based and how are selections for admission made ?
- (b) what are the requisite qualifications for admission to the said college in the four years' course ?
- (c) how many students there are at present in the 1st year class of the four years' course ?
- (d) how many of them were admitted in May last during the 1st admission and how many afterwards ?
- (e) what is the lowest qualification of the student admitted—
(i) during the first admission in May last ;
(ii) afterwards ?
- (f) were those, refused admission during the first admission, informed of any vacancies filled afterwards ?

The Hon'ble Lala Harkishan Lal : (a) The hon'ble member is referred to paragraph 4 of the Prospectus of the College, a copy of which is laid on the table. Selection for admission to the College is made by the Principal in consultation with his staff, and regard is had, in making it, to the suitability (from all points of view) of the various candidates, the representation of all tribes, and castes, so far as possible, and also the representation of all parts of the Province, in the College.

(b) The information required is found in the Prospectus.

(c) Fifty-two. Some of these will probably not proceed to the Degree Course.

(d) All were admitted last May save one who was admitted afterwards.

(e) The lowest qualification of any standard student, admitted to the Degree Course last May was the successful passing of the Matriculation Examination of the Punjab University. The candidate admitted afterwards had passed this examination also.

(f) No.

1262. Chaudhri Kharak Singh : (a) Is it a fact that Kumar Singh, a Rajput agriculturist of Kathlaur, district Gurdaspur, with 322 marks obtained in Matriculation examination was refused admission to the Agriculture College, Lyallpur, in May last, while Mr. James William, a non-agriculturist, with 323 marks, was admitted to the first year class of the four years' course?

(b) If so, what was the reason assigned for the refusal of Kumar Singh and for the admission of Mr. James William, and what steps does the Government propose to take in the matter?

The Hon'ble Lala Harkishan Lal : (a) The facts are as stated, save in that Christians, to whom Mr. James William belongs, are classed as agriculturists in the Lyallpur district, in which district is his home.

(b) The reason why he was given preference over Kumar Singh was that in the Agricultural College efforts are made to have all creeds and castes represented, and he was the only Christian qualified for admission. More than one Rajput was admitted.

In view of these facts no action is called for or possible to take.

ROAD BETWEEN SARGODHA AND SHAHPUR.

1263. Malik Firoz Khan, Nun : (a) Is it a fact that motor lorries are plying on the road between Sargodha and Shahpur; that the road is being ruined thereby, and that it will be difficult for the District Board to rebuild it?

(b) If so, what steps does the Government intend to take in the matter and how soon?

The Hon'ble Sir John Maynard : (a) The answer is in the affirmative.

(b) Draft Rules for the control of motor vehicles plying for hire framed by Government were published with Punjab Government notification No. 32043, dated 20th December 1921 for general information. Criticisms thereon are now under consideration.

Malik Firoz Khan, Nun : How long have these rules been under consideration, Sir?

The Hon'ble Sir John Maynard : The rules were published in the Punjab Government notification, dated the 20th December 1921. They had been under consideration for nearly two months including the period of the Christmas holidays.

EXPORT OF WHEAT.

1264. Malik Firoz Khan, Nun : (a) What was the total amount of wheat produced in this Province during the period between February 1920 and February 1921?

(b) Was any wheat exported out of this province during February 1920 and February 1921; if so, please give the amount?

(c) What was the price of wheat at the time when it was exported?

(d) Who were the firms who exported wheat?

The Hon'ble Lala Harkishan Lal : (a) In *Rabi* 1920, the only wheat harvest that fell in the period in question, the estimated production of wheat in the province was 3,884,372 tons : of this 3,383,459 tons was in British Territory, the balance being in Indian States.

(b) Figures of export from February 1920 to February 1921 are not available, as the Railways, who report the export figures, do so quarterly and not monthly. The total net export of wheat between April 1st, 1920, and March 31st, 1921, from the province, by rail and river, was 836,090 tons : this figure represents exports to all places outside the province, whether elsewhere in India, or overseas.

(c) The price of wheat during the period in question at Lyallpur varied between Rs. 4-10-0 per maund in May 1920, as a minimum, and Rs. 5-12-0 in March 1921, as a maximum.

(d) Wheat was exported from the Province by very many Indian firms, and a few European firms. It is impossible to give within the scope of a reply a complete list of these firms.

SEEPAGE ON THE LOWER JHELUM CANAL AND COMPENSATION TO THE OWNERS OF LAND.

1265. Malik Firoz Khan, Nun : (a) What is the total area belonging to private people and spoiled by seepage water on the Lower Jhelum Canal ?

(b) Has the Government given any compensation to these zamindars ; if not, why not ?

(c) What steps does the Government intend to take in order to cope with the seepage question and compensate those whose lands have been spoiled by the Lower Jhelum Canal seepage water ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : (a) The total area affected by seepage water is approximately 500 acres on the Lower Jhelum Canal.

(b) The owners of the areas have as far as possible been compensated by being given land elsewhere.

(c) As the area waterlogged by the Lower Jhelum Canal is so minute and as the owners of this area have been compensated, Government intends to take no action on the Lower Jhelum Canal.

WASTAGE OF WATER AT MIANA KOT, SHAHPUR.

1266. Malik Firoz Khan, Nun : (a) Has the Government got any proof, and, if so, what, that the people of Miana Kot, district Shahpur, wasted water, and what was the penalty imposed on this village on this account ?

(b) Was the wastage due to a weak bank or to mischief done by a particular person ?

(c) Is it a fact that the crops were spoilt by this water ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia :—(a) Top width of bank was about twenty feet, berm width was about five feet and water was two inches below berm level. This in itself is proof positive of the strength of the Canal Bank in so far that the bank was so strong that it could not have breached of itself. The penalty imposed was Rs. 1,700.

(b) As explained above the wastage was not due to a weak bank, and as the persons who cut the bank could not be discovered, punitive charges were levied on the area watered,—vide section 34 of Act VIII of 1873 and Rule 33 thereunder.

(c) The reply is in the negative.

OUTLETS OF THE MIANA KOT WATERCOURSE.

1267. **Malik Firoz Khan, Nun :** Has the size of the outlets of the Miana Kot watercourse been reduced? If so, why, and how long had they stood untouched before they were reduced?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Kot Miana has four outlets, two of which are shared with other villages. One outlet has been reduced; the reduction being the first since 1916. The remaining three outlets which have not been reduced since 1916 will be reduced at the end of this crop. All reductions were sanctioned on account of outlets drawing too much water. After concurrence by the Deputy Commissioner who made enquiries at site, the reductions were sanctioned by the Superintending Engineer.

PUBLIC GARDENS IN RAJANPUR.

1268. **Sardar Allan Khan :** Will Government be pleased to state—

- (a) the number of public gardens in Rajanpur, Dera Ghazi Khan District?
- (b) the net annual income derived from them?
- (c) whether this income is credited to the Provincial Revenues; if so, to what head of account? If not, why not?
- (d) whether regular accounts of the income derived from and expenditure incurred on these gardens are kept? If so, whether these accounts are regularly audited?
- (e) whether they will be pleased to place on the table a statement showing details of income and expenditure for the last five years?
- (f) whether they will consider the desirability of transferring the control of these gardens to the municipal committee?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : It is regretted that the material for the reply to this question is not yet forthcoming. The information is being collected and will be communicated to the hon'ble member as soon as possible.

Rai Bahadur Lala Sewak Ram : I should like the following supplementary question to be added to question No. 1268 :—

"Is it a fact that the matter was put before the Municipal Committee of Rajanpur? If so, whether they were willing to take the control of the gardens or they did not care to do so?"

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia :—I should like to have notice of the question.

APPOINTMENT OF ZAILDARS AS JAIL VISITORS.

1269. **Sardar Allan Khan :** (a) Are Sub-Registrars, who are salaried servants of the Government, regarded as officials or non-officials for purposes of jail inspection?

(b) Will Government consider the desirability of appointing Zaildars and sarbarah Zaildars as jail visitors?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla : (a) Departmental Sub-Registrars are officials within the meaning of the Civil Service Regulations, but have hitherto been regarded as non-officials for proposes of jail inspection.

(b) It is not in the public interest to designate any class as suitable for appointment as jail visitors.

METALLING OF THE ROAD FROM BATALA TO QADIAN.

1270. Pir Akbar Ali : (a) Is it a fact that the road from Batala to Qadian in the Gurdaspur District is a *kutchra* road, 11 miles in length, and is in a very bad condition ?

(b) Is it also a fact that there is a very large and busy traffic on the road ?

(c) Will Government please give a rough estimate of the number of *Ahmadi*s assembling at Qadian on the occasion of the annual meeting of the community in December every year

(d) Is it a fact that representations have been made to the Government in past years asking for the metalling of the road and that the Government at one time replied that owing to the war the work could not be undertaken ?

(e) Now that the war is over, will Government kindly move the District Board to get the road metalled or make a special grant to the District Board for the purpose, or ask the Communications Board to undertake the work ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : It is regretted that the reply to question No. 1270 is not yet available. The information is being collected and will be supplied to the hon'ble member as soon as received.

COMMUNAL REPRESENTATION AMONG MUNSIFS.

1271. Pir Akbar Ali : (a) Will Government be pleased to state the number of Munsifs in the Punjab and how many of them are Muhammadans, Hindus, Sikhs or Christians ?

(b) Is it a fact that every year, when the High Court makes selections, the selections are made in accordance with a fixed proportion of the candidates belonging to the above mentioned four categories ? If this is so, will Government be pleased to state what is the percentage allotted to the aforesaid four categories ; also since when this practice has been in existence and whether it is strictly adhered to ?

Mr. E. Joseph :

(a) The hon'ble member is referred to part XVI D of the Civil List which is in the Council Library.

(b) The hon'ble member is referred to the answer given to question 36* asked by Mian Ahmad Yar Khan Daulatana in the Council on 24th February 1921.

The present figures are as under :—

Hindus	...	...	...	...	15
Muhammadans	...	...	...	...	14
Sikhs	...	...	...	...	7
Others	...	...	...	...	2

COMMUNAL REPRESENTATION AMONG MUNSIFS SELECTED FOR THE POSTS OF EXTRA ASSISTANT COMMISSIONER.

1272. **Pir Akbar Ali :** Will Government be pleased to state whether the selection from amongst Munsifs for the posts of Extra Assistant Commissioner has up till now been made in a fixed proportion of Hindus, Sikhs, Muhammadans and others or not? And if it has been so conducted, what are the percentages allowed to the above mentioned communities?

Mr. E. Joseph : The hon'ble member is referred to the reply given by the Hon'ble Member for Finance to the question* asked by Mian Ahmad Yar Khan Daultana in the Council of the 24th February 1921.

COMMUNAL REPRESENTATION AMONG THE MEMBERS OF THE CHUNIAN MUNICIPALITY.

1273. **Pir Akbar Ali :** (A) Is it a fact (a) that the total number of members in the municipality of Chunian, district Lahore, is 12, of whom 3 are *ex-officio*, 1 nominated and 8 elected; (b) that the total number of Muslim Municipal Commissioners is only 2, and (c) that the nominated member is a non-Muslim?

(B) Is it also a fact that out of the 1,352 registered voters in the municipality, 686 are *Mussalmans*?

(C) If the answer to these questions is in the affirmative, will Government be pleased to fix a specified number of seats for each community on the lines followed in the municipal committees of Lahore and Ferozepore, if not, why not?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain :—

(A) $\left\{ \begin{matrix} (a) \\ (b) \\ (c) \end{matrix} \right\}$ The answer is in the affirmative.

(B) No. The number of registered voters in the Chunian Municipality is 1,175, of whom 576 are *Mussalmans*.

(C) Government are unwilling to introduce the communal system in municipalities except where it is needed to prevent inter-communal friction or where there is pronounced demand for it from an aggrieved community.

INSTITUTE OF COMMERCE, LAHORE.

1274. **Pir Akbar Ali :** (a) What recommendations regarding the Institute of Commerce, Lahore, have been made by the University Inspecting Committees?

(b) What action has been taken by Government to carry out these recommendations?

(c) If there has been delay in carrying out these recommendations and if all the recommendations have not been carried out, what have been the reasons?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) The following recommendations have been made by the University Inspecting Committees :—

- (i) The staff of the Institute, besides the junior teachers engaged in stenography and typewriting, should consist of (a) a Principal with commercial training, if possible ; (b) two professors with the necessary training in commerce and commercial geography.
- (ii) The Principal should be provided with a residence close to the hostel.
- (iii) Proper arrangements should be made for a regular playground.
- (iv) The provision of Rs. 5,000 for immediate expenditure on the purchase of books, including a substantial amount on maps and atlases ; and the provision of Rs. 400 annually for additions to the library, including the purchase of periodicals, etc.
- (v) The employment of a clerk.
- (vi) The provision of more hostel accommodation.
- (vii) The hostel should be equipped with electric light ; and the Institute with electric fans.

(b) (i) has been carried out ; except that the Principal should have commercial training, if possible. As commercial training in India is in its infancy, it is difficult to find a man (with commercial training) who has sufficient experience to act as a Principal.

(ii) There is a superintendent who has quarters in the hostel. The provision of quarters on an economical scale for members of the teaching staff of Government Colleges in Lahore is under consideration ; but the financial stringency and the claims of all teachers must be taken into account.

(iii) Arrangements are being made in co-operation with the University, the latter not having been able to provide such accommodation for its own colleges for a number of years.

(iv) The lump sum of Rs. 4,657 and an annual grant of Rs. 90 have already been given to the library. As there are many other more pressing demands on Government for assistance, Government does not feel disposed to give further grant at present.

(v) A clerk has been provided.

(vi) More hostel accommodation has been provided to meet the needs of the second year class.

(vii) The provision of electric power is a difficulty in Lahore at present : and, in any case, Government is bound to practise economy wherever possible.

WASTAGE OF CANAL WATER AT MIANA KOT.

1275. **Malik Firoz Khan, Nun :** Will the Government kindly enquire into the recent wastage of canal water case at Miana Kot ?

The Hon'ble Sardar Bahadur Sardar Sunder Singh, Majithia : Please see answer to question No. 1266.*

PRESENTATION OF THE BUDGET.

The Hon'ble Sir John Maynard (Finance Member) : When I introduced the last budget to this Council, I laid stress upon the large powers which the constitution confers upon it for controlling the expenditure of this Province. These powers extend to three-fourths of the total expenditure; or, if we omit from consideration the contributions and assignments to the Central Government, the interest on loans and the item of Famine Relief and Insurance which is fixed by law, to no less than 92½ per cent. of the remaining total. The reality of the power of the purse was demonstrated in the proceedings of the Council over its first budget, when the existence of the Publicity Committee was terminated by an adverse vote, and the Government, anxious to conform its policy to the will of the Council, abstained from invoking the special powers of His Excellency the Governor to restore the disallowed provision.

The discussion over the first budget in the Reformed Council elicited the suggestion that provision should be made for consulting the Council at an earlier stage, during the framing of the proposals, instead of confronting it with a completed set of figures in the preparation of which it had had no share. The result of this suggestion was the establishment of the Standing Committee on Finance, a body having a majority elected by the Council itself from among its own members. No proposals for new expenditure and no proposals for new works are laid before this Standing Committee until they have passed the Finance Department, where my friend Mr. Gibson, an amiable but implacable dragon, stands guardian of the treasure house. Having escaped from this first peril to its trembling young life, the proposal next enters the burning fiery furnace of the Standing Committee, where all dross is purged away, and whence nothing can issue that has not upon it the hall mark wrung from those unappeasable critics, my friends Mr. Gaupat Rai and Sayad Muhammad Husain.

It is my fortunate lot to preside at the meetings of this Standing Committee; and let me assure this Council that we have had many a tough argument and that the official case has by no means always met with success. It has happened, and by no means infrequently, that proposals which seemed to have a good justification, have been rejected because the departmental authorities concerned had not got up their facts thoroughly enough and were not able to satisfy the tribunal that their claim was sound. In fact, I have had to issue special instructions, warning officers that they must regard themselves as advocates appearing before a Court which will dismiss the suit if it is badly put before it.

All this I say with the object not of criticising the Standing Committee, whose duty it is to reject all expenditure of whose necessity it is not satisfied, but of assuring this Council that the proposals which come before it have undergone very searching examination. Out of the Standing Committee, there issue contingent grants with a quarter of their dimensions ruthlessly curtailed, and the mangled remains of establishment proposals, which have left half of their original bodies behind them; and many an item, still more ill-fated, is remembered only by a black line of pencil, erasing its abortive existence from an Agenda statement.

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Upon the present occasion there has been yet a further process of revision, in order to bring the new expenditure within the limits which our financial conditions impose upon us. After the dragon had done his worst, after Mr. Ganpat Rai, as the presiding genius of the fiery furnace, with bellows, tongs and shovel, had passed our departmental infants through the flames, we set to work on the charred and mutilated remnants, and made a further drastic reduction in the new expenditure. The Council will find that the total estimated cost of the works and projects included in the budget comes to more than the full provision which is demanded. This means that the departments will not receive the full amount required for their complete programme, and will have to select the more urgent items only, unless they should hereafter be able to obtain further funds by means of supplementary demands or by reappropriation.

This very drastic curtailment of new expenditure has been made necessary not by any ambitious schemes of development (for which provision out of current revenue is indeed out of the question) but by the financial conditions of the year. The Reforms were inaugurated in a season of very serious drought, and the poor *Kharif* harvest of 1920 was followed by the poor *Rabi* harvest of 1921. At the same time unfavourable economic conditions of world-wide extent, complicated by embarrassments in exchange, produced a grave depression in trade. In such a season a marked diminution in the receipts both from Land Revenue and Excise was inevitable, and the loss under these heads amounts to forty-three and thirty-two lakhs respectively. Normally the revenue from Irrigation tends to increase, for obvious reasons, in a season of drought, but this year unexpectedly large working expenses have reduced the net Irrigation income by thirty-three lakhs below expectations. At the same time the great losses of cattle caused by the scarcity of fodder, and the difficulty of obtaining seed owing partly to abnormally high prices and partly to a real shortage of stocks, caused an altogether unprecedented demand for *takkavi* loans. No less than 61 lakhs, out of which 48½ lakhs are on account of seed and bullocks, have been advanced to the people by Government during the current year to meet their necessities.

At this point I invite the Council to pause and consider what these figures mean. As an important portion of the great machinery which makes up the Government of this Province, this Council may legitimately congratulate itself upon a considerable achievement. At a time when misguided men, who have forgotten what real misgovernment means, are doing their utmost to vilify and belittle the work of the Government and to persuade their fellow countrymen to increase to the utmost the difficulties of its task; when the calamities of Nature are added to world-wide economic disturbance and to dangerous political unrest, the humble peasants of this Province, who still know where to look when trouble is upon them, come forward in the confident expectation of relief, and receive from Government advances to the amount of 61 lakhs of rupees. It is only a stable Government with a sound organisation, which can bear the strain of such unexpected demands, and command the resources for the relief of economic difficulties on such a scale while continuing its normal services and also providing for the capital expenditure in which lies the hope of the future enrichment of the resources of the Province.

And here let me say, Sir, that the people of this Province (and indeed of the other Provinces too) have during this past year of troubles and of calumny shown their confidence in the Government in an even more

unmistakable manner than by calling upon it to help them in their necessity. They have freely placed their money in the hands of Government. To an extent which has been actually embarrassing, because the accommodation in the Treasuries and Currency Depôts has been strained to bursting, they have brought their rupees to Government, and demanded currency notes in exchange for them. This tendency has been so marked in the Lahore Currency Office that it has been necessary to relieve the congestion by transferring large quantities of coin outside the Province. If one man were to thrust his silver upon another, content to receive paper in exchange for it, we should say that he gave a very remarkable demonstration of faith in the honesty, solvency and continued life of the person whom he so trusted. Shall we not draw the same inference when it is Government which receives the same proof of general confidence?

I return to the financial conditions of the year now nearing its close. The Land Revenue, as I have said, is worse by forty-three lakhs of rupees than our estimate. Part of this is due to the necessary postponement of instalments due on the purchase price of waste lands. The rest is due to the elasticity of the system, by which the actual revenue demand adjusts itself to the conditions of the season, by suspension and remission, or by recovery of suspended arrears where it is fixed, and by the normal action of the process of assessment where it is fluctuating. The head of land revenue, though thus responsive to the variations of good and bad seasons, is very far indeed from showing any signs of rapid development. Those members of this Council who make a careful study of such things have doubtless seen a brief document recently issued by Government entitled "a review of the public accounts." That document shows that the land revenue has risen by only six per cent. in six years, a period within which the prices of agricultural produce have nearly doubled. How different would have been the financial condition of the Province if the land revenue had been collected in kind, or by a commutation based upon recent average prices. The rise would then have been at least sixty per cent. instead of six.

The next great item of loss is the excise revenue, which is worse by 32 lakhs than the estimate. This is partly due to the deliberate limitation by the Minister of the maximum quantity saleable. This restriction was introduced at the beginning of the present financial year into a number of districts, with the object of checking the consumption of liquor, and it has undoubtedly been efficacious, though a portion of the reduction is also to be attributed to the occurrence of two successive bad harvests. All of us would rejoice equally in a permanent fall in consumption if it signified an actual reduction in drinking, and not merely increased resort to illicit practices. In the present year a real reduction in consumption, though not necessarily a permanent one, is indicated by the figures. The depression in trade which characterised the year is also mirrored in the fall of 6½ lakhs in income from Stamps.

I shall now summarise briefly the financial position as we anticipate that it will be at the end of the current financial year. And before doing this, let me make it plain that I am taking account not only of our ordinary revenue and expenditure, but also of the operations of our Loans and Advance account, including *takkavi* loans, loans to local bodies and the like. After paying off our debt to the Government of India on the Provincial Loan Account, we started the year with an opening balance of Rs. 140 lakhs, and we expected

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to end it with a plus balance of Rs. 97 lakhs. We shall end it with a minus balance of Rs. 99 lakhs, which is nearly two crores worse than our expectation.

Out of the minus balance of 99 lakhs, 88 lakhs represent debts due to Government which are likely to be repaid in 1922-23. For this amount we have asked for a short term loan from the Government of India, as it is undesirable to incur long interest charges on a deficit so soon to be recouped. There remain Rs. 11 lakhs, for which we shall provide by an addition to the long term loan which it is proposed to contract next year for expenditure on the Sutlej Valley Project and other commitments of a capital nature. The procedure will be this : that 34 lakhs of Irrigation capital expenditure and 27 lakhs of other capital expenditure incurred during the present year from revenue will be transferred to permanent debt. This course is justified by the consideration that all this expenditure is of a remunerative kind, which might without financial impropriety have been met by loan in the first instance if a loan had been raised during the current year.

Before I proceed to consider the budget for 1922-23, the Council is entitled to receive from me some indication of the inner significance of the revised figures for 1921-22 which are laid before it. I drew attention last year to the important fact that the balance with which this Council began its career was not the result of savings of ordinary income over ordinary expenditure, but the proceeds of the sale of a certain valuable property, namely, of the Crown lands of the Province hitherto brought under irrigation. When we began to expend the balances thus accumulated—and we have been doing so since the termination of the war—we began, in so far as the expenditure was on something other than capital requirements, to eat up our capital. It is true that the Crown lands of the Province are not exhausted, and that, with the development of new schemes of irrigation, large additional areas now desert will become available for settlement. But land once sold can bring in future nothing more than an addition to the land revenue ; and the expenditure of the sale price upon other than capital requirements can only lead in the long run to commitments greatly in excess of resources. It is only if the proceeds are expended upon new canals or schemes of exploitation which add directly to the income of the Government, or upon new communications or industrial developments which add to the material resources of the Province, or even, with caution, upon school buildings and other such capital expenditure upon education as promises the raising of the general standard of intelligence, that we can claim to have used our inheritance wisely and well. The capital receipts of 1921-22 though budgetted at 84 lakhs round, will amount actually to only 31 lakhs. There is room for differences of opinion in determining which items are really capital expenditure. But 30 lakhs of irrigation expenditure, 4 lakhs of survey expenditure in preparation for irrigation schemes, 5½ lakhs of Forest expenditure, and 1 lakh of expenditure in preparation for hydro-electric schemes, are certainly of this character and 18 lakhs of expenditure on communications and 3 lakhs of expenditure on industries might not unreasonably be so regarded. The capital expenditure is thus either 41 or 57 lakhs, according as we do or do not confine the term to those items which directly or almost directly produce an increase of the revenues. After excluding the figures of the Loans and Advances Account, and deducting 31 lakhs of capital receipts and 57 lakhs of capital expenditure, we find the revenue of 1921-22 to be Rs. 203 lakhs and its expenditure Rs. 1,069 lakhs.

The difference of Rs. 166 lakhs is not to be wholly explained by the accidents of an unfavourable season. In a normal year Land Revenue, Irrigation and Stamps will, no doubt, recover and yield perhaps ninety or a hundred lakhs more than in 1921-22. But Excise, as an expanding head of revenue, is almost certainly doomed, and we must not look for any recovery under this head.

It is an inevitable inference that expenditure on the scale of the current year's revised budget is in some measure an anticipation of the future developments to which we may, not without reason, look forward as the result of the great schemes of irrigation, hydro-electric power, industry, and communications now commenced or being planned. Those schemes are of fascinating magnitude and scope. We see with the eye of reasoned prophecy yet more of our desert spaces turned into rich arable land, tilled by a prosperous peasantry, the inaccessible places linked by new railroads, tramways and roads, and busy industry humming in the mills to which our great rivers will be harnessed, a greater population, a richer one, and, let me add, one better instructed as new wealth brings the means of greater expenditure. Such is the future the Punjab may with something like certainty expect, if that peace, without which nothing can grow, be not broken by some unbelievable madness, arresting progress with new barbarism. With such a future in prospect, there is every reason to walk courageously, grudging nothing that does not savour of extravagance. But I remind the Council that prudence bids it not to go too far in anticipation of future resources. There must be no easy sacrificing of present revenues, because some powerful interest makes a plausible claim for relief, or because idealists fancy that human nature is to be weaned from established habits at a word of command; and there must be no light acceptance of obligations for reasons of sentiment or because it is easier to say yes than no. True, the final responsibility for such things rests in part upon the Government, but so much weight attaches, and rightly attaches, to the expressed wishes of the Council, so great is the direct power which it exercises by its right to veto outlay upon which revenues depend, and by its control of legislation which is or in the long run must become the authority for all the claims of the State, that this exhortation is not without reason addressed to the body which controls three-fourths of the expenditure of the Province.

The year which lies before us opens with the almost assured hope of an excellent spring harvest. This, and the existence of acute unrest, particularly in the central districts, with the resultant prevalence of crime and the peril to order, are the leading facts of which we have definite knowledge. The Meteorological Department has yet given us no means of foretelling the fortunes of the monsoon, and the future course of the political barometer, now dangerously inclining towards storm, is almost equally difficult to forecast. In these circumstances we can but make the usual assumption of a normal year, and provide for such additional expenditure for securing the maintenance of order as we can clearly foresee at the present moment. In both respects our assumptions may be falsified by the event, our revenues may be reduced by crop failures and our expenditure may be increased by disorder but we have no alternative but to frame our proposals upon them.

We have therefore assumed normal receipts of land revenue, with a reasonable proportion of suspended revenue to be collected, giving us in all 52 lakhs more than in the current year. We have also assumed normal gross receipts from irrigation, but the net receipts, after deduction of working

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expenses, will be less by 27 lakhs than in the preceding year, by reason of increases in the pay of establishments and of arrears of maintenance repairs extensions and improvements postponed during and since the war. We have put our excise receipts lower by 12 lakhs than in the revised budget of the current year, because the indications are that this item of revenue is decidedly on the downward grade, and we have not ventured to anticipate a stamp revenue substantially in excess of this year, as there are no clear evidences as yet of that revival in trade which is a necessary condition of growth under this head. Under Forests, we have reason to anticipate improvement, owing to the developments produced by an enlightened business policy. The receipts under this head, which amounted to only Rs. 38 lakhs in 1920-21, are now estimated to be as high as Rs. 65 lakhs, with a net surplus of 6 lakhs against one of only 2½ in the former year. The additional returns anticipated from the extra expenditure of the coming year will accrue for the most part in 1923-24 or later. Development is yet only in its infancy, and the trade depression has affected the returns from Forests as under other heads. There will be larger receipts under the miscellaneous head, mainly by reason of the postponement to the coming year of one large transaction of the sale of nazul land; and there will be substantially higher recoveries under the head of loans and advances, due to the repayment of loans for seed and bullocks. Otherwise there is no remarkable feature on the side of receipts.

On the expenditure side of our budget, there is the increase in Forest expenditure which I have already discussed in explaining the net receipts of that department, a large increase of 18 lakhs in Education expenditure, and a smaller increase of 7 lakhs in expenditure on Industries. The Education expenditure will reach the high total of 106 lakhs, which I feel sure will be a subject of congratulation to the Council. Twenty-three lakhs are provided for compensation to Martial Law sufferers, in accordance with the recommendations of the Committee which sat to deal with this subject. There is another increase which has been unintentionally omitted from the budget figures, but will be included in the demands for grants of six lakhs in the charges of Police. This is the unfortunate but inevitable result of the serious increase in crime and of the disturbed political conditions with which that increase is associated. A recent *communiqué* published by Government pointed out that the figures of crime in 1921 were higher than in any of the past ten years except 1913. The increase was greatest in the central range, where the total was greater by 4,296 cases than in the preceding year. There were 115 more dacoities than in 1920, 117 more murders, and 4,816 more burglaries, in the Province as a whole. The increase is due to what is practically a widespread defiance of law, and, though affected by the unfavourable economic conditions and the high prices, is largely the result of political unrest and of attempts to undermine authority in every form. At the present time the attitude of a large section in the central districts, despite the conciliatory action which was announced to this Council in January last and which was then received as an auspicious omen of peace to come, gives cause for grave anxiety and compels the strengthening of the force which preserves order.

The principal decreases on the expenditure side in the budget are 59 lakhs in Irrigation. Works charged to revenue, of which a large portion is merely an adjustment of accounts, 18 lakhs in contributions and assignments, which also signifies merely a different method of accounting, and 12 lakhs in Civil Works. The expenditure from revenue taken altogether is

estimated to be less by 47 lakhs than in the current year. The general effect of our budget proposals, including the Loans and Advances account but not taking any account of our proposals for a long-term loan except in so far as they are affected by the transference of 61 lakhs of capital expenditure in the current year to the charge of the latter, may be thus stated in lakhs. The opening balance will be a deficit of minus 99. The revenue will be 964. The portion of the permanent debt devoted to the payment of past capital expenditure will be 61, and the receipts on account of loans and advances will be 38. This gives a total on the receipt side of 964. The expenditure from revenue will be 1,079, to which 34 is to be added on account of a deduct entry for irrigation expenditure met from revenue in 1921-22, 8 for the loans and advances account and 1 for the Civil Contingencies Fund. The resultant deficit at the end of 1922-23 will be minus 153. This result, unsatisfactory though it be, has been attained only by a drastic reduction in new expenditure, that is, expenditure on new services and on new works, to 50 lakhs only. The total given by the projects which were passed by the Finance Committee, after that very careful scrutiny which I have described in an earlier part of my speech, amounted to 64 lakhs; but we have made a lump reduction of 14 lakhs even in that rigidly scrutinised provision, leaving it to the departments to settle for themselves the details of the reductions to be effected. I do not think that we could have gone further than this. The proposals put before the Finance Committee, after the preliminary scrutiny by the Finance Department, aggregated 107 lakhs, which the Committee reduced to 64, and the Finance Department has subsequently further reduced to 50. These figures do not include the Rs. 23 lakhs of compensation for martial law sufferers, nor the new expenditure of the Irrigation Branch, which submitted its budget figures in a consolidated form.

Such is the financial position to which we have to look forward in the coming year, with a closing deficit of minus 158 lakhs, despite the most rigid curtailment of new expenditure on works and services, and despite the debiting of 61 lakhs of expenditure in 1921-22 to permanent loan. The measures which we are taking or propose to take to improve it fall under three heads. In the first place, as the Council is aware, a Special Committee of Retrenchment has been appointed. It has not yet formulated proposals, but it has asked that preliminary proposals for its consideration be prepared by officials to be placed on duty for the purpose, and this wish will be met by Government. I understand that Mr. Casson, an officer of very wide experience of the administration, will be employed to draft suggestions for the retrenchment of already sanctioned expenditure. In the second place, as the House is aware, the Government had made a representation to the Government of India for the reduction of the annual contribution of Rs. 175 lakhs now paid by the Province to the Central revenues. It will be remembered that before the introduction of the reformed constitution important heads of revenue and expenditure were divided between the Central and the Provincial Governments. This arrangement was an obstacle to Provincial autonomy, both financial and administrative, for a Government which is a sharer in the revenues and expenditures of a particular branch of administration must inevitably claim certain special rights of interference and control. The abolition of these divided heads, and of the resultant division of responsibilities, was an important feature of the Reforms Scheme. But the rearrangement of revenue and expenditure left the Central Government with largely reduced resources, and brought to each Province a considerable

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windfall. It was necessary to devise a plan for reconping the former, and the Committee on Financial Relations calculated the appropriate contribution to be made by each Province for this purpose. The Committee, having taken into account the indirect contribution of each Province, and in particular the incidence of customs duties and income-tax, and having inquired into its taxable capacity with reference to probable developments, concluded that the standard contribution for the Punjab was 9 per cent. of the total, or Rs. 87½ lakhs per annum. But practical considerations made it impossible to levy an even standard contribution at once from each Province, and the Committee proposed an intermediate contribution from the Punjab of double the standard. It arrived at this figure by certain arguments which we take the liberty of traversing. In the first place, it pointed out that the windfall, which was calculated to be 289 lakhs, but which we calculate to have been substantially less, was a large one. At all events this windfall, after the deduction of the contribution, was more than swallowed up at once by the inevitable additions to the pay of establishment which the economic conditions entailed. In the second place, the Committee observed that the Punjab's balances were full: an observation which was true, but which ignored the origin of these balances, derived, as I have elsewhere pointed out, from the sale of Crown lands, the proceeds of which ought by no means to be devoted to ordinary expenditure of a non-capital kind. In the third place, it remarked that the Punjab revenues move upwards with marked ease. With land revenue going up at the rate of only one per cent. per annum, net irrigation revenue reduced by increased working expenses, income-tax transferred to central revenues, and excise revenues obviously on the downward grade, we can, unfortunately, tell a very different tale to-day. I have little doubt that the case for the Punjab was prejudiced by the apparent prosperity produced by the crediting of the sale proceeds of land to ordinary current revenues, and by the rigid economy which was practised during the war. Such were the arguments which we addressed to the Government of India. I regret to have to inform the house that it is unlikely that this representation will bring us any financial relief during the coming year. The Government of India have replied explaining the difficulties of their own financial position, and have made it plain that a reduction of the contribution is not to be looked for yet, though they do not traverse our pleas for relief and do not bang the door in our faces.

There remains yet another method of redressing unfavourable financial balances. When we have cut down our expenditure as closely as we can pare it, and even after we have induced the Government of India to forego as much as possible out of our annual contribution, there will still remain a large gap to be filled. We have to replace the shrinking revenue from Excise. We have to pay the interest on the loans which we must annually contract for expenditure of a capital kind upon the development of the Province. We have to provide for growing requirements under the heads of Education, Sanitation and Medical Relief. In a word, we have to find fresh revenues.

I do not disguise from myself, Sir, the aversion with which this House will instinctively regard proposals for fresh taxation. But we must not play the part of the hunted ostrich, which digs its head into the sand and believes, because it can no longer see its hunters, that it has escaped from them. We must look facts boldly in the face. The reforms have brought us boons; they have also brought us responsibilities. They have given to this House, elected by half a million electors of the Province, power

through its hold upon the Ministers to redress social evils by the diminution of the consumption of liquors and drugs, and a Bill for the enforcement of local option is about to be introduced, and will, I am sure, receive general support. They have given to it the power, also to be exercised through the Ministers, who depend upon it for their position, to expand the opportunities of mass education and to meet the crying needs of public health. In giving to it these great powers, they have also laid upon it the duty of courage to face the inevitable consequences of decreased income and increased expenditure. We are not children that we should cry for boons, and expect to receive that for which we are unwilling to pay.

Our proposals for the raising of fresh revenues will probably include some addition to the occupier's rate on the canals, and this matter is now under enquiry. The addition cannot in any event take effect earlier than the *Kharif* harvest of 1922, and we cannot, therefore, look for any very great increase in our receipts in the coming year from this source. The Government also has under consideration proposals for changes in the Stamp and Court-Fees Acts, a step in taking which we shall be following the example of certain other Provinces including Bengal, where legislation on this subject is understood to have been already introduced into the local Council. I hope to be able to introduce to this House in a later session Bills for the amendment of the Stamp and the Court-Fees Acts, after the necessary sanction of the Government of India has been obtained.

We have made no addition to our budgeted figures by reason of these plans for increasing the revenues, nor am I at present in a position to say what the increase will be. But in order that I may give to the House some notion of the scope and extent of our proposals, I ought to explain that we cannot expect relief from them during the coming financial year to the extent of more than forty lakhs at the outside.

It has now been made plain, Sir, that any very great reduction of the anticipated deficit of 158 lakhs at the end of the year 1922-23 is not to be looked for, and that the Punjab is at the end of the era of large cash balances. But the Punjab is still a Province with a great undeveloped property. Without taking any account of the vast tracts

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over which it owns a contingent proprietary right between the Indus and the Jhelum, this Province disposes of nearly a million acres of land between the Sutlej and the dry bed of the old Beas, to which a high market value will shortly be given by the development of the Sutlej Valley Scheme. If even one-third of these Nili Bar lands be sold, gradually and judiciously, after the water has been brought to them and satisfactory means of communication established, there should be little difficulty in realising enough to pay the whole cost of the British portion of the project twice or perhaps three times over. Sir, this House is the trustee of a great estate, which will attain to its full value by judicious capital expenditure. Our credit secured upon the Crown lands would amply suffice for raising all the capital required for their development, even if there were no other resources to secure it, and we can borrow with a clear financial conscience, so long as the proceeds are to be judiciously expended. It is accordingly contemplated to raise a loan during the coming year to meet the cost of the first season's operations on the Sutlej Valley Project and for other purposes mainly of a strictly remunerative character, that is to say, likely to yield a certain direct

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minimum return upon outlay. It is premature to say anything further at present on the subject of this contemplated loan, of which all the details remain yet to be arranged, but the picture of the financial conditions of the Province would be incomplete if I did not remind the House that in its July session it passed a resolution approving of certain capital expenditure for which our budget does not provide, but which will be met by borrowing at the proper season.

When I look back upon the past fourteen months since the reformed constitution was inaugurated, I see a retrospect of storm. When this Council first met, we had just experienced a failure of the monsoon and a bad autumn harvest. A still worse spring harvest followed. Bad crops, bad trade, dangerously high prices of food, extraordinary prevalence of crime, wide-spread discontent, particularly in the towns, but latterly extending also to the rural tracts in the Sikh districts, every malign ingenuity employed to destroy the confidence in Government and its officers, every turn of Near Eastern politics, every calamity of nature or economic laws used as a weapon against us, our own friends only half aware of our difficulties and apt to cavil at the precautions taken for the safety of the Province. Sir, when I look back upon these things, I thrill with pride, to know that I am one of the band of officers in all departments who have endured anxiety and calumny and have passed with unblenching fortitude through at least a part of such a pitiless storm. There may be gusts of calamity yet to come; but the blood stirs with the memory of what is already endured, and with the proud confidence, under Providence, of the strength to ride it out to the end.

Let me not give the impression that I forget the helpers who have made the achievement possible; this Council, which has withheld from us no essential support; those among its members who from time to time have spoken out boldly in defence of order and good Government; and the silent toiling multitudes who have borne the burden of hard economic conditions and of the disorder which unrest encourages, and yet have brought to us our revenues as punctually as in a time of profoundest calm. Here indeed has been co-operation, warming the heart and upholding the courage.

Sir, in an earlier passage of this address, I have spoken of that peace in which small things find the opportunity to grow great. That peace still lies around and about us, so long established, so omnipresent, that we have forgotten what the lack of it might mean. This Punjab of ours has seen days when men ploughed, with their weapons lying in the corner of the field; when they awoke sometimes to the light of their burning villages, to see the fruits of their toil snatched away in blood and rapine, and to listen in agonised helplessness to the shrieks of their womankind. I pray that such days may never return. But he would be a false friend who, calling upon this House to dispose for the coming year of the resources of the Province, should ignore the tell-tale signals of impending danger, and forget to remind it that we build our plans upon the confidence that peace will remain to us, and that every man has his part to play in securing its continuance.

I beg to introduce to the Council the budget for 1922-23.

ANNOUNCEMENTS FROM THE CHAIR.

Mr. President: I draw the attention of members to the fact that the general discussion of the Budget will take place on the 2nd and 3rd of March. In order to enable as many members as possible to express their

views I shall restrict interpretation to a minimum. I shall also exercise the powers, vested in me, as occasion offers, to fix a limit of time for speeches. As no vote is to be taken members not familiar with English will not be inconvenienced by the curtailment of the interpretation. The voting of grants will commence from the 6th of March and all grants will be placed on a continuous list and will be taken up as they are reached. This year the Budget has been examined in detail by the Finance Committee of the Council and it is anticipated that much less time will be occupied on the grants than last year. As two clear days' notice of an amendment to a vote is needed, members should file their amendments, to be on the safe side, on the 3rd of March at latest. The Council will now adjourn until 12-15 on Monday the 27th, when it is hoped that His Royal Highness the Prince of Wales will honour us with a visit.

PUNJAB LEGISLATIVE COUNCIL.

Monday, 27th February 1922.

The Council met at the Council Chamber at half past twelve of the clock. Mr. President in the chair.

VISIT OF HIS ROYAL HIGHNESS THE PRINCE OF WALES.

His Royal Highness the Prince of Wales arrived at the members' entrance of the Council Chamber at 12-30 p. m. He was received at the foot of the steps by His Excellency the Governor and Mr. President. A Guard of Honour of the Punjab Volunteer Rifles, with band under the command of Captain E. Smith, was drawn up facing the entrance. His Royal Highness inspected the Guard of Honour. His Royal Highness was then escorted by His Excellency the Governor and Mr. President into the members' lobby. There Mr. Manohar Lal, the Deputy President, Diwan Bahadur Raja Narendra Nath, Raja Muhammad Akbar Khan, Sayad Muhammad Husain and Sardar Kartar Singh, the Chairmen, and Lieutenant Sardar Raghbir Singh, the Secretary, and the Interpreter to the Council were presented to him by Mr. President. A procession was then formed. Members rose in their places as soon as the procession entered the Council Chamber, and remained standing throughout the proceedings.

Mr. President then conveyed to His Royal Highness the message of welcome adopted by the Council at its meeting of the 2nd August 1921 :—

MR. PRESIDENT.—May it please Your Royal Highness—We are assembled here to-day to offer to Your Royal Highness a warm and hearty welcome on this your first visit to this province. We welcome Your Royal Highness as the eldest son of our King-Emperor and Queen-Empress. Their memorable visit to India some ten years ago, and the sympathy they then showed, and have ever shown with India and with Indians, is fresh in the minds of all of us here present. We welcome you also as the grandson of King Edward VII. His name is commemorated specially in Lahore by the King Edward Medical College, erected at the cost of the Princes and people of the Punjab after his lamented death. We welcome you also as the great-grandson of the Great Queen, from the inspiration of whose royal words has sprung so much of that for which India now hopes. And we welcome you also for your own sake, for we have seen how you have borne yourself in the other dominions of the British Empire, and with what sympathy and enthusiasm you have thrown yourself into all things Indian since you have arrived in this country. And above all, here in the Punjab, the home of the fighting clans, we welcome you as a brother-in-arms. There are few here present to-day who did not have some share in bringing the Great War to a successful termination. Some of us lost in the fighting those who were near and dear to us. We appreciate the fact that through it all you shared with the rank and file of the army the hardships and the dangers of the trenches, and that it was

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your hands which unveiled at Brighton the beautiful memorial to those of India's dead who died from their wounds far from their homes in England. Sir, wherever you go in this province, you will find those who remember what you have done, and remember it with gratitude. It is with feelings such as these that, at a meeting held on the 2nd August last, this Council passed the following resolution :

" That this Council offers a warm and hearty welcome to His Royal Highness the Prince of Wales on his approaching visit to India, and trusts that his tour in the Punjab will afford to him the opportunity of gaining a closer knowledge of the people of this province, and of their needs and aspirations, and will assure to them his sympathy."

Your Royal Highness, here, as elsewhere, people are being stirred by their needs and by their aspirations ; needs for things material—better houses, more and better food and a higher standard of living generally : aspirations for things not of the body—greater freedom, nationhood, and all that the idea of nationhood carries with it. That Your Royal Highness's tour in the Punjab may be fruitful now, and in the days to come, is our humble and earnest prayer.

His Royal Highness the Prince of Wales was pleased to reply as follows :—

MR. PRESIDENT—

I am touched by the warmth of the welcome to which you have given expression on behalf of the members of this Council. I am deeply gratified by the glowing tribute which you have paid to my father and mother. No one knows better than I do what a deep love they cherish for India ; and they will be rejoiced to find that their love finds an echo in the hearts of this Council.

Sir, you have referred to my visit as my first visit to the Punjab. In a sense you are right, for this is the first time I have set foot on Punjab soil ; but in another sense you are wrong ; for I began to visit the Punjab in spirit long ago.

From the day the stalwart Punjabis of the Indian Expeditionary Force landed in France, and in the years that came after when I shared their daily life as soldiers in many countries, my thoughts went forth to the plains and hills of the Punjab. My heart was with the fathers and brothers, who had bid godspeed to those men when in loyalty and devotion to their King-Emperor they went forth to be my comrades-in-arms in distant and unknown lands. When one of my comrades fell, in sympathy and sorrow I was with you in your homesteads ; and I shared in your pride and rejoicings, when your dear ones returned safe once more to your hamlets at the end of the war.

Gentlemen, you have honoured me by calling me a brother-in-arms of the gallant Punjabi in the War, and I am proud of the title. Now that the days of peace have come I want to feel that I still have you as trusty comrades in the tasks that lie before us. We British and Punjabis have travelled the road of friendship together for many years ; we have passed many milestones on that road ; I, for one, wish to tread no other, and I want to take you all, along that road, with me, right to the very end.

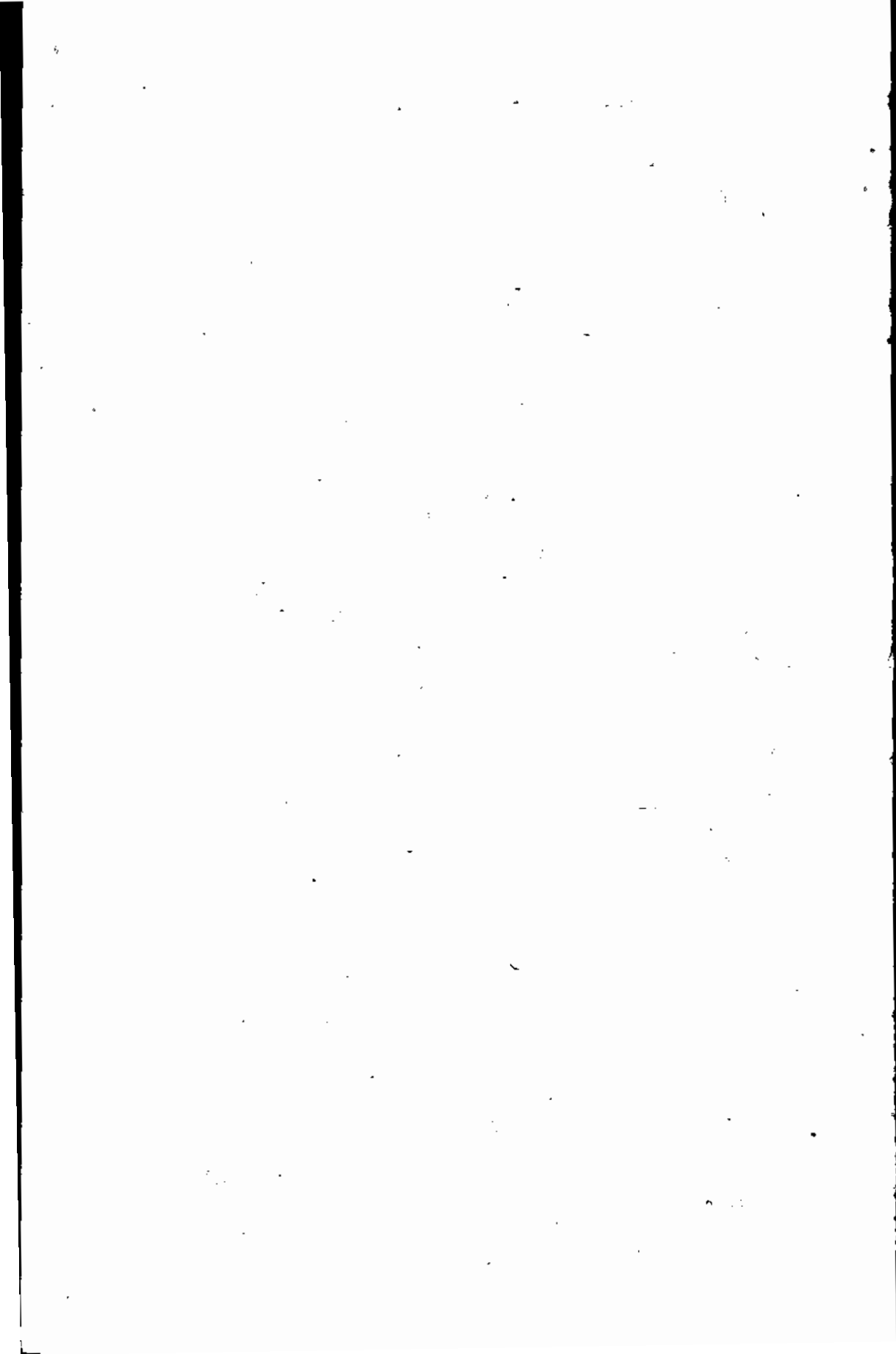
Gentlemen, I have come here to-day to make your acquaintance—the members of one of the young parliaments of the Empire. As representatives of those whom I call my comrades, you have special claims on my regard. I sympathise with your aspirations. New political problems are arising as a result of world changes. You have your difficulties and dangers before you just as we had in the war. In that great struggle, patient training, trust, co-operation and courage led us to success at the end. I pray that Divine inspiration may guide your efforts in the same way to preserve and maintain the well-being of the people of the Punjab.

The interpreter then interpreted the remarks of His Royal Highness the Prince of Wales.

His Royal Highness and His Excellency the Governor then left the Council Chamber in procession. The mace remained upon the table.

After His Royal Highness the Prince of Wales and His Excellency the Governor had left Mr. President returned and again took the chair.

Mr. President; I have to announce to the Council that His Royal Highness the Prince of Wales has been pleased to give a signed copy of his speech delivered in the Council to be kept in the records of the Council. The Council is adjourned till 2 P.M. on Thursday, the 2nd March 1922.



PUNJAB LEGISLATIVE COUNCIL.

Thursday, 2nd March 1922.

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

QUESTIONS AND ANSWERS.

LAND FOR RESIDENTIAL SITES IN SARGODHA.

1276. **Malik Firoz Khan, Nun*** : (a) Is it a fact that some cases of plague have taken place recently in Sargodha, and that this town is now over-populated ?

(b) Did the last auction of land for building sites fetch high prices ? What was the average price per *marla* for residential and shop sites at the last auction ?

(c) Will the Government sell more land for residential sites for the poor people at once ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : (a) There has recently been a small localised outbreak of plague in Sargodha town resulting in 8 cases with 5 deaths up to 28th January 1922. Sargodha cannot be said to be over-populated as the population per acre is only 5.28 as compared with 54.01 in Lahore.

(b) Yes. Shop sites were sold at an average price of Rs. 732 per *marla* and residential sites at Rs. 694 per *marla*.

(c) A scheme has been prepared and it is hoped that it will be possible to sell residential sites for poor people very shortly.

REVISION OF ELECTORAL ROLLS.

1277. **Rai Bahadur Lala Sewak Ram** : Arising out of the answer given to my question No. 693,† dated the 29th July 1921, with regard to the revision of electoral rolls, will Government say if they have taken any steps in this matter, and in particular whether they have adopted the measures taken by the Bombay Government ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : After consulting District Officers, Government has decided that it is not necessary to add to the already heavy duties of the revenue staff by ordering an annual revision of electoral rolls. It has been decided to revise the rolls before each general election.

Rai Bahadur Lala Sewak Ram : Will the Government be pleased to state whether it will be revised one year before the election ? I mean at least one year before the General Election.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I cannot say that it will be exactly one year before the General election, but it will be done as early as possible.

*NOTE. — Malik Firoz Khan, Nun, being absent the answer to question No. 1276 was given Government in the public interest.

NON-OFFICIAL PRESIDENT FOR THE KAMALIA MUNICIPAL COMMITTEE.

1278. Rai Bahadur Lala Sewak Ram : Is it a fact that there is an official president of the Kamalia Municipal Committee? If so, will Government see the desirability of appointing a non-official president at an early opportunity?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The answer to the first part of the question is in the affirmative. With regard to the appointment of a non-official president the hon'ble member is referred to section 20 of the Punjab Municipal Act under which the Commissioner could take upon himself the appointment of a president to a 2nd class Municipal Committee only on the application of the Municipal Committee on the occurrence of a vacancy. No such application has been made.

EDUCATIONAL FACILITIES IN CHAJ DOAB.

1279. Dr. C. A. Owen : (a) Is it a fact that the entire area of the Chaj Doab lying between Kunjah and Jhang is without facilities for English education, and is as a result educationally much behind other parts of the Chaj Doab?

(b) Is it a fact that there is a recognised and aided high school at Kunjah which is run by private enterprise, and that the inhabitants concerned are not sufficiently advanced to start a school of their own?

(c) Is it a fact that Government has allowed the Gujrat District Board to maintain a high school at Kunjah?

(d) If so, will Government be pleased to direct the District Board Gujrat, to locate their high school in a place where there is a keen and unsatisfied demand for a high school such as Phalia or Miana Gondal?

(e) If not, how do the Government propose to supply the educational needs of the area from Kunjah to Jhang?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) It is a fact that there is no Anglo-Vernacular School in the entire area of Chaj Doab lying between Kunjah and Jhang, but optional English classes have recently been introduced in the four Vernacular Middle Schools at Phalia, Pahrianwali, Makhanwali and Haria in the Phalia Tahsil.

(b) Yes.

(c) Yes.

(d) The District Board, Gujrat, was allowed to raise its Anglo-Vernacular Middle School at Kunjah to the high grade in order to relieve the congestion in the High Schools at Gujrat. Besides Kunjah is surrounded by a network of primary and lower middle schools. The school is, therefore, badly wanted where it is.

(e) No demand for English education has ever been expressed to Government by the inhabitants of the Ilqa, but a beginning in the matter has already been made, *vide* my answer to part (a) of the question.

EXPANSION OF THE CO-OPERATIVE MOVEMENT.

1280. Chaudhri Daya Ram : Will the Government be pleased to say (a) how many rural banks were opened in 1921 and how much money was

spent on them; (b) what provision is being made in the forthcoming budget for the expansion of the co-operative movement?

The Hon'ble Lala Harkishan Lal : (a) During the year 1920-21, 1,379 new societies were registered. It is not possible to give the cost of the department for the co-operative year, but in the financial year the expenditure was about Rs. 3,20,000.

(b) No reply can be given till the Council has passed the Budget Estimates.

SALE OF PASTURE LAND ON THE LOWER CHENAB CANAL.

1281. Malik Najabat Khan : (a) Is it a fact that on the Lower Chenab Canal villages there are various plots of poor land, originally set apart for pasture, but now available for cultivation?

(b) Is it also a fact that attempts have been made from time to time to cultivate this land under a system of temporary cultivation?

(c) If so, will Government consider the desirability of disposing of this land to the permanent residents of the villages concerned in each case?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majlitha : (a) It is a fact that land was set apart originally for chiragah or pasture in peasant villages on the Lower Chenab Canal, and that this land is not the best land in the village.

(b) It is a fact that this chiragah land was to some extent thrown open to temporary cultivation during the war in pursuance of the policy of increasing the supply of grain.

(c) Government is not prepared to allow the reduction of the chiragah percentage below 10 per cent. As regards those villages on this Canal in which the chiragah is 20 per cent., the hon'ble member is referred to the answer to question No. 809* in which it is stated that proposals for reduction have hitherto been rejected mainly owing to difficulties of water supply.

SELECTION OF UPPER SUBORDINATES FOR THE PROVINCIAL ENGINEERING SERVICE.

1282. Rai Bahadur Lala Sewak Ram : Arising out of the answer given to my question No. 1167† on the 10th January 1922, will the Government be pleased to give a reply as regards Irrigation Department?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majlitha : As regards (a) no definite number of posts were assigned for Upper Subordinates in the Provincial Engineering Service as it is intended that this Service should consist of men who have engineer qualification, which very few Upper Subordinates possess. So far 42 permanent Upper Subordinates of the Irrigation Branch and 4 passed students of the Roorkee College have been appointed. A further selection from Temporary Engineers and Upper Subordinates has been deferred pending a reply to a reference about Temporary Engineers from the Government of India.

Similarity in the case of (b) no fixed number of posts were intended exclusively for the Lower Subordinate Establishment. The Subordinate

* Vol. II, page 221.

† Volume III, No. 1, page 62.

Engineering Service is to be recruited by the transfer thereto of such members of the permanent Upper and Lower Subordinate Establishments as may in the opinion of the Local Government be qualified for admission, and by qualified men from the Government School of Engineering, Rasul. 183 qualified Lower Subordinates have been appointed and the full cadre will be gradually filled up as suitable candidates become available. Meanwhile at no time will the number borne on the scale of the Subordinate Engineering Service plus the number left in the existing Upper and Lower Subordinate Scales be allowed to exceed 460, the numerical strength sanctioned for the new service.

Rai Bahadur Lala Sewak Ram : With reference to (a) Sir, I want to ask a supplementary question. Is it intended that the service should consist of men who have engineering qualifications? Is it not a fact that Overseers and Sub-Overseers have been promoted to the Provincial Engineering Service?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Only a few selected men have been promoted perhaps.

Rai Bahadur Lala Sewak Ram : May I ask whether Sub-Overseers have been promoted to the Provincial Engineering Service, and if so, whether they are eligible for such promotion?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I cannot give a definite answer unless due notice is given.

REVENUE ASSISTANTSHIP AND EXTRA ASSISTANT COMMISSIONERS PROMOTED FROM TAHSILDARSHIP.

*1283. **Sodhi Lal Singh :** (a) Will Government kindly state the number of those Revenue Assistants in the Province who have been promoted from tahsildarship?

(b) How does this number compare with the total number of Revenue Assistants?

(c) Will Government consider the advisability of showing preference to those Extra Assistant Commissioners who have got promoted from Tahsildarship in Recruiting for Revenue Assistantship?

Mr. E. Joseph : (a) 17.

(b) There are 29 Revenue Assistants.

(c) The figures above given do not suggest the need of any special preference.

DEPARTMENTAL EXAMINATION OF MUNSIPS.

1284. **Sayad Muhammad Raza Shah :** (a) Is it a fact that a large number of Munsifs under the new scheme had to pass their last departmental examination in many subjects with only two months' time for preparation, and that in consequence there has been a large number of failures amongst them?

(b) If so, will the Government be pleased to let them earn at least their first two increments without reference to the examination condition?

*NOTE.—Sodhi Lal Singh being absent the answer to question No. 1283 was given by Government in the public interest.

Mr. E. Joseph : It is the fact that the departmental examination fell only about two months after the inclusion of Munsifs in the Punjab Civil Service.

It is not apparent however that this resulted in a disproportionate number of failures. There were 26 Munsifs and 28 other candidates examined in group A. In each case 8 only passed by the higher standard.

In group B of 18 Munsifs examined 12 passed by the higher standard while of other candidates 15 out of 28 passed.

In group C of 30 Munsifs 25 passed by the higher standard, while of other candidates 16 passed out of 22.

(b) In the circumstances noted above, the second part of the question does not arise.

LISTED POSTS FOR PROVINCIAL CIVIL SERVICE AND SIKH OFFICERS.

1285. Sardar Kartar Singh : (a) Will the Government be pleased to state (a) what action has been taken so far on the resolution passed by this Council regarding the giving of 25 per cent. listed posts to the Provincial Civil Service, (b) what action does the Government propose to take in future ?

(ii) Has any Sikh Provincial Civil Service officer been given any of the listed posts, and if not, when does the Government propose to give the Sikhs their due share ?

Mr. E. Joseph : (i) The hon'ble member is referred to the information given in Punjab Government notification No. 25851, dated the 22nd October 1921, of which a copy was supplied to each member of the Council.

(ii) There is at present no Sikh in a listed post. Government does not propose to award these posts on a communal basis.

APPOINTMENT OF A SIKH PUBLIC PROSECUTOR AT FEROZEPORE.

1286. Sardar Kartar Singh : (a) Is it a fact that the Public Prosecutor of Ferozepore has resigned ?

(b) Will the Government be pleased to appoint a Sikh Public Prosecutor at Ferozepore.

The Hon'ble Sir John Maynard : (a) The reply is in the affirmative.

(b) Government has not yet received the proposals for the filling of the vacancy at Ferozepore. These will be forwarded by the Legal Remembrancer after consultation with local authorities.

Meanwhile a Sikh Public Prosecutor has been appointed at Rawalpindi.

As Sardar Kartar Singh was absent questions Nos. 1287, 1288, 1289, and 1290 were not put.

EXEMPTION OF MAGISTRATES FROM THE PROVISIONS OF THE ARMS ACT.

1291*. Sardar Kartar Singh : Will the Government be pleased to consider the advisability of exempting all magistrates from the provisions of the Arms Act ?

*Sardar Kartar Singh being absent the answers to questions 1291 and 1292 were given by Government in the public interest.

(b) If the Government is unable to exempt magistrates, will it consider the advisability of granting licenses to them without charging license fees?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The granting of either of the exemptions proposed would involve an alteration in the India Arms Rules, 1920, which can only be made by the Government of India.

DECREASE IN THE NUMBER OF CATTLE.

1292. **Sardar Kartar Singh :** (a) Is it a fact that the number of cattle in the province has decreased by 7½ per cent. in the last year? If so, what was the cause of this decrease?

(b) What steps does the Government propose to take to improve cattle and to avoid mortality in future?

The Hon'ble Lala Harkishan Lal : (a) The decrease in the number of cattle in the province between 1915 and 1920, when the two last enumerations of cattle were held, was 7 per cent.

It is attributed to

(i) the generally poor character of the monsoons during the years in question, which caused a great scarcity of fodder crops, and

(ii) the market increase in the values of other crops, such as oilseeds, cotton and wheat, which caused a larger area than usual to be placed under them, and an unduly smaller area to be placed under fodder crops.

(b) Government is doing all it can to improve the cattle of the Province. But to avoid mortality altogether, as the hon'ble member appears to suggest, is quite beyond the power of any Government. An account of the various activities of Government in this matter will be found in the latest report of the working of the Civil Veterinary Department in the Punjab, a copy of which is laid on the table.

CLERICAL ESTABLISHMENT, AGRI-HORTICULTURAL GARDENS.

1293. **Rai Bahadur Lala Sewak Ram :** Is it a fact that the clerical establishment working under the Director of Agriculture in the Government Agri-Horticultural Gardens has not been given the same scale of pay as other clerks under the Director of Agriculture? If so, will Government give them the same status?

The Hon'ble Lala Harkishan Lal : The scale of pay given to clerks of the Government Agri-Horticultural Gardens is the same as has been given to other clerks serving under the Director of Agriculture. The Director of Agriculture has recommended for the head clerk a duty allowance of Rs. 10 per mensem and the proposal is under consideration. No special action appears to be necessary.

Rai Bahadur Lala Sewak Ram : May I know what is meant by duty allowance? Does it mean that any special allowance will be given to this head clerk.

The Hon'ble Lala Harkishan Lal : I think the English is fairly plain isn't it?

Rai Bahadur Lala Sewak Ram : I mean what duty allowance is allowed to the head clerk of this cadre ?

Mr. C. A. H. Townsend : It is a special allowance which has been recommended in the case of head clerks.

MONEY FOR THE SUTLEJ VALLEY PROJECT.

1294*. Malik Firoz Khan Nun : What steps is the Government taking or has it taken to raise money for the Sutlej Valley Project ?

The Hon'ble Sir John Maynard : Government is taking steps for raising money for the Sutlej Valley Project as also for the other capital projects mentioned in the resolution moved in this Council on November 7th, 1921.

ACTION TAKEN ON MOTION PASSED BY THE COUNCIL REGARDING PROVINCIAL CONTRIBUTION TO THE GOVERNMENT OF INDIA.

1295. Malik Firoz Khan, Nun : What has been the outcome of the motion passed by the Council about the Provincial contribution to the Government of India ?

The Hon'ble Sir John Maynard : After consulting the Finance Committee as recommended in the resolution, the Local Government has addressed the Government of India in the matter, and in doing so has supported the request of the Finance Committee to be allowed to send a deputation on the subject to the Central Government.

INCOME OF THE INCOME TAX DEPARTMENT.

1296. Malik Firoz Khan, Nun : What was the net income of the Income Tax Department in the Punjab during the year 1920-21.

The Hon'ble Sir John Maynard : The net Income of the Income Tax Department in the Punjab during the year 1920-21, was Rs. 46,61,153.

As Rai Sahib Lala Panna Lal was absent question No. 1297 was not put.

PROVISION FOR TECHNICAL EDUCATION.

1298†. Rai Sahib Lala Panna Lal : Will the Government be pleased to inform the Council if it intends to make a substantial provision for imparting Technical Education to the youth of the province, making a start from the next year ?

The Hon'ble Lala Harkishan Lal : Government has already moved in the matter. Future efforts will be in proportion to the funds voted by this Council for the purpose.

*NOTE.—Malik Firoz Khan, Nun being absent the answers to the questions Nos. 1294, 1295 and 1296 were given by Government in the public interest.

†NOTE.—Rai Sahib Lala Panna Lal being absent the answers to the questions Nos. 1293, 1299, 1300 and 1301 were given by Government in the public interest.

HOSHIARPUR MUNICIPAL COMMITTEE.

1299. **Rai Sahib Lala Panna Lal :** Will the Government be pleased to state—

- (a) the circumstances that brought about the resignation of Rai Bahadur Sham Das of his post as non-official President of the Hoshiarpur Municipal Committee ;
- (b) the grounds whereon the election of Lala Ram Lal as a successor of Rai Bahadur Sham Das was set aside ;
- (c) the reasons which necessitated the nomination of Revd. A. B. Gould, an American Missionary, in preference to a number of gentlemen of position and education locally available ; and
- (d) the circumstances that led to the resignation of a major portion of Municipal Commissioners ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) Rai Bahadur Lala Sham Das tendered his resignation as a member of the Municipal Committee, Hoshiarpur, and ceased to be its president. The circumstances that brought about this can best be put in his own words :—

- (1) Co-operation on the part of members is lacking, hence the Municipal work suffers deplorably.
- (2) The sub-committees do not work and important business is unduly delayed. No sub-committee sent in its budget for the year 1921-22 and after waiting for a long time I had to prepare the budget in the office and naturally the submission thereof to the Commissioner of the Division was delayed and the Commissioner had to call for an explanation as to the cause of delay.
- (3) I called a special meeting to consider the budget, but the members did not attend and there was no quorum. I had therefore to adjourn the meeting and the budget had to be passed at the adjourned meeting where even there was not a quorum.
- (4) Some of the members are merely ornamental and they consider they have to enjoy the honour without shouldering any responsibility.
- (5) I worked as Vice-President for more than 20 years when the Deputy Commissioner was the President. I did practically the President's work. I had more control then and my orders were carried out to the very letter and I commanded more respect. The reason is quite obvious, the Deputy Commissioner being at my back.
- (6) Now since I am elected President no regard is paid to my orders and as a matter of fact they are honoured more in the breach than in the observance.
- (7) The sanitation of the town is getting from bad to worse and the Sanitary sub-committee does not pay attention to it notwithstanding my repeated requests. They do not report the delinquent servants for punishment and when I take some one to task I am out-voted.

(8) The Sub-Overseer is a most negligent man and is in the habit of making false reports, and whenever I detect him and take him to task he is relentlessly shielded by some of the members and thus the President's control and prestige is lost.

(9) I have been doing this at the sacrifice of my health because I look upon it as a service to the public, but now the circumstances are changed and I cannot continue as President nor serve as a member, hence I tender my resignation and solicit the favour of your kindly transmitting it to the higher authorities for sanction."

(b) Rai Bahadur Sham Das's resignation was accepted on the 5th of October 1921 and intimation of this was sent to the Committee on the 7th of October. Thereafter the Committee held several meetings with the object of electing a President but with no result save that of augmenting communal friction and bitterness. Various members, Hindus and Musalmans, were proposed but no one was elected. Section 20 of the Punjab Municipal Act prescribes that the Committee must elect a President within one month of the occurrence of a vacancy. If it fails to do so Government or the Commissioner must appoint the President. On the 10th November 1921, that is to say, after the expiry of the statutory period of one month, the Committee went through the form of holding an election, and returned Lala Ram Lal as President. On the 28th November the Committee unanimously decided that the election of Lala Ram Lal be cancelled. The Council question appears to assume that Lala Ram Lal was validly elected President by the Committee and that his election was set aside by a higher authority. The fact is that the election was void *ab initio* and was cancelled by the Committee itself.

(c) The acute Hindu-Muhammadan friction in the Committee made it desirable to nominate as member the Revd. A.B. Gould (a citizen of the United States of America) who was expected to hold himself clear of all parties and help the Committee in the better discharge of its duties. Before recommending the Revd. A. B. Gould for nomination as President, however, the Deputy Commissioner tried once more to make the Committee agree on a President and accordingly on the 20th of December 1921 he wrote to the Vice-President asking the members to see him if so disposed and favour him with their advice. Only 4 responded to this invitation and of these 3 were in favour of Revd. A. B. Gould.

The Deputy Commissioner accordingly recommended Revd. Gould on the 24th December 1921. On the following day, i.e., the 25th of December 1921, eleven members of the Committee sent a memorial to the Commissioner protesting against the proposed appointment of the Revd. A. B. Gould and recommending Sheikh Jan Muhammad as President. On the 10th January 1922 the Municipal Committee again went through the form of holding an election and again in the teeth of section 20 of the Municipal Act returned Sheikh Jan Muhammad as President. Apart from its illegality this was obviously a compromise which under the circumstances could not reasonably be expected to last and which therefore the Commissioner very properly ignored.

(d) The eleven members resigned their seats on the Committee as a protest against the appointment of Rev. Gould as a member and the President of the Municipal Committee.

Mr. Ganpat Rai: I have to ask a supplementary question. Will the Hon'ble Minister please inform the Council whether Rev. A. B. Gould was legally competent to be nominated as President of the Hoshiarpur Municipal Committee? He has been described in the reply as a citizen of the United States of America. Is he legally competent to be appointed as a President being a citizen of the United States of America?

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

WATER SUPPLY IN AMBALA CITY.

1300. Rai Sahib Lala Panna Lal: Will the Government be pleased to state—

- (a) Whether the Ambala City Municipal Committee's application based on the Government Sanitary Expert's report for a grant of funds has been sanctioned;
- (b) If so, will the project be carried out in time to ensure a more copious supply of water to the citizens of Ambala City before next summer?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain:—

- (a) The reply is in the affirmative, Rs. 34,589 has been sanctioned.
- (b) No definite guarantee can be given, but it is anticipated that the increased supply will be available before next summer.

FUNCTIONS OF THE STANDING COMMITTEES OF THE COUNCIL.

1301. Rai Sahib Lala Panna Lal: Will the Government be pleased to state what functions the Standing Committees of the Council on Industries and Co-operative Societies will have to perform?

Mr. E. Joseph. The functions are defined in Standing Order 74-A.

RELEASE OF LALA LAJPAT RAI AND HIS COMPANIONS.

1302. Pir Akbar Ali: Is it a fact that Lala Lajpat Rai and his three companions were released from jail at about 1-0 A.M. after midnight?

If so, will the Government be pleased to state why this procedure was adopted?

The Hon'ble Sir John Maynard: (a) No. Lala Lajpat Rai and his three companions were released between 10-30 and 11-30 P.M. on 31st January 1922.

(b) In view of the answer to part (a) the second part of the question does not arise.

LYALLPUR AGRICULTURAL COLLEGE.

1303. Pir Akbar Ali: (a) What is the number of Assistant Professors working at present in the Lyallpur Agricultural College?

- (b) Is it a fact that only one of them is a Muslim?
- (c) Is it a fact that the Assistant Professor of English already in the College is a non-Muslim?

(d) Is it proposed to post one more Assistant Professor of English shortly?

(e) Will Government kindly consider the advisability of appointing a capable Muhammadan M. A. to this post?

The Hon'ble Lala Harkishan Lal—

(a) Eight.

(b), (c) and (d) Yes.

(e) The suggestion made will be duly considered in filling the post referred to : but the Hon'ble Member will realise that the paramount consideration that has to be borne in mind in filling such posts are qualifications and suitability of candidates and not caste and religion.

Raj Bahadur Lala Sewak Ram : May I ask one question? Are the departments of Government to be dictated to by the Council on such points and is a question of this nature in order?

Mr. President : There is no question of dictating. A question is asked and an answer is given.

Raj Bahadur Lala Sewak Ram : Is the question in order?

Mr. President : If it had not been in order, I would not have permitted it.

ASSISTANT SURGEON DHAN RAJ BHASIN.

1304. Pir Akbar Ali : Is it a fact that at 11-45 A.M., on the 19th November 1921, Assistant Surgeon Dhan Raj Bhasin, Medical Officer in charge of the Government College Hostels, came by request to see the Principal of the Government College; but the Principal sent back the Assistant Surgeon's card by a chaprasi saying that he would not see him?

If so, will Government be pleased to state why the Principal sent for the Assistant Surgeon, and after calling him turned him away?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The hon'ble member's information is in part correct and in part grossly incorrect. It is correct that at 11-55 A.M., on 19th November 1921, Assistant Surgeon Dhan Raj Bhasin came by request to see the Principal. It is not correct that the Principal returned the Assistant Surgeon's card as alleged.

The facts are that the Principal had received numerous complaints about the arrogant and unsympathetic attitude of the Assistant Surgeon towards the students and wardens of the Government College Hostel. In order to set the matter right the Principal sent a memo. on the 18th November 1921 to the Assistant Surgeon asking him "to see the Principal when free." The Assistant Surgeon went to see him on the following day at about 11-55 A.M. just when the Principal was finishing a speech that he was about to give to his students. About five minutes previously the Principal had given orders to his chaprasi to admit no one, and the chaprasi politely communicated those orders to the Assistant Surgeon. The Principal only came to know of the Assistant Surgeon's visit when he received a memo. from him on the following day.

1905. **Pir Akbar Ali :** (a) Is it a fact that on the day following this incident the Assistant Surgeon sent to the Principal a polite note in which he stated that the Principal's chaprasi had brought back his visiting card with the message that the Principal did not want to see the Assistant Surgeon and asked for an explanation of the chaprasi's conduct?

(b) Is it a fact that merely for writing this note the Assistant Surgeon has been dismissed from Government service; if not, why was he dismissed?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) It is a fact that on the day following the incident, that is to say, on the 20th November 1921, the Assistant Surgeon sent to the Principal a note, which was not a polite but a rude note. In this note he did not ask the Principal for an explanation of the Chaprasi's conduct, as he should have done. What he did was straight-way to accuse the Principal himself for "wasting his time for nothing."

The Assistant Surgeon said nothing about the chaprasi bringing back his card with the rude message. This detail was not brought up by the Assistant Surgeon till 6 days later in his letter to the Civil Surgeon.

(b) It is not a fact that for merely writing this note Assistant Surgeon Dhan Raj Bhasin was dismissed from Government service. For his rude note to the Principal he was merely asked by the Inspector-General of Civil Hospitals to tender an ample and courteous apology. As he refused to apologise he was 'severely reprimanded' by the Inspector-General of Civil Hospitals. On this the Assistant Surgeon at first asked for leave, but on second thoughts, on the 12th December 1921, he tendered his resignation to the Inspector-General of Civil Hospitals in which the following expressions occurred :--

(a) "I am therefore convinced that it is impossible for an Indian to get justice from the present system of Government."

(b) "It is not in keeping with the self-respect of an Indian to serve under such a Government."

(c) "I now firmly believe that non-co-operation with the present system of Government is the best remedy for such ills."

For the use of these expressions the Assistant Surgeon was dismissed from the service of Government and proscribed from further employment under it.

Chaudhri Muhammad Amin : What was the punishment given to Captain Bhasin for his rude letter to the Principal?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The only punishment given to him was a request to him that he should apologise to the Principal.

Chaudhri Muhammad Amin : Did he apologise in fact?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : As I have already said he refused to do so.

Chaudhri Muhammad Amin : What was the punishment awarded to him for this breach of discipline?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : So far as I can see no punishment except that he was reprimanded. It was intended that he should be simply transferred from that post to another post.

Chaudhri Muhammad Amin : May I know who passed these orders ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The orders were passed by the Inspector-General of Civil Hospitals and knowing these orders I fully approve of them.

Chaudhri Muhammad Amin : Is it certain that the dismissal of Captain Bhasin was due to the letter and the remarks that were contained in that letter ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : So far as the dismissal is concerned, it had nothing to do with the previous incident. It was entirely due to the resignation and the expressions he used in the resignation which I have just read out to the Council.

Mr. Ganpat Rai : Is it the usual practice to tell gentlemen who come to see officers through their orderlies and chaprasis that they cannot see them ?

Mr. President : You must confine yourself to the particular question.

Mr. Ganpat Rai : I want to know whether the order of the Principal to the chaprasi to say that he had no time to see him was a proper attitude on the part of the Principal.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : I have no fault to find with the Principal for instructing his chaprasi to tell a visitor that he is not free when he is not free.

Announcement by Mr. President.

Mr. President : I take this the first opportunity open to me of informing the Council that I have been offered and have accepted the post of Secretary to the Government of India, Education Department. As at present arranged I shall take up this appointment in July next.

General Discussion of the Budget.

Diwan Bahadur Raja Narendra Nath : (Punjab Landholders, General) Sir, I believe I am giving expression to the feelings of this house when I say that we are grateful to the Hon'ble the Finance Member for having laid before us a lucid Financial Statement and also to the Financial Secretary for having taken pains to prepare his detailed budget and the explanatory memorandum, both of which are improvements in many ways on those presented last year. We are also indebted to the Finance Committee for having facilitated the work of this house, and especially to Mr. Ganpat Rai and Sayad Muhammad Hussain, who have been at pains as Champions of the popular cause, to reduce expenditure and to advocate economy. Sir, the budget presented before us is a deficit one, but it is gratifying that since we last met we have had an announcement from the Finance Member of the Government of India that if the finances of the Central Government show any improvement on account of the taxes which have been levied, there may be some prospect of granting to the Punjab a relief of Rs. 47,00,000 out of the contribution due to the Central Government. The deficit at the end of the current year will be 99 lakhs in spite of an anticipated surplus sum of 97 lakhs. This deficit added to the additional expenditure to be incurred in 1922-23 will swell at the end of 1922-23 to 158 lakhs. This result has been brought about by causes which may be classed under two heads, tem-

[D. B. Raja Narendra Nath.]

porary and permanent. The temporary causes have operated both on the side of income and expenditure. The shortage under the head of revenue is due to bad harvest which is a temporary cause. With regard to the shortage under the head of excise it is difficult at present to say with confidence that the deficit will continue to be permanent. If the measures adopted to stop illicit distillation prove successful, it is quite possible that licit distillation may show no decrease and our excise revenue under the head of liquor may not undergo further decrease. With regard to stamps also I can say that the shortage of income might have been due to bad harvest and that feature may not continue in the year to come. Under the head of expenditure the temporary cause which will operate in the year 1922-23 is the grant of 23 lakhs as compensation to sufferers from martial law. This expenditure, Sir, I would class as capital expenditure, not for the sake of creating any material asset, but certainly for the sake of creating a moral asset of a much higher value.

The permanent cause under the head of expenditure is the increase of salaries and the increase of establishment which I believe will recur from year to year. The taxation which is contemplated if not proposed, is of a permanent nature. If Court and Stamp fees are raised there is little prospect of their being reduced when the financial stringency is over; if the occupiers' rates are enhanced there is little prospect of their being reduced when we get over the financial difficulty. The budget figures when closely examined do not really disclose that appalling condition which at first sight appears to be the case. If we examine Statement "C" we find that our expenditure on productive works, for which we propose to raise a loan of 186 lakhs exceeds our deficit. If there were no expenditure on productive works we would have a surplus of 28 lakhs. Confining ourselves to statements A and B alone I find the following figures: The Revenue is Rs. 9,63,389,000. Disbursements are Rs. 10,78,95,670. But the latter sum contains expenditure of a capital nature. Public Works Budget, to be disposed of by Public Works Department, is Rs. 1,36,62,000. The detailed budget of the Public Works Department has not yet been put in our hands. The detailed figures of the Civil Works in charge of civil officers are given. We find that out of Rs. 17,13,000 only Rs. 2,63,000 is on account of repairs and establishment charges. The rest is capital expenditure. If an examination of the Public Works Budget, to be disposed of by Public Works Department, were to disclose the same state of things, that is to say, if the expenditure on permanent works of a capital nature bears the same proportion, then this expenditure would be 122 lakhs. This would show that our expenditure does not exceed our income if we take no account of capital expenditure, which should count as assets. With regard to income I find some indication of under-estimation. I know it is wise and proper to be cautious in preparing budget to under-estimate income and to over-estimate expenditure, but when the alternative to be faced is that of fresh taxation it is not right to err on the side of over-caution. The error should be just the other way. While examining figures of income I find the following state of things:—

Fixed collection of land revenue are shown at 245 lakhs. Last year's budget, that is to say the Budget of 1921-22, showed an income of 235 lakhs under the head Fixed Collections. It was remarked in statement A that 10 lakhs have been deducted from the normal figure on account of expected

suspensions. The inference is that the normal revenue under the head Fixed Collections is 245 lakhs. Now we find the same figure budgetted for 1922-23. It seems to me that no account has been taken of the expected realizations of suspended revenue which is calculated at 25 lakhs. In the explanatory memorandum at page 29 it is stated that new assessments in Multan, Montgomery, Sirsa and Lyallpur will assist in the increase. But the Fixed Collections being the same as have been budgetted for the last two years, I do not see how that increase is accounted for, that is to say, where that increase is provided for in the Budget. Fluctuating revenue shows an increase of 10 lakhs, that is to say 167 lakhs against the budgetted figure of 1921-22 of 157 lakhs. I presume this increase is due to the increase under the head of revenue on account of extension of irrigation. If so well and good, but if not the increase of revenue on account of irrigation is no where shown in the budget. Under the head Irrigation I find that 340 lakhs are shown as gross receipts against last year's budgetted figure of 330 lakhs. I presume this increase of 10 lakhs is also on account of increase in occupiers' rates due to the extension of irrigation. If so well and good, if not the increase in the occupiers' rates on account of extension of Irrigation is also not shown in the Budget.

Coming to the head of Excise I find that the anticipated revenue for 1922-23 under the head of Opium is Rs. 16,80,000 against the revised figure of Rs. 18,00,000 for current year, thus showing a decrease of nearly 2 lakhs. Well, Sir, there has been an increase in the duty on opium, but I do not think that this increase in duty will bring about decrease in the other income from opium. Opium eating is a very confirmed habit which it is very difficult to eradicate, and I do not apprehend any reduction in the sale of opium on account of the increase of duty on opium.

The present campaign which is producing very quick results is directed only against liquor and not against opium or other stimulants, and therefore I think there is little reason to expect a shortage of income under the head of Opium. Similarly with regard to *Bhing*, a shortage of 2 lakhs, I think, is not founded on good reasons.

Under the head Stamps I have to offer a few remarks. With regard to 185 thousand shown as civil department's share of the sale of stamps, my information is that this figure has been uniform for several years past. Formerly receipt stamps were different from the one-anna postage stamps. Some years ago the receipt stamps were made identical with one-anna postage stamps, and I believe since that change was introduced this sum of 185 thousand was fixed as share of civil department to be debited against the postal department. I request Government to examine the sale figures very closely and to see if the sale proceeds from one-anna stamps have increased and if there is reason to increase this quota to be debited to the postal department. Another question which I will put before Government for consideration is whether, with due regard to the rules framed by the Government of India which is to guide local Governments in loan transactions, we can increase the amount of the loan which Government proposes to raise. The detailed Public Works Department Budget, I remark again, is not yet in our hands, and I do not know what part of that budget can be provided for out of the loan. If any further loan is raised, I would also impress upon Government the necessity of creating a sinking fund. I should like to say a few words with regard to the occupiers' rates which it is contemplated to be raised. I hope Government will never launch upon such devices, because the matter

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raises some very difficult and knotty questions. The increase in the produce of land due to irrigation having been taken into account in land revenue, the question is what is the occupiers' rate. Is it or is it not a rate levied in order to enable the department to disburse the establishment maintained and to secure a reasonable return of profit on capital invested. If the latter be the case, then is there any justification to arbitrarily raise occupiers' rates when funds are wanted? This matter will come up before the Committee which has been appointed by the Council to examine the land revenue policy of the province, and I think that before any step in the direction of raising occupiers' rates is taken, it would be wise to wait for the report of that Committee. Another very difficult question is whether occupiers' rate can be raised between two settlements. At the time of the revision of assessment we examine the question of the whole produce of land and decide what part of it it is proper for Government to take. Government is supposed to adhere to that position for the period of settlement, and I think it would be unjust to disturb the revenue arrangements which affect the produce of land during the currency of a settlement.

Mr. President : May I remind the hon'ble member that his time is nearly up.

Diwan Bahadur Raja Narendra Nath : I have nearly finished, Sir. The gist of my remarks is this. Before launching upon fresh taxation, Government should wait and see what the actual receipts are, should wait and see whether that re-assuring statement which we have had in the Imperial Council comes to anything, whether we get a remission of 47 lakhs out of the contribution due from the province to the Central Government. Secondly, whether, with due regard to the borrowing rules, we can increase the loan now proposed to be raised, and lastly if taxation becomes necessary Government should propose taxation of a temporary nature because I do not think that the present condition of finance is at all permanent.

Before I resume my seat, I would like to acknowledge my indebtedness to the Financial Secretary who, I hear, is about to leave us on long leave. Whilst he has been acting as the guardian of the treasury of Government he has been accessible to us at all times and has always placed at our disposal any data we wanted, even if we wanted those data in order that we may be able to use them against him.

Mr. President : Before I decide to what extent the interpretation of speeches should be made, I should like an indication from the members as to the number who desire to speak on the budget either to-day or to-morrow.

(A number of members stood up, whereupon the President directed the interpreter not to give up but to curtail the interpretation).

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] : Sir, Before proceeding with the general discussion of the budget, I want to lay on record my deep gratification to Sir John Maynard and Mr. Gibson who have taken such great pains in preparing this budget. We are face to face with a very unfortunate year, unfortunate in many respects. We were told last year that there was an outstanding sum in the budget of a crore and a half of rupees. This year we have a deficit budget. There is a deficit of

about a crore of rupees, and according to the present expenditure which is shown in the budget towards the end of the year there will be a deficit of about a crore and a half of rupees, or even more than that. There are only three ways of meeting that deficit budget. The first is to cut and curtail the expenses as much as we can possibly do to equalize income and expenditure. The second is to ask and to approach the Government of India once more to forego or to reduce their contribution which they have imposed upon us and which is heavier, much heavier, than other provinces, who are also complaining against their contribution to the Government of India. The third is to have recourse to fresh taxation. In framing the budget we were under the impression that the Government of India would reduce much of the contribution imposed on us and we would be able to meet our expenditure, and to devote a good deal of money towards the education of our masses and other useful measures. But unfortunately, in his eloquent speech, delivered on the 21st of February, Sir John Maynard reported that there is no hope of the Government of India, under the present circumstances, foregoing their contribution. This is very sad, Sir. I do not believe the statement, that the more we spend the more chances will there be of the Government of India foregoing their contribution. The Government of India has foregone in the case of Madras and other provinces because they were actually bankrupt. We are told that we should also spend so much money as to become bankrupt, and that until we are on the verge of bankruptcy the Government of India will not forego in our case. I have no trust in that. This is not a sound policy, this is not a statesmanlike policy. The only course then is to cut the expenses. We should only cut down those expenses where we can do so without destroying our education, law and order and other useful measures, and let us see what are those departments. In my opinion, Forest is the department with regard to which we are under a misconception that it is paying a good deal. We were led to believe that in the Department of Forests we should get our coffers full, and that in due course it would bring much more than we spend. May I beg, Sir, with your permission to quote some facts? In the year 1918-19 we spent Rs. 17,95,804 and the income which we got was Rs. 21,54,178. The year 1919-20 was an exceptional year when wood was selling very dear. The income in that year was Rs. 58,37,000 as against Rs. 41,16,244. Coming to the year 1920-21 our income was Rs. 37,96,570 against an expenditure of Rs. 35,75,752. Coming to the budget of 1921-22 we got an income of about 50 lakhs of rupees against an expenditure of Rs. 47,70,000. In the revised budget we were shown an income of Rs. 50,59,000. In the present budget we are shown an income of 65 lakhs against an expenditure of Rs. 62,74,000. This means that spend what we may the income has never exceeded and can never exceed three lakhs in any single year. Here I may quote the remarks of the Accountant-General: "*Primâ facie*, the Forest Department brings very little revenue as compared with the rapidly-growing expenditure." So, in my opinion, we should not put too much belief in the statement that this department is paying. It is a department that requires a great deal of overhauling. The income of this department is not so much as is shown in the beginning of the year. They cut and reduce it afterwards. This is one item where the Government should consider the question of cutting down its expenditure.

The other department that I have been helping and which I shall remain helping and which is so beneficial, so necessary for the welfare of the country is the Canal Department. Last year we passed all the items in the hope that not a single pie is spent more than is

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needed, but, Sir, unfortunately we are not supplied with all the details of the expenditure. They keep their budget in a fluid state. I cannot realise, and of I am right many other members cannot realise, even the Finance Member is not able to realise, where they are spending the money, but we can rightfully expect that they can effect economy in the interest of the deficit budget of the country. I do hope that in the circumstances the Chief Engineer will see his way to reduce as much expenditure as he can possibly do. I would not ask him not to open new canals or new distributaries where necessary, but he can make suitable reduction in maintenance where no less than 75 lakhs of rupees are spent. The travelling allowance bills of the sub-divisional officers are a heavy drain on the income of the department. The sub-divisional officers draw first class travelling allowance while Extra Assistant Commissioners only charge second class. Their travelling allowance must be reduced. The department unfortunately spends a very great amount of money in the shape of travelling allowance which does not go to improve the efficiency of the department, rather a man goes from one end of his *ilaga* to another and comes back without seeing anything. Another thing then I would ask, Sir, the house to consider is to see how much possibly it can cut down the expenditure in this department without damaging the works. I believe that canals are to the interest of the people and the welfare of the country as well as of the Government is connected with them. I would not have made the suggestion of cutting down the expenditure, but it is my duty as a member of the Finance Committee and as a member of this Council that we must cut down the expenditure to the utmost extent we can. As the saying is, we must spread our feet only as far as the *chaddar* allows. We must be very careful in our expenditure.

Another step is fresh taxation. It is a very dangerous step considering the present situation which has been created. The situation in the Central Punjab and all around here is very grave, very critical. The whole population is disturbed and having recourse to taxation is another cause which will double the agitation and then possibly we shall have to spend much more. I would ask that for this political reason there should be no fresh taxation. The second thing is this that we must not consider, as Raja Narendra Nath has said, we must not take up the question of the enhancement of the *abiana* before the whole revenue policy has been considered by the Committee appointed to examine the revenue policy. This question of *abiana* must be considered in conjunction with that and not before that time. The Agriculture Department has spent a good deal of money, but unfortunately it has not devoted any money to the sinking of tube wells. It ought to have spent more money on the sinking of tube wells. Last year there was a resolution on the subject standing in the name of my friend Chaudhri Fazal Ali which did not come before the Council. The want of tube wells is very great in the Province. It is not right that we should spend crores of rupees over the Sutlej project or the Thal project in one part of the country and nothing at all in the other. It is not right that the section of the population should benefit by canals and the other where there is no chance of a canal should wait indefinitely. They cannot wait. They should be given tube wells. The tube well is the only way, and the money spent on tube wells will not be wasted. The financial aspect of the tube wells should not be only taken into consideration, but also side by side we should

know the amount of benefit the tube wells give to the people and the prosperity they will bring to the population. These are the considerations which should be taken into consideration.

The next point is education. What is the condition of the masses in India which is proud of a civilization as old as any other. When all the other countries of the world were sunk in darkness India was educated, India was a cultured country. And what is the condition of India now? Her sons, her masses are starving, they are being left without education. The only plea for fresh taxation for the Government can be to have resort to our compulsory education. All the civilised countries of the world have educated their children. They have industrially advanced while we are still lagging behind. I would ask the Hon'ble Minister for Education that he must devote much more attention to the education of the masses. He is of course doing what he can, but much more is yet to be done. My thanks are due to Mr. Anderson also for the attention he has given to this most important subject which concerns us. These are the first things we must look to. They are even more necessary than roads. The money spent on roads is money wasted, because we require much more money to keep them in order. So the first and foremost thing is the education of our masses. I do not blame the Government, I do not blame the officers, for not taking any step in this direction. I have a very high opinion of them, especially of Mr. Joseph when he was our Colonisation Officer for a long time, and I think we all know of what great service he has been now that he is away from us and I can say with confidence that as a Secretary of the Transferred Subjects he did his best in serving the Hon'ble Ministers and I have every hope that he gave them satisfaction.

There is one more thing. We have a very heavy expenditure in the Police Department. I do know that it is very necessary for the Government to maintain law and order, but law and order is best maintained by not having recourse to sheer force. Government must see things in their true light. If France was able to have a peace treaty with Turkey, I do not see why the British Government is unable to do so. The Government must take into consideration the feelings of the 9 crores of the Muhammadans. They have shed their blood for the sake of the Government. It is very unfortunate that circumstances have been straitened rather

Mr. President: The hon'ble member must confine his speech to the Budget.

Sayad Muhammad Husain :—Sir, it is connected with the budget in this way that if we did not have a recourse to spending so much money on the Police we would have been able to spend it on the education of the masses. Had there been peace and calmness in the Province and had the Sikhs and the Muhammadans not been disturbed we would not have been obliged to spend so much money for a useless purpose. We would have then spent it for the education of the masses. The Government must take into consideration the movement, they must make a peace treaty with Turkey taking into consideration the feelings of the 9 crores of Muhammadans, they must handle the Sikh situation in a more statesmanlike fashion. Last though not least, Sir, I beg the Government to accelerate the progress towards our goal. We must not wait for a very long time to attain *swaraj*. It must come very soon.

Pandit Daulat Ram Kalla [East and West central towns (Non-Mubamadan) Urban] : I think, Sir, I have the whole Council with me when I say that the news that has been told us just now that you are about to leave us has grieved us all very much. You will be very much missed for your courtesy and fairness. You have done a great deal to maintain the dignity and honour of this Council, and I hope that the Council would avail of the earliest opportunity to place its gratitude on record in a practical way for all that you have done. Some weeks ago this Council was asked to sanction some money for the reception of His Royal Highness the Prince of Wales. Every one knows now how splendid a reception it was of the 25th. It was not only the people of Lahore who had gone to receive the Prince, but people from outside also has come. The visit of the Prince was not of a political character and gave an opportunity to the loyal Punjabis to join for a common purpose, *viz.*, to pay homage to His Royal Highness, and the non-co-operators may note that the loyal Punjabis would be quite ready to join once more, it desired, to support law and order in the province.

Coming to the Budget, Sir, I would say that this budget is on a different footing from the budget of the last year. One criticism that was made on last year's budget was that the Government was spending more and more. Some people said that the Government was leading the country to bankruptcy to show that the Council was not a fit Council to be given any further reforms. I am very pleased that this criticism is not available this year. Only a few weeks ago Mr. Montagu has made an announcement in the House of Commons that whatever has been given will not be taken back. So, Sir, if we see to that we find that it is only due to bad times that we have to spend more. Every private individual had to spend his savings on account of the present bad times and this Council cannot be an exception to the rule. These are bad times and we are asked to spend more and more and we had to do it. The present budget has the advantage of having been scrutinised by our representatives on the Finance Committee, and it is true that the pruning knife has been used mercilessly there.

Now, Sir, there is a deficit of 99 lakhs to begin with in the opening balance and to meet this it has been proposed to raise a short-term loan of 38 lakh because debts of this value will be recovered shortly. Sixty-one lakhs will be placed on the side of productive works. In the present state of affairs there is less income and more expenditure. I think this Council can render some practical help. The Members should hurry on with the budget so that there may be some saving under the head "Travelling Allowance of Members of this Council." In this way they will be giving some money to the Government.

Coming to the Excise, I am very pleased to know that we are going to have less income under that head. Every one wants that there should be no income under that head, but at the same time there should be no illicit distillation and no body should sell wine secretly. If such crimes come into existence it would necessitate the strengthening of the Excise establishment. I would also urge for a revision of the Excise Act and would say that persons guilty of selling wines secretly and distilling the same illicitly should be severely punished. The method will earn the co-operation of the temperance society and the non-co-operators, if they so desire. I am also afraid that the difficulty to get country liquor in the market would lead to the greater consumption of more expensive foreign wines as such wines would be still available here and there and would, no doubt, be imported by many vendors for secret sale.

Now, Sir, a hint has been given by the Hon'ble the Finance Member that some new taxation will be introduced. The proposal is, so far as I gather, to increase the occupiers' rate on the Bari Doab, and one of the causes that the Government has put this proposal forward is that there is some unrest in the country necessitating the employment of Extra Police. I do not think that it is fair, Sir, that if the people in the towns are rowdy the occupiers on the Bari Doab should be taxed. We should boldly look facts in the face and tax those very people who are disturbing the peace of the country. There are ample power under the Police Act for the purpose. The present way of doing things would increase the number of non-co-operators, because those who have not been taxed will say "well, look here, we are disturbing the peace of the country and you are the people who are being taxed. The Government dare not tax us. If you want to be relieved of that burden you should join us." The agitators will thus be able to make cat's-paws of villagers, and the infection would go to rural tracts. This is a very bad policy to tax the occupiers on Bari Doab simply because city people are not doing what they should. Then, Sir, if the Government want more money it could raise it by other taxes. The Government should levy tax on cigars, cigarettes and tobacco. This will please the Sikhs and will save the labourers a great deal of money. I know of such persons as spend from 4 to 5 annas on smoking out of an earning of 10 to 12 annas a day. The Juvenile Smoking Act has had little effect on the school boys. Much of their pocket money is wasted on smoking. This method of taxing will make people more religious and also more frugal. There was another principle on which the Government acted during the war. "Excess Profit" taxes were levied on those who had made fortunes at that time. The present again is an extraordinary situation. Those who have exploited it ought to pay a share to the Government, and should feel that they are taxed for taking undue advantage of the unrest of the country. I think the people who are running a certain section of the newspapers should be taxed. They are the people who are filling their pockets simply by publishing news which is incorrect. The publication of Ferozepur-Jharka account is an instance in point. I know by experience that last year three of the newspapers published a conversation between the Viceroy and myself which was altogether without any foundation and I had to give notice to them. This opened their eyes. These people who play upon the sentiments of the public in this way should be taxed. I can substantiate that there is one paper which writes on the title page "the editor is in jail." Why write this? Simply to attract people to buy the paper. The beauty is that the editor is yet under trial and the charge against him has nothing to do with the paper. Some people are collecting money by writing pamphlets like "Angrezon ki kukran kun". This pamphlet has been proscribed by the United Provinces Government. The Punjab Government has not yet touched it. People who have been selling khaddar at four times its normal price should share their profits with the Government. When this stuff was 3 annas a yard they sold it for 12 annas a yard. These people made a profit by taking an undue advantage of the special circumstances. I think Government can make up a part of the deficit thus. Again there should be taxes on luxuries. Wheel tax, dog tax and the tax on silk would be welcome.

Then I wish to draw the attention of the Government to the important point that those persons who pay taxes require some protection from Government. Government hitherto has not been giving any protection. I can quote instances. It was on the night of 30th September last in Ferozepur when a big bonfire was on to burn foreign clothes. There

[P. Daulat Ram Kalia.]

was a man present who had a Christie cap on his head. In the side of the cap there were currency notes worth Rs. 115,—two notes of 50 rupees, one of 10 and the other of 5. The Volunteers came and seeing the foreign cap threw in the fire. The man cried that there was money in it. The answer came, let the money go, it was also British money. At 9 o'clock in the evening that man came to me and I took him to the District Magistrate, Mr. Anderson. He was asleep. He got up and the man stated the whole story. He advised him to come next day to the Court and to give his report to the Police. When we came back to the City, there was a crowd of people waiting for him, who told him that if he would take action he would be boycotted. Consequently the man did not go to the Police. There is another instance. At Ambala, on the 17th November last, when there was a *hartal* a sweet vendor kept his shop open. A number of volunteers went there and told him to supply some sweets. He did so and the volunteers then told him that they would not give any money for the sweets. That was a fine on him, because he had kept his shop open on a *hartal* day. Several other instances occurred in my city. Some milkmen kept their shops open, but were threatened to close them and had to sell their milk in the upper storeys of their shops. Can this be called a voluntary *hartal*? Such people who tease the innocent public should pay taxes. They deserve to be taxed. Government ought to protect the law-abiding people from the rash acts of such volunteers. If the present law of the land is not sufficient to meet the situation, new legislation would be welcome.

Finally, I wish to say something about a very important matters. For some time past I have been seeing that a campaign is being carried on against the Hon'ble Minister for Education to the effect that he is snatching the privileges and rights of the Hindus by giving posts to Mussalmans. I, as a Hindu, can safely say that the rights of the Hindus are as safe with the Hon'ble Mian Fazl-i-Husain as those of the Mussalmans are in the hands of the Hon'ble Lala Harkishan Lal. Now, Sir, I hope that this year will be a prosperous one. We shall have more rains, good harvest and consequently more money will be coming in. If the Government will introduce some of the taxes I have suggested, it will be able to find funds for the high expenditure.

Sayad Mehdi Shah [Layallpur, (South Muhammadan) (Rural) (Urdu) : Mr. President, Sir John Maynard, the Finance Member of the Punjab Government, deserves our best thanks for making, on the 21st February, a clear and detail statement about the finances of the Province and introducing to the Council what seems to be nearly the best budget under the present circumstances. It is always good to be very careful and prudent in framing our estimates of income and expenditure and we cannot withhold our admiration for the care and devotion with which the Financial Secretary, Mr. Gibson, and the Members of the Standing Committee on Finance have prepared the next years' budget estimates. Even greater praise is due to Government as a whole for placing these estimates so early before the Council for scrutiny and criticism so that we may make known our wishes and requirements to enable the Government to so conform its actions to the will of the representatives of the people that a solid foundation might be laid for that mutual confidence and goodwill on which the whole success of the Reforms

Scheme depends. Sir, I will not detain the Council by going into unnecessary details. I must, however, address a few words by way of request to one or two members on the Government benches. The Council will remember that it passed a resolution in March 1921 recommending to the Government to double the emoluments of the zaildars, sufedposhes and lambardars in the Province in consideration of their loyal and devoted services to the Government and the strenuous work they are still called upon to do. The resolution was passed after a full deliberation and gave expression to the united and insistent demand of the zamindar element in the Council. But it is to be regretted that the Government have not yet seen their way to make provision for this even in the next year's budget. Now that the estimates are before the Council I humbly ask the Government and the Council in general to give effect to the wishes of the zamindar members so clearly expressed last year so that we may have an assurance in actual deed that the Government have due regard for the interests of the rural classes.

Sir, Sir John Maynard made a reference in his financial statement to the prevailing unrest in the country and expressed a wish that every man in the Punjab will play his part manfully in securing the continuance of that peace without which no progress is possible. The enthusiastic reception that His Royal Highness the Prince of Wales has received in this hospitable province is a clear proof that the heart of the Punjab is sound and beats in unison with the rest of the Empire in paying a loyal homage to the Heir to the Throne and in its faithful attachment to the British Crown. Above all, the zamindars have on this occasion demonstrated their loyalty in an unmistakable manner. And let me assure Sir John Maynard and the Government that the overwhelming rural classes that have a real stake in the country are solidly and wholeheartedly with the Government in its resolve to maintain peace and suppress crime and lawlessness in any form, open or disguised. It is with a desire to further strengthen this feeling of loyalty among them that I have insisted that the wishes and aspirations of the zamindars may be sympathetically heard and given effect to by the Government. The water rate should not be increased as it will break the hearts of loyal class of zamindars who will feel unjustly treated.

Sir, I will now turn to Education and ask the Hon'ble Minister in charge of the Education Department to kindly keep the needs of the Lyallpur District in mind when making disbursements of grants-in-aid for the expansion of education, both vernacular and Anglo-vernacular. Lyallpur is a most progressive district in education and large funds are required to maintain the existing schools and open new ones for which there is a universal demand in the villages. To secure efficiency and adequate expansion the Government may be pleased to pay more than 50 per cent. of the extra charges met by the Local Boards.

Sir, I will make my last request to the Hon'ble Minister of Agriculture. Rupees three lacs have been set apart in the next year's budget for Colony roads. The Lyallpur District Board received about half a lac last year. It has to maintain 90 miles of pucca roads and to provide for the repair and renewal of at least 18 miles every year as there is perhaps the largest cart traffic on the roads in this district. The Board has no funds left now for the roads and I pray that the Ministry of Agriculture may be pleased to make as large a contribution as possible to the Lyallpur District Board for the maintenance of the present metalled roads and the metalling of new ones.

[S. Mehdi Shah.]

I conclude with a last appeal to the Government to give their best consideration to the needs and requirements of the zamindars whom I have the honour to represent.

Mian Muhammad Shah Nawaz (Lahore, Muhammadan, Rural) (Urdu): Sir, while congratulating the Hon'ble Finance Member and Financial Secretary for the very lucid way in which they have brought forward the budget, I cannot help saying that it discloses a gloomy situation which is causing grave concern to the wellwishers of the country and the Government alike. It has begun to be felt that every year expenditure is to be more than receipts. We started the current financial year with a plus balance of Rs. 97 lacs and we shall end it with minus balance of Rs. 98 lacs. The resultant deficit at the end of the year 1922-23 will be one crore and 58 lacs. Although it is said that the latter amount includes 60 lacs of takkavi loan advances, given to the people during the current year to meet their necessities but in actual practice it does not include more than 20 lacs; for Government will disburse another 10 lacs more in takkavi loan in the year 1922-23, and receive back 50 lacs in the same financial year thus leaving 20 lacs only to be debited in the deficits. If we leave this amount of 20 lacs out of account we will have a deficit of 138 lacs. We are debtors to the Central Government to the extent of 22 crores on which we are paying 3½ per cent interest. These are indeed, Sir, very discouraging figures enough to break the back of any province.

The Hon'ble Finance Member has made explicit the need of raising fresh revenues. The proposals for raising them include some additions to the occupier's rate on the canals and changes in the Stamp and Court-fee Acts. I beg to think that there should be no increase in the water rate at all. Upper Chenab Canal is paying 44 per cent. on the capital outlay. Upper Bari Doab is paying about 15 per cent. Lower Bari Doab is paying no less. Sind Canal is paying 17 per cent., so that after deducting the working expenses of all the canals the Government is receiving 12 per cent. profit on the capital investment. The Punjab zamindars have small holdings varying from 6 acres to 13 acres. If the water rate were increased, it will tell very heavily on the small zamindars. The small zamindars now-a-days with great difficulty make ends meet and any additional taxation on their slender incomes will make it absolutely impossible for them to eke out their existence. If the water rate is enhanced, then there will as a necessary sequel be decrease in land revenues, because water rate and land revenue can not be two separate heads of receipt as such. The water rate is included in cost of cultivation and expenses of cultivation should be taken into consideration before fixing land revenue on any piece of land. When the zamindars pay the Government for the water used, then surely water rate should be deducted from the land assessments. It will thus be clear that it is of not much use as a head of receipt although it may become a tool for agitation. It will not be of much use to increase the court fees, nor will it be of much benefit to enhance stamp duties. It will annoy the public unnecessarily.

The real and the only effective remedy that I can think of is to proffer strong and persistent protest against contributions which we have to make to the Central Government. We have to pay annually 175 lacs to the Central Government which is too much for a province like ours. Bengal Presidency

had to contribute only 55 lacs and that too has been remitted for three years and other provinces are also trying to have their contributions remitted or lessened. The next point which requires our consideration is that Local Government has given grants of lands in Jhelum Colony for military studs for the supply of remounts to the cavalry. The Government of India may be asked either herself to pay the money-value of the lands thus given for their sole interest or to allow us to sell them off to the grantees and others. It is sure to fetch more than 2 crores of rupees to the Government coffers. The third and last suggestion which I submit for the alleviation of financial situation is that there should be rigorous and vigorous retrenchment in departmental expenses. We should copy the line of action adopted by Lord Milner in South Africa, which is termed the rationing of departments. All heads of departments should be asked to reduce their expenses forthwith by 20 per cent. I think that Public Works Department, Forest and Canal Departments can sufficiently economise and there is enough room for retrenchment in them.

The Hon'ble Finance Member has referred in his speech to the widespread discontent and unrest which he has ascribed as engineered by non-co-operators. It is doubtless true that non-co operators have erred many a time but Government too has committed many mistakes. It is futile to expect peace, rest and contentment in the country unless some satisfactory solution is reached as to Swaraj and Khilafat. Khilafat is at once a religious and political problem for the Mussalmans. Turkey is the bulwark of strength for the Muslim kingdoms of Persia and Afghanistan, besides being the headquarters of the religious head of the Mussalmans. The question of integrity of Ottoman Empire is a question of life and death for the Mussalmans of India. If Turkey is living, the kingdoms of Persia and Afghanistan are intact and consequently the Mussalmans of India will be quite safe and free from molestation by any people. This is why the Hindus and the Muhammadans have come to an agreement on the Khilafat and Sawaraj questions. Further Indians—Hindus, Muhammadans and Sikhs alike—have begun to love their own country and freedom. Time-limit must be fixed for the attainment of Swaraj. Unless and until the problems of Khilafat and Swaraj are handled and solved, there can be no peace in India.

It is in peace that the trade of the country prospers, the industrial and agricultural development schemes can be initiated and completed. I wish the following lines of Tennyson were enshrined in the hearts of our rulers.

‘Shaping an August decree
Which left the thrones unshaken still
Broadbased upon the peoples will’.

Lala Atma Ram, South-East Towns, (Non-Muhammadan) Urban :
Sir, I rise to offer my grateful thanks to the Hon'ble the Finance Member for the Financial Statement which he has presented. I do not want to take much precious time of the Council but I will say only this much. Last year while taking part in the discussion of the budget I drew the attention of the Government to the pressing necessity of encouraging the study of indigenous medicine. I have gone through the pages of the budget and find that under the head ‘Medical’ a sum of 4 lakhs has been spent but not a pice has been spent for the indigenous medicine. I would again request the Hon'ble the Finance Member to give his best attention to this question. Then under the head ‘Industries’ I find that the budget estimates for

[Lala Atma Ram.]

the next year have been doubled. The Hon'ble Minister for Agriculture is doing all he can to encourage industries, but I think the cottage industry has been entirely ignored. I think the Province will not prosper unless its cottage industry is revived. With these few words I resume my seat.

Mian Bell Ram (Hoshiarpur, non-Muhammadan, Rural) (Urdu) : Sir,
4 P.M. I beg to thank the Hon'ble Finance Member for making the cut and dried figures lucid for the deliberations of this Council. I would only pray that a little more details may be supplied as regards certain heads than hitherto.

Sir, I find that the Excise revenue is worse by 32 lacs which may be due to deliberate limitations by the Minister and the growing spirit of puritanism among the people. I entirely fail to see the necessity of the contemplated increase in the Excise Sub-Inspectors. There will be proportionately less work to do and more men on it. It may be argued in defence that with the restrictions on liquor sale there will be increase in illicit distillation and the staff will be required to see to it. As it is with the decrease of liquor sale contracts throughout the province there will be less supervision work, the existing staff can direct their attention to the detection of illicit distillation also.

I do not find any satisfactory justification of increasing expenditure on Fisheries.

The Council had voted 30 lacs of rupees for primary education. I do not find any such provision in the budget presented to us. I notice that it is proposed to increase the inspectors; I do not know what earthly good they will be unless more institutions spring up for importing education to the children of the soil. I find, Sir, that a large increase in education expenditure has been shown in the budget, but is it really so? I think that provisions which would have been otherwise allotted to the Public Works Department have been transferred to this head for the purchase and erection of buildings. We are threatened with more taxation in the near future, it is therefore our supreme duty to find out and explain the bad points of the budget.

As regards Forest Department I can only say that expenditure on it is unjustified, useless and unremunerative. The policy of this department is a continuous source of harassment to the people and injures the good name of the Government in the hill tracts where forests abound. I have urged on several occasions the need to change the policy which governs the forest administration. The question was seriously taken up once, but I do not find any tangible result. The question is hanging fire for the last few years and no satisfactory change has as yet been made. It is a pity, Sir, that so big a department should be so little remunerative.

I further find, Sir, that there is to be increase in police to maintain respect for law and order. I beg to ask if it is not possible and feasible to station troops in headquarters of districts as supplementaries to the police force, to be utilised in cases of grave emergency. It will save the taxpayers an unnecessary additional burden whereas what is desired by the Government will also be accomplished. I am not in favour of increased taxation, whatever form it may take. The increase in court-fees, etc., will be a fruitful source of agitation.

I, therefore, beg to lodge my humble protest against fresh taxation and beg for retrenchment as the only remedy.

Mr. Moti Lal Kaistha (Kangra, non-Muhammadan, Rural), (Urdu): Sir, unlike other members who have risen to speak to-day, I am in no hurry to tender any congratulations to the Hon'ble Finance Member. I beg to take a retrospective view of the achievements of this council in the domain of legislation, other measures brought forward and adopted for the benefit of their constituencies in particular and the country in general, I am ashamed to confess that I fail to see anything worthy of this council or its labours. With the solitary exception of passing the Village Panchayat Bill and the wiping away of the Government Publicity Office I see nothing which can rank among achievements. Every year that the budget will be presented there will be some deficit shown, because there is some secret of administration in it which the uninitiated like us can hardly understand. I for one have not been able to understand the increase in Forest expenditure which is far in excess of the last two financial years. I also fail to make out the significance of increase in expenditure on Fisheries Department which is 15 thousand more than last year's provision, especially when it is not so remunerative. As regards expenditure on education, I find an unnecessary increase proposed in the inspecting staff. What the country wants is diffusion of primary education in the masses. The budget as presented requires drastic changes. The Hon'ble Finance Minister has alluded to the general political unrest and defiance of law in the province and would increase his police for maintaining peace and order. I take this opportunity of saying once more that the real peace and order can never be restored by the use of force or by clapping the leaders into prisons, it can only be effectively restored by acceding to the people's wishes and conceding their demands. I do not want to weary the council any longer, because every member is anxious to rise and say something.

Khan Bahadur Chaudhri Fazl Ali (Gujrat West, Muhammadan, Rural) (Urdu): Sir, I am very glad to find that the Standing Finance Committee has done much preliminary paring of the budget and I rejoice to think that the Hon'ble Finance Member has paid a glowing tribute to the 'unappeasable critics' who have been elected to the committee by the Council itself.

It is a very sad feature of the budget indeed that in spite of the ruthless curtailment in expenditure under various heads, it shows a deficit. We will be required to bear the burden of increased police force which is but essential in the present state of general unrest. I will pray my countrymen to suspend defiance of law and other anti-Government activities so that we may be able to beg the Government to decrease the expenses on police and thus release the money for developing the resources of the province. As for finding out fresh revenues, I quite endorse the suggestion of Pandit Daulat Ram Kalia that luxuries should be taxed and that sensational news-mongers who are fleecing the public should be made to pay; rather than tax the poor loyal and law-abiding zamindars who are not already well off.

I humbly beg to protest against any increase in the water rate. It is the complaint of the zamindars from season to season that they do not get water in time for their crops. It is either too late or too early. Owing to the fickleness of the water supply and the arbitrary will of water suppliers at the spot, the zamindars cannot sow more paying crops. It is thus an indirect loss to the Government itself. I most respectfully beg to once more

[K. B. Chandhri Fazl Ali]

bring to the notice of the Government that zaildars, lambardars, sufedposhes are a very hard worked class of servants of the Crown. They are the connecting links between the rulers and the ruled. They collect and pay all the revenues. They represent the authority of the Government in their respective places. They, therefore, Sir, deserve every encouragement at the hands of Government. In spite of the fact that this council had passed a resolution to increase their pay and we were looking forward to the increment from the coming financial year, yet nothing has been done. I heard some member remark, Sir, that education is a more paramount necessity than roads and communications, and that the same may therefore be neglected for the benefit of more diffused education. I plead, Sir, that they are equally necessary. Communications and roads are the veins and arteries of trade. It cannot flourish without them. There must be roads to bring the produce of the soil to the market. It is a very happy thing if there is a loss in excise revenue on account of less consumption. But if it is due to other pressure working in the country, then, I am afraid it were better not so. I am very glad to notice an increase provided in the budget for education. It is the crying need of the people and we should be all thankful to the Government for having heeded our protests in this respect.

Mr. Ganpat Rai (Lahore and Ferozepore-cum-Sheikhupura, non-Muham-madan) (Urdu): Sir, I rise to draw the Council's attention to the desirability of retrenchment in the budget. This time last year, when the Council Session began, we were told that we had Rs. 1,39,00,000 in reserve. This statement led the Council to sanction expenditure all round. Had it been known that the announcement about the reserve was nothing but illusory, large expenditure would never have been sanctioned. Before the inauguration of the Councils, various departmental officers strengthened their hands by augmenting their expenditure, in order to avoid the risk of sanction being refused by the new Councils. Indeed the expenditure began to rise as early as 1917 and the increase became very noticeable in 1919 and in 1920-21, the expenditure became enormous. I am grateful for the kind words in which the Financial Secretary and Hon'ble Member, Finance, have spoken of my work as a member of the Finance Committee. I should say that it is due to their efforts that a retrenchment of Rs. 50,00,000 has been made in the budget, and if the efforts are maintained, it is possible that the deficit of Rs. 1,58,00,000 will be made good. Attempts are being still made, however, to increase expenditure. When the departmental officers are not of one mind with us, what is the good of the reforms. I am not, Sir, indulging in any personal attack, but I must say that so long as each and every departmental officer does not join us with a sincere heart, we cannot hope to achieve success. Sums amounting to lakhs are wasted under the Public Works Department. Indeed 25 per cent. of the money provided for the Public Works Department is not actually spent and disappears through the inattention and negligence of overseers and others, without the disappearance coming to the notice of higher officials. It is for this reason that I have to say that Government as well as departmental officials should co-operate with us, with all sincerity, in order to enable us to curtail expenditure. We are kept in the dark with respect to several matters. I told the Hon'ble Member for Agriculture that we are not supplied with details about the budget and I was informed by him that the details were not yet ready. How can we possibly express any opinion when we have no details. I have been since

told by the Financial Secretary that details would be supplied by tomorrow.

5 P.M. The budget should be recast. The desire to increase expenditure is met with everywhere, but nobody cares about the source from which the money is to come. I ask why as much as Rs. 6,30,000 is spent on the Forests alone, what good has accrued to us from this expenditure. If we were to give this money to the Government of India, we could get interest at 6 per cent. It is incomprehensible to me why so much money is being spent upon the Forest Department. We had only one Conservator previously and we now have two Conservators, and it is proposed to raise the number to three. The salaries and travelling allowances of these Conservators are a useless burden. There should be a limit to expenditure. The estimated expenditure on the Forest Department was at first Rs. 24,00,000, afterwards it was raised to Rs. 34,00,000 and it has since been raised to Rs. 33,00,000. Let me now take up the case of the Excise Department. When this Department had a large income, considerable income accrued also from the penalties that were imposed, a fact which will be observed from page 30 of the Finance Memo. It has been suggested that there is a good deal of illicit distillation of wine, but why has the income from penalties gone down to three lakhs. Decrease in fines and penalties shows that a decrease has also taken place in illicit distillation. There is no necessity to sanction additional staff in connection with illicit distillation. It is useless to increase expenditure in the Excise Department. You should take a prominent part in the anti-liquor movement, so that illicit distillation may become a thing of the past. When people have cultivated aversion to drink, the necessity for entertaining an establishment for checking illicit distillation would disappear and a saving of lakhs would be effected, *ipso facto*. It is really a pity that while you spend money on publicity work, you should ignore societies engaged in anti-liquor work. The expenditure on the police is also growing. I say if you were to give even ten crores to the police, the unrest would remain unchecked. In fact, the police can do nothing. We should discuss matters with our antagonists. They are not unreasonable people and they will listen to reason. These townspeople, who know only how to make a noise, would never have given trouble had they not been molested by the police. The present unrest would never have come into being, had not Government enacted such laws as the Seditious Meetings Act and the Criminal Law Amendment. The present policy of Government is undesirable. Repression has never achieved anything and they should act with conciliation. Owing to harsh treatment by the police and the Magistrates, the masses have become sympathetic towards the movement. Take the Congress Committee case. There was nothing in it. All said that it was not a public meeting. This was also the opinion of the lawyers, but the prosecution was launched. Forfeiture of newspaper securities is also useless. It is all the same whether newspapers stop publication or continue, since the place of newspapers which cease publication is taken by others more active. The jails are becoming full thanks to the repression on the part of the police. Any increased expenditure on the police should be avoided. As I have said we should discuss matters with each other with an open mind. I can only urge, Sir, that this budget should be recast.

Chaudhri Ali Akbar (Kangra-*am*-Gurdaspur, Muhammadan, Rural) (Urdu) : Sir, a great many speeches have been heard by me. No result has ever ensued from the speeches, except that whatever is done by the official members is sanctioned. If this is the case the reforms have conferred no benefit. In several cases Europeans have resigned their posts, but they have stuck to the posts where they could exercise power. What has been the result of the

[Chaudhri Ali Akbar.]

Councils? Two or three years hence we shall be told that they have not worked successfully. We, Sir, do not ask for Swaraj. We have our own troubles which should be put an end to. Thefts and dacoities are rampant and I am totally opposed to the suggestion that money should not be given for the police. As regards water rate I may say that the Upper Bari Doab Canal was opened in 1866, and since then the quantity of water in it has increased three times; irrigation has also increased eightfold. In consequence of waterlogging land has become deteriorated and the price of bullocks and agricultural implements is also high. If the townspeople choose to ask for Swaraj why is the burden thrown on the rural population. In this connection I call to mind a story of the time of Maharaja Ranjit Singh. A townsman and a villager happened to be in the Maharaja's company and preparation was made for a journey. The load was divided into two parts. The heavier part was allotted to the villager, and the lighter to the townsman. After going some distance, the townsman said that he was carrying the heavier load and the villager who was carrying the heavier expressed his surprise at the townsman's remark. When the Maharaja enquired from the townsman what the villager had said, the townsman made the reply that the villager had said that he in spite of his great strength was carrying a lighter load. The Maharaja thereupon ordered that the villager should be saddled with more load. Government should have solicitude for the zamindars. It should not forget the services rendered by the zaildars and safedposhes who are a loyal class and can appreciate the difficulties in which they would be landed in the event of a change of rulers. The rights of the zamindars should be safeguarded. So far as this Council is concerned, I am sorry to say that the official members are acting just the other way. Extravagance is not a good thing. Why waste money on forests and fisheries. If a poultry department had been opened instead, we should have at least procured eggs. The official members should co-operate with us. If they cannot do this, these Councils have no meaning.

Rai Bahadur Lala Sewak Ram (Multan Division, non-Muhammadan, Rural) : While congratulating the Finance Minister and his able Secretary, Mr. Gibson, I must express the utmost possible regret at having seen the deficit budget. This budget is one on which one can hardly congratulate those who are in charge of the affairs of Government. At the same time, the way this budget has been put before the Council is not a clear way in which every one can thoroughly understand it. The budget should have been more explanatory than the one which has been submitted by the Hon'ble the Finance Member. Now if you come to the budget there are several departments which require a good deal of pruning and if that pruning is done, I am sure that a good deal of curtailment can easily be done. While naming those departments I shall have to ask pardon of those heads who are in charge because they certainly would not like that I should say so.

To begin with, the Irrigation Department is one which takes away much money. On maintenance and repairs alone a saving of 10 lakhs can easily be effected, as the budget shows that Rs. 73,55,000 are required in the department of Irrigation for maintenance and repairs only.

Then comes, Sir, the department of Police. This is a department which takes 10 per cent. of our hard earned money, more than a crore of rupees a year. I do not see the necessity of spending so much money on the Police Department and every time not only in the annual budget, but the whole

year round whenever the Council meets an additional budget is taken for the police. What after all is the police doing? I will say that as my friend Mr. Beli Ram has said that there is absolutely no necessity for such a police except a few constables to keep the watch and ward in each town and in order to keep the safety of the realm. The Government has plenty of army which may be posted in towns, should any occasion arise, which will do the same work. Then under this head 'Police' there is the item of the Railway Police for which we requested last year that the money should not be debited to the account of the Punjab Government. It is an Imperial head and either the Government of India should bear this expenditure or the railway themselves should. Then this money would be saved. Also the money given to the Criminal Investigation Department is more than half uselessly given. If any department is creating any disunion between the Government and the people it is the Criminal Investigation Department. Therefore if the Hon'ble the Finance Member is kind enough to help us in this matter and reduce some expenditure under the head 'Police' we shall be highly obliged to him for it.

Next comes the department of Forest on which enough has been said by my friend Mr. Beli Ram and Mr. Ganpat Rai. This is a business concern altogether and if this department instead of showing large profits after so many years of working shows such a small profit it is not worth while keeping it. I think if an agent of mine were to show such a small profit after so many years of working, I would at once dismiss that agent. So this department is hardly to be complimented on its results after so many years of working. I beg to submit that this department may be worked on contract basis and considerable reduction be made in the staff.

Under the head Agriculture as much as 27½ lakhs of rupees are required. I will deal with this item when the time of demand comes as I do not wish to annoy my friend Mr. Townsend now.

The next item is Civil Works. Already it has been said that under Civil Works no detail has been given. Why should we spend money when we have not got the money? If a man has not got the money he should not start building a house. Without having any money in our hands I think no new works should be taken up. As for the other departments I will deal with them when the demands come up.

Now there is a very important point which I must deal with—the heavy cost of the administration of the Government. I think the Secretariat of the Government is increasing day by day and the expensive machinery of Government is becoming so excessive that I cannot understand where it will stop. In olden days with one Lieutenant-Governor and three Secretaries the whole Secretariat was managed but now we have got four Members of the Government and two Additional Secretaries, one in the shape of the Home Secretary and the other in the shape of the Secretary, Transferred Departments. I do not understand why so much increase should be made in the Secretariat. If the reduction is done by the Hon'ble the Finance Member in that direction that will be a great deal of saving. I think the Secretary, Transferred Departments, is absolutely unnecessary, because the heads of those departments can deal direct with the Ministers in charge. This top heavy administration must be stopped and if it is not stopped, I do not know how we can meet the heavy expenditure which it is involving day by day.

[R. B. Lala Sewak Ram.]

As regards the travelling expenses my friend Mr. Ganpat Rai has already said something. The travelling expenses of the officers and officials of Government are charged with a vengeance. I know of instances where officers visit some places three times in a month. I do not know why inspection of one place is wanted three times in a month. There are other instances in which travelling allowance bills are very heavy. I beg to submit that Government should devise some means by which some check should be made on those who indiscriminately go about touring in the ilaqa. I know also that the railway fares have enhanced and consequently the travelling allowance bills will be enhanced to that extent. I will submit that as regards railway fare a decrease of 25 per cent. in the travelling allowance bills should be made so that the some old rates which used to be paid last year may be paid even now.

After dealing with these points I want to touch on one other point. It is not that I wished to touch upon that point but my friend Mr. Daulat Ram Kalia has said that the Hindus generally have confidence in the Ministry of Education. I absolutely beg to differ from him. I did not want to raise this point but as he has done it I cannot but say that I disagree with him entirely. The Hindus generally are very hard hit by the Minister of Education and they have got a great grievance which is evident from the press which the members of this Council have been reading from time to time. I do not wish to say any further, as, Sir, this would raise a very wide question. This is only a shortsighted policy on the part of a certain department. The wide question is that the Hindu-Muhammadian unity should take place and that is taking place, if one were to think from the whole Indian point of view and I hope that this unity will continue and this shortsighted policy which is encouraged in a certain department of this province will not injure the unity of the Hindus and the Muhammadans which is going on. This point I have touched and I must say I have touched it with regret.

Now, Sir, one more point I wish to bring forward is that if Government were to slacken the repressive policy which is not desirable, it will bring very good results and if Government were to stop the wholesale arrests which are going on it will reduce the discontent and if Government were to stop the confiscation of security of the press this will bring contentment and happiness to the people who are concerned. This I say, Sir, as a good old friend of Government because if this is not done the discontent as you know, Sir, is increasing day by day and that discontent is such that will ruin the cause more than improve it in any way. Finally repeating the old saying of Sadi I will resume my seat.

وہیٹ چر بیچ امت سلطان درخت درخت کے پور مالد از بیچ سخت

Believing in this principle I hope that Government will continue a policy of moderation, a policy which will please the people and will bring peace to the country and contentment to the people.

The Hon'ble Sir John Maynard (Finance Member) : Some very valuable suggestions have been made during the course of this debate on various points. Let me assure this House that all those suggestions will receive careful attention. While speaking on the points raised I would not go into details but shall limit myself to, what I think, the larger and more important arguments which have been adduced. Arguments have been brought

forward to show that it would be possible to make our receipts equal to our expenditure without introducing any new taxation. For instance, Raja Narendra Nath attempted to show our figures to be wrong. He has told us that in certain respects we had under-estimated our probable receipts. Well, Sir, the answer to that is that we have made the very best calculation that we could with the assistance of details collected from districts and we believe that our calculation of probable receipts is right. The particular method in which my friend thought them to be wrong were: in the first place he imagined that we had not allowed anything for probable recoveries of suspended land revenue. There he is mistaken. We have made allowances for what he believed to be the probable recoveries of land revenue during the year. The second point to which he referred was that he imagined that we had under-estimated our excise receipts. There again, I think, I may safely say that we should be incautious if we assumed any larger excise revenue than we have actually done. It is more likely to fall short of our anticipation than to exceed it.

Apart from the matter of rightness or wrongness of the figures it is urged upon us that there are various matters in which we can effect economy. Sir, I have no doubt that there are many important economies which may be effected but this House can hardly have forgotten that not very long ago it appointed a committee on retrenchment and that committee, as I have pointed out in my introductory speech is still at work. All the suggestions that have been put forward in the course of this discussion will, I am quite sure, receive the careful attention of that committee and it will be premature now to say anything more on this subject. Next we are told that we ought to press the Government of India still further on the subject of reduction of the provincial contribution. I have no doubt that many members have seen the statement which was telegraphed yesterday afternoon all over India to show what the financial position of the Government of India is. They had a deficit which, I believe I am right in putting at 34 crores of rupees. By some measures of additional taxation they hope to be able to reduce that deficit to three crores: but they do not say that they would ask somebody else to reduce their deficit. What they say is that they are prepared to face the inevitable, to add to their resources by means of additional taxation and so by their own efforts to bring about, though not a complete equilibrium, still a less serious deficit in their budget. In such circumstances what conceivable hope can we have that the Government of India would listen to us? They would say that they themselves had a deficit of 34 crores. A greater portion of that deficit they would meet by additional taxation. How could they help us? There is not the least probability that the Government of India would listen to such a plea coming from people who could not show that they had done their best to deal with their own difficulties.

Then my friend Raja Narendra Nath suggested another solution of our difficulties which certainly sounds a most attractive one. He says why should we not raise a somewhat larger loan. Sir, that method of dealing with difficulties by means of raising loans is one which is rather apt to end in the bankruptcy of a province. We are indeed proposing to meet a portion of our deficit by means of loans but only that portion of it which is properly ascribable to capital expenditure. We raise a short term loan from the Government of India for temporary expenditure such as takkavi loans which we believe we can recover next year, but if we were to go further than that and borrow more money merely in order to reduce temporary difficulties we should

[Sir John Maynard.]

be acting in a very imprudent manner. There is one other important suggestion which has been made for the equalising of our revenue and expenditure. It has been said that a part of our difficulties are due to the fact that we have political unrest and that the difficulties could be removed by removing the unrest. A portion of the trouble is certainly due to the fact that we have political agitators undermining the respect and confidence which Government had hitherto enjoyed. Can you not, it is urged, by liberal measures of concession remove that political unrest. That, I take it, is the argument put forward. I may say, Sir, that Government is doing all what is possible to remove discontent and to end this political unrest which is one of the causes of our pecuniary difficulties. But let us consider particular instances, which my friend, Mian Shah Niwaz, has given to us and the measures which we might take in order to get rid of this political unrest. He says to us, he says to me—after all I am only a humble official in a particular province—remove the great cause of discontent by the perfectly simple measure of making such a peace with the Turkish Empire as all Muhammadans will approve, that is to say, on discussion on a provincial budget he asks the Minister in charge of Finance of a particular province to take action which no one in India has the power to take, still less any authority in a particular province. He is asking us, he is asking me to do something which is absolutely impossible, which is beyond the reach of our authority. And he knows perfectly well—it has been repeated time after time—that the Government of India have urged upon the Government of Great Britain the importance of taking all possible measures to conciliate the Muhammadans by doing the best that can be done in the way of improving the terms of peace. My friend knows this perfectly well but it is convenient upon these occasions to keep back the facts. I must remind the House that it is so and it has been repeatedly pronounced from the highest quarters that the endeavour of the Government of India has been and is to impress upon the Government of Great Britain the desirability of conciliating Muhammadan feelings by making such a peace as all sections of Muhammadans may approve.

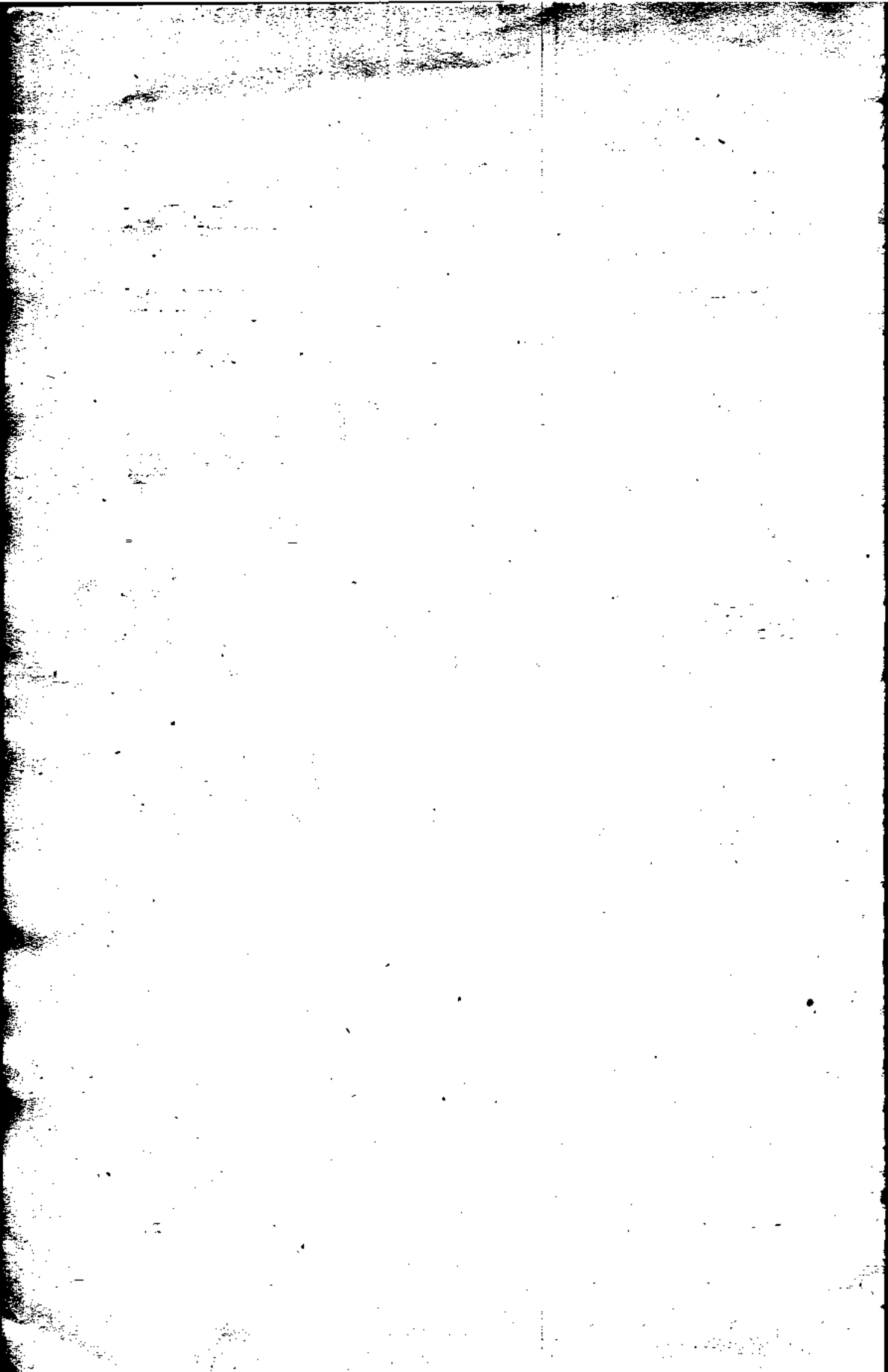
Again, Sir, it is conveniently ignored that we had a difficulty which we have endeavoured to face and that we have tried that policy of *mukhabbat*, of conciliation which has been so strongly urged upon us and that the result of our efforts has only been to increase the headstrong opposition with which a particular section of the population is meeting our efforts. It is not very long ago that I stood at the place where I now stand and told this House that it had been decided upon by the Government, in order to remove the discontent of an important section of the population in this province, to take certain steps including the release of a very large number of prisoners who had been guilty of offences against the Seditious Meetings Act. That is an item which can fairly be described as policy of *mukhabbat* and of conciliation. Is there anyone here who does not know that for years past the efforts of the head of this province have been all in the direction of conciliation? Does not everyone here know well enough that these efforts for conciliation have been carried to such a pitch that new dangers have, in the opinion of some persons, been created. What is the result of that particular measure, to which I have specifically alluded.

The result was that the released persons immediately resumed their activities with more bitterness than before, and at the present moment the most serious difficulties that this Government has to face are due to that

section of the community which was treated in that considerate and conciliatory manner. At the present time, I say it with a full sense of responsibility, there exists in a portion of the central districts of this Province a condition of very serious danger, and as that danger has not been averted by conciliation, it may be, probably will be, necessary to avert it by measures of a different character.

I have only a few words more to say. The important thing has already been said. It has been urged that taxation, if at all, need not be permanent taxation. Taxation is never permanent. Taxation can be put on, it can be taken off. If I find we can meet our obligations, without additional resources it will be with the utmost pleasure that I shall propose the removal of this extra taxation which I have foreshadowed to-day. It has been said to us that taxation should be avoided because of political danger, because the people would not like to pay and may object. Therefore, the risk should not be faced. Sometimes it so happens that there is a duty to be faced, even though that duty may be unpleasant and even though it may carry with it some danger. The first duty in dealing with finances of the Province is to see that we do not enter on a path which leads to bankruptcy. If in the process of averting that evil, I incur unpleasantness, if I incur danger, I shall nevertheless not hesitate to do or to propose what I think to be right.

Mr. President : The Council will now adjourn until Monday the 6th of March at 2 p.m.



PUNJAB LEGISLATIVE COUNCIL.

Monday, 6th March 1922.

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

QUESTIONS AND ANSWERS.

PROVINCIAL ENGINEERING SERVICE.

1306. **Rai Bahadur Lala Sewak Ram :** (a) Has Government received any representations from the members of the Upper Subordinate Service of the Public Works Department protesting against the selection made by Government to the Provincial Engineering Service?

(b) If so, will Government state what action it has taken or proposes to take in this matter?

(c) Will Government be pleased to consider the advisability of appointing a committee of officials and non-officials to examine the existing conditions of recruitment and to frame fresh rules for recruitment of this service?

The Hon'ble Lala Harkishan Lal : (a) Government has not received representations from the members of the Upper Subordinate Service making specific protests against the selections of men made by Government to the vacancies in the Punjab Engineering Service.

(b) As the answer to (a) is in the negative, the question does not arise.

(c) Government does not consider it necessary to appoint the Committee suggested, as the principles and rules regarding the formation and recruitment to the Punjab Engineering Service are clearly indicated in Government of India letter No. 441-F.A., dated 16th July 1920, and these principles and rules have been observed.

HILL EXODUS.

1307. **Rai Bahadur Lala Sewak Ram :** Will Government please give the answer promised to my question No. 994* as regards the Hill Exodus asked on 25th October 1921.

The Hon'ble Sir John Maynard : The information was supplied to the hon'ble member in Punjab Government letter No. 4172-Financial-General, dated the 8th February 1922.

1308. **Rai Bahadur Lala Sewak Ram :** Will Government be pleased to state—

(a) whether they are going to take steps to curtail the extent to which their officers and staff move to the hills in the next summer, and, if so, to what extent?

(b) whether they are prepared to follow the example of U. P. Government in this respect with reference to a resolution of U. P. Council regarding the migration of Government to the hills in volume I, No. 15, dated 12th March 1921?

Mr. E. Joseph : (a) The hon'ble member's attention is invited to the reply given to question No. 1219* put by Mr. Ganpat Rai on January 13th 1922.

(b) The action already taken by this Government to limit the duration of the stay in the hills and the number of persons taken thither was stated in paragraph 13 of the statement published in the Gazette of October 22nd to show what has been done in each promise made to the Council or Resolution passed by it. The circumstances of the United Provinces which receive the full benefit of the monsoon, differ essentially from those of the Punjab, where the monsoon is ordinarily accompanied by little reduction of temperature but increased moisture, and it is doubted whether efficiency would be maintained if any reductions other than those already announced were made by Government.

Rai Bahadur Lala Sewak Ram : May I request that the paragraph referred to may also be laid on the table for the purpose of record ?

Mr. E. Joseph : It has been supplied to every member as it has appeared in the *Punjab Gazette*, which is supplied free to all members of Council. There is no need of printing it again in the proceedings

GRANT OF MAGISTERIAL POWERS AND JAGIRS TO THE MEMBERS OF THE COUNCIL.

1309. Rai Bahadur Lala Sewak Ram : Will Government be pleased to state how many members of this Council have since December 1920 been granted (a) nominations to Provincial Services, (b) powers of Honorary Magistrates and Civil Judges, (c) Public Prosecutorialship and (d) Jagirs ?

Will Government be pleased to consider the desirability of abstaining in future from giving such offices and powers to the members of this Legislative Council during their term of office ?

Mr. E. Joseph : Reply to the first part is —

- (a) No members have been nominated to the Provincial Services.
- (b) Two members appointed Honorary Magistrates. None have been appointed Honorary Civil Judges.
- (c) One has been appointed a Public Prosecutor.
- (d) One has received a Jagir.

As regards the second part, it is uncertain what is meant by the suggestion of the hon'ble member, but probably he means that the acceptance of the offices and powers specified ought to terminate the member's tenure of his seat on the Council. This matter is regulated by Home Department notification No. 5, dated 30th July 1920, which the hon'ble member will find at page 73 of volume IV of the Punjab Legislative Council Manual. So long as a member does not come within the definition of an official as there given there appears to be no reason why he should vacate his seat.

TRANSFER OF LOCAL PRISONERS TO A DISTANT JAIL.

1310. Rai Sahib Lala Panna Lal : Will the Government be pleased to state its policy with regard to the transfer of local prisoners to a distant jail ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla : The hon'ble member is referred to paragraphs 739 to 741 of the Punjab Jail Manual, under

which the transfer of jail prisoners is regulated according to definite principles by the Inspector-General of Prisons.

AUCTION OF LIQUOR LICENSES.

1311. **Rai Sahib Lala Panna Lal:** Will the Government be pleased to state—

- (a) if the auction sale of all the country liquor and foreign liquor licenses in the Punjab have been completed, and, if not,
- (b) what licenses still remain to be auctioned?

The Hon'ble Lala Harkishan Lal: All retail liquor license auctions have been cancelled and a new system is being introduced of retail sale license fees fixed by tender and paid on issues from the distilleries and wholesale vendors.

ADMISSION OF PLEADERS TO HIGH COURT.

1312. **Lala Atma Ram:** (a) Is it a fact that the High Court of the Punjab admits once a year only four persons as pleaders from outside provinces?

(b) If so, is it a fact that this rule was introduced at the time when licenses to practise as pleaders were given only to the first thirty passed candidates at the L.L.B. examination of the Punjab University?

(c) Is it a fact that the rule of thirty has long since been abolished and that the rule of four still exists?

(d) Is it a fact that, since this rule of four was introduced, men from outside provinces have been taken in order; priority being given to those who applied first?

(e) Is it a fact that the order of priority in time was not observed last year?

(f) Is it a fact that the persons belonging to the Punjab, who practise as pleaders in other provinces, are labouring under great inconveniences and disadvantages, being foreign to those places?

(g) If the answers of the above queries are in the affirmative, will Government kindly request the High Court of the Punjab to move in the matter and do the needful?

The Hon'ble Sir John Maynard—

(a) The answer is in the affirmative.

(b) The answer is in the negative.

(c) The answer is in the affirmative, but the two rules have no connection *inter se*.

(d) The answer is in the negative but priority of application together with other circumstances is taken into consideration though it does not in itself give the applicant the right to be accepted.

(e) In view of the answer given to (d) this part of the question does not arise.

(f) There is no cause of complaint on the part of such persons because any inconvenience to them which may arise by their taking the L.L. B. degree in Universities other than the Punjab University could be avoided by their taking the same degree in the Punjab University.

(g) Government will lay the question and answer before the High Court, but it is unable to interfere with the discretion of the Judges.

REMISSION OF THE WATER-TAX AND THE LAND REVENUE ON COTTON CROPS.

1313. **Bawa Hardit Singh Bedi :** (a) Did the Government compare the yield of the cotton crop of 1921 with the average yield of those of the last five years?

(b) If so, was the yield of the crop of 1921 below the minimum and was it also of such inferior quality as to make it impossible to pay the water-tax and land revenue assessed on it from its proceeds?

(c) If so, has the Government taken any steps towards the reduction and remission of the water-tax and the land revenue?

(d) If not, will the Government think it advisable to take steps towards the reduction and remission of the water-tax and the land revenue?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : If the hon'ble member will kindly indicate to which tract he is referring the necessary enquiries will be made.

REMODELLING SCHEME OF DISTRIBUTARIES ON THE LOWER BARI DOAB CANAL.

1314. **Captain Sardar Gopal Singh :** (a) Will Government please state what has become of the remodelling scheme of 6-R Distributary, specially the construction of 1-R of 6-R in the Montgomery Division, Lower Bari Doab Canal?

(b) Can Government say how much extra land will be commanded and irrigated by this scheme, and what will be the increase in the Government revenue?

(c) If it has not been sanctioned, what are the reasons?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The information is being collected and will be supplied to the hon'ble member when ready.

EXCESSIVE RATES CHARGED BY TONGA DRIVERS AT MONTGOMERY RAILWAY STATION.

1315. **Captain Sardar Gopal Singh :** Is it a fact that at Montgomery Railway Station tonga drivers are charging the public at their own rates and that, since the breach of the canal bridge, the public are charged more than the authorised rates?

(b) Will Government please fix the rates for tongas and tumtums and issue orders that in future they be affixed to Railway Station walls, and punish those who ask for more than the rates so fixed?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

MALIKANA RATE IN GRANTS.

1316. **Khan Bahadur Raja Muhammad Akbar Khan :** (a) Will Government be pleased to state whether the *malikana* rate, charged to ordinary landowners, to whom grants are made, is Rs. 2,500 per square?

(b) If so, will the Government be pleased to state whether this rate is uniform in the case of military persons to whom grants of one or two squares are made in recognition of meritorious service in the Army?

(c) If so, what distinction is made for exceptionally good military service?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : (a) By "malikana rate" it is presumed that purchase price is meant. Rs. 2,500 per rectangle is the purchase price fixed for peasant grantees.

(b) This purchase price is applicable to the "Fauji" grants of one and two rectangles made in recognition of meritorious service in the army.

(c) No purchase price will be charged in the case of the persons selected by the Army Department for "jagir" grants for exceptionally good military service.

GRANTS FOR SANITATION, COMMUNICATIONS, ETC., IN RAWALPINDI DIVISION.

1317. Khan Bahadur Raja Muhammad Akbar Khan : Will the Government be pleased to state —

(a) whether the Rawalpindi Division is treated in the same way as other Divisions in the matter of grants for sanitation, communications, etc.,

(b) whether it is not a fact that local Boards which apply for grants have to guarantee half the cost of the same?

(c) If so, do not rich districts get larger grants than poor districts?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : 1. Sanitation grants are made by the Sanitary Board; and the answers to the hon'ble member's questions are as follows :—

(a) There is no discrimination between Divisions, and the Rawalpindi Division receives equal treatment with other areas.

(b) The general principle laid down for sanitary projects is that a grant-in-aid should not exceed half the total cost; and in accordance with this principle local bodies applying for grants are required to show their ability to finance the other half of the project.

(c) The Board, however, is empowered to relax this principle and to make a grant up to the whole cost of a project. This discretionary power is frequently exercised in favour of poorer districts.

2. Grants for communications are made by the Communications Board and fall under two heads :—

(i) Grants for colony roads.

(ii) Grants for metalled roads and bridges.

The answers are as follows :—

(a) The distribution of (i) among divisions must depend entirely on the actual colony development of each division. With regard to (ii) the Rawalpindi Division received from the Board 49 per cent. of its demands, while the whole province received 38 per cent. of total demands. The Rawalpindi Division was therefore more favoured than other divisions in this respect.

- (b) The general half-and-half principle laid down for sanitary grants is followed also by the Communications Board; but may be relaxed in favour of poorer districts; and in order to avoid the possibility of a single rich district securing the lion's share of the grants simply through its ability to finance half the cost of its road projects.
- (c) While the Communications Board is fully alive to the needs of the poorer districts for assistance, it must keep in view the facts that richer districts, being more populous, derive greater benefit from road construction, and that the inter-related needs of the Province require comprehensive treatment in order to secure through communications.

3. It is not known what the hon'ble member means by the word "Etcetera."

RECOGNITION OF THE SERVICES OF OFFICIALS ON FOREIGN SERVICES.

1318. **Khan Bahadur Raja Muhammad Akbar Khan:** Will the Government be pleased to state whether any special promotion or other recognition has been given on their return to India to those officials who have been sent out of India for foreign service? If so, a detailed statement may kindly be given.

The Hon'ble Sir John Maynard: This question has not been understood and the hon'ble member is invited to put it in a clearer form.

PROVINCIALISATION OF THE OFFICE STAFF OF THE DISTRICT INSPECTOR OF SCHOOLS.

1319. **Sayad Muhammad Raza Shah:** With reference to Appendix II of the Punjab Education Report for 1919-20 regarding the Proceedings of the Sub-Committee appointed to consider the question of the Provincialisation of the office staff of the District Inspector of Schools, will the Hon'ble Minister for Education kindly state what action is being taken on the recommendations of the said Sub-Committee.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: This matter has been discussed by the Education Committee of the Council. The members, with one dissentient, were of the opinion that the clerical establishment of District Inspectors should be provincialised. The means by which this change should be effected is under consideration.

POWERS EXERCISED BY GOVERNMENT UNDER SECTIONS 401 AND 402, CRIMINAL PROCEDURE CODE.

1320. **Rai Bahadur Lala Hari Chand:** Will Government be pleased to state the principles on which the Local Government exercises the powers conferred on it in sections 401 and 402, Criminal Procedure Code?

(b) Does the Local Government follow in exercising its powers under the above sections the dictum of Sir Charles Farran, C. J., in the Full Bench case reported in I. L. R. 10 Bom. (pages 180-81), which lays down that, if an error has been committed, the Government, if convinced that there has been an error, will no doubt exercise the prerogative of remitting the sentence which has been passed?

(c) If the answer is in the affirmative, does the Local Government refer such cases, especially cases where owing to the refusal of the person charged to plead or enter on his defence, there is a risk of an error being committed, to legal experts for opinion, while exercising its powers under sections 401 and 402, Criminal Procedure Code?

The Hon'ble Sir John Maynard : (a) Each case which appears to require action under section 401 or section 402 is dealt with upon its merits.

(b) It is understood that the hon'ble member's question refers only to cases in which an accused person abstains from defending himself and from appealing to the superior Courts. In such cases the question of action only arises where there is some substantial doubt of the legality of the finding or the propriety of the sentence. Ordinarily, where there is such a doubt, the course which the Government will take will be to draw the attention of the High Court to the case.

(c) If the Local Government were to contemplate action under section 401, by reason of doubts of the legality of a sentence, it would consult legal experts before passing orders.

CONVICTION OF LALA LAJPAT RAI AND HIS COMPANIONS.

1321. Rai Bahadur Lala Hari Chand : (1) Did Government refer the cases of Lala Lajpat Rai, Mr. Santanam, Dr. Gopi Chand and Malik Lal Khan to any legal expert for opinion?

(2) Were the cases referred to the Legal Remembrancer, Punjab, for opinion?

(3) (a) If so, what was his opinion, and (b) when was that opinion given?

(4) Will Government lay that opinion on the table of this Council?

(5) Were the Ministers consulted either before or after launching this prosecution?

The Hon'ble Sir John Maynard : It is understood that the hon'ble member wishes to know whether the cases specified were referred to any legal expert before the cases were instituted. The answer is No, but the question whether the meeting for participation in which they were prosecuted was a public meeting was referred to the Law officers of the Crown, who gave opinions on the question. The Government will not lay upon the table the opinions which were recorded. As regards the consultation of Ministers, I would refer to my reply No. 21 * of 23rd February 1931 to Dewan Bahadur Raja Narendra Nath.

Rai Bahadur Lala Hari Chand : I wish to put one supplementary question. My question was whether it was referred to the Legal Remembrancer. The hon'ble member has replied that it was referred to a Law officer, what does it mean? Does it mean Legal Remembrancer?

The Hon'ble Sir John Maynard : Yes, the question was referred to the Legal Remembrancer.

CONVICTION OF MR. S. E. STOKES.

1322. Rai Bahadur Lala Hari Chand : Will Government be pleased to refer the case of Mr. S. E. Stokes, recently convicted by the District Magistrate, Lahore, for legal opinion?

The Hon'ble Sir John Maynard : The Government is not aware that any substantial doubt exists in regard to any legal question raised by the case, and does not therefore propose to make any reference.

INDIAN PRESS ACT.

1323. Rai Bahadur Lala Hari Chand : Will Government kindly lay on the table the correspondence, if any, which it had with the Government of India regarding the application of Act I of 1910 (Indian Press Act) ?

The Hon'ble Sir John Maynard : The question presumably applies to correspondence of recent date, not to correspondence at the time of the passing of the Act. There has been no correspondence of recent date regarding the application of the Act.

COMMUNAL REPRESENTATION AMONG ASSISTANT PROFESSORS WORKING IN
LYALLPUR AGRICULTURAL COLLEGE.

1324. Khan Muhammad Abdullah Khan : Will Government kindly state the number of Muslim and non-Muslim Assistant Professors working in the Lyallpur Agricultural College ?

The Hon'ble Lala Harkishan Lal : Eight Assistant Professors are at present employed at the Punjab Agricultural College, Lyallpur, of these five are Hindus, two are Sikhs and one is a Muhammadan.

ASSISTANT PROFESSOR OF ENGLISH, LYALLPUR AGRICULTURAL COLLEGE.

1325. Khan Muhammad Abdullah Khan : Will Government kindly lay on the table information about the following ?—

- (a) The names of the candidates selected by the Principal, Lyallpur Agricultural College, for appointment to the newly created post of Assistant Professor of English in the College.
- (b) The educational qualifications and teaching experience of each of these candidates, giving the class or division, in which he passed the Matriculation, Intermediate, B.A. and M. A. (English) Examinations with marks, if possible, in each examination.
- (c) Is it a fact that one of the Muhammadan candidates secured first class marks in all the examinations except M.A. in which he obtained 67 per cent. of marks in 1915 and was placed technically in the 2nd class, but which marks, according to the present Lowered Standard (65 per cent.), entitled him to be treated as a first class man ?
- (d) Will Government kindly give this post to the best available Muhammadan in consideration both of merit and communal claim ?

The Hon'ble Lala Harkishan Lal : Compliance with (a), (b) and (c) parts of the question is impossible and inadvisable.

As to (d) the hon'ble member is referred to the reply given to question 1303* (d) and (e) of Pir Akbar Ali, on the same subject.

**COMMUNAL REPRESENTATION AMONG HEADMASTERS WORKING
IN PROVINCIAL EDUCATIONAL SERVICE.**

1326. Khan Muhammad Abdullah Khan : Will Government kindly state —

- (a) How many Headmasters are working in the Provincial Educational Service, and how many of them are Muslims and non-Muslims.
- (b) Is it proposed to increase the number of such Headmasters from April next?
- (c) Will Government kindly appoint an adequate number of Muslims so as to secure at least 50 per cent. of the total number of such Provincial Education Service Headmasterships for the Muslims?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain :

- (a) Seven ; and none of them is a Muslim.
- (b) Yes.
- (c) Government cannot bind itself to any rigid distribution of such posts, but intends to take consideration of the needs of all communities, including the Muslim community, in making appointments.

COMMUNAL REPRESENTATION AMONG DEPUTY INSPECTORS OF SCHOOLS.

1327. Khan Muhammad Abdullah Khan : (a) Do Government propose to appoint from April next a Provincial Educational Service officer in each Educational Division to serve as Deputy Inspector of Schools?

(b) If so, will Government kindly appoint Muhammadan officers where the population of the Division is predominantly Muslim?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain :

- (a) Yes.
- (b) Efforts will be made to carry out the hon'ble member's wishes ; but with due regard to the personnel of the Divisional Inspectors.

**FEE CONCESSIONS, ETC., TO MUHAMMADANS IN GOVERNMENT AND BOARD
SECONDARY SCHOOLS.**

1328. Khan Muhammad Abdullah Khan : Will Government kindly consider the advisability of increasing the number of scholarships and fee concessions in Government and Board Secondary Schools for the Muhammadans in view of their backwardness in education and the need of special encouragement to them?

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain : The question of scholarships and fees has recently been considered by the Committee appointed to report on the educational needs of zamindars. The Committee has made recommendations which will shortly be considered, and in that connection this matter will also be considered.

COMMUNAL REPRESENTATION AMONG DISTRICT-INSPECTORS OF SCHOOLS.

1329. Khan Muhammad Abdullah Khan : Will Government kindly consider the advisability of posting a Muhammadan District Inspector of Schools in every district where the proportion of the Muhammadan population is 50 per cent. or more?

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain : Government cannot bind itself to any rigid distribution of such posts, but intends to take into consideration the needs of all communities, including the Muslim community, in making such appointments.

INCREASING THE NUMBER OF MUSLIMS IN EDUCATIONAL SERVICES.

1330. Khan Muhammad Abdullah Khan : (a) What is the number of Muslim and non-Muslim Headmasters in the highest grade (Rs. 200—10—250) of the Subordinate Educational Service?

(b) Is it a fact that a Sikh has recently been appointed Headmaster in a Government High School directly in this grade?

(c) Will Government kindly also give such posts to capable Muhammadans to secure for them a better representation in the higher branches of the Educational Service which contain at present very few Muhammadans?

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain :—

(a) There are 5 Muslim and 14 non-Muslim Headmasters in the grade of Rs. 200—10—250.

(b) Yes.

(c) The point will be kept in view.

COMMUNAL REPRESENTATION IN DERA GHAZI KHAN MUNICIPALITY.

1331. Khan Muhammad Abdullah Khan : Will Government kindly state the following :—

(a) What is the proportion of the Muhammadans to the total population of the city of Dera Ghazi Khan?

(b) What is the present number of Muhammadan and non-Muhammadan members of the Dera Ghazi Khan Municipality?

(c) Is it proposed to vary this proportion when the principle of election is introduced and the municipality is reconstituted?

(d) What are the recommendations of the Deputy Commissioner and the Commissioner on this subject and what has the Local Government decided?

(e) Is Government aware that the Musalman inhabitants will not be satisfied with anything less than their present proportion in the municipality?

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain : (a) The proportion of Muhammadans to the total population of the city of Dera Ghazi Khan is as 11,880, 20,533, or roughly as 4 : 7.

(b) The present number of Muhammadan members on the municipal committee is 8 ; and of non-Muhammadan members 6.

(c) The percentage of seats to be allotted to the two communities is under consideration, and cannot be decided without reference to the cases of other municipalities in the province, where the principle of communal election has been, or may be, introduced.

(d) It is not in the public interest to disclose the recommendations of local officers in such matters. With regard to the decision of Government the hon'ble member is referred to the answer given to part (c) of the question.

(e) Government has no information on this point.

WITHDRAWAL OF POWERS DELEGATED TO DISTRICT INSPECTORS OF SCHOOLS.

1332. **Khan Muhammad Abdullah Khan :** Is it a fact that with the provincialisation of the post of District Inspector of Schools, certain enhanced powers were delegated to these officers in educational matters in their respective districts. If so, will the Government say why these powers are being withdrawn now ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) Yes.

(b) The attention of the hon'ble member is invited to paragraph 28 of the review of the Punjab Government (Ministry of Education) made on the proceedings of the Conference of Inspecting Officers held in April 1921, a copy of which has already been supplied to him.

DELEGATION OF POWERS TO DISTRICT INSPECTORS OF SCHOOLS.

1333. **Khan Muhammad Abdullah Khan :** Will the Hon'ble Minister for Education say what steps he has taken on the note which, some three months back, I addressed to him and to the Director of Public Instruction on the subject of the delegation of powers to the District Inspectors of Schools ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The attention of the hon'ble member is invited to the answer to question No. 1332.

DEPUTY INSPECTORS OF SCHOOLS.

1334. **Khan Muhammad Abdullah Khan :** (a) Is it a fact that the Government proposes to appoint Deputy Inspectors of Schools (Provincial Educational Service) in each Division as Assistants to the Divisional Inspectors in place of Assistants to the Inspectors of Schools (in the Subordinate Educational Service) ? If so, will the Government say--

(b) what circumstances led to the creation of these posts ?

(c) what will be the status of these Deputy Inspectors ?

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

(a) The matter has been carefully considered and the proposed arrangement is regarded as leading to greater efficiency than the system which it is to supersede.

(b) They will be in the Provincial Educational Service and will officiate for the Divisional Inspectors when they are absent from duty.

- (c) The whole question is exhaustively examined in paragraph 29 and the following of the Government Resolution No. 12682-G. of October 14th, 1921, on the proceedings of the Inspectors' Conference of 1921.

**EXEMPTION OF THE PROPOSED *Mandi* OF MESSRS. KIDAR NATH-
NAND KISHORE FROM OCTROI LIMITS.**

1835. Chaudhri Bans Gopal: (a) Will the Government be pleased to lay on the table the correspondence, which passed between the President, Municipal Committee, Hissar, and the Deputy Commissioner, Hissar, regarding the exemption of the site of the proposed *Mandi* of Messrs. Kidar Nath-Nand Kishore from octroi limits?

(b) Is it a fact that the Municipal Committee, Hissar, have unanimously and repeatedly requested the Deputy Commissioner, and the Commissioner, Ambala Division, to forward the papers to the Local Government for favour of sanction, but they have declined to do so without making a reference to the Local Government?

(c) Is it a fact that Mr. A. Latifi, I.C.S., formerly Deputy Commissioner, Hissar, and the President of the Municipal Committee, was pleased to accept the proposal, and all the details had been worked out during his term of office?

(d) Is it a fact that all the *Mandis* in Hissar are excluded from octroi limits in the interest of trade, and that the construction of this *Mandi* has been unnecessarily delayed on account of this refusal?

(e) Will the Government be pleased to accord sanction to the said proposal?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

EXTENSION OF IRRIGATION IN HISSAR DISTRICT.

1836. Chaudhri Bans Gopal: (a) Will Government be pleased to state what steps have been taken to mitigate the sufferings of the people due to the failure of rains in the Hissar District?

(b) What preventive steps, if any, do the Government intend to take to safeguard the interest of the agricultural classes, should there be a failure of rains in future in the District?

(c) Will the Government take any steps for the extension of irrigation and provide adequate transport facilities?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia: It is regretted that the material for the reply to this question is not yet forthcoming. The information is being collected and will be communicated to the hon'ble member as soon as available.

RANGOI CANAL.

1337. **Chaudhri Bans Gopal :** (a) Is it a fact that the Hissar District Board has failed to keep clear the Rangoi Canal, and that it used to irrigate a very large portion of Sirsa and Fatehabad Tahsils?

(b) Will the Government make over the management of this canal to the Irrigation Department?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

COMMUNAL REPRESENTATION IN SIMLA MUNICIPALITY.

1338. **Rai Sahib Chaudhri Raja Singh :** Is it a fact that the Head Clerk, Superintendent, Second Clerk, Record-Keeper, Engineer, Overseer, Draftsman, Workshop Mistri, Printer, Public Works Clerk, Typist and Daftri of Simla Municipality are all Muhammadans?

If so, will Government be pleased to move the Simla Municipality adequately to safeguard the interests of Hindu and Sikh communities?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The reply to the first part of the question is as follows :—

There is no Head Clerk in the Municipality. The Superintendent and the Second Clerk are Muhammadans. Of the three Record-Keepers one is a Muhammadan and two are Hindus. The Engineer is a Muhammadan. Of the three Overseers one is a Muhammadan, one a Hindu and one a Sikh. The Workshop Mistri and Printer are Muhammadans. The Public Works Clerk and the Typist are not Muhammadans but Hindus. The Daftri is a Muhammadan.

The Simla Municipal Committee employs 291 persons other than menials. Of these 36 are Christians, 64 Muhammadans, 124 Hindus and 7 Sikhs. It also employs 289 menials, of whom 21 are Muhammadans and 268 Hindus. Besides these there are 314 sweepers.

In view of the above figures the second part of the question calls for no reply.

MUNICIPAL ENGINEER, SIMLA.

1339. **Rai Sahib Chaudhri Raja Singh :** (a) Is the present incumbent of the post of Municipal Engineer, Simla Municipality, a duly certified and qualified Engineer? If not, why has he been given preference over a number of gentlemen who are duly certified and qualified Engineers?

(b) What post was he holding prior to his appointment to his present post?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) The present incumbent of the post of Municipal Engineer, Simla, is not duly certificated, but he is well qualified. He was selected in view of his 30 years' practical experience with special knowledge of conditions in the hills after personal examination by the Chief Engineer to the Punjab Government (Roads and Buildings). 200

(b) Prior to his present post he was District Engineer at Hoshiarpur.

PRINTING PRESS, SIMLA MUNICIPALITY.

1340. **Rai Sahib Chaudhri Raja Singh** : Is it a fact that a printing press has been set up at his house by Khan Bahadur Mir Muhammad Khan, Member, Municipal Committee, Simla, and that this press is being run in the name of his munshi?

Is it also a fact that all the printing work of the Simla Municipal Committee is being done by the abovementioned Press?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : It is a fact that there is a printing press at " Bridge View," one of the many houses owned by Khan Bahadur Mir Muhammad Khan in Simla. The press is run by one Munshi Fida Ali who also works as the Khan Bahadur's Munshi. Government have no reason to believe that the press has been set up by the Khan Bahadur himself. Ordinarily the printing work of the Simla Municipality is done by tenders and the lowest tender is accepted. The work of printing weekly proceedings is however, given to Munshi Fida Ali's press at a fixed rate, and also occasionally any very urgent work when there is no time to call for tenders.

1341. **Rai Sahib Chaudhri Raja Singh** : Is it a fact that the Simla Municipal Committee has given full powers to Khan Bahadur Mir Muhammad Khan with regard to the printing of vouchers?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : It is not a fact that the Simla Municipal Committee has given any powers to Khan Bahadur Mir Muhammad Khan with regard to the printing of vouchers or anything else.

INCOME OF SIMLA MUNICIPAL COMMITTEE FROM OCTROI.

1342. **Rai Sahib Chaudhri Raja Singh** : Will Government be pleased to lay on the table a statement showing for the last quinquennium the income of the Simla Municipal Committee from octroi?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : A statement showing the octroi income of the Simla Municipality during the last quinquennium is laid on the table :—

Statement showing annual income from octroi from 1916 to 1922.

Name of year.	Net income.	
	Rs.	
1916 17	2,06,587	
1917-18	2,04,821	
1918-19	2,52,376	
1919-20	2,68,915	
1920-21	3,28,096	
April 1921 to January 1922 ...	2,47,010	

EMOLUMENTS OF ZAILDARS AND LAMBARDARS.

1343. **Rai Sahib Chaudhri Raja Singh** : Is it a fact that no action has yet been taken by the Government on the resolution carried in the Council on 2nd March 1921, regarding doubling the emoluments of Zaildars and Lambardars? If so, what action do Government propose to take in the matter?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : Attention is invited to the reply given to question No. 908.* The Committee therein referred to met on the 20th February 1922, and recommended that in view of the present financial stringency the question should be postponed for the present.

EXPORT OF WHEAT.

1344. **Rai Sahib Chaudhri Raja Singh** : (a) Is it a fact that the *communiqué* recently issued by the Punjab Government with regard to the export of wheat has caused alarm to the agriculturists of the Province?

(b) Will the restriction imposed upon the export of wheat be removed before the harvesting of the *rabi* crop? If not, for how long will it last?

The Hon'ble Lala Harkishan Lal : (a) Government has received no information which leads it to think that the *communiqué* in question has caused alarm among the agriculturists of the Province.

(b) Government has no information, the matter being one for the decision of the Government of India.

The interests of all concerned, both *producers* and *consumers*, will doubtless be taken into consideration before a decision on the subject is reached.

COMMUNAL REPRESENTATION AMONG SUBORDINATE EXAMINERS IN THE MATRICULATION EXAMINATION.

1345. **Malik Karim Ullah Khan** : Will Government kindly state the number of subordinate examiners in the Matriculation examination of the Punjab University in English, Mathematics, History and Geography for each of the past years and also for the year 1922 according to creeds?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The statement giving the information for the last four years is laid on the table :

Statement showing the number of subordinate examiners in the Matriculation Examination of the Punjab University according to creeds.

MATRICULATION AND SCHOOL LEAVING EXAMINATION, 1922.

		Hindus.	Muhammadans.	Sikhs.	Europeans and Christians.
English	...	16	9	1	6
Mathematics	...	21	8	5	2
History	...	6	3	1	3
Geography	...	6	3	...	1

M. S. L. C. EXAMINATION, 1921.

			<i>Hindus.</i>	<i>Muhammadans.</i>	<i>Sikhs.</i>	<i>Europeans and Christians.</i>
English	...	...	18	7	2	5
Mathematics	...	...	18	7	5	2
History	...	...	5	4	...	5
Geography	...	...	8	4	...	...

M. S. L. C. EXAMINATION, 1920.

			<i>Hindus.</i>	<i>Muhammadans.</i>	<i>Sikhs.</i>	<i>Europeans and Christians.</i>
English	...	...	15	6	1	5
Mathematics	...	...	17	8	4	1
History	...	...	8	4	...	9
Geography	...	...	7	7	1	...

MATRICULATION EXAMINATION, 1919.

			<i>Hindus.</i>	<i>Muhammadans.</i>	<i>Sikhs.</i>	<i>Europeans and Christians.</i>
English	...	...	15	6	...	6
Mathematics	...	...	16	7	3	2
History	...	...	6	4	1	3
Geography	...	...	7	6	1	...

Khan Muhammad Atullah Khan : Is it a fact that out of 32 sub-examiners in English only 9 are Muhammadans and out of 36 in Mathematics only 8 are Muhammadans and out of 13 in History only 3 are Muhammadans?

If so, is it due to the fact that qualified and competent Muhammadans are not available, or is it due to the fact that on the appointing authority there is not an adequate representation of Muhammadans?

Will Government please state the total strength of the Matriculation and school final Board and the number of Muhammadans on it?

Mr. President : How can this be a supplementary question? You will have to give fresh notice of it.

COMMUNAL REPRESENTATION AMONG TEACHERS IN THE ANGLO-
VERNAacular SCHOOLS UNDER THE LYALLPUR
DISTRICT BOARD.

1346. Malik Karim Ullah Khan : Will Government kindly state the number of Muslim and non-Muslim teachers working at present in each of the Anglo-Vernacular Schools under the Lyallpur District Board giving the aggregate of salaries received by the Muslim and non-Muslim teachers in the case of each school?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The information is being collected.

SIKHS IN THE EDUCATION DEPARTMENT TRANSFERRED TO JULLUNDUR DIVISION.

1347. **Malik Karim Ullah Khan :** Will Government kindly lay on the table a statement showing the number and names of the Sikhs in the Education Department who were transferred first to the Kangra District and subsequently to some other District in the Jullundur Division during the last five years ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Two Sikhs—B. Harbans Singh and B. Babu Singh.

MUSLIMS IN THE EDUCATION DEPARTMENT TRANSFERRED FROM THE JULLUNDUR DIVISION.

1348. **Malik Karim Ullah Khan :** Will Government kindly lay on the table a statement showing the number and names of the Muslims in the Education Department who were transferred from the Jullundur Division on the report of the Inspector of Schools during the last five years ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The required statement is given below :—

1. M. Abdul Haq	...	Vernacular teacher, Government High School, Dharmasala.
2. M. G. M. Hyder	...	Junior English Master, Government High School, Dharmasala.
3. Mr. Muhammad Abdulla		Assistant District Inspector of Schools, Jullundur.
4. M. Lal Din	...	Assistant District Inspector of Schools, Ferozepore.
5. M. Ahmad Hassan	...	Assistant District Inspector of Schools, Jullundur.
6. M. Shah Muhammad	...	Vernacular teacher, Government High School, Ladhi-ana.
7. M. Shah Quli Khan	...	Assistant District Inspector of Schools, Jullundur.
8. M. Faiz Muhammad	...	Vernacular teacher, Government High School, Ferozepore.
9. Sh. Ghulam Muhammad		3rd Master, Government High School, Ferozepore.
10. Mir Abdul Wahid	...	Headmaster, Government High School, Ferozepore.
11. M. Faiz Muhammad	...	Teacher, Government High School, Hoshiarpur.
12. M. Sadr-ud-din	...	Teacher, Government High School, Ferozepore.
13. M. Muhammad Ayub Khan.		Teacher, Government High School, Ferozepore.
14. M. Ashraf Ali	...	Assistant District Inspector of Schools, Jullundur.

COMMUNAL REPRESENTATION AMONG GOVERNMENT HIGH SCHOOL TEACHERS IN SARGODHA, ETC.

1349. **Malik Karim Ullah Khan :** Will Government kindly lay on the table a statement showing the number of Muslim and non-Muslim teachers in the Government High Schools at Sargodha, Jhelum, Jhang, Multan and Montgomery, giving the aggregate of monthly salaries received by the Muslim and non-Muslim teachers ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The required statement is laid on the table—

Name of School.	No. of Muslim teachers.	No. of non-Muslim teachers.	Monthly aggregate salary for Muslim teachers.	Monthly aggregate salary for non-Muslim teachers.
			Rs.	Rs.
1. Government High School, Jhelum.	11	11	700	890
2. Government High School, Sargodha.	6	12	474	1,129
3. Government High School, Montgomery.	3	9	175	810
4. Government High School, Multan.	12	20	756	1,406
5. Government High School, Jhang.	5	14	500	1,358

COMMUNAL REPRESENTATION AMONG ASSISTANT PROFESSORS EMPLOYED IN AGRICULTURAL COLLEGE, LYALLPUR.

1350. Malik Karim Ullah Khan : Will Government kindly state the number of Assistant Professors employed in the Punjab Agricultural College, Lyallpur, with special reference to communal representation ?

The Hon'ble Lala Har Krishan Lal : Answer to this question is covered by my answer to question No. 1324.*

COMMUNAL REPRESENTATION IN THE OFFICES OF DIVISIONAL INSPECTORS OF SCHOOLS.

1351. Malik Karim Ullah Khan : Will Government kindly lay on the table a statement showing the names, qualifications and grades of pay of the Muslims and non-Muslims in the offices of the Divisional Inspectors of Schools in the Province.

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

Statement showing the names, qualifications and grades of pay of the Muslims and Non-Muslims in the offices of Divisional Inspectors of Schools in the Punjab—concluded.

Name of Office.	MUSLIMS.		NON-MUSLIMS.	
	Name.	Qualifications.	Name.	Qualifications.
Office of Inspector of Schools, Lahore Division.	M. Nazir Ahmad Khan.	(On deputation) ...	Lala Ram Chand ...	Entrance Examination
	M. Mehraj-ud-Din.	Anglo-Vernacular Middle.	Lala Mukunda Mel... Lala Densat Ram ... Bhai Dayal Singh, (Officiating). Lala Kishor Chand... Lala Gowardhan Das	Ditto ... Ditto ... Clerical and Commercial Examination. Matriculation (on deputation). Matriculation
	M. Imam-ud-Din	Matriculation	Lala Pran Nath, (offg.). B. Balwant Singh ... Lala Sital Das	Ditto ... (On long leave)
	M. Ullah Ditta ... Mian Abdul Hamid ... M. Maqbul-ur-Rahman (offg.)	Ditto ... Ditto ... Ditto ...	Lala Labhu Ram ... Lala Amin Chand ... Lala Lal Chand ... Lala Bihari Lal ... Lala Ball Ram (offg.) Lala Sham Das	Matriculation ... Ditto ... Ditto ... (Under-training) Matriculation ... Matriculation
	H. Muhammad Fakih.	Matriculation	Lala Parma Nand ...	Ditto
Office of Inspector of Schools, Multan Division.	M. Karim-ud-Din	Intermediate	Lala Ramji Das ... B. Balwant Singh ... Lala Bishambar Nath, (officiating). Pt. Der Datt	Ditto ... (On deputation) Matriculation ... Ditto
	M. Ahmad Nawaz Khan.	Matriculation		

75-5-100-5-125

40-2-80/-2-90

40-2-80/-2-90

40-2-80/-2-90

40-2-80/-2-90

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40-2-80/-2-90

40-2-80/-2-90

GOVERNMENT COLLEGE HOSTEL.

1352. **Malik Karim Ullah Khan** : Will Government kindly state if any Muslim students were refused admission to the Government College New Hostel; if so, on what grounds?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : No students have been refused Boarding House accommodation, though a few had to wait for a short time.

HORSE ALLOWANCE TO EXCISE OFFICERS.

1353. **Malik Karim Ullah Khan** : Is it a fact that Police officers while on privilege leave draw fixed horse allowance, while Excise officers are not allowed to draw such fixed allowances for that period?

The Hon'ble Lala Harkishan Lal : (a) Two varieties of conveyance allowance are drawn by Police officers—

- (1) by officers who have to maintain and offer for inspection from time to time a charger of a good stamp. Their case is analogous to that of Cavalry;
- (2) by officers whose duties do not require the maintenance of a charger, but who must be provided with some form of conveyance, e.g., by Court Inspectors.

The first variety of allowance is drawn by officers when on privilege leave and joining time, because the officer is at all times responsible for the charger which must be kept in good condition. The second variety of allowance is not so drawn, but it is paid only to enable the officer to move from place to place. He is at liberty, if he wishes, to hire a horse when on duty, and when on leave to dispose of it as he thinks fit. The case of Excise officers is analogous to that of Police officers who draw the second variety of conveyance allowance.

(b) Does not arise.

COMMUNAL REPRESENTATION IN MEDICAL DEPARTMENT IN SHAHPUR AND JHANG DISTRICTS.

1354. **Malik Karim Ullah Khan** : (a) Will Government kindly lay on the table a statement showing the number of Muslim and Non-Muslim Civil Surgeons, Assistant Surgeons, Sub-Assistant Surgeons, Dressers and Clerks working in the various hospitals in the Shahpur and Jhang Districts, and the office establishment of the Civil Surgeons at Sargodha and Jhang?

(b) What is the proportion of Muslims in the total population of the two aforesaid districts?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) The statement asked for is laid on the table.

- (b) The proportion of Muslims in the total population is —
- in Shahpur District 80 per cent.
 - in Jhang District 80 per cent.

*Statement showing communal representation in Medical Department
in Shahpur and Jhang Districts.*

Community.	Civil Surgeons.	Assistant Surgeons.	Sub-Assistant Surgeons.	Dressers and Compounders.	Clerks in Civil Surgeon's Office.
SHAHPUR DISTRICT.					
Muslims ...	...	...	6	11	...
Non-Muslims ...	1	3	14	21	3
JHANG DISTRICT.					
Muslims ...	...	1	1	4	...
Non-Muslims ...	1	3	11	21	2

SECRETARIES OF DISTRICT BOARDS AND MUNICIPALITIES.

1355. **Malik Karim Ullah Khan:** Will Government kindly lay on the table a statement showing the names and qualifications and grades of pay of the Secretaries of District Boards and Municipalities in the Province and state how many of them are zamindars and how many non-zamindars?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

REWARD FOR OVERSEAS SERVICES TO CIVIL EMPLOYEES.

1356. **Malik Karim Ullah Khan:** (a) Did Government make any promise to any civilian employees of the various departments of the Province before they were sent overseas during the great war to reward them substantially on their return?

(b) If so, what is the total number of such persons who were taken from each department and how far has the promise given been fulfilled?

The Hon'ble Sir John Maynard:—(a) Government issued a press *communiqué* in March 1918, announcing in what respects preferential treatment would be accorded to candidates for civil employ on the score of War services, a copy of which is placed on the table for the hon'ble member's perusal. It will be seen that paragraph 7 of this *communiqué* relates in particular to those who were in civil employ before enlistment in the army.

(b) It is understood that the practical object which the hon'ble member has in view is to secure that the promises made in this *communiqué* are fulfilled. The instructions are still in force, and, if attention is drawn to any instance in which they have not been carried out, the case will be investigated. It is not, however, thought that a general enquiry of the kind here suggested would be fruitful of results.

PRESS "COMMUNIQUE."

The following instructions have, with the approval of the Lieutenant-Governor, been issued to all Heads of Departments, Commissioners and Deputy Commissioners in the Punjab in regard to the preferential treatment to be accorded to candidates for civil employ on the score of War services :—

1. In regard to entry into the public service, preference should be granted, to the extent indicated in the paragraphs below, to those who have, during the present war—

(1) served in the army, or

(2) rendered valuable service to the army, *e. g.*, by way of recruiting.

In each case appointing officers should satisfy themselves that the services claimed have actually been rendered. There will be little difficulty in establishing service in the Army, and all who have, during the course of the war, been subject to the articles of War should be deemed to have served in the army.

The safest test of the value of other service will be—

(a) Sanads and other rewards granted by Government or Government officials ;

(b) the local knowledge of the officers in whose time the services were rendered, and

(c) certificates granted by such officers.

2. Many of the persons putting forward claims will be the relatives of those who have actually rendered the services. In order to establish a claim to preferential treatment such persons should not be further removed from those in virtue of whose services they claim, than brothers, uncles or uncles' sons.

3. In the case of appointments to posts for which no educational qualifications are required, a strong preference, subject to physical fitness, should be granted, save where there are very exceptional competing claims, to candidates who come within the scope of paragraphs 1 and 2.

4. In the case of appointments to posts for which a maximum educational qualification is required, such candidates should, subject to similar conditions, be given preference over others possessing the same minimum qualification. In such cases they may also be given preference over others who have passed the next higher examination. For example, a matriculate with War services applies for an appointment for which only matriculates are eligible. In virtue of his War services he should be given preference over other matriculates who have rendered no such services, and he may also be appointed in preference to men without War services who have passed the F. A.

5. In the case of appointments for which technical qualifications are required, preference should be given to such candidates as compared with others without War services who possess similar technical qualifications.

6. A further concession is called for in regard to the age limit for appointments. A candidate who has actually served in the army should be regarded as eligible even though over age, if the deduction of the period of

service from his actual age brings it within the limit. For instance, with an age limit of 25, a man of 27, who has served for 3 years during the war, would be treated for the purpose of admission to civil employment as though he were 24. The deduction should, however, be limited to a maximum of 5 years.

7. The question of the promotion of those already in civil employ who have rendered War services will doubtless receive adequate attention from the officers with whom the promotion rests and no instructions are called for.

MILITARY MEN AS DRILL AND GYMNASIIC INSTRUCTORS.

1357. **Malik Karim Ullah Khan:** Will the Government kindly order that the posts of Drill and Gymnastic Instructors should be reserved for Military men and take steps for their training?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: Physical training instructors for schools are specially trained as such by the Adviser in Physical Education, as modern methods demand a carefully graduated scheme of training for boys of different ages. Ex-soldiers, when suitable, will be preferred.

COMMUNAL REPRESENTATION AMONG MUNSIFS.

1358. **Chaudhri Ali Akbar:** Will Government please give the answer promised to my question No. 1155* of the 10th January 1922, as regards communal representation among Munsifs?

INCREASING THE NUMBER OF AGRICULTURIST MUNSIFS.

1359. **Chaudhri Ali Akbar:** Will Government please give the answer promised to my question No. 1156* of the 10th January 1922 as regards increasing the number of agriculturist Munsifs?

The Hon'ble Sir John Maynard: Answer to questions Nos. 1155 and 1156 was communicated as promised to the hon'ble member in Punjab Government letter No. 4922, dated the 14th February 1922, a copy of which is laid on the table.

No. 4922-Judicial, dated the 14th February 1922.

From—The Home Secretary to Government, Punjab,

To—Chaudhri Ali Akbar, M. L. C.

I AM directed by the Governor in Council to reply as follows to questions Nos. 1155 and 1156, put by you at the last session of the Punjab Legislative Council on the 10th January 1922:—

Question No. 1155.—

- (a) Ninety-six (90 permanent and 6 additional).
- (b) The attention of the hon'ble member is invited to pages 158-162 of the Punjab Civil List for October 1921.
- (c) It is difficult to ascertain the exact figures, but from the material available, it appears that there are 30 agriculturists and 66 non-agriculturists.

Question No. 1156.—

(a) Not necessarily.

In this connection attention is invited to paragraph 6 of the Hon'ble Judge's note on the administration of Civil Justice for the year 1920 (copy enclosed).

(b) No information is available, and to give a suitable reply would entail an unreasonable amount of trouble.

(c) No statistics are available.

(d) In the recruitment of Munsiffs—which is within the jurisdiction of the Hon'ble Judges of the High Court—the Judges always fully consider the claims of agriculturists.

TELEGRAPH SERVICE BETWEEN GURDASPUR AND SHAKARGARH.

1360. Chaudhri Ali Akbar : (a)—Is it a fact that there is distance of about 22 miles between Gurdaspur city and the head-quarters of Tahsil Shakargarh, and that the rivers Ravi and Beas intervene between the two places?

(b) Is it also a fact that it is very dangerous to cross the two rivers during the rainy season?

(c) Is it a fact that there is no telegraph service between Gurdaspur city and the head-quarters of Tahsil Shakargarh?

If so, will Government consider the feasibility of securing a telegraph service between the two places?

The Hon'ble Sir John Maynard : (1) The reply to parts (a), (b) and (c) of the above question is in the affirmative.

As there is a scarcity of line material and other more urgent demands have to be met, Government are not at present in a position to consider a scheme for a telegraph service between Gurdaspur city and the head-quarters of Tahsil Shakargarh.

CANAL FROM RIVER UJH.

1361. Chaudhri Ali Akbar : Will Government be pleased to state if it is a fact—

(a) that the entire area of Tahsil Shakargarh consists of *barani* lands;

(b) that in case the rain fails it is followed by scarcity of water and fodder;

(c) that the river Ujh passes through Tahsil Shakargarh;

(d) if the answer to the above queries are in the affirmative will Government be pleased to instruct the Irrigation Department to dig a canal from the river Ujh at Jalala ferry, so as to enable zamindars of Shakargarh to tide over seasons of scarcity?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : (a), (b) and (c) Yes.

As regards (d) the scheme for the Ujh Canal was considered in 1902 and was abandoned on the grounds of excessive cost. The canal if constructed would be unproductive.

CHANTANG CANAL.

1362. Chaudhri Bans Gopal : (a) Is it a fact that the inhabitants of the villages formerly watered by the Chantang Canal in the Karnal District are not getting any water at all since several years on account of the dilapidated condition of its banks ?

(b) Is it a fact that a certain amount is provided by the Government in the financial budget to put the above canal in proper running order ?

(c) If so, will the Government be pleased to state what the amount is, and by what time the work is likely to be taken in hand so as to insure proper irrigation ?

(d) If not, will the Government be pleased to provide a sum in the budget and take early steps for the above purpose ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The information is being collected and will be supplied to the hon'ble member when ready.

AGRICULTURAL FARM, KARNAL.

1363 Chaudhri Bans Gopal : (a) Will the Government be pleased to state what steps, if any, have been taken for acquiring some land of the Military Dairy Farm, Karnal, for the proposed Agricultural Farm at Karnal ?

(b) By what time is the land in question likely to be acquired by the Agricultural Department ?

The Hon'ble Lala Harkishan Lal : A suggestion was made by the Director of Agriculture to obtain from the Military authorities a portion of the Military Dairy Farm area at Karnal for an Agricultural Farm. The Military authorities, however, refused to give up any portion of the area and the matter was not pursued further.

COMMUNAL REPRESENTATION IN THE EDUCATION DEPARTMENT.

1364. Rai Bahadur Lala Sewak Ram : (a) Will Government be pleased to state how many new appointments, temporary, officiating and permanent, were made in the year 1921 in the Indian Educational Service, Provincial Educational Service and Subordinate Educational Service, respectively, from among—

(a) Hindus,

(b) Muhammadans,

(c) Sikhs,

(d) Christians ?

(b) Will they also state how many of such appointments in each of the above Services have been made by promotion from lower grades and how many by direct recruitment ?

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain : The required information is laid on the table :—

SUBORDINATE EDUCATIONAL SERVICE.

	Direct permanent appointment.	Promotion of permanent hand from lower grade.	Officiating appointment by direct recruitment.	Officiating appointment by promotion from lower grade.
Hindus	21	37	25	18
Mohammadans	20	28	13	9
Sikhs	6	3	4	...
Christians ... ..	...	...	...	1

PROVINCIAL EDUCATIONAL SERVICE.

Hindus	1	1	2	...
Muhammadans	1	1	...	8
Sikhs	1	1	...	...
Christians ... ..	...	...	...	...

INDIAN EDUCATIONAL SERVICE.

Hindus ... ..	...	3	1	2
Muhammadans ... ..	...	2	...	8
Sikhs ... ..	...	1	...	...
Christians ... ..	...	...	1	...

Malik Firoz Khan, Nun : Will Government be pleased to give reasons as to why only 13 out of 42 officiating appointments in the Subordinate Educational Service were given to Mussalmans and 25 to Hindus. Will also Government be pleased to give reasons why only 9 out of 28 officiating appointments in the Subordinate Educational Service were given to Mussalmans while no less than 18 went to the Hindus ?

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain : I am afraid I must have notice of these questions.

Mian Ahmad Yar Khan, Daultana.—Is it a fact that in the year 1921 only two out of six permanent Indian Educational Service appointments

were given to Muhamadans and then only three out of seven officiating Indian Educational Service appointments have gone to Mussalmans. Cannot more permanent appointments be given to Mussalmans who form more than one-half the population of the whole of this province?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Sir, that again is a question the latter part of which I cannot answer without notice. The answer to the first part is in the affirmative.

PUNJAB LAND ALIENATION ACT.

1365. Mr. Ganpat Rai : Will Government be pleased to lay on the table a statement showing from year to year the gain of land to the agricultural tribes from non-agriculturists since the passing of the Punjab Land Alienation Act?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The first year for which figures are available is the agricultural year 1901-02. A statement is laid on the table giving the particulars of gain to agricultural tribes in sales from and including that year. It will be seen that the gain has been constant except in the year of 1903-04. If figures concerning mortgages are required, a reference should be made to the reports on the working of the Punjab Alienation of Land Act, 1900, for the years from 1901-02 to 1907-08, and to Land Revenue Administration reports for subsequent years.

Statement showing from year to year the gain on sales of land to the Agricultural Tribes from the non-agriculturists since the year ending September 1902.

Period	Gain in acres.
For the year ending 30-9-1902	9,518
Ditto 30-9-1903	5,930
Ditto 30-9-1904	11,574 loss.
Ditto 30-9-1905	1,040
Ditto 30-9-1906	490
Ditto 30-9-1907	4,000
Ditto 30-9-1908	12,070
Ditto 30-9-1909	5,781
Ditto 30-9-1910	5,844
Ditto 30-9-1911	14,220
Ditto 30-9-1912	30,537
Ditto 30-9-1913	70,000
Ditto 30-9-1914	14,015
Ditto 30-9-1915	28,527
Ditto 30-9-1916	20,000
Ditto 30-9-1917	21,000
Ditto 30-9-1918	9,000
Ditto 30-9-1919	41,000
Ditto 30-9-1920	26,000

GOVERNMENT'S SUPPLEMENTARY DEMANDS FOR GRANTS. IRRIGATION GRANT.

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

"That a supplementary sum not exceeding Rs. 19,05,100 be granted to the Governor in Council, Punjab, under the Major Head " XIII—Irrigation—Working Expenses and 15—Miscellaneous—Irrigation Expenditure " to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

LAND REVENUE GRANT.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '5—Land Revenue' to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

GENERAL ADMINISTRATION GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "22—General Administration" to defray charges which will come in course of payment during the year ending on 31st March, 1922."

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

That the grant be reduced by Rs. 2 with respect to the item of Rs. 2,000—Payment for articles for the Press.

Sir, I beg to submit that I have entirely failed to see any necessity for this item of expenditure. It appears to be an attempt at reviving the defunct Publicity Board which received its death sentence last year at the hands of this Council. Every paper in the province irrespective of political ideals and opinions promptly publishes the Government *communiqués*. The *Civil and Military Gazette's* hospitable columns are always at the disposal of the Government to be utilised. In view of these facts I think it a waste, an unprofitable expense of public money, to pay on account of the articles for press. I trust the Council will reject this item by a unanimous vote and demonstrate the utter uselessness of this demand.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, It was in March last that the Publicity Board received its death sentence from this Council, and the *Haq* its organ ceased its chequered career to the relief of all. The Council is once again face to face with a similar question. A demand has been made for a grant of Rs. 2,000 for the remaining months of the current financial year, to be paid to professional journalists who will prepare articles for publications in the English and Vernacular press of the province. A further demand of Rs. 10,000 for similar purposes will be made for the year 1922-23 by the Government in the next few days. I submit, Sir, that it is the most indefensible demand, on many grounds, that has ever been brought before this house. The system of subsidising the press is open to many objections. It will demoralise it and destroy the *esprit de corps* of the journalists. It will be tempting those of the journalists who wish to sell their conscience, to spin yarns, to concoct things and fabricate events, not for the sake of doing service to their country or to the Government but for doing service to their own selves.

Sir, there are only two English papers in the province, and I know it that the *Tribune* most scrupulously represents the Government side by publishing their *communiqués* and versions. The other, *i.e.*, *Civil and Military Gazette*, is always too ready to be inspired by the Government in its articles. As regards the vernacular papers, there are some who will not publish the Government articles for love or money; there are others which

[Mian Muhammad Shah Nawaz].

are always on the look out for an opportunity to support the Government through thick and thin, in season and out of season, rightly or wrongly. Does the Government intend to bribe the papers to sell their.....

The Hon'ble Sir John Maynard : I protest against the use of the word 'rishwat' (bribe).

Mian Muhammad Shah Nawaz : I beg your pardon, Sir. Does the Government intend to subsidise the press and virtually to create a Publicity Board from an idst the public press.

The members of this Council,—Sir, hail from different parts of the province, and when they return to their homes, after the deliberations here, each in his own way and in his own sphere of influence and according to his own views gives publicity to the beneficent actions of the Government and sometimes not omitting to mention the ultimate fate of the resolutions brought forward and carried in this Council with uncommon zest and enthusiasm.

The Governments which are run on party lines, have separate organs for the propagations of ideals and views of the party the belongs to. Will not our Government similarly start and run a paper for its benefit and the benefit of its supporters, and the same may be maintained by subscription from its readers.

Then, again, Sir, there are four Council Secretaries each getting 2,000 a year. They may be asked to undertake this job and thus save the public exchequer from a further useless drain under this new head.

The budget has a deficit of 158 lakhs, and there is not the remotest chance of rehabilitating the finances of the province if we continue indulging in such grants, I therefore support the amendment and oppose the demand being granted.

Mr. E. Joseph (Chief Secretary) : The Hon'ble member who has just spoken said, I think, words to this effect—"The best agency for publicity is this Council." I entirely agree with him, Sir, that it is the best agency which the Province could have, but I would like to ask the hon'ble member what steps he has ever taken to fulfil the function—the proper function—of a Publicity Board? If the hon'ble members, Sir, who by sitting here are professed co-operators with Government, were to use their powers to explain to the people in season and out of season, in private and in public, the real motives which actuate Government, and the real reasons on which the policy of the Government is based, then there would be nothing more to be desired. Also if the members were fulfilling this function, then, Sir, there would be no necessity for asking the Council to vote such an expenditure, but, Sir, I venture to say that the hon'ble members do not use the powers that they might as a Publicity Board, and instead of doing this, in some cases, they let the Government's action be misrepresented. You are aware, Sir, that questions are constantly asked in the Council and information supplied, but to-day's list of questions will show how little such information is used by hon'ble members. In the answers given to-day, the hon'ble members were repeatedly referred to the answers that had already been given, to papers that had already been circulated to them, to papers that had already been laid on the table, and to papers that are in the Council Library. But, Sir, instead of taking advantage of the information supplied, and supplying that information, in turn, to

their constituents, all that they do is to ask that money should not be spent on informing the public. Those who co-operate with Government—the moderate politicians—even some of the members of this house, come to me and beg the Government to support them and to give the country information as to what is being done. That, Sir, is exactly what the Government is trying to do. Government is prepared to make a small expenditure in order to be able to enlighten both the members of this Council and still further constituents, and it is hardly reasonable the opposition to that little expenditure should be mooted by members themselves.

Diwan Bahadur Raja Narendra Nath [Punjab landholders (general)] (Urdu) : A few minutes ago I had no idea of speaking on this amendment, but certain remarks and observations made by the official member opposite call for an answer which I deem it fit to make. At the outset I might say that it is certainly not essential for the members of this Council always to advocate the Government point of view. A co-operator and a moderate is not bound by any canon to say ditto to the Government. They are certainly free to disagree with the Government wherever they find themselves honestly and genuinely at variance with the Government's line of action. We give due publicity to the beneficent actions of the Government, we explain its motives, we remove misunderstandings, and we strive to do what is practicable in this way.

Apart from monetary considerations I have another objection on another score. The Publicity Board was a publicity department of the Government as such with the avowed object of advocating and propagating the Government point of view. The public knew it and took everything coming from it with the usual grain of caution. But the present arrangement of subsidising the press and paying the professional journalist for writing for public consumption under false colours is open to serious objections. It will be a secret imposition on the public. I beg to suggest, Sir, in this connection that a Publicity Board from amongst the members of this Council be created, who will begin to realise their responsibilities in this direction, who may be expected to represent Government's motives and actions in truer lights and more favourable colours. With these words, Sir, I beg to support the amendment.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural] (Urdu) : Sir, like my predecessor I had no idea whatsoever of making a speech on this amendment, but after hearing the speech of the official member opposite, I cannot refrain from saying a few things. It appears from the hon'ble official member's speech that he is not at all pleased with the co-operators and moderates. Surely he must be expecting too much from this class of public men that he feels incensed at little resistance offered at times to the Government benches. If he expects, Sir, that we should silently and unintelligently offer co-operation, it will not be so. I assure you, Sir, whatever we do say here in the Council and outside it, in respect to the Government, we do in strict accordance with our respective consciences. We are never spurred or deterred to do a thing from fear of official power or for favour of official smiles. I pray the Government, Sir, to desist from persisting in this demand. I am afraid the money thus granted will be utilised, perhaps unwittingly, in purchasing the consciences of journalists. The truth is the truth after all; however much you may distort and twist a fact, it will emerge as the real fact some day. I therefore pray the Government to have no apprehensions on account of the suppression of the truth. I support the amendment for the cancellation of this grant whole heartedly.

The Hon'ble Sir John Maynard : I should like to take an early opportunity of removing any impression that may be created in this Council that Government does not think that the members of this house are doing their duty in co-operating with Government. Sir, I am satisfied that the members of this house are genuine friends of Government, and I am quite satisfied that they take every possible opportunity that presents itself to them of assisting in removing misapprehensions. Of that, I am quite satisfied, but, at the same time, I feel that it is probably not possible for them as members of this Council to devote their efforts and to fill altogether the place of those writers in the press whose articles command such a very extensive publicity. The object of the arrangement for which it is proposed to spend Rs. 2,000 during the present year is to remove certain false impressions which have been made on the minds of the public by false statements made in the newspapers and also to give to the public certain information in an attractive form which they probably do not otherwise get. Sir, I think perhaps the best way of bringing home to this Council the necessity of contradicting false rumours is to mention few instances in which attempts were made to prejudice the public. With your permission, Sir, I will only quote a couple of them, though there are hundreds of them. In the first place, we had, not long ago, at the time when the Manager of the Golden Temple, Amritsar, had been asked to deliver up the keys of the treasury of the temple to the Deputy Commissioner, we had a great many people repeating a very dangerous falsehood, and that dangerous falsehood made its appearance frequently in the public press. The dangerous falsehood which was being repeated was this that Government had taken away the keys of the Durbar Sahib and were not allowing the worshippers to have access to the sacred precincts. Sir, as that falsehood was one which naturally affected profoundly and most dangerously the minds of a large community, it might have led to most serious results. It is true that the Government issued *communiqués* stating that it was false : but these *communiqués* are very dull and dry. They did not reach people in the same way as the highly spiced articles in the newspapers reach them, and the result was that we were debarred from telling people the true facts and contradicting a falsehood which was extremely likely to lead, as I have said, to most dangerous results. This is one thing which affected one community. Then, Sir, there is a falsehood which is even now being freely repeated and with the obvious intention of producing a result upon another community very similar to that which was being produced by the story about the exclusion of the worshippers from the Golden Temple. A story was being told that the British not only bombarded Mecca and Medina, but are actually in possession of these places. These statements, Sir, are wicked lies. I do not doubt that all gentlemen here know that they are wicked lies, but that does not prevent them from being perpetually thrust upon the ignorant population of this province and does not save the Government and society generally from the perils to which it is subjected in consequence of the constant repetition of these lies. Now, Sir, does any one desire to snatch from the hands of Government the means by which it will contradict these dangerous lies? Does anyone desire that Government alone, among all bodies in this province should be prevented from using a voice which will reach the people?

Every other body has started its own publicity bureau but some gentlemen here desire to prevent the Government from making use of the public press in such a manner as to contradict falsehood. It has been suggested that this may be done by *communiqués*. I have already said that mere

communiqués would not be enough. They are dull and dry. It has again been suggested that the *Civil and Military Gazette* is, as it were in the pocket of Government, prepared to publish anything and everything which the Government desires. I should like to disabuse the mind of the house and tell them that the *Civil and Military Gazette* takes its own line and sometimes it takes a line which Government does not at all approve. It is a great mistake to represent the *Civil and Military Gazette* as a Government newspaper. It certainly cannot serve the purpose which Government desires. Let me add, Sir, a word with reference to a remark which has been made by my friend Mian Muhammad Shah Nawaz. He made use of a word which is very unpleasant and which I do not wish to repeat. I myself have personally taken over charge of this particular business of article writing and.....

Mian Muhammad Shah Nawaz : Well, I am sorry that I used that word, but I withdrew it.

The Hon'ble Sir John Maynard : Let me tell the house that in order that these methods may be worked in a thoroughly satisfactory manner I have taken it upon myself to be in charge of this business of article writing. I know that the journalists who are employed are willing to write just as any legal practitioner is prepared to conduct a case, on behalf of any person who is willing to pay his fees. It is just in the same way as a legal practitioner is given a case to be conducted before a court of law. A private litigant pays the legal practitioner the proper fee for conducting his case and Government pays the journalist the market rate for putting its case before the public. I do not pay the journalist until I see the articles myself. So there is a guarantee that the work will be done in a completely satisfactory manner, one which will not be open to any suggestions of the kind to which I have been referred. I think I need not say anything more on the subject except that I trust the house will support us in our attempt to contradict falsehood and to spread a knowledge of facts.

Mr. President : This is a very small matter and the debate has been lengthened owing to the impression created that there was a reflection cast on members. I suggest that we come to a decision.

The amendment before the Council is—

"That the grant be reduced to Rs. 2 with respect to the item of Rs. 2,000—Payment for articles for the Press."

The amendment was lost.

Mr. President : The original motion now before the Council is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "22—General Administration" to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "24—Administration of Justice" to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

JAILS GRANT.

The Hon'ble Sardar Bahadur Sardar Sunder Singh Majithia (Revenue Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head "25—Jails and Convict Settlements" to defray charges which will come in course of payment during the year ending on 31st March 1922."

Mian Muhammad Shah Nawaz [Lahore (Muhammadan) Rural]—(Urdu) : Sir, the Government demands an amount of Rs. 22,500 for the purchase of barracks at Montgomery for use as a temporary jail in the event of civil disobedience being started in the province. I submit, Sir, that in the first instance mass civil disobedience has been suspended, perhaps for good, by virtue of the Bardoli resolution, which was adopted immediately after the violent and tragic outburst at Chauri Chaura. This resolution stopped the activities of the non-co-operators of an offensive and aggressive nature. The Delhi resolution of the 25th ultimo confirms the Bardoli resolution with certain modifications, allowing individual civil obedience only both of defensive and aggressive character. I submit, therefore, Sir, that there is no apprehension of mass civil obedience being started in the province, and hence there will not be any want of the proposed temporary jail. Furthermore the Criminal Law Amendment Act and the Seditious Meetings Act, the only two obnoxious measures which are at present being disobeyed in vindication of the rights of free speech and free association, will certainly be withdrawn sooner or later and the necessity for a temporary jail, if any, will automatically cease. I have stronger objection to the expenditure of an amount of more than Rs. 12,000 for erecting barbed wire entanglements. The non-co-operators who court imprisonment and incarceration will not require barbed wire entanglements to keep them from running away. It is a useless item of expense in so far as it is not to meet the existing state of affairs, but it is a provision for an anticipated danger which may never come to pass. I therefore entreat the hon e to disallow this demand.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, I hail from Montgomery and can thus testify to the fact that the barracks, which it is contemplated to purchase, are indeed a most valuable piece of property that will come into possession of the Punjab Government. It is intended to convert those barracks into temporary jail for the benefit of political prisoners, I can assure the Council that there will not be a place so comfortable and convenient for their lodging. Whenever there will be a change in the situation in the province these barracks can be converted into schools. I therefore think, Sir, that it is most advantageous to purchase these barracks. I oppose the amendment of my friend, and trust that in view of the explanation, he will withdraw it.

Mian Muhammad Shah Nawaz : I take more serious exception to the expenditure of Rs. 12,000 on barbed wire entanglements than anything else. I therefore cannot withdraw it.

The Hon'ble Sardar Bahadur Sardar Sunder Singh Majithia : (Urdu) :—Sir, With your permission I should like to speak in vernacular. My friend Mian Muhammad Shah Nawaz has taken exception to the demand of Rs. 22,500 for the purchase of barracks at Montgomery for converting it into a temporary jail in the event of 'civil disobedience' being started

in the province. He appears to have visualized the mental picture of a jail with all its associations, good or bad, and these appear to have scared him much. He has been laying special emphasis on barbed wire, and has conjured up before this house a terrible picture of the barracks converted into a jail for State offenders.

I beg leave to lay before the house figures and facts to enable them to judge the necessity of creating a temporary jail. The total combined accommodation in the Punjab jails is for 13,554 convicts. In the month of June 1921 there were as many as 14,186; in July, 14,451; in August, 15,244; in September, 15,384; in October, 14,969; in November, 15,287; in December, 15,395; and in January 1922 there were 15,364 convicts in the Punjab jails. These figures will amply demonstrate that the average population of the Punjab jails has been far in excess of their available accommodation. If I may be permitted to go in the details, Sir, it will bring home to this Council the necessity of creating a temporary jail. In the Central Jails of the Province there is accommodation for 8,557. The comparison of the figures show that in June last there were more than 370 convicts in excess of the available accommodation—in July, 822; in September, 991; in October, 754; in December, 1,204; and in January, 1,922; there were 1,233 convicts more than the allotted figure in the jails. These figures should by themselves be sufficient to convince any of the dire necessity of improvising a temporary jail to meet the anticipated influx of prisoners, should they break the law in the event of the civil disobedience campaign.

It is common knowledge, Sir, that crime and dacoities are on the increase in this province, being the direct result of the preaching and practicing of the defiance of constituted authority. In the district of Gurdaspur alone there have been as many as 32 cases of dacoities. In view of these facts it is indispensable that a temporary jail be created unless normal conditions are restored. It requires no less than 14 lakhs to build a jail, and the present demand is far below what would otherwise would have been required.

I personally see no signs of the abatement of non-co-operation. It is as fickle as the summer skies, the storm may burst at any time in the apparently calm atmosphere. Government cannot surely adopt the policy of wait and see in such an affair. Besides this there is an incessant popular demand for keeping the political prisoners apart from the criminals. We will be doing nothing but conforming to the popular demand in this respect by creating a separate jail for them. Every jail has got high walls around it, and we are instead encircling the barracks with barbed wire entanglements which is a less expensive substitute for the necessary wall. Only a few months back there was a very serious attempt to break through the Central Jail, Lahore, which had to be suppressed by firing. It will not be prudent to trust the offenders against law in open barracks without let or hindrance relying upon their good faith. Who knows what they will not do to make the administration of the jail difficult. I therefore beg to press upon the attention of this house that we have to meet a situation which is already bad and may become worse any day, and that we could not find a more economical and convenient method of doing it than we have. I hope and trust that the Council will not accept the amendment and sanction the demand.

Mr. President :—I understood Mian Muhammad Shah Nawaz to mean that if it was shown that there was need for more jail accommodation he wished to withdraw his opposition. Does the explanation given by the Hon'ble Revenue Member satisfy him?

Mian Muhamman Shah Niwaz.—No, Sir.

Malik Firoz Khan, Nun :—Sir, I beg to move—

That the question be now put.

Mr. President :—The motion before the Council is—

"That the question be now put"

The motion was carried.

Mr. President.—The motion before the Council is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '25—Jails and Convict Settlements' to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

POLICE GRANT.

The Hon'ble Sir John Maynard [Finance Member] : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '26—Police' to defray charges which will come in course of payment during the year ending on 31st March 1922."

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

"That the grant be reduced by Rs. 2 with respect to the item of Rs. 1,95,000—Recruitment of additional police."

Sir, The Hon'ble Finance Member has moved for a demand of Rs. 1,95,000 under the Major Head "Police." I move this amendment and request the Hon'ble Finance Member to lessen his demand by Rs. 50,000. Since the reasons advanced by him while introducing this item are not very convincing and moreover since we are already nearly bankrupt we must curtail our expenses. The Government are also going to make a huge demand in the new budget under the same head, and I think if this demand is lessened by Rs. 50,000 it will make little difference. I shall feel obliged if the Finance Member agrees to it.

The Hon'ble Sir John Maynard.—I should be very glad if it had been possible to meet the wishes of the hon'ble mover of the amendment, but the position in the Punjab at present as regards the maintenance of law and order and repression of crime is much more serious than it is believed to be. There are no less than three different matters which threaten disorder in this province. In the first place there is something of which I gather he and some of those who think with him are completely ignorant. At the present time in 13 districts of the Punjab bands of persons who style themselves Akalis are disturbing the public tranquillity in a manner which threatens very serious danger to the general order. They go about in military formation, carrying weapons, sometimes swords and even *safajangs* on their shoulders: in a menacing fashion they draw their swords, they threaten travellers by brandishing their weapons. They force their way into Railway trains, they travel without tickets in defiance of the law, and

form bands for the purpose of enforcing their own law and do as they please. They terrorise zaildars and local notables, they intimidate soldiers on leave and threaten them with the molestation of their women if they do not leave the army. They interfere with Magistrates in the trial of cases; they make speeches of a violent and revolutionary kind claiming in quite definite language that the Raj in the Punjab is for themselves and declaring that they are ready, at the word of command, to overthrow the law (a cry of "hear, hear.") I heard some one say "hear, hear." I think that this method of interpreting the meaning of *swarajya* will not commend itself to all other communities. *Swarajya* is an excellent thing, but when it presents itself in the form of a *Raj* of a band of Akalis I am not quite certain that everyone would be equally pleased with it. Sir, a month or two ago we only knew of fifteen thousand of these people, but since then they have increased very greatly: and I believe I am making a cautious estimate when I put their number at Rs. 25,000. The organisation is to some extent in a fluid state, and it is very difficult to say that they may not be joined by a substantially larger number of persons. I say, Sir, that order is threatened by the existence of a body of something like 25,000 men, all with arms, and a proportion of them of criminal classes and all ready to make use of their opportunities if the strong hand of Government should be for a moment withheld. That is the position with regard to one of the difficulties in the Punjab at present which necessitates the employment of additional Police.

Then, Sir, there has been, as we all know, for some time past an advocacy of civil disobedience. That had undoubtedly weakened the authority of Government and the agents through which the Government acts. Some people believing in a beautiful and innocent world think that civil disobedience is a perfectly peaceful and gentle thing. They do not understand apparently why it is the cause of anxiety to those who are responsible for the maintenance of law and order. Persons who have given evidence in Courts of law and co-operated with Government have been boycotted and persecuted; and this has been carried on even after death, so that there has been interference with the burial of dead bodies. The difficulties of the Police have been enormously increased by these steady attempts to undermine authority and this is one of the reasons why they are not able to cope with duties without the increase proposed. Again, Sir, some one believing in that beautiful and innocent world, which is somewhat unlike that with which we are actually in contact, someone has said that owing to the Bardoli resolutions, we need not any longer be afraid that anything will go wrong. Sir, I seem to recollect that after the Bombay riots in which something like 150 people were killed and injured some pious personages decided that there should be nothing more in the way of civil disobedience or any such interference with authority. Sir, the impressions produced by these Bombay incidents faded away very rapidly, and I regret to say that the hon'ble members will remember very well that within a short period other persons had met together and the decision made was whittled down till nothing remained of it. It is not possible in such circumstances for Government to neglect its duty to provide against the dangers of the policy which was temporarily dropped at Bardoli. Even if the saintly organizer of the agitation were himself determined to insist upon the complete abandonment of civil disobedience, we know perfectly well that many of his followers will cease to follow him and take to a more dangerous course. The activities of the Akalis and the perpetual preaching of the defiance of authority and overthrowing of the

[Sir John Maynard.]

law have produced very serious results upon the state of crime in this province—I mean there are more murders, more dacoities, more burglaries. The people of this province are suffering because authority has been undermined, and because the criminals have been told that it is right to disobey the law. That result is shown in the reports which have been published in the form of a press *communiqué*. They have been placed before the Standing Police Committee of this Council and before the Standing Finance Committee. But it is always necessary to keep on repeating these things, and I must, therefore, repeat them again. The *communiqué* explained that crime in the year 1921 was higher than in any of the past ten years, with the exception of the year 1913. The increase was the greatest in the Central Range where the total was more than in the preceding year by 4,296 cases. It is generally explained by the officers who deal with these matters as being practically a defiance of law. Although it is no doubt partly due to unfavourable economic condition and high prices, it is very largely the result of political unrest and the attempts to undermine authority in any form. There were 160 more dacoities in the year 1921 than there were in the year 1920; there were 117 more murders than there were in the year 1920; and there were 4,816 more burglaries than in the year 1920. Government then announced to the public these figures and the necessity to further increase the police force. These proposals which the Council has before it are due to that serious condition of things which I have just described. I should be very glad if it were possible, with due regard to the safety of the Province, to diminish, by a portion, the demand which I have made in this Council, but I regret to say that I should not be doing my duty if I were, in any degree, to reduce it. I trust that the house will support me in doing what I consider to be absolutely necessary for the peace and order of the Province.

Maulvi Muhammad Ali Chishti—[Lahore City (Muhammadan) Urban]. (Urdu): Sir, I thank God I have been given an opportunity to speak on this amendment. There seems to be some difference of opinion between the Hon'ble Finance Member and Mian Shah Nawaz. The Hon'ble Finance Member has explained that additional police is required to meet civil disobedience and lawlessness on the part of non-co-operators. Mian Muhammad Shah Nawaz.

Mr. President: Mian Muhammad Shah Nawaz has not spoken on this amendment but on a previous motion. The hon'ble member should confine himself to this amendment.

Maulvi Muhammad Ali Chishti—(continued) " Sir, I am speaking on this amendment. Mian Muhammad Shah Nawaz holds that people hesitate to co-operate with Government because Government's attitude towards them is far from being satisfactory. This fact lends greater and greater support to non-co-operators. There is a considerable amount of truth in both the versions. It is a very difficult question whether or not civil disobedience will stop and be given up by the non-co-operators. Nobody can forecast with certainty what may be the attitude of the non-co-operators in the future. Still we can safely say that it is very likely that the number of crimes will increase in the future. In fact, non-violent non-co-operation is as much distinguishable from violent non-co-operation as was Mirza Rafi Sauda's prose from his poetry. Mirza Sauda was a very clever satirist . .

Mr. President: The hon'ble member must not give the Council a lecture on literature. The question is whether extra Police is needed.

Maulvi Muharram Ali Chishti: Sir, what I am speaking is quite relevant.

Mr. President: You must obey the chair.

Maulvi Muharram Ali Chishti: I am obeying the chair, but I think I am justified in speaking as I am.

Mr. President: I cannot allow you to argue with the chair, and must ask you to resume your seat.

(The hon'ble member then resumed his seat).

Pir Akbar Ali [Ferozepore (Muhammadian), Rural]: The increase of crime is an established fact and consequently the appointment of additional police is not only desirable but indispensable, and hence I am opposed to any reduction in the demand. But I hesitate, Sir, to fully endorse the reasons advanced by the hon'ble member as to the increase of crime. I submit, Sir, that it is mostly due to the slow disposal of justice. I have personally experienced that in criminal courts and sometimes in revenue courts the witnesses come in to court more than half a dozen times and they go back without being examined and without being paid diet money carrying home not a very good idea about the administration of justice. Again I submit, Sir, that this slow process spoils the cases. The prosecution witnesses are won over by the defence side, and moreover, this fact promotes crimes. So, as to that, Sir, I do not agree with the hon'ble member, but as it is a fact that there is increase in the crimes therefore the additional appointment of Police is desirable, and I oppose the amendment.

Mian Muhammad Shah Nawaz [Lahore (Muhammadian) Rural] (Urdu): Sir, The Hon'ble Finance Member has made a demand for additional police. I remember that only a month or so back the *Civil and Military Gazette* alleged this fact in one of its issues that since the Congress was enlisting more and more volunteers, the Government would likewise have to increase the strength

of the police. But, Sir, the circumstances have changed now. The non-co-operators have decided to abandon mass, civil disobedience, and since volunteers too have ceased from patrolling in the streets, I think we can afford to dispense with the smaller item of 500 new constables. I have a profound regard for Sir John Maynard, but I tell him honestly that I do not agree with him here. I sincerely disapprove of the injudicious policy of the non-co-operators in boycotting the Prince of Wales. If the Government mean to withdraw from operation the Seditious Meetings Act and the Criminal Law Amendment Act within a month or so I can safely say the volunteers will find little opportunity to disobey the authorities or to break any law. Hence there is reason to do without this 500 additional police. The Congress people have amended the Bardoli mass civil disobedience resolution at Delhi to the effect that mass civil disobedience has been abandoned, and that the volunteers have been directed to cease from courting arrest. The volunteers therefore are not going to tease the Government any longer. I request the Hon'ble Finance Member, therefore, to withdraw his demand so far as the smaller item of 500 constables is concerned. As regards the second item of 1,500

[M. Shah Nawaz].

constables demanded to meet the Akalis, it would not be out of place to mention that I myself possess first hand information about these Akalis. I can safely say that they are not at all revolutionary either in deed or thought, save that they have established a court of their own near my village. No apprehension need be felt by any one that there can ever be brought back anything like Ranjit Singh's rule. I have talked with certain Akalis very recently and discussed over certain questions with them. They told me that they do not mean to create any noisy atmosphere, rather that they aim at suppressing every disturbance. It does not appear from their attitude that they have maltreated the wives of certain soldiers on active service or that they are terrorizing other people. I differ with the Hon'ble Finance Member here. I request the Government to adopt some policy of conciliation. The Seditious Meetings Act and the Criminal Law Amendment Act must be withdrawn from operation. The Khilafat wrongs too should be redressed.

The Hon'ble Finance Member has read out certain figures aiming thereby to show the house that there has been a general increase in the number of crimes during the last few years. These numbers and figures may be perfectly correct; but I would not refrain from saying that there are several crimes which are perpetrated at the instigation of the police. Hence it would not be judicious to increase the strength of this department.

Khan Bahadur Chaudhri Fazl Ali [Gujrat West (Muhammadan), Rural.] (Urdu) : Sir, the question before the house is whether or not additional police is necessary. I would venture to say that up till now Government have not provided adequate means of maintaining peace and order in the country. I am coming from Gujrat where a very keen struggle is going on between two Khilafat candidates for municipal election which I am sure will precipitate a riot

As a matter of fact, there is no tranquillity in the country. I do not know if it is due to what legislation having been enforced and which Act having been withdrawn. It is indispensable that peace and order may be restored in the country, and I can say that additional police is most necessary for this purpose. I would be failing in my duty if I do not bring it to the knowledge of this house how law-abiding people are being disgraced by the non-co-operators. The train of the Provincial *Mela* visitors was actually stoned at the Gujranwala station, and several persons were severely injured thereby. Are not the Government going to stop all this rowdyism? It would be a gross mistake on our part if we say there is no need for additional police.

Sardar Dasaundha Singh [Ludhiana (Sikh), Rural] (Urdu) : Sir, I would not like to discuss whether or not there has been an increase in the number of crimes, but I want to say a word or two concerning the Akalis. Sir John Maynard's prejudice against this class seems to be due to the misdeeds, so often reported in the newspapers, of certain individuals who have joined the true Akalis only for the purpose of bringing disgrace on and incriminating that class. A true Akali seldom hesitates to surrender his weapon. Travelling without tickets or intimidating the poor zaildars and boisterously claiming the Punjab Raj are all the mischiefs of these false Akalis. True Akalis do not entertain any notion of this sort. They will all be pacified if the Gurdawara question is satisfactorily settled.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, I have suffered very recently a good deal—I do not know whether at the hands of true or false Akalis. While I was coming back from my official visit from Bhatinda, a large number of Akalis got into the train at Kot Kapura station. No less than nine came to my *coupe* and demanded seats. I asked them whether they had purchased tickets. They replied most arrogantly that the railway belonged to them entirely, and that they need not buy any ticket. I requested them to give a seat to the young boy along with me. They replied that I should find a seat for him on the roof. Next day an exactly similar incident was reported to me by Bakhshi Tek Chand. Under these circumstances I think it is very difficult to differentiate between a true and a false Akali.

Malik Firoz Khan, Nun : Sir, I beg to move that the question be now put—

Mr. President : The question is—

“That the question be now put.”

The motion was carried.

Mr. President : The amendment before the Council is—

“That the grant be reduced by Rs. 2 with respect to the item of Rs. 1,95,000—Recruitment of additional police.”

The amendment was lost.

Mr. President : The original motion before the Council is—

“That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head ‘28—Police’ to defray charges which will come in course of payment during the year ending on 31st March 1922.”

The motion was carried.

EDUCATION GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : I beg to move—

“That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education), under the Major Head ‘31—Education’ to defray charges which will come in course of payment during the year ending on 31st March 1922.”

The motion was carried.

AGRICULTURE GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : I beg to move—

“That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) under the Major Head ‘34—Agriculture,’ to defray charges which will come in course of payment during the year ending on 31st March 1922.”

The motion was carried.

CIVIL WORKS GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture), under the Major Head '41—Civil Works,' to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '45—Superannuation Allowances and Pensions' to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

STATIONERY AND PRINTING GRANT.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '46—Stationery and Printing' to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

MISCELLANEOUS GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the Major Head '47—Miscellaneous' to defray charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

BUDGET FOR 1922-23.

DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

Mr. President : The Council will now proceed to the consideration of the budget for 1922-23. I should explain to the Council that it is the duty of a member who wishes to move an amendment to get up and move it. If he misses his opportunity he will lose it. I shall do my best to call upon members in their turn, but if any member sees that the item to which he wishes to object is being overlooked he should stand up. It is his responsibility.

LAND REVENUE GRANT.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia (Revenue Member).—I beg to move—

"That a sum not exceeding Rs. 49,38,900 be granted to the Governor in Council, Punjab, under the Major Heads '5—Land Revenue' and 'V—Land Revenue (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

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

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 19,192—Forest Reserves, Temporary Establishments."

What my amendment aims at is that item No. 6, page 26 of the Budget, be reduced by Rs. 10,000. I cannot understand why such a large sum is demanded for temporary establishment when sufficient provision has already been made for the permanent establishment. Since no detailed information has been given by the hon'ble member I move this amendment.

Mr. D. J. Boyd (Revenue Secretary).—Sir, I regret that owing to shortness of notice it has not been possible to trace adequately the details of this item of Rs. 19,192—Forest Reserves, Temporary Establishments. No increase of establishment is intended. Temporary establishments is required all over the province to look after the rakhs which have been put in charge of the Deputy Commissioners of various districts. Some temporary establishment is also required in the Kangra District where a number of rakhs have been transferred from the Forest Department and put in charge of the Deputy Commissioner. These transfers have been made in various parts of the district, and have been put under the management of Naib Tahsildars who administer these rakhs with the aid of zail committees. The actual details, I am sorry, we have not been able to get, but I think I can assure the hon'ble member that no extra expenditure in the current year is intended, and that any reduction will be exceedingly difficult. I am sorry I cannot say anything more.

Sayad Muhammad Husain: [Montgomery (Muhammadian), Rural] Sir, the explanation given by the Government member is unsatisfactory. No detail is given and it is not certain whether this extra establishment will be employed. We are on the verge of bankruptcy. We must deduct as much as we can possibly do, and I think the Government must also exercise as much economy as it can possibly do. The demand of my friend is quite reasonable, and the reduction he demands will in no way interfere with the working of the department. Under the circumstances I support my friend Rai Bahadur Lala Sewak Ram and shall vote in his favour.

Mr. Ganpat Rai: [Lahore and Ferozepore cum-Sheikhupura (Non-Muhammadian)] (Urdu) Sir, this is a sum of Rs. 19,192 to which the present amendment refers. Rai Bahadur Lala Sewak Ram has asked to lessen it by Rs. 10,000 only. I would have supported him even if he had asked for the whole. When the Government member cannot render any detail for which temporary establishment is necessary, the house should not pass it with their eyes shut. I therefore support the amendment.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.—Sir, I would simply point out to the hon'ble member who has just sat down that if he will look at the figures of the budget for 1921-22 he will find an item of Rs. 15,312 against the entry of temporary establishment, and that

[S. B. Sunder Singh Majithia].

figure, when that budget was passed, was also more than the total of the items given above. This temporary establishment, as far as my knowledge goes, is to deal with beds of Chos on which afforestation is to be done, and the regeneration of the small forests which have been placed in charge of the Deputy Commissioners on transfer from the Forest Department. The hon'ble member will find in the revised estimate that no details are given of the total amount of Rs. 39,400, and in the current year's budget the total amount is Rs. 40,138. There is, therefore, not much difference between these two figures, namely, what we have spent this year, and what we propose to spend next year.

The amendments were received by me only late on Saturday night, and on Sunday the office was closed, and to-day is Monday. In this short interval, I could not get all the details which the members required, but I may assure them that not a single pie would be misspent but that only what is absolutely necessary would be spent. I hope that this small explanation which I am trying to give will satisfy the hon'ble members, and that, in view of the beds of Chos that have to be reclaimed, this Council will pass this demand.

Mian Muhammad Shah Nawaz, [Lahore (Muhammadan), Rural] (Urdu): Sir, the Council will remember that we had no deficit last year. Notwithstanding the fact that we have this year a deficit of Rs. 158 lakhs, the same provision has been made under this head as last year. Last year Rs. 13,000 was spent in excess of the revised budget estimate under this head. The item should now be cut down. Revenue Secretary has not been able to tell us anything regarding the temporary establishment and it is, therefore, not possible for us to say that the demand of Rs. 19,195 for temporary establishment is a legitimate one.

Mr. President: The amendment before the Council is—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 19,192—Forest Reserves, Temporary establishment."

The amendment was carried.

Rai Bahadur Lala Sewak Ram (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 46,000—Travelling allowances."

I have more than once brought to notice that a good deal of money is wasted on the grant of travelling allowances, e.g., on the occasion of settlement operations. We want to make good the deficit. It is not an uncommon occurrence that settlement parties start on journeys now and again, simply to earn travelling allowance. We should not therefore vote an expenditure of Rs. 46,000 under this head and the grant should be reduced by Rs. 20,000.

Mr. Ganpat Rai Sir, my friend Lala Sewak Ram has put forward an appropriate amendment, inasmuch as he does not want that travelling allowance item should be done away with altogether. All that he asks is that the item should be reduced to the extent proposed by him. Settlement officials make tours without any necessity and this causes inconvenience to the people. Since the railway fares are going to be enhanced, the officials will now be able to earn larger travelling allowances. This being the case they should be granted travelling allowance only when they have to undertake a journey for urgent work.

Malik Firoz Khan, Nun [Shahpur-West (Muhammadan), Rural] (Urdu) : Sir, I do not know why the grant of travelling allowance is being opposed. The officials for whom this item has been provided have to do most of their work by going on tour. Is it proposed that the settlement and survey officials should be employed for six months in the year and remain idle for the remaining part of the year. The work done by these officials while on tour cannot be done at headquarters. If the item is reduced by Rs. 20,000 it will mean only this that the survey and settlement officials should remain idle for six months out of the year. Isn't that absurd. The item should not be cut down.

Mr. D. J. Boyd : I would like to point out that the actual expenditure in 1920-21 was Rs. 31,723. Since then the rates of travelling allowance have been considerably increased because the old rates were inadequate. The revised estimate which is proposed in the coming year is Rs. 46,000. No increase is intended. The amendment affects survey and settlement parties. It is absolutely impossible for survey parties to do their work without touring constantly. I think that fact must be obvious to every one. No increase is intended and I would respectfully suggest that the budget should not be tackled in this manner. We should not discuss small items of this kind. Big mistakes in sums might fairly be criticised but an ordinary item of this kind, I think, should not be objected to by any member.

Raj Bahadur Lala Sewak Ram : Sir, I beg to apply for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Sayad Muhammad Husain : (Urdu) Sir, I beg to move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,000—Purchase of Tents—Contingencies."

The item is a small one, but I am inclined to think that we can make good the deficit by doing away with small items like the one under notice. As the settlement officials can utilise old tents, it is not at all apparent why it should be necessary to purchase new tents.

Raj Bahadur Lala Sewak Ram (Urdu) : Sir, this year no less than Rs. 3,000 has been spent in purchasing tents, and there is no necessity now to purchase new tents. I support Sayad Muhammad Husain.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : I am prepared to accept the amendment.

Mr. President : The motion before the council is—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,000—Purchase of Tents—Contingencies."

The motion was carried.

Sayad Muhammad Husain (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 8,021 with respect to the item of Rs. 16,042—Contingencies—Rewards."

A sum of Rs. 13,042 has been provided for rewards, probably intended for Patwaries. We are bankrupts and this item had better be withdrawn from the Budget altogether.

Mr. D. J. Boyd : I think I can give an explanation about this item which will probably satisfy the hon'ble member.

Several Patwaris are paid rewards but only to the extent of the fines which are imposed on others for doing slack work. I do not think any hon'ble member would like that Government should make money out of the fines imposed on Patwaris. Several Patwaris are fined for their faults and Government pays out the same amount in the form of rewards to other Patwaris who do good work. It is a most reasonable system and I think no hon'ble member should object to it.

Chandhri Kharak Singh [Amritsar—Gurdaspur, (Rural)] (Urdu) : Sir, as a matter of fact no rewards are granted to the Patwaris. Fines are inflicted on certain Patwaris and the amounts realized from these fines are paid to other Patwaris by way of rewards. Patwaris have received a sufficient increase in their pay and they are a prosperous class. The item for rewards should be cut down.

Mian Muhammad Shah Nawaz (Urdu) : Sir, fines are inflicted on one set of Patwaris and the amount thus realised is paid to another set of Patwaris as reward. Rewards should be bestowed only on the score of merit. The present practice is, as it were, a good instance of robbing Peter to pay Paul. The only thing that is to be considered in bestowing rewards is whether the Patwari deserves it or not. Indeed, why should the Patwaris at all get rewards. They get their pay, etc.

Mr. Ganpat Rai (Urdu) : Sir, I would call attention to page 30 of the Budget estimates, where another item has been shown for rewards. Rewards have been separately provided in the Budget. It is not understood why these Patwaris should get rewards from all sides. That is all waste of money. I support the suggestion that no rewards should be given to Patwaris.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia, (Urdu) : Sir, I, am afraid my friends are under a misapprehension in this matter. The rewards are intended for the Settlement Patwaris. Only the Patwaris who work expeditiously in settlement operations are given rewards. The Patwaris who work in a slack way and who are responsible for the prolongation of the settlement are fined. The item of Rs. 3,000, shown on page 30 of the Budget Estimates is intended for those Patwaris who do the work connected with the consolidation of holdings. The Settlement Patwaris have nothing to do with this kind of rewards. As I have said, it is the Patwaris who work rapidly in the settlements who are given rewards, and it would be a mistake to cut down the item for rewards, especially when the money is not paid by Government.

Mian Muhammad Shah Nawaz : Sir, I move that the question be now put.

Mr. President : The motion before the Council is—

“ That the question be now put.”

The motion was carried.

Mr. President : The amendment before the Council is—

“ That the grant be reduced by Rs. 8,021 with respect to the item of Rs. 18,042—Contingencies—Rewards.”

The Council then divided : Ayes 31, Noes. 24.

AYES.

Chaudhri Bans Gopal
Mian Ahmad Yar Khan, Daultana.
Malik Karim Ullah Khan.
Khan Sahib Amir Khan.
Lala Atma Ram.
Sardar Dasandha Singh.
Chaudhri Daya Ram.
Sardar Sahib Risaldar Dilbagh Singh.
Chaudhri Ghulam Muhammad.
Rai Bahadur Lala Hari Chand.
Sayad Hussain Shah.
Sardar Allan Khan.
Sardar Kartar Singh.
Chaudhri Kharak Singh.
Malik Najabat Khan.
Sodhi Lal Singh.

Khan Muhammad Abdullah Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Rana Muhammad Jamil Khan.
Sayad Muhammad Raza Shah.
Khan Muhammad Saif Ullah Khan.
Mian Muhammad Shah Niwaz.
Chaudhri Nabi Bakhsh.
Maulvi Muharram Ali, Chishti.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Rai Sahib Chaudhri Raja Singh.
Rai Bahadur Risaldar Sarup Singh.
Rai Bahadur Lala Sewak Ram.
Khan Bahadur Malik Muhammad Amin Khan.

NOES.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latif.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. Casson.
Mr. E. R. Abbott.
Colonel R. C. MacWatt.

Mr. W. P. Sangster.
Mr. D. J. Royd.
Mr. C. A. H. Townsend.
Mr. M. G. Anderson.
Mr. E. A. Scott.
Mr. Nawab Din, Murad.
Sardar Randhir Singh.
Malik Firoz Khan, Nunn.
Captain Sardar Gopal Singh.
Sayad Ghulam Muhammad Shah.
Misar Mela Ram.
Nawabzada Muhammad Irshad Ali Khan.

The amendment was carried.

5 P. M. Sayad Muhammad Husain (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 14,900—Contingencies—Postage and Telegram Charges."

My request is a reasonable one, inasmuch as I have not asked that the whole item should be weeded out. When settlement operations are in progress, the necessity for telegrams never arises. It is the Police officials who have to send telegrams in connection with murder cases. Postage is also very recklessly wasted, an instance of which is to be found in the fact that a big item has been shown for postage for the Settlement Department. The Settlement Department does not require telegrams. Strict economy should be observed in their case. At any rate there is no point in making a provision for telegrams for the Settlement Department. I would, therefore, urge that the item of Rs. 14,900 be reduced by Rs. 2,000.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Sir, I accept the amendment.

Mr. President : The motion is—

“ That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 14,000—
Contingencies—Postage and Telegram Charges.

The motion was carried.

Sayad Muhammad Husain (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 25,995—
Contingencies—Tour Charges.”

I have asked that the item should be reduced by Rs. 5,000, because we have no right to spend the country's funds extravagantly. In case the item is cut down to the extent suggested, the work can be very well carried on with Rs. 20,995. We have a huge deficit to face and we might act with liberality when we have sufficient funds at our disposal. The reduction is both in the interest of the Government and the country.

Mian Muhammad Shah Nawaz (Urdu) : Sir, I support Sayyid Muhammad Husain's amendment. A sum of Rs. 12,650 was sanctioned in 1921-22, Rs. 13,000 has been shown in the revised budget. I wonder how these items go up. Tour charges can easily be curtailed by the officials. The item under notice must be cut down.

Rai Bahadur Lala Sewak Ram (Urdu) : Sir, I beg to move an amendment to this amendment that.—

“ Instead of 5,000, 15,000 be read.”

The item as it stands is excessive. We are already very hard up and money has been provided on other sides.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I think my friends have missed the point a great deal when they say that these tour expenses should be cut down. If my friends want these settlement and survey officials to pay for the supplies they buy, then do they want them to pay from their own pockets the touring expenses. They certainly ought not to pay from their own pockets. When my friend Rai Bahadur Lala Sewak Ram moves that the grant be cut down by Rs. 15,000 even reducing what we had before in the last year's estimate, I think I am afraid I cannot accept it. If my friend would be content with a reduction of Rs. 5,000 I am prepared to accept it.

Rai Bahadur Lala Sewak Ram : I apply for leave to withdraw the amendment.

The amendment was by leave withdrawn.

Mr. President : The amendment now before the Council is—

“ That the grant be reduced by Rs. 5,000 with respect to the item of 25,995—
Contingencies—Tour Charges.

The amendment was carried.

Sayad Muhammad Husain : Sir, I beg to move—

“ That the grant be reduced by Rs. 9,720 with respect to the item of Rs. 39,720—
Contingencies—Other Items.

I am, Sir, a reasonable person and my requests also are reasonable. The amounts under ‘ Other items ’ might be for luxuries, and if the item is reduced by Rs. 9,720, no confusion will arise. I am glad, Sir, that Government too is co-operating with us, and I hope that the Hon'ble the Revenue Member will agree to the reduction suggested.

Mr. D. J. Boyd : Sir, with regard to this item I should like to draw the attention of the Council through yourself to the fact that the actual figures for 1920-21 were Rs. 1, 24,229. The accepted expenditure in the present year is Rs. 51,080. Government has budgeted for Rs. 39,720 for the coming year from which it would appear that economy has certainly been practised, especially when the biggest item in the Rs. 39,720 is an item of Rs. 20,000 on account of travelling allowance to patwaris in the Montgomery colony. I think members will remember that last year a *communiqué* was issued by the Government announcing that it had been decided to pay travelling allowance to patwaris. They will now have to pay their own way on tour and will have no excuse for living on the zamindars. In the Montgomery colony alone this item comes to Rs. 20,000. If you take that away from the item there is only 19,720 rupees left for all kinds of miscellaneous expenditure. I think that there is the clearest possible case for passing this demand.

Sayad Muhammad Husain : I am quite satisfied with the explanation given by Mr. Boyd and I take the permission of the House to withdraw my amendment. We should also try to co-operate with the Government.

The amendment was by leave withdrawn.

Sayad Muhammad Husain (Urdu) : Sir, I beg to move —

"That the grant be reduced by Rs. 16,800 with respect to the item of Rs. 16,800—Superintendents—Salaries."

The Department of Land Records was created in order to secure facility in survey work and the completion of records. At the time of its creation, Colonel Wace, the then Financial Commissioner, suggested that settlement work should become a part of the every-day normal duties. The department was created with the object of saving expense and inconvenience. When, however, the cost of establishment had to be incurred, inconvenience was the result. The Director does not stand in need of a Personal Assistant. In each district the work at present done by the Personal Assistant, can be done by the Deputy Commissioner and his subordinate staff, who can also examine the Patwaris' record. Each district has now a Naib-Tahsildar, Tahsildar and a Revenue Assistant. When this is the case, a Personal Assistant for the Director of Land Records is unnecessary. In this year of deficits, we should make an experiment of the proposal made by Colonel Wace. There is a very good case for effecting economy by abolishing the post of Personal Assistants.

Mr. E. Joseph (Chief Secretary).—Earlier this afternoon I spoke on a subject which I had much at heart, somewhat hotly and hastily. I should like to take this opportunity of expressing my regret and I assure you, Sir, that I am now speaking with cool deliberations. It has been suggested, Sir, that the Deputy Commissioner and his staff are sufficient to keep the land records in order. The hon'ble member has also quoted, I think, from the Settlement Manual which was prepared at a time when the circumstances were very different to what they are to-day. Sir, it is hardly realised to what extent this work of inspection and land records is technical and extraordinarily complicated. I myself was for many years a Settlement Officer and a Colonization Officer and I used to constantly inspect land records and tahsils, but

[Mr. E. Joseph.]

I am perfectly conscious that I could not inspect them in the way that the Director of Land Records and his Personal Assistant do. The Deputy Commissioner now-a-days has his time fully occupied with matters which demand his personal and urgent attention and neither is he qualified nor has he the time to devote to the inspection of records which is done by the expert inspection staff; nor can his Assistants do this. It is perfectly true that Revenue Assistants do a certain amount of inspection work. The Deputy Commissioner also sees that the patwaris are working, but it is one thing to see that the subordinate staff is busy working and it is quite another thing to take up a Jamabandi and to be certain that the complicated instructions are being followed. The land record system of the Punjab is perhaps the most perfect in India, at all events we in the Punjab believe it to be, and it is a system which has been enormously improved year after year from the time of Colonel Wace who started this work through the time of Sir James Douie, and up to the present: it is becoming more and more perfect and is approximating nearer and nearer to a system of records of title. It would be a great pity if the work was allowed to fall into arrears, if the records were allowed to become out of date, and errors were allowed to creep into the records with all the quarrels, litigation and uncertainty that arises from mistakes of this nature. It seems to me that this is one of the cases of 'penny wise and pound foolish economy.' There is one other point I wish to mention, Sir, and that is that the Director of Land Records is also the Inspector-General of Registration, and his staff has not only to see that the Patwaris are working under their local officers, but have also to inspect the registration records in every Registration and Sub-Registration office in the province.

Mr. Ganpat Rai (Urdu) : Sir, it has been said that the Deputy Commissioners of Districts can not do the work that at present devolves on the Director of Land Records. As a matter of fact the Deputy Commissioner is the Collector and properly speaking the work should be done by the Deputy Commissioner who should know the Collectors work. The appointments of Director of Industries, Director of Agriculture and Director of Land Records were at one time all held by one officer, but there are now three separate appointments, with the result that a heavy expense has to be incurred, and can it be reasonably contended that any of these officers should be allowed a Personal Assistant to assist him in his work. Political work which is done by the Deputy Commissioner might be entrusted to some one else and he should do his own revenue work. The worst of it is that the appointment formerly held by one officer has been split up into three appointments and yet one of them is allowed to have a Personal Assistant. We must try to make good the deficit. I trust that the proposal will be carried.

Sardar Kartar Singh [Ferozepur (Sikh), Rural] (Urdu) : Sir, I support Sayyad Muhammad Husain. The work of Land Records is being done satisfactorily. The Patwari's work is examined by the Qanungo, the Naib Tahsildar, the Tahsildar and by the Collector. Revenue Assistant's work is attested by the Collector. As has been pointed out, our expenditure exceeds the income and should be curtailed. This is a year of deficit and the item should be totally disallowed and utilized for some other purpose.

Sardar Randhir Singh [Sialkot-Gurdaspur (Sikh), Rural] (Urdu) : Sir, so far as registration work is concerned, it is necessary for the Director of Land Records or his Personal Assistant, to visit the Tahsil. Their inspection is

useful. Formerly no stamps were fixed on redemption of mortgage receipts. Stamp duty has since been prescribed for such receipts in order to secure income. Tahsildars have no time for the inspection of registration work. It is desirable to have a Personal Assistant.

Mian Muhammad Shah Nawaz (Urdu) : Sir, Sayad Muhammad Husain's amendment is appropriate. One Personal Assistant will do, seeing that executive and judicial functions will be separated. I would submit that one Personal Assistant should be abolished.

Sardar Dasaundha Singh : [Ludhiana (Sikh), Rural] Sir, before we agree to this amendment we should be perfectly sure that these posts are of absolutely no use and that they are redundant. We should also feel sure that the Personal Assistant's work can be easily thrown on to somebody else. I can safely say that it cannot be said that these posts are altogether redundant and that the work that is done by the Personal Assistant can be done by somebody else. My submission is that in order to be sure that we can bring under reduction the posts of Personal Assistants who have to do a sort of technical work, we can safely entrust it to the Retrenchment Committee. They can very well go into the details of the whole question. They can see whether these persons are doing any useful work or not and whether they can be spared. I hope Syed Muhammad Husain can safely rely upon the members of the Retrenchment Committee. If the Retrenchment Committee recommends the reduction of these posts we can reduce these posts.

The Hon'ble Sardar Bahadur Sardar Sunder Singh, Majlitha : Sir, I want to explain the position a little. These two Personal Assistants are two Extra Assistant Commissioners especially put on this work and who have been doing this work for a pretty long time, and if the proposal of my friend is carried that means the reduction of two Extra Assistant Commissioners from the cadre of Extra Assistant Commissioners. At the present moment these two officers can hardly inspect the tahsils once in two years. The work is so heavy that we cannot possibly reduce the staff; but in view of the financial stringency I am prepared to try an experiment whether we cannot do away with one Personal Assistant. I can give an undertaking on behalf of Government that this experiment will be tried this year.

Sayad Muhammad Husain : Sir, I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Sayad Muhammad Husain : Sir, I beg to move that—

"The grant be reduced by Rs. 8,400 with respect to the item of Rs. 88,925 under the head Land Revenue Land Record—Superintendence."

The motion was carried.

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

"That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 50,000—Construction, etc., of Patwarikhanas."

This item is for repairs of Patwarikhanas. Last year one lakh was given for the construction of Patwarikhanas. Patwaris do not live in these Patwarikhanas. They live in the houses of zamindars from whom they get their food. Patwarikhanas are therefore unnecessary. This is a year of deficit and reduction of the item is therefore desirable.

Rai Bahadur Lala Sewak Ram : Sir, I beg to move an amendment to this amendment—

"That Rs. 25,000 be read in place of 50,000."

The motion was carried.

Mr. President:—The amendment before the Council is—

"That the grant be reduced by 25,000."

To-morrow the debate will proceed on this amendment.

The Council then adjourned till 2 P.M. on Tuesday, the 7th March.

PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 7th March 1922.

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

BUDGET FOR 1922-23.

LAND REVENUE GRANT.

Mr. President : The motion before the Council is—

"That a sum not exceeding Rs. 49,38,907 be granted to the Governor in Council, Punjab, under the Major Heads "5—Land Revenue" and "V—Land Revenue (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

To this an amendment has been moved and is before the Council—

"That the grant be reduced by Rs. 25,000 with respect to the item of Rs. 60,000—Construction, etc., of Patwarkhanas."

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, it will save discussion if I say at once on behalf of the Government that I am prepared to reduce the grant by Rs. 25,000.

Mr. President : The motion before the Council is—

"That the grant be reduced by Rs. 25,000 with respect to the item of Rs. 60,000—Construction, etc., of Patwarkhanas."

The motion was carried.

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

"That the grant be reduced by Rs. 60,536 with respect to the item of Rs. 16,05,36—District Charges—Miscellaneous."

We do not know what this miscellaneous item means and where it will be expended. We have therefore a good deal of scope to curtail it as much as we desire. There is already a deficit of one crore and a half and hence there is a need of very drastic curtailment of new expenditure. We do not mean to create a dead lock by entirely obliterating items like these and thus create troubles for the authorities. All the same we know that new taxation is equally undesirable because it will be irksome to the zamindars. I hope the Hon'ble Revenue Member will not hesitate to accept this amendment.

Mr. D. J. Boyd (Revenue Secretary) : Sir, might I say one word in explanation. To begin with, I think the opposition is due to the figures of the previous year. The actual expenditure in the year 1921-22 is Rs. 64,700. The budget estimate of 1921-22 is only Rs. 45,000. As a matter of fact since that budget was sanctioned a fresh grant of Rs. 88,000 under the same head has been made and a still further grant of 80,000 has been applied for, making a total of Rs. 1,68,000. This item consists mainly of the travelling allowance of Patwaris which has only been allowed in the last year. There is another big item which is included in this and that is the item of money order commission.

[Mr. O. J. Boyd.]

on the pay of Patwaris. Previously Patwaris were paid quarterly, they are now paid monthly. Besides their pay has been greatly enhanced in the last year. I should say the were paid quarterly, now they are paid monthly, so that the money order commission has to be paid twelve times a year instead of four times a year and consequently a much bigger expenditure has to be incurred. But the main part of the item is due to the travelling allowance and halting allowance of Patwaris. If this item is cut we will have to cut the travelling allowance and halting allowance. The Council will remember that there has been a great deal of discontent with the old system of not allowing them any travelling allowance and they have been petitioning for it for many years past. All members are aware of the complaints that Patwaris live upon the country when they travel about. The only way to remove it is to pay them a reasonable amount of travelling allowance. That Government has now done and I do not see how Government can possibly go back on the promise to give them the allowance. I therefore sincerely trust that the Council will not cut it.

Mr. Ganpat Rai.—[Lahore and Ferozepore-cum-Sheikhupura (Non-Mohammadan) (Urdu) : Sir, as no detail has been given about this item we can not afford to grant such a huge sum with our eyes shut. In the first place there are so many intricacies in the Budget that it is not an easy matter to understand it as a whole. I do not know why the hon'ble member has left it undetailed. On the same page of the Budget we find that a grant of Rs. 90,000 has been demanded for travelling allowance and also there is a separate demand of Rs. 1,12,000 for House allowance. Again we find this Miscellaneous item of Rs. 1,60,536 and for no distinct purpose.

Mr. E. Joseph : May I point out to the hon'ble member that he is reading out the Kanungo establishment while he is discussing the question of Patwaris.

Mr. President : This is not a personal explanation. The hon'ble member must wait till it is his turn to reply.

Mr. Ganpat Rai : With your permission, Sir, I shall draw the attention of the hon'ble member who has risen to object so strongly. If he will carefully see at page 29 he will find that after the item of district and office Kanungos (1,50,000) there is also an item of Patwaris establishment. There the words "Patwaris establishment" are distinctly written and I am very thankful to the hon'ble member for reminding me that there is provision not only for district and office Kanungos but for Patwaris establishment on page 29 also.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Mohammadan) Urban] : Sir, I am neither against the amendment nor in favour of it. I simply want to ask one question. It will be better if the hon'ble member will kindly explain the word "Miscellaneous," that is, how much will go to Patwaris and how much to other departments, because the word "Miscellaneous" does not explain that it will go only to Patwaris.

Mian Muhammad Shah Nawaz : [Lahore (Mohammadan), Rural] (Urdu) : Sir, the objection raised to this item by Lala Hari Chand, deserves due consideration. I would request Mr. Boyd to furnish us with a detail as to how much he demands out of this sum for the Patwaris and what sum he reserves for miscellaneous purposes. If no satisfactory detail is given we shall have to support the amendment and reduce the sum by Rs. 60,536.

Mr. D. J. Boyd : Sir, I think the hon'ble member does not realise that the total sum provided for Miscellaneous charges is Rs. 1,60,536. There are more than 8,000 Patwaris in the Province, and the grant would provide at an average Rs. 20 per head. The item mainly consists of the money order fees for remitting their pay and the travelling allowance granted to them. It is not possible to reduce the travelling allowance which has recently been granted to them.

Chaudhri Kharak Singh [Amritsar-Gurdaspur (Rural)] (Urdu) : Sir, as a matter of fact the Patwaris are seldom paid by money orders. They draw their pays from the tahsil. Anyhow I would like to know how much is usually expended by way of money orders.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The question is whether the money is necessary. The hon'ble member has not apparently understood the whole thing. The average pay of a Patwari is Rs. 20 and there are about 8,000 Patwaris, whose salaries have to be sent every month by money order. That is the only method we adopt, and it certainly means cost. Those who are outside 10 miles radius from their tahsils get their pay by means of money order. In the beginning of the year, the Patwaris approached Government for revision of their pay. After full discussion of the question we came to certain conclusions that the Patwaris' pay should be enhanced to a suitable grade, as otherwise troubles were apprehended in the way of their striking work, which would mean that, if they struck work, that would paralyse the whole revenue work. Now that these troubles have been averted by their loyal discharge of duty, it is necessary to do something for them by giving them this extra allowance which is necessary. This Council cannot expect the Patwaris to go all the way from their places of residence and not get anything but spend money out of their own pockets. It seemed that this was a legitimate demand of theirs and therefore their travelling allowance was sanctioned. My friend, Mr. Ganpat Rai, is always very anxious to help poor people, but I do not know the reason why he is so hard on the poor Patwaris who are really so hard-worked that almost every sort of work is taken from them—even work like that of reporting of cases of births and deaths has been resolved to be placed upon them.

As regards the horse allowance, I may say that it is not given to them at all but is given only in cases of Qanungos and it should not be confused with the allowance we are going to give to the Patwaris. As regards my friend Mr. Shah Nawaz's statement that they only had Rs. 45,000 last year I think that he has probably missed the figure in the next column under the head "Revised, Budget."

Mian Muhammad Shah Nawaz : No, I did not miss it.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I understood you to say that there was no necessity of providing Rs. 60,000 when in the previous budget only Rs. 45,000 was provided. But it should be considered that the amount which was provided in the revised budget for 1921-22 was Rs. 1,30,000, and if there is any increase in the present budget, it is due to a full year's demand of Rs. 30,000, and I do not consider that this demand is excessive. If the Council, however, does not sanction it, it will be very hard on the poor Patwaris, and I do not think that they should be worked like animals and not be paid their proper dues.

Mr. President: The amendment before the Council is—

"That the grant be reduced by Rs. 60,536 with respect to the item of Rs. 1,60,536 District charges—Miscellaneous."

The Council then divided : Ayes 31, Noes 28.

AYES 31.

Chaudhri Bans Gopal.
Malik Karim Ullah Khan.
Sardar Balwant Singh.
Chaudhri Ghulam Muhammad.
Rai Bahadur Lala Hari Chand.
Sayad Hussain Shah.
Sardar Allan Khan.
Sardar Kartar Singh.
Chaudhri Kharak Singh.
Khan Bahadur Sayad Mehdi Shah.
Malik Najabat Khan.
Sodhi Lal Singh.
Misar Mela Ram.
Khan Muhammad Abdulla Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Hussain.
Rana Muhammad Jaroil Khan.

Sayad Muhammad Raza Shah.
Khan Muhammad Saif Ullah Khan.
Mian Muhammad Shah Nawaz.
Chaudhri Nabi Bakhsh.
Maulvi Mubarram Ali Chishti.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Lieutenant Sardar Raghubir Singh.
Rai Sahib Chaudhri Raja Singh.
Mr. Manohar Lal.
Rai Bahadur Risaldar Sarup Singh.
Rai Bahadur Lala Sewak Ram.
Chaudhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amin Khan.

NOES 28.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian Fazl-i-Hussain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. H. A. Casson.
Mr. E. R. Abbott.
Mr. W. P. Sangster.
Mr. D. J. Boyd.
Mr. C. A. H. Townsend.

Mr. M. G. Anderson.
Mr. E. A. Scott.
Mr. Nawab Din, Murad.
Sardar Randhir Singh.
Mian Ahmad Yar Khan, Daultana.
Malik Feroz Khan, Nuh.
Khan Sahib Amir Khan.
Chaudhri Daya Ram.
Sardar Sahib Risaldar Dilbagh Singh.
Khan Bahadur Chaudhri Fazl Ali.
Chaudhri Ghazi Ram.
Captain Sardar Gopal Singh.
Sayad Ghulam Muhammad Shah.
Khan Bahadur Khawaja Yusuf Shah.

The amendment was carried.

Mr. President: After deducting the sums disallowed the motion before the Council now is—

"That a sum not exceeding Rs. 48,18,943 be granted to the Governor in Council, Punjab, under the Major Heads '5—Land Revenue' and 'V—Land Revenue (Refunds)', to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

EXCISE GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 4,19,200 be granted to the Punjab Government (Ministry of Agriculture), under the Major Heads '6—Excise' and 'VI—Excise (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

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

"That the grant be reduced by Rs. 2,160 with respect to the item of Rs. 82,500—District Establishment—Inspectors."

Sir, my amendment is quite an ordinary one. I would like that the number of Excise Inspectors be not increased from 29 to 30, which means that the required grant of Rs. 82,500 be reduced by Rs. 2,160 only. Since our revenue from this source is going down every day there is no need of expending more on the establishment.

The Hon'ble Lala Harkishan Lal : The addition of this Excise Inspector is due to the creation of a new district at Sheikhupura, and as Mr. Ganpat Rai who belongs to this district urges that this addition be not made, I have no objection in accepting this amendment.

Mr. President : The amendment before the Council is—

"That the grant be reduced by Rs. 2,160 with respect to the item of Rs. 82,500—District Establishment—Inspectors."

The amendment was carried.

Diwan Bahadur Raja Narendra Nath [Punjab handholders (General).] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 39,000 with respect to the item of Rs. 1,18,440—District Establishments—Sub-Inspectors."

We all know that the Excise Revenue is decreasing every day. So it is useless on our part to make the department more and more efficient without any hope of getting any return. The officers of the Excise Department have to carry out two functions—firstly, to look after the contractors and secondly, to detect illicit distillation. Since there has grown a general aversion for liquor consumption these Excise Sub-Inspectors can spare a good deal of their time in that direction and devote themselves more earnestly towards the detection of illicit distillation. Thus there will be little need of taking on new Sub-Inspectors. What I mean is that this grant of Rs. 1,18,440 be reduced by Rs. 39,000. As it appears from the Budget the number of Excise Sub-Inspectors is intended to be increased from 64 to 97, that is, the increase is in the ratio of 2 : 3. To me this is not desirable. My amendment therefore aims at reducing this item of Rs. 1,18,440 by a proportionate sum of Rs. 39,000.

The Hon'ble Lala Harkishan Lal (Urdu) : Sir, I would like to explain the whole matter. Raja Narendra Nath is totally wrong in alleging that we aim at employing fresh Sub-Inspectors in future. As a matter of fact 15 men were taken into employment last year on permanent establishment as will appear from the Budget, page 31, where the words are "Lump provision for additions to the Excise Establishment 15 (Sub-Inspectors and 7 peons) with Lahore allowance." This makes up a total of 79 men on permanent establishment ; 18 more employed temporarily as provided by the last year Budget under the Head "Temporary Establishment. Thus the

[Lala Harkishan Lal.]

total comes to 97. So it is quite clear that we do not intend to increase the establishment at all, though in fact, as will appear from some figures, that strong and more efficient establishment has brought about an increase of Excise Revenue. As regards this temporary establishment of 18 Sub-Inspectors it is very difficult and injudicious to dismiss them and I would request the hon'ble members not to be so hard upon them. All the same I promise to bring about as much reduction as possible whenever I find any opportunity.

Diwan Bahadur Raja Narendra Nath—(Urdu) : Sir, if 15 more were employed last year this makes up a total of 79. Am I to presume that 18 more Sub-Inspectors are to be appointed this year on the Temporary Establishment?

The Hon'ble Lala Harkishan Lal (Urdu) : Sir, as I have explained already these 18 men also have been appointed, so that there are altogether 97 men on the establishment.

Sayad Muhammad Husain, [Montgomery (Muhammadan), Rural] (Urdu) : Sir, blessed will be the day when this whole department will be abolished. I am glad to perceive that the consumption of liquor has gone down considerably. This fall is not due to a decrease of illicit distillation but has been brought about by the anti-liquor propaganda. And since this propaganda has ultimately resulted in the decrease of our Excise Revenue, there must be a reduction in the establishment. It is extremely difficult to stamp out illicit distillation because these Excise Inspectors seldom venture to prosecute those who carry it on. Raja Narendra Nath has been a very successful Deputy Commissioner, I, therefore, support his amendment which aims at bringing about a reduction in the Excise Establishment. I would request the Hon'ble Minister of Agriculture to remove the 18 men employed temporarily.

Malik Firoz Khan, Nun [Shahpur West (Muhammadan), Rural] : I think the Council is developing a practice of what I call false economy. I should have thought that the hon'ble mover of this amendment would have withdrawn it after the very reasonable explanation given by the hon'ble member-in-charge. It seems to me, Sir, that this expenditure is to be incurred for the permanent establishment which is kept for the purpose of preventing illicit distillation. This excise establishment

8 P.M.

is not for going about and lecturing to the people to stop drinking liquor. If that were the case, then certainly I would agree with the hon'ble member who has just sat down. But this establishment is to catch the criminal who carries on illicit distillation of liquor. As you are aware no doubt the excise contracts have gone down in value, but the number of excise contracts is the same as last year. It goes without saying that we require the same number of Inspectors to go round and prevent any illicit distillation. If this amount is cut down, we shall be interfering with the efficient working of the department and I think that is certainly false economy. It is all very well to cut it down where it is unnecessary, but if we cut down a very necessary expenditure like this, we shall be making our Government absolutely useless.

Mian Muhammad Shah Nawaz, [Lahore (Muhammadan) Rural] (Urdu) : Sir, There seems to be some miscalculation. As compared with the last year figures, the present sums seem to be in excess. Last year Rs. 1,09,068 was demanded for Inspectors and Sub-Inspectors and in the Revised Estimates this sum was raised to Rs. 2,04,490. But in the present

case these estimates, so far as Inspectors, Sub-inspectors, Leave Salary and Temporary Establishment are concerned, come up to a total of Rs. 2,37,400.

Mr. President : The only question at present is the item of Rs. 1,18,440.

Mian Muhammad Shah Nawaz (Urdu) : Sir, my request is that the 18 Temporary Sub-Inspectors be removed from establishment and this will save us about Rs. 12,480 according to my calculations.

Mr. Manohar Lal (Punjab University) : Sir, I beg to move an amendment to this amendment :—

“ That in place of Rs. 39,000 the figure Rs. 12,480 be read.”

The amendment was carried.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) (Urdu) : Sir, I beg to move that :—

“ In place of Rs. 12,480 Rs. 5,040 be read.”

The proposal under consideration is that these 18 men be removed and thus Rs. 12,480 be saved. As a matter of fact 11 out of 18 are on the establishment and 7 more are intended to be appointed. I would propose that new appointments be stopped altogether. As regards the remaining 11 Sub-Inspectors the Hon'ble Minister for Agriculture has promised to dispense with them if the circumstances will so permit. The removal of these 7 men will bring about a reduction of Rs. 5,040. I therefore move this new amendment that the item of Rs. 1,18,440 be reduced by Rs. 5,040 and not by Rs. 12,480.

Mr. President : A further amendment has been proposed—

“ That in place of the figure of Rs. 12,480, the figure of Rs. 5,040 be read.”

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadan) Urban] (Urdu) :—Sir : I support Mian Fazl-i-Husain's amendment. In fact the safest course is to dispense with new appointments.

Mr. Manohar Lal : May I ask a question, Sir? You will see that last year there were 64 Sub-Inspectors sanctioned, to which during the course of the year it appears that 10 more have been added, and 5 more were added subsequently. That is to say, 15 more have been added altogether, bringing the number to 79 as against 64. There is a further addition now demanded of 18 men at the rate of Rs. 60 per mensem. It does not appear to me from the facts given how many of these 18 men who are now asked for to be employed from April 1922 could have been employed at all and yet it has been pointed out, Sir, by the Hon'ble Minister for Education that 11 out of these 18 stand already employed. They do not figure either among the 64 permanent Sub-Inspectors or among the 15 for which a lump provision was made subsequently. Under what authority and by whose sanction were these 11 employed when the Council is being approached now for the first time to sanction the grant for them from April 1922.

Mian Muhammad Shah Nawaz : Sir, when these 7 men are not on the establishment why should the grant be demanded for 97 Sub-Inspectors. There should appear in the Budget 90 Sub-Inspectors and not 97 as at present shown. I would like to have an explanation.

The Hon'ble Lala Harkishan Lal (Urdu) : Sir, this is not a very complicated question. Since the year 1923 has not begun it was desired to have provision for 7 more men in case circumstances necessitate their appointments. I have just now inquired from the office and have been informed that there are 64 + 15 + 11 men on the establishment. These men were already on the establishment. But the Accountant-General's Office people did not show them as Sub-Inspectors. It may better be inquired from them why they did so.

Mr. President : The amendment before the Council is—

"That in place of Rs. 12,480 Rs. 5,040 be read."

The Council then divided. Ayes—31. Noes—31.

AYES.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar
Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian
Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. H. A. Casson.
Mr. E. B. Abbott.
Colonel R. C. MacWatt.
Mr. W. P. Sangster.
Mr. D. J. Boyd.
Mr. C. A. H. Townsend.
Mr. M. G. Anderson.

Mr. E. A. Scott.
Mr. Nawab Din, Murad.
Sardar Bandhir Singh.
Mian Ahmad Yar Khan Daultana.
Malik Firoz Khan, Nun.
Chaudhri Daya Ram.
Sayad Ghulam Muhammad Shah.
Rai Bahadur Lala Hari Chand.
Sardar Jamal Khan.
Sardar Kartar Singh.
Khan Bahadur Sayad Mehdi Shah.
Khan Bahadur Raja Muhammad
Akbar Khan.
Khan Bahadur Khawaja Yusaf
Shah.
Chaudhri Shafi Ali Khan.
Dr. C. A. Owen.

NOES.

Chaudhri Bans Gopal.
Khan Sahib Pir Ali Haidar Shah.
Malik Karim Ullah Khan.
Khan Sahib Amir Khan.
Sardar Balwant Singh.
Sardar Sahib Risaldar Dilbagh
Singh.
Chaudhri Ghazi Ram.
Captain Sardar Gopal Singh.
Sayad Ghulam Muhammad Shah.
Sayad Husain Shah.
Sardar Allan Khan.
Chaudhri Kharak Singh.
Malik Najabat Khan.
Khan Muhammad Abdullah Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.

Rana Muhammad Jamil Khan.
Sayad Muhammad Raza Shah.
Khan Muhammad Saif Ullah Khan.
Mian Muhammad Shah Nawaz
Chaudhri Nabi Bakhsh.
Maulvi Muharram Ali Chishti.
Diwan Bahadur Raja Narendra
Nath.
Mr. Ganpat Rai.
Lieutenant Sardar Raghbir Singh.
Rai Sahib Chaudhri Raja Singh.
Mr. Manohar Lal
Sardar Sangat Singh.
Rai Bahadur Risaldar Sarup Singh.
Rai Bahadur Lala Sewak Ram.
Khan Bahadur Malik Muhammad
Amin Khan.

Mr. President : As President of the Council it is my duty so to give my casting vote as to admit of the matter being further considered by the Council if that is desired. So I give my casting vote against the amendment. It will be open to Government to bring up the matter again if it so wishes.

The amendment was lost.

Mr. President : The amendment now before the Council is—

“ That the grant be reduced by Rs. 12,480.”

The amendment was carried.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 20,000—
District Establishments—Leave, Salary, etc.”

It is just one fourth of the demand that I propose to have reduced and perhaps the extras shown after the leave salary, accounted for some provision in the item. I hope the Council will agree to this modest reduction.

Mr. President : The amendment before the Council is—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 20,000,
District Establishments—Leave, Salary, etc.”

The amendment was carried.

Mr. Ganpat Rai : (Urdu) Sir, I beg to move—

“ That the grant be reduced by Rs. 17,000, with respect to the item of Rs. 17,000—
Detective Establishment—Temporary.”

The only argument that can be advanced in its favour is that it is necessary to maintain a staff to check the illicit distillation. This argument has become too hackneyed now to produce any effect upon our minds. This department can command the services of other detective departments of the Government for carrying on its work. This detective establishment is supposed to bring the offenders to book and the output of their work can be gauged from the fact that in the year 1920-21 only 7,000 rupees were realised as fines and confiscations and in the year 1921-22, only 3,000 were thus realised and in the year 1922-23 it is anticipated to realise 3,000 only. I personally see no necessity of such an establishment which will absorb so big a sum and which will put out so small an amount of work.

I therefore beseech the Council to disallow this amount.

Sayad Muhammad Husain : Sir, I beg to move a further amendment—

“ That the grant be reduced by Rs. 8,500 with respect to the item of Rs. 17,000
Detective Establishment—(1) Temporary Establishment.”

As my friend, Mr. Ganpat Rai, has just said there is no justification to uphold the temporary establishment. The money spent on the upkeep of this establishment is a sheer waste. They have never done any useful or substantial work nor is there any hope of their doing so in the future . . .

Mr. President : The hon'ble member is hardly speaking to his amendment. The amendment is to reduce the item of Rs. 17,000 by Rs. 8,500.

Sayad Muhammad Husain—(continued) : My justification is in this way. Because they do not perform their work, therefore their pay must be reduced. Moreover, we are going to reduce the number of the temporary establishment. People are giving up the evil practice of drinking. They are becoming more moral and less degenerate.

Mr. President : May I again ask the hon'ble member to speak to his amendment.

Sayad Muhammad Husain : I will ask the Hon'ble Minister for Agriculture if this item of Rs. 17,000 can be reduced by Rs. 8,500. It will be a saving to the Finance Department and in no way will it be detrimental to the good working of the Excise Department. Under the circumstances I would ask Mr. Ganpat Rai that he should accept my amendment that the whole amount be not cut down, but that it may be reduced by Rs. 8,500, and I hope the Hon'ble Minister will have no hesitation in accepting my most moderate demand.

Sodhi Lal Singh (Sikh, Urban) (Urdu) : Sir, I beg to submit that I fully endorse the observations made by Mr. Ganpat Rai. It is absolutely useless to spend Rs. 17,000 on the maintenance of an unwanted staff. It is the most unremunerative item of expenditure in the budget. The services of the detective police can be requisitioned whenever necessary. It is most often the police which unearth the cases of illicit distillation. The duties of detecting illicit distillation can be transferred to the police department.

I whole-heartedly support Mr. Ganpat Rai's amendment.

Sardar Kartar Singh—[Ferozepore (Sikh)—Rural] (Urdu) : Sir, I fail to comprehend the usefulness of maintaining a detective establishment for the excise department. There is the anti-liquor movement already making its influence felt on the revenues under excise which are less by 32 lacs. This anti-liquor movement is permeating the masses, who are willingly giving up the consumption of drink from day to day. I believe, Sir, that in view of their voluntary abstinence there will not be any illicit distillation. I therefore beg to request that the budget may be relieved of this unnecessary expense.

Chaudhri Kharak Singh (Amritsar-cum-Gurdaspur, Rural) (Urdu) : Sir, it is undoubtedly sheer waste of money to maintain detectives for detecting illicit distillation, the cases of which are few and far between as will be seen from the petty amounts realised by way of fines and confiscations. The Council has just agreed to the increase of some Excise Sub-Inspectors, will they not be sufficient to cope with the work? I therefore support the motion that this amount be omitted entirely from the budget provision.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu) : Sir, the amendments for the reduction of the permanent establishments are being brought forward in the Council and carried in view of the decreased amount of excise work. I entirely fail to see any justification for maintaining temporary establishments thereafter. I trust that this house will unanimously disallow this grant.

Mr. President : I must ask members not to talk so freely in the Council. If they must consult they should do so in a low tone. The habit of talking is spreading, and I find it difficult to hear what speakers are saying. The position now is that Mr. Ganpat Rai has proposed that a reduction of Rs. 17,000 be made. To this an amendment has been moved by Sayad Muhammad Huszin that only Rs. 8,500 be reduced. Those who favour this smaller reduction and also those who wish no reduction made at all should vote for the amendment. If it is carried a second vote will be taken as to whether Rs. 8,500 should be reduced or not. The point before the Council now is whether it should consider a reduction of Rs. 17,000 or of Rs. 8,500.

The amendment was carried.

Mr. President : The question now is whether a reduction of Rs. 8,500 be made or not.

Mian Ahmad Yar Khan, Daultana [Multan East (Muhammadan), Rural] (Urdu) : Sir, many of the hon'ble members who have spoken on amendments relating to the Excise have laid special emphasis that it is not a paying head and therefore it deserves any grant of expenditure. It is exactly what it is not. It is in fact the most paying of all the departments and the least expensive. The net anticipated revenue is one crore and 80 thousand of rupees and the expenses will not exceed few lakhs. It is not a fact that the illicit distillation has permanently decreased or will automatically stop by the grace of the people. It requires a constant supervision to keep it in check. The fact that there have been small amounts realised from fines and confiscations has been exploited in the Council to bring odium on the detective staff. It is rather to their credit that they have succeeded in stamping out the evil practice although it requires a constant check even now. I therefore oppose the amendment which is not conceived in the interests of administration.

Malik Firoz Khan, Nun : Sir, I beg to move—

"That the question be now put."

The closure was carried.

Mr President : I will now put the amendment to the Council.

The motion before the Council is—

"That the grant be reduced by Rs 8,500 with respect to the item of Rs. 1,700 — Detective Establishment."

The Council then divided : Ayes 29, Noes 27.

AYES.

Khan Sahib Pir Ali Haider Shah.
Malik Karim Ullah Khan.
Sardar Balwant Singh.
Chaudhri Ghulam Muhammad.
Sayad Husain Shah.
Sardar Allan Khan.
Sardar Kartar Singh.
Chaudhri Kharak Singh.
Khan Bahadur Sayad Mehdi Shah.
Malik Najabat Khan.
Sodhi Lal Singh.
Khan Muhammad Abdullah Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Rana Muhammad Jamil Khan.

Khan Muhammad Saif Ullah Khan.
Mian Muhammad Shah Nawaz.
Maulvi Muharram Ali, Chishti.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Lieutenant Sardar Raghubir Singh.
Rai Sahib Chaudhri Raja Singh.
Mr. Manohar Lal.
Sardar Sangat Singh.
Rai Bahadur Risaldar Sarup Singh.
Khan Bahadur Khawaja Yusuf Shah.
Rai Bahadur Lala Sewak Ram.
Chaudhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad
Amin Khan.

NOES.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar
Sundar Singh Majithia.
The Hon'ble Khan Bahadur Mian
Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. H. A. Casson.
Mr. E. R. Abbot.
Colonel R. C. MacWatt.
Mr. W. P. Sangster.

Mr. D. J. Boyd.
Mr. C. A. H. Townsend.
Mr. M. G. Anderson.
Mr. E. A. Scott.
Chaudhri Bans Gopal.
Mr. Nawab Din, Murad.
Sardar Randhir Singh.
Mian Ahmad Yar Khan, Daultana.
Malik Firoz Khan, Nua.
Khan Sahib Amir Khan.
Chaudhri Daya Ram.
Sayad Ghulam Muhammad Shah.
Misar Mela Ram.
Dr. C. A. Owen.

The amendment was carried—

Mr. Ganpat Rai : Sir, I move,

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 12,000—
Detective Establishment, travelling allowance."

The Hon'ble Lala Harkishan Lal : Sir, I agree.

The amendment was carried.

Mr. Ganpat Rai : Sir, before I move my amendment which runs as follows :—

"That the grant be reduced by Rs. 13,500 with respect to the item of Rs. 54,000—
District Establishment—Travelling allowance."

I want to know whether this relates to travelling allowance or horse allowance.

The Hon'ble Lala Harkishan Lal : Sir, with regard to this I may say that it is horse allowance. Horse allowance is given to permanent men. Will the hon'ble member please tell me how a horse can be run on three legs? It is only then that the horse allowance can be reduced.

Mr. Ganpat Rai : Well, on page 28 travelling allowance and horse allowance are not shown separately. I thought the Government had their horses in a separate stable and their travelling men in a separate camp. Now, I am told that the horse allowance is also called travelling allowance. I would like to see a list of those who are given horse allowance and those who are given travelling allowance.

The Hon'ble Lala Harkishan Lal : If the hon'ble member will come round to the office, I will certainly let him have the information.

Mr. Ganpat Rai : Sir, I simply wanted to be sure that it is horse allowance and not travelling allowance. I hope the Hon'ble Minister will see to that, and if he undertakes to do so, I do not wish to move my amendment.

The Hon'ble Lala Harkishan Lal : Yes, I will see to that.

Mr. Ganpat Rai : I beg to move—

"That the grant be reduced by Rs. 4,050 with respect to the item of Rs. 16,200—Contract Contingencies."

It is only just one-fourth that I have moved to be reduced. I find under the sub-head Contingencies further provisions of small sums which I have not molested at all. I think this economy can be easily effected without endangering the administration.

The Hon'ble Lala Harkishan Lal : If the hon'ble member will agree to a reduction of Rs. 2,000, I will accept it.

Mr. Ganpat Rai : I agree.

Mr. President : The motion before the Council is —

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 16,200—Contract Contingencies."

The amendment was carried.

Sayad Muhammad Husain (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 11,000—District Establishment—Rewards."

Sir, I beg to submit that it is not prudent at all to provide for rewards in the deficit budget. Just as a man who is himself well off, or just as a zamindar who has reaped a good harvest can afford to give rewards, similarly it would have suited the generosity of Government to grant rewards if it were only a balanced budget, not to speak of a *plus* balance budget. I do not see that this is the proper time, or occasion for distributing rewards when other useful productive heads have to be starved for want of money.

The Hon'ble Lala Harkishan Lal : I accept the amendment, Sir.

Mr. President :—The amendment before the Council is—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 11,000—District Establishment—Rewards."

The motion was carried.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 960 with respect to the item of Rs. 28,000—Distilleries Establishment—Inspectors and Sub-Inspectors."

It is the most modest of all the amendments which have come before the house. I only pray for the reduction of Rs. 960 out of the huge sum of Rs. 28,000. It is a commonly known fact that there is already less consump-

tion of liquor and there will be still less in days to come, it is therefore quite in keeping to reduce the Sub-Inspectors at distilleries from ten to nine. I hope that the Hon'ble Minister will not take objection to it.

The Hon'ble Lala Harkishan Lal : Sir, I accept the amendment.

Mr. President.—The amendment before the Council is—

“ That the grant be reduced by Rs. 960 with respect to the item of Rs. 28,000—
Distilleries Establishment—Inspectors and Sub-Inspectors.”

The amendment was carried.

Mr. Ganpat Rai : Sir, I beg to move—

“ That the grant be reduced by Rs. 400 with respect to the item of Rs. 3,400—
Distilleries Establishment—Leave salary, etc.”

The Hon'ble Lala Harkishan Lal : Sir, I accept the amendment.

The amendment was carried.

Mr. Ganpat Rai : Sir, I beg to move—

“ That the grant be reduced by Rs. 425 with respect to the item of Rs. 1,700—
Distilleries Establishment—Leave salary, etc.”

The Hon'ble Lala Harkishan Lal : Sir, I accept this amendment.

The amendment was carried.

Mr. Ganpat Rai : Sir, I beg to move—

“ That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 7,000—
Distilleries Establishment—Travelling allowances.”

The Hon'ble Lala Harkishan Lal : Sir, I accept this amendment also.

The amendment was carried.

Mr. President : The motion now before the Council is—

“ That a sum not exceeding Rs. 3,80,275 be granted to the Punjab Government, (Ministry of Agriculture) under the Major Heads '3—Excise' and 'VI—Excise (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st 1923.”

The motion was carried.

STAMPS GRANT.

Mr. B. T. Gibson (Financial Secretary) : Sir, I beg to move—

“ That a sum not exceeding Rs. 4,87,000 be granted to the Governor in Council Punjab under the Major Heads '7—Stamp' and 'VII—Stamps (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923.”

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

“ That the grant be reduced by Rs. 56,500 with respect to the item of Rs. 1,13,000—
Discount on sale of General Stamps.”

This amendment purports to reduce by one-half the grant provided for giving discount on the sale of general stamps (non-judicial), to the stamp-vendors. I desire to let the Council know that stamp-vendors are usually *khazanchis* who combine both the businesses. The house will remember that

it allowed increments in the salaries of *khasanchis* only last year, so it will not matter much if the commission they are allowed on the stamps is reduced by one-half. I would have, Sir, moved for the total abolition of this amount but as it happens the *khasanchis* employ their paid servants to carry on this branch of business on their behalf, therefore I will let them only earn due profits. At the present rate of commission which is Rs. 4 and eleven annas, they are making large profits, and I dare to think that they would not mind this reduction of one-half in their incomes. The only argument and the only fear that can stand in our way of accepting my amendment is that the reduced commission might not adversely affect the sale of stamps. I make bold to assure the Government on that point that nothing of the kind can come to pass. The Council might like to know that it is not so much for the commission on the sale of stamps that stamp licensees like it most, but because it brings them more money by writing documents, etc. It naturally follows from the above that there will be as much demand for the license as ever before even if the commission rate is reduced. I trust in the circumstances explained the house will agree to it.

Rai Bahadur Lala Hari Chand [West Punjab towns (Non-Muhammadan), Urban] (Urdu) : Sir, in the circumstances explained by the hon'ble mover of the amendment, I trust the Government will not have any hesitation in accepting this. The only thing that can militate against this amendment is the possible reduction in the sales of stamps. I see not a ghost of a chance in that direction, Sir, the people are eager and will remain eager to obtain licenses of vending stamps because it does supplement their incomes from other sources, viz., document writing, etc. I therefore support the motion that the commission rate be reduced by one-half.

Mr. B. T. Gibson :—I should like to oppose this amendment. It seems to me, Sir, that the hon'ble member is trying to disturb a long existing arrangement. It is not a new expenditure, but the existing system has been in force for years, and is one which requires very careful consideration before a change is adopted. A question like this is suitable for consideration in the Retrenchment Committee of which the hon'ble member is a member, and it should be raised there where it can be fully discussed and considered. The discount paid to stamp-vendors is fixed by rules issued under the Court-fees and Stamps Acts, and before any change can take place these rules will have to be altered. I am not sure whether the sanction of the Central Government will be necessary for the alteration of these rules or not, but it is quite possible that it is required. Then turning to the merits of the proposal, it seems to me that the proposal is a very dangerous one. It is likely to discourage the sale of non-judicial stamps. There would be a tendency to avoid purchasing these stamps, and even if this result does not follow it is quite likely that the vendor will try and make up for the loss of discount by adding to the fee for writing the document. For these reasons I consider the proposal is not at all a suitable one and I beg to oppose it.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, the Hon'ble Finance Secretary defends the existing rate of commission by saying that as this rate is in vogue for a long time it therefore should be continued.

Mr. B. T. Gibson : I did not say, Sir, that it being an old rate of payment should be continued. I said that it having been in vogue for a long time should not be unsettled by a single vote of the Council and should be referred to the Retrenchment Committee.

Mian Muhammad Shah Nawaz—(continued)—I beg your pardon, Sir. The hon'ble official member said that it should be submitted to the Retrenchment Committee to enable it to see the *pros* and *cons* of the question, and thus finally settle the rate of discount. He further contended, Sir, that perhaps it may require the sanction of the Central Government as it would involve certain changes in Rules and Regulations under the Stamp Act. As regards his first observation I might say that the recommendations of the proposed Retrenchment Committee will finally come up before Council for discussion. If this house, Sir, insists now that the present rate be reduced by one half I see no grounds for the Government to oppose it. As regards his second argument I would like to say that 'Stamps' are a provincial subject, and under the devolution rules the Local Governments are empowered to make alterations and changes in the existing state of affairs. I will like to see this question settled to-day without further ado. I am inclined to think that there will not be slightest discouragement in the sale of stamps. It is already on the increase. It is in direct proportion to the litigation which is rather on the increase. The budget, on the other hand, shows an increase also in the revised estimates under "Discount on sale of General Stamps" over this year's original estimate on account of increased sale of stamps. When there will be increased sale of the stamps, then, surely the reduction occasioned in their incomes by reduction in the commission rates will be amply compensated. I therefore, Sir, support this amendment wholeheartedly.

Mr. President : When it is desired to press a change of this sort upon the Government the constitutional practice as prevailing in England is to move for a nominal reduction in order to give the Government time to go into the matter properly. Trouble is likely to be caused if administrative arrangements of long standing are upset by a sudden vote on the subject.

Malik Firoz Khan, Nun : Sir, I beg to move an amendment to this amendment. It is—

"That instead of Rs. 55,500 the figure Rs. 1,000 be read."

Dr. C. A. Owen (Representative of Anglo-Indian community) : Sir, I beg to support the proposal.

Sayad Ghulam Muhammad Shah [Shahpur East (Muhammadian), Rural] (Urdu) : Sir, I beg to support the amendment moved by my friend, Malik Firoz Khan, and oppose the amendment of my friend, Mr. Ganpat Rai. It will be in the interests of the administration if we effect only a nominal reduction, and it will compel the hands of the Government to go into the matter in detail, and they may find it possible to conform to the wishes of this house. It has been urged on behalf of the Government that the reduction will very likely require some changes in law. We should see to the difficulties of administration when attempting to force our amendments.

Sayad Muhammad Husain [Montgomery, (Muhammadan), Rural]: Sir, I really do not see any reason why there should be any interruption in the work if the amendment of my friend Mr. Ganpat Rai is accepted. This is the only item which will create no difficulty whatsoever and true economy will be effected therewith. People know perfectly well that the Treasurers rob the Government and they rob the public. The only thing is this that half the commission which the stamp-vendors are getting will be cut and there will be no reduction whatsoever in the sale of the Court-fee stamps. So long as there is no reduction or decrease in the sale of stamps, there is no possibility of the income from the sale of the Court-fee stamps being ever curtailed.

Mr. Joseph: May I point out that this is General Stamps.

Sayad Muhammad Husain: I am talking on the present item. I do not fear that by accepting the amendment by Mr. Ganpat Rai there will be any interruption in the work of the *khasanchi*. Rather there will be a saving. There will be no interruption. The work will continue to go on as harmoniously as it has been proceeding, and a great deal of saving will be effected if this item and the other big item to which an amendment is going to be moved by my friend Mr. Abdullah Khan are accepted. For these reasons I would support it.

Khan Bahadur Chaudhri Fazl Ali [Gujrat West (Muhammadan), Rural] (Urdu): Sir, I beg to support the amendment of my friend Mr. Ganpat Rai. I do not see any difficulty in the change proposed in the original motion of reduction by half being translated into practice and introduced forthwith. It will save a very handsome amount to the Government without imperiling in any way the sale of general stamps.

Sardar Randhir Singh [Sialkot-cum-Jurdaspur (Sikh), Rural] (Urdu): Sir, I do not find myself in agreement with the original motion of reduction by one-half. I beg to support the amendment of nominal reduction of Rs. 1,000. An erroneous impression has been created here that the '*khasanchis*' are the only stamp-vendors. It is not so, the fact being that '*khasanchis*' vend the stamps of the value of Rs. 50 and more. There are other small stamp-vendors who live on selling the stamps only and who would find themselves hard hit if any reduction in their commission were effected. The matter had better go to the Retrenchment Committee which will thrash it out properly.

Sardar Kartar Singh [Ferozepore (Sikh), Rural] (Urdu): Sir, I do not think that there will be any loss to the Government or trouble to the people in any way. The province is already groaning under a deficit budget and people are looking with alarm to the proposed enhancement in the taxes. We can very easily effect a saving of more than half a lakh by disallowing this grant. More especially when it will not occasion any loss to the Government. I therefore accord my hearty support to the original amendment of my friend Mr. Ganpat Rai.

Mr. H. A. Casson (Financial Commissioner): Sir, it has been stated in this Council that if the reduction in the fees is accepted, then the people would be saved trouble from Treasurers and so on. Well, as pointed out already, it is exactly the reverse of it. All the work would be thrust on the

[Mr. H. A. Casson.]

Treasurers because the ordinary stamp-vendors will decline to retain licenses. That is my opinion, and I am responsible for this department. It is nearly the end of the year, and I am not quite sure whether the licenses are for the financial year or not, but I think it is highly probable that they are. If this motion is passed, we shall have to get out orders in great speed to announce that the fees in future will be reduced by half. We shall have to inform the license-holders, and if they refuse to continue their licenses, we shall have to beat up new license vendors, and if we do not get them, there will be great trouble. Apart from this, everybody who wants to get a stamp will experience difficulties in getting it when there happens to be no licensed vendor, and our object is to have as many licensed vendors as we possibly can have. If we have no licensed vendors except at the headquarters of tahsils and at sadrs, the result will be that the people who are honest and wish to put stamps on their documents will have to make a journey from their villages to the headquarters of the tahsils or else to the sadrs. I think this is imposing an unnecessary burden on the people, and that we should consider very carefully whether it is wise to do so before we suddenly alter the arrangements which have been in force for so long. I, therefore, think that it would be far better to refer this matter to a committee and let it be properly considered first.

The reason why the fees for general stamps are higher than the fees for the Court-fees stamps is simply this. In the case of general stamps, a person may not use them if he wants to defraud the Government, and if the Government officers want to try and catch him, it is not very easy to do so, whereas if a person does not use Court-fee stamps, the Court will at once haul him up and say that this claim cannot be heard because he has not affixed the stamp of the requisite value. That is why the fees in the case of general stamps is a good deal higher than in the case of the Court-fees stamps. Before we alter the present arrangement, we should, I think, consider the matter much more carefully.

Rana Muhammad Jamil Khan [Jullundur (Muhammadan), Rural] (Punjab) : Sir, a reduction has taken place automatically, because banks have been opened and agricultural principles are in vogue everywhere. There are satisfactory arrangements in villages. In towns stamps are affixed by the litigants themselves. Every stamp-vendor holds a license for deed-writing. Discount is, therefore, unnecessary.

Mr. President: The motion before the Council is—

“That the grant be reduced by Rs. 56,500 with respect to the item of Rs. 1,13,000—Discount on Sale of General Stamps.”

To this an amendment has been moved—

“That the grant be reduced by Rs. 1,000.”

The amendment was lost.

Mr. President: The amendment now before the Council is—

“That the grant be reduced by Rs. 56,500 with respect to the item of Rs. 1,13,000—Discount on Sale of General Stamps.”

The amendment was carried—

Mr. Ganpat Rai: Sir, I beg to move—

"That the grant be reduced by Rs. 17,300 with respect to the item of Rs. 34,600—Discount on Sale of Court-fee Stamps."

The discount on the Court-fee stamps affixed on applications should be reduced by half. Apart from villages, applications are filed at the tahsil and at the district head-quarters. Commission ought, therefore, to be reduced substantially. All the same I am not particularly opposed to the old practice, because people have got accustomed to it. The item of Rs. 34,600 might be cut down to Rs. 17,300.

Mr. B. T. Gibson:—Sir, I have nothing fresh to urge, but I should like again to ask the house to consider the serious result of upsetting a long standing arrangement in this manner. I am not sure whether the hon'ble members have realised fully what a very small discount is given on judicial stamps. For stamps of the value of one rupee or less the discount is 2 pies in the rupee, and on stamps of higher value than one rupee, it is only $1\frac{1}{2}$ pie in the rupee. For stamped paper, the rate is more than one anna in the rupee. Surely, it will be agreed that the rates of discount can hardly be lower than these if we are going to attract stamp sellers to sell Government judicial stamps. In view of what has already been said on the previous amendments, I have nothing more to urge.

Mr. President:—The amendment before the Council is—

"That the grant be reduced by Rs. 17,300 with respect to the item of Rs. 34,600—Discount on sale of Court-fee Stamps."

The amendment was carried.

Mr. Ganpat Rai (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 2,500 with respect to the item of Rs. 5,000—Discount on plain paper."

This is also a small item, and I am sorry that we have to cut down small items. The fact remains that we should do our best to save every pie that can possibly be saved. Why should commission be paid to stamp-vendors. Sometimes people pay commission in excess of the prescribed rate. Moreover, they cannot put in applications on any other kind of paper. Why should they be bound by an ante-diluvian practice. We should be liberal, and I would submit that the reduction proposed should be agreed to.

The Hon'ble Sir John Maynard [Finance Member]:—I would like to say only a few words before the house commits a third mistake. It has already made two very serious mistakes in voting a reduction of the grants for discount on stamps without any enquiry. It has been suggested that there is no reason why we should not diminish by one-half the livelihood of the persons who are engaged in the sale of stamps. Has it ever occurred to any of the members who have spoken on this matter that they cannot at a moment's notice send for a person and say that his income has been reduced by one-half without thereby compelling him to seek a method of making up the difference. It will cause the gravest injustice when the Council decides that these stamp-vendors should henceforth find another method of making

[Sir John Maynard.]

up the loss which has been forced upon them. It has been suggested that it does not matter if there is a reduction in the allowances given to these men by one-half. Supposing one of the members of this house were suddenly told that one-half of his food would henceforth be reduced, not after consulting the Doctor or after ascertaining that it will be better for him to do so, but suddenly by a decision made by men who have not had an opportunity of going into the question fully. Sir, I emphatically protest against this reduction, and I appeal to the house to exercise its common-sense before coming to a conclusion. The first step to be taken in deciding such a question is to make an enquiry, and let me assure the house I am quite prepared to undertake such an enquiry.

Mr. Ganpat Rai.—Sir, I wish to withdraw this motion. But before I withdraw I should like to ask whether after the Council had passed two previous motions the Hon'ble Finance Member, for whom I have great respect, was in order in saying that the Council had already made two mistakes in passing the two items, and that it was going to make a third mistake by passing this item. I have a very great respect for the Hon'ble Finance Member personally, but I would like to point out that we feel very much aggrieved at what he has said, but out of respect for him I beg leave to withdraw this motion.

The amendment was by leave withdrawn.

Mr. President:—The motion before the Council is—

"That a sum not exceeding Rs. 4,13,20 be granted to the Governor in Council, Punjab, under the Major Heads '7—Stamps' and 'VII—Stamps (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

FORESTS GRANT.

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia: Sir, I beg to move—

"That a sum not exceeding Rs. 30,45,430 be granted to the Governor in Council Punjab, under the Major Heads '8—Forests' and 'VIII—Forests (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

In making this proposal I hope I shall be permitted to make a few remarks about what forests and the Forest Departments do in this country. The objects of the Forest Department are ; to conserve the forests, prevent erosion and floods, secondly, to mitigate the rigours of climate and to ensure more equable rainfall and, thirdly, to work the forests in the interests of the people and place any balance of forest products available on the market and realise revenue in the interests of tax-payers of the province.

In considering these points we are first to see what the Forests do as regards the canals. The canals draw their water from hills, gorges and nallas, on which generally there are trees standing. These trees keep the moisture and conserve the water supply, and also these trees allow the snow that falls on the hills to dissolve a bit slowly so that the supply in the rivers is controlled to some extent. From the rivers the canals draw their supply, and if there is a flood in the rivers naturally the canals' supply is also affected to such an extent that in some cases they are overflowed. In some cases these hill torrents have to pass through sycons and level crossings that have been made and those people who have seen some of our Upper Jhelum canals will understand and realize the necessity of saving these canals from these erosions and occasional floods that come there.

Besides that these forests help in some cases to save our railways from being washed away. Those who have seen the district of Jhelum will realise what has been done the effect of erosions. The district of Jhelum some time ago used to have a good deal of forest in which game abounded. But what do we find at the present moment, there are ravines which have been washed away by the rains and that there are no trees at the present moment, with the result that the patches of jungle that used to be there to conserve and to help in bringing a greater quantity of rain, are not to be found in that place. I may add a little bit of experience I had in the United Provinces, where I happen to possess a small estate. In that estate we had a forest, also there was a large forest area in the adjoining proprietor's estate and the Government also owned a large forest. What has happened to the forest estate of the petty zemindars? The forests have been cut with the result that the rainfall which used to be about 60 inches then is now reduced to 45 inches in the year. This is what has happened by the cutting of forests in that part of the country. So all attempts to keep these forests and to conserve them means an addition to the rainfall of the country without which we cannot possibly have abundance of crops and without which we cannot possibly feed our canals which ensure good crops.

As I find that a large number of amendments are put forward to reduce the forest budget, it is necessary for me to explain what the policy and utility of this Department is. The second point is that these forests are to be conserved for the purposes of the people of this country. If the forests, which are denuded, are not regenerated, we shall, as I have said in the case of the Jhelum tract, have no forest left. Even in the Jhelum tract and endeavour is being made to reclaim that part of the country. This house voted last year a certain amount of money for the reclamation of that forest. It is to be understood that the Forest Department is practically a *quasi* commercial concern. So I expect, and I hope that this house when dealing with this budget will not take this department simply as a concern from which money is to be taken and on which nothing is to be spent for its regeneration and for its proper upkeep.

As regards the budget heads, Sir, I may say that in 1919-20 a cash surplus of Rs. 14 lakhs was realised. In 1920-21 only 2½ lakhs was realised and in the current year after deducting the expenditure of Rs. 46 lakhs there is left a surplus of Rs. 4 lakhs only. *Prima facie* this is not a very encouraging figure, but we have to see that in this department the expenditure is met out of the income, generally I mean; and that in this way a good deal of profits are being spent for the work which is being done in the Department of Forest. The Department is expanding rapidly and the cost of expansion is met out of the revenues. The actual figures of the Forest Department budget are Rs. 65 lakhs and the bulk of the revenue is derived from departmental timber works which is about Rs. 32 lakhs. The other large head is firewood which is something like Rs. 46 lakhs and the revenue from other heads is Rs. 13 lakhs. The latter is going to be placed under a co-partnership scheme. It seems that in future we shall not require money for carrying on this work but Government will share the profits with the co-partner.

As I have explained before, our expenditure this year is a good deal more than in the past year. I need not enter into details, but I hope that when the demand is being discussed, I may have occasion to make

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a few remarks here and there. Yet I would bring to the notice of the members that in dealing with the Department they have to consider that any income derived from this Department goes towards lightening the burden of the Province and that in so doing endeavour should be made as far as possible to cut down expenditure and to get more income from the Forest Estate. I can assure this House that I will try my best with the heads of the department who are in charge that they will do their best to see that the expenditure does not increase. With these few remarks I will resume my seat.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, I wish to move that the grant be reduced by Rs. 7 lakhs and to withdraw my detailed amendments. I understand that the Government will accept this.

Mr. President : I will first call upon Mian Beli Ram, Mr. Moti Lal Kaistha and Mr. Ganpat Rai to move their amendments. They are not present and their amendments drop. The coast is now clear for the Hon'ble Member's consolidated amendment.

Sayad Muhammad Husain (continued) : Sir, The Sardar Sahib (Hon'ble Member for Revenue) has said that the financial aspect should not be considered. On the other hand the departmental officials say that the Department of Forests is a profitable department and that the expenditure that is incurred on it is of no account. The difficulty, however, is that the forest budget is altogether obscure. This is not the case with the budgets of other departments, which are quite clear. It is urged that the department is very profitable, but no profit is apparent. A compromise has been come to with Mr. Boyd for the reduction of the whole expenditure on forests by seven lakhs. The Accountant-General has also made an observation that the forest department has never shown any net profit. There was an income of Rs. 21,54,000 in 1919 as against an expenditure of Rs. 17,00,000. In other words, the profit that accrued was small. In the budget of 1920-21 the net income was shown to be Rs. 24,39,696 and the expenditure Rs. 15,99,624. In the budget of 1922 an item of Rs. 36,40,000 was shown. This may perhaps be the actuals. In my opinion a Committee of which the Hon'ble Member for Agriculture, who possesses all knowledge about forests, and Mr. Ganpat Rai should be members, might well be appointed to report on the necessity or otherwise of the various items of expenditure. My point is that like the Public Works Department budget the forest budget should be drawn up in a thorough and lucid manner so as to make it intelligible to us. We have been told that the expenditure on forests is a profitable investment. This might be the case, but we should also be enlightened what the profits are. I have every deference for Mr. Casson's statement that the Forest Department is indispensable, but the expenditure should be curtailed. In view of the fact that this is a year of deficits we should co-operate with each other in order to reduce expenditure. I am glad that official members are also joining with us in effecting retrenchment. The Council is a responsible body and it should invariably act with prudence so that people of other provinces may have no opportunity to find fault with us. Agreeing with Mr. Boyd, I am prepared to accept a reduction of the forest expenditure by Rs. 7,00,000.

Mr. President : The motion before the Council is—

"That the demand of Rs. 60,45,430 under the Major Heads '8—Forests' and 'VIII—Forests (Refunds)' be reduced by Rs. 7,00,000."

The amendment was carried.

Mr. President : The motion before the Council is—

"That a sum not exceeding Rs. 53,45,430 be granted to the Governor in Council Punjab, under the Major Heads '8—Forests' and 'VIII—Forests (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

REGISTRATION GRANT.

The Hon'ble Sir John Maynard [Finance Member] : Sir, I beg to move—

"That a sum not exceeding Rs. 1,19,300 be granted to the Punjab Government (Ministry of Education) under the Major Heads '9—Registration' and 'IX—Registration (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

GENERAL ADMINISTRATION GRANT.

The Hon'ble Sir John Maynard [Finance Member] : Sir, I beg to move—

"That a sum not exceeding Rs. 73,12,700 be granted to the Governor in Council and to the Punjab Government (Ministries of Agriculture and Education) under the Major Head '22—General Administration' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

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

"that the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 6,02,590—Civil Secretariat."

My proposal is based on several grounds. In the first place there are five Secretaries instead of four. The staffs are already overmanned and expenditure is increasing. On page 27 of the Budget, an item which is for the Mir Munshi is shown. The post of Mir Munshi is always held by an Extra Assistant Commissioner and a large expense is incurred on his salary. When there is an Assistant Mir Munshi, Mir Munshi is not required. I think Government also is of opinion that Mir Munshi is unnecessary. I would next make the submission that out of the two Assistant Secretaries, one should be abolished. There are 5 Secretaries, three Under-Secretaries and one Additional Secretary. At any rate one of the Assistant Secretaries must be abolished. In the presence of two Financial Commissioners, an Additional Secretary is not required. There is besides one officer on Special Duty. He also is not needed and the item of Rs. 20,000 should be retrenched. A sum of Rs. 13,200 has been shown on account of the pay of clerks and servants of the Persian Office. The staff of English clerks has already been added to by the Council and it is now time that the item of Rs. 6,000 on account of temporary establishment should be retrenched. A sum of Rs. 16,037 has been shown on account of revision of establishment. Seeing that pay has been revised so many times, revision in a year of deficit can have no meaning. Next comes the item of travelling allowance. One-fourth of it should be retrenched. I am totally against grant of travelling allowances. Rupees 24,000 has been shown on account of hill journey and hill

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allowances. I would remind the Hon'ble Member for Finance of his promise and he will kindly now see to it that hill journeys should be curtailed. When the High Court Judges pass the summer at the headquarters it is not at all clear why the Secretariat Officers should go to Simla. If it is absolutely necessary for the responsible officers to go up they should not take with them such a large staff of clerks. Apart from other expenses, which are heavy, a heavy expense has also to be incurred on postage and telegrams, by the stay of the Local Government at Simla. Expenditure ought to be reduced in this year of deficit. On the occasion of the last session one of the members of this Council suggested that the Council should hold a session at Simla but his suggestion was thrown out. When the suggestion about the holding of a session was dismissed there is no reason why the clerical staff should go to Simla. Items on account of contingent expenses are to be met with in several places in the Budget. I would submit that the item on the top of page 48 might be reduced by Rs. 7,000. Next come items on account of contingencies. Rupees 20,000 is shown for additional contingencies. This also must be cut down. These contingent expenses are a nuisance. Then comes an item of Rs. 17,000 on account of hill journey charges. This also must be reduced. All things considered the grant should be reduced by Rs. one lakh. I would urge that the provision under this Head should be cut down.

Mr. E. Joseph [Chief Secretary]: Sir, the actual demand is Rs. 6,02,500. The Hon'ble Member proposes to reduce this by one lakh or one-sixth. What he wants us to do is to make bricks without straw. He no doubt might remember that the children of Israel in Egypt were told to go and make bricks and they were refused straw. They came back and said that they could not make bricks without straw. Pharaoh said, "Ye are idle, ye are idle. Go now therefore, and work : for there shall be no straw given you, yet shall ye deliver the tale of bricks. And the officers of the children of Israel did see that they were in evil case after it was said ' ye shall not minish ought from your bricks ' of your daily task. "

In the same way, Sir, the Secretariat is now asked to make bricks without straw. It is asked to diminish its staff by one-sixth. Mr. Ganpat Rai, Sir, is Pharaoh and the idle Secretaries are the children of Israel. It is only the other day, Sir, that on the recommendation of the Finance Committee this Council voted a supplementary sum of Rs. 3,605 in order to increase the strength of the Secretariat. That is only two or three days ago. It is because it was recognised that the Secretariat could not continue to do the work, as demanded of it, without some addition. I have, Sir, here some figures which will show how extraordinarily moderate the demand that we have made was. When the reforms were instituted on the 1st of January last year it was recognised that we should probably have to have extra establishment, but we decided to wait for experience whether we could carry on without any additional staff. When the demand for bricks was found necessary we asked for some straw to make the bricks with, we asked for extra establishment to cope with the work. In the United Provinces, before the introduction of reforms, there were 125 clerks and there are now 161, that is to say, an increase of 28 per cent. was made in the United Provinces Secretariat. In the Punjab, Sir, there were before the reforms 101 clerks. There are now only 113, i.e., an increase of 11. I do not think it is possible to carry on the

work as it is to be carried on with lesser staff than we have now got. I will not follow the hon'ble Member through all the details which he mentioned and the items which he wishes to reduce for it is quite obvious that the reduction will have to be made all round. We cannot in the same way keep the establishment without any provision for journeys to the hills and charges in the hills when it has been decided that a certain limited portion of the staff should go to the hills. I can give an assurance, as has already been given, to this Council that every endeavour will be made to keep down those charges. An actual reduction was made last year in the establishment taken to Simla and I have at this moment been dictating a letter to all heads of departments (including myself) to call attention to the fact that the Council takes much interest in this question of reducing the charges to Simla and that no increase is to be allowed on the figures of last year without the special sanction of Government. So the case stands at this moment that certain staff is to go to Simla with the Government.

There are one or two other points I should like to mention. The hon'ble member spoke about the reduction of the Mir Munshi. He will be glad to know that he had been reduced before the hon'ble member suggested this. This budget was based on the Secretariat as it stood, but while it has been in the course of preparation certain alterations have been made. The Persian Office as a Persian Office has been abolished but the work has been redistributed between two other branches, one the Translation Branch known as the Press Branch and the other the Political and General Branch. In the course of these alterations which involve a small economy, the Mir Munshi has disappeared. But the figures as shown here are the figures of the Secretariat as it stood before. There will be a slight economy but I cannot give the exact amount of the saving involved.

Then, Sir, he objected to there being two Assistant Secretaries. He said that two Assistant Secretaries were too many. The Assistant Secretaries are a very essential part of the machinery. They supervise all the Superintendents of the whole of the office and do work of a routine nature which would be waste of time to give to an Under-Secretary. I can assure the Council that they are very fully occupied and that if one of them should be abolished it will mean that the work will become chaotic. As to the Officer on Special Duty and his establishment, it may be remembered that the Retrenchment Committee asked for an officer on special duty in order to help in drafting the schemes of retrenchment. If the schemes are to be gone into and to be drafted, we must have certain establishment to deal with them. Then there is a point about the item of Rs. 16,037, for the revision of establishment. That, I am sorry to say, is due to a misprint. The item really is on account of leave salaries. The lump provision is for leave salaries and not for revision of establishment.

I think there was a suggestion, Sir, that the staff was unduly great because the number of Secretaries has been increased, if I understood Mr. Ganpat Rai correctly. That, Sir, is not the case. There can be no question that the work has enormously increased and that the number of Secretaries had to be increased to cope with the work. That is entirely a separate question from the increase of establishment itself and I do think the figures I have pointed out just now are sufficient to show that we have been studiously moderate in the increase as effected in the Secretariat staff. We have, as I have said before, only 11 more men than we had before the Reforms were

[Mr. E. Joseph.]

introduced and the work has certainly increased out of proportion. Personally I do not think that we have a strong enough staff, and I am prepared to come up to this Council even yet for the further assistance of two assistants which the Finance Committee would now allow the other day. That, Sir, is the general position, that if we are to reduce one lakh of rupees we shall have to reduce one-sixth of the whole of the office establishment and that the work which is done—and a very large proportion of the work is done for this Council—cannot possibly be carried on in the way in which this Council would wish it to be carried on and it cannot be done as promptly as they would wish in the interest of the general administration that the work should be done.

Mr. Ganpat Rai : Sir, I understand from the Chief Secretary that the Mir Munshi and the Persian Office have come under reduction, and therefore this item will be now omitted from the budget.

Mr. E. Joseph : Sir, perhaps I did not make myself quite clear. What I meant to explain was that we had previously a Persian Office. I have abolished the Persian Office as such and have distributed the clerks partly into the Press Branch, where there is a great deal of vernacular work done and partly into the Political and General branch. In the course of that process the Mir Munshi has disappeared and there have been certain small, not big, reductions. These figures given here show the position as it was before this alteration, which has only been made in the course of the last month, was put into effect, when the Persian Office as a whole disappeared. But with its disappearance the figures given in the budget have become wrong, that is to say, that there will be a certain amount increased in the establishment of the Press Branch and the Political and General Branch, but not quite so much as the reduction due to the abolition of the Persian Office. No doubt, Sir, there will be some slight economy as we are trying to do.

Mr. Ganpat Rai : Sir, I think there should be a fresh supplementary demand from the Government for the increase in the establishment of the Press Branch and the Political and General Branch. I do not think there is any rule by which by abolishing a certain office the money can be distributed in any way. Therefore I would request that these items—the Persian Office and the Mir Munshi—may be omitted from the budget on the admission by the Chief Secretary that the Persian Office has been abolished.

Mr. President : The amendment before the Council is :

“ That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 8,02,500—Civil Secretariat. ”

The amendment was lost.

The Council then adjourned till 2 P.M. on Thursday, the 9th March 1922.

PUNJAB LEGISLATIVE COUNCIL.

Thursday, 9th March 1922.

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

QUESTIONS AND ANSWERS.

GRANTS OF LAND TO VARIOUS COMMUNITIES IN COLONIES.

1366. Mr. Ganpat Rai : Will Government be pleased to lay on the table a statement showing the various grants of land made to Sikhs, Muhammadans and Hindus in the various colonies since colonies were inaugurated ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The information is not readily available and the time and labour required to compile it would be out of proportion to the value of the result.

LAND ACQUIRED BY VARIOUS COMMUNITIES IN COLONY AREAS.

1367. Mr. Ganpat Rai : Will Government lay on the table a statement showing land acquired by purchase in colony areas by Sikhs, Muhammadans and Hindus ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The information is not readily available and the time and labour required to compile it would be out of proportion to the value of the result.

SPECIAL GRANTS MADE TO VARIOUS COMMUNITIES.

1368. Mr. Ganpat Rai : Will Government be pleased to lay on the table a statement showing the various special grants made to Hindus, Muhammadans, Sikhs, Europeans, Anglo-Indians and Indian Christians ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The information is not readily available and the time and labour required to compile it would be out of proportion to the value of the result.

GRANTS MADE ON ACCOUNT OF MILITARY SERVICES, ETC.

1369. Mr. Ganpat Rai : Will Government be pleased to lay a further statement on the table analysing the statements mentioned in questions Nos. 1366 and 1368 above, into grants made on account of military services, civil services, grants to impecunious nobility and other persons ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The information is not readily available and the time and labour required to compile it would be out of proportion to the value of the result.

Mr. Ganpat Rai : Sir, with your permission, I wish to enquire if that means that the Government is not ready to supply any information. Is that the meaning of the reply just given by the hon'ble member ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia :
My reply is quite plain, is it not ?

Mr. Ganpat Rai : No, it is not quite plain. Otherwise, I would not have troubled you about it.

Mr. President : To me the reply appears quite clear.

SPECIAL DIETARY TO PRISONERS.

1370. Rai Sahib Lala Panna Lal : Will Government be pleased to lay on the table a statement showing—

- (a) Names of jails where orders regarding special dietary to special class prisoners are being enforced, and
- (b) the number of special class prisoners in each jail who have taken advantage of the new dietary rules ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia :
The orders referred to are being enforced in the jails mentioned in the following statement. They will also be enforced in any other jail in which special class prisoners may be confined :—

- (a) Lahore Central.
Montgomery Central.
Lahore Borstal.
Rawalpindi.
Ambala Sub-Jail.
Lyallpur.
Dera Ghazi Khan.
Ludhiana.
Mianwali.
Hissar.
Rohtak.
Hoshiarpur.
Karnal.

(b) *Name of jail.*

Number of special class prisoners who have taken advantage of the special dietary rules.

Lahore Central	...	<i>Nil.</i>
Montgomery Central	...	7
Lahore Borstal	...	38
Rawalpindi	...	4
Ambala Sub-Jail	...	19
Lyallpur	...	2
Dera Ghazi Khan	...	5
Ludhiana	...	6
Mianwali	...	14
Hissar	...	20
Rohtak	...	24
Hoshiarpur	...	<i>Nil.</i>
Karnal	...	1
Total	...	140

EXPORT OF WHEAT.

1371. Rai Saib Lala Panna Lal : (a) Will the Government be pleased to inform this Council if it intends to stop the export of wheat from the next harvest or to permit the export of the surplus quantity only ?

(b) Will the Government be pleased to inform this Council as to how it determines the surplus exportable quantity of the Province ?

The Hon'ble Lala Harkishan Lal : (a) The matter is one for the Government of India, not the Local Government, to decide.

(b) The hon'ble member is referred to the speech of the Hon'ble Mr. Sharma made in the Council of State on the 9th March 1921.

Chaudhri Ali Akbar being absent question No. 1372 was not put.

TEMPORARY DRAFTSMEN, PUNJAB IRRIGATION DEPARTMENT.

1373. Chaudhri Ali Akbar : Is it a fact that temporary draftsmen of the Punjab Irrigation Department have not been granted increments in accordance with the new scale of pay ?

(b) Is it also a fact that permanent posts have not yet been granted to the draftsmen mentioned above.

(c) If the answers to the above are in the affirmative, will Government be pleased to state the reason why the above-mentioned posts have not yet been made permanent ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia. (a) Superintending Engineers have received instructions to fix the pay of temporary draftsmen on the new scale in a similar manner to that of the permanent men.

(b) The answer is in the affirmative.

(c) The cadre provides for a certain number of permanent posts, which previous to the revision of the scale were held by permanent draftsmen. In addition to these a certain number of temporary posts are required from time to time to provide for the expansion and contraction of work in the Department. Government does not intend to make permanent appointments to these posts.

DRAFTSMEN OF THE PUNJAB IRRIGATION DEPARTMENT.

1374. Chaudhri Ali Akbar : Is it a fact that Draftsmen of the Punjab Irrigation Department have not been granted the house allowance given to Clerks working in Amritsar, Lyallpur, Sargodha and Multan Districts ?

If so, will Government be pleased to give reasons for the differentiation observed between Clerks and Draftsmen ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : The reply to the first part of the enquiry is in the affirmative.

The allowance was definitely restricted to Clerks for financial reasons.

NOTE.—Chaudhri Ali Akbar being absent the answers to questions 1373 and 1374 were given by Government in the public interest.

CASE OF PANDIT DINA NATH.

1375. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state the grounds on which the case of Pandit Dina Nath has been treated differently from those of the Sikhs (since released) who were convicted under section 7 of the Seditious Meetings Act ?

The Hon'ble Sir John Maynard : Pandit Dina Nath has been released.

Diwan Bahadur Raja Narendra Nath : Yes, but on what grounds was his case discriminated from others convicted with him.

The Hon'ble Sir John Maynard : He is not a Sikh.

ACTION TAKEN ON RESOLUTION PASSED IN COUNCIL, REGARDING MOVING THE HIGH COURT TO EXAMINE RECORDS OF NON-CO-OPERATORS' CONVICTIONS.

1376. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state what action has been taken to comply with the resolution passed by this Council on 11th January recommending the examination by the High Court of the records of cases in which non-co-operators have been convicted during the recent unrest. If no action has been taken, will Government be pleased to state how it proposes to ensure against the recurrence of such mistakes of law as occurred in the prosecution of Messrs Lajpat Rai, Santanam, Gopi Chand and Lal Khan ?

The Hon'ble Sir John Maynard : Government has decided to take steps to draw the attention of the High Court, with a view to action under Section 438, Criminal Procedure Code, to every case in which the persons convicted of offences have abstained from offering any defence and are believed to be unlikely to appeal : provided that some substantial doubt exists in regard to the legality of the finding or the legality or the suitability of the sentence imposed.

Diwan Bahadur Raja Narendra Nath : How is the legality to be determined ? Who is to decide it ?

The Hon'ble Sir John Maynard : It depends upon the circumstances of the cases. Government will have to decide in cases of doubt.

NON-INTERFERENCE WITH UNDER-TRIAL PRISONERS OR CONVICTS WHILE ENGAGED IN PRAYERS.

1377. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state whether it is a fact that certain Hindu volunteers arrested in Lahore on 26th January were subjected to humiliation while engaged in the performance of their prayers (Sandhia) ? If so, will Government be pleased to issue orders to officers that no under-trial prisoners or convicts should be disturbed while engaged in prayers at the usual hours ?

The Hon'ble Sir John Maynard : The answer to this question is contained in a *communiqué* of which a copy is placed on the table.

PRESS COMMUNIQUE.

Some anxiety is understood to have been caused in the Arya Samaj community by an incident which occurred at the Naulakha Police Station at Lahore on January 26th, when the Deputy Commissioner and the Superintendent of Police visited the Station and asked certain volunteers whether they were willing to give bail. The allegation which has given rise to anxiety is that a volunteer was interrupted during the recitation of the Sandhia; and this has been taken as an indication of disrespect to the religious feelings of the Arya Samaj community.

It has been ascertained that the persons in the lock-up were quite silent till the officers concerned came in front of the door. They then suddenly began to recite loudly. The impression of the officers concerned was that the Sandhia was a ceremony performed by individuals silently, and not in congregation, loudly. They were therefore not aware that the persons in the lock-up were performing a religious rite, and would certainly not have interrupted them if they had been aware of the fact, and would much regret any interference with the religious duties of any person.

The Government takes this opportunity of saying that the religious susceptibilities of the people will on all occasions be scrupulously respected, and that reasonable facilities will be provided to any person, whether in Jail or Police custody, for performing his devotions in a quiet and orderly manner.

(Sd.) R. T. V. HOWE,

Junior Assistant Secretary to Government, Punjab.

Dated 23rd February 1922.

CONDUCT OF DEPUTY COMMISSIONER, JULLUNDUR.

1378. **Diwan Bahadur Raja Narendra Nath :** Will Government be pleased to state—(a) whether it is a fact that the Deputy Commissioner of Jullundur has recently passed an order to the effect that all persons on the sight of a European should salute him, and, if so, whether he meted out any punishment to those who failed to carry out his order?

(b) whether on the occasion of the auction of liquor licenses the authorities humiliated and thrashed some peaceful inhabitants in such a way as to elicit a protest from the Municipal Committee asking for an independent and impartial enquiry by a Committee composed of officials and non-officials; and

(c) whether it is proposed to appoint such a Committee?

The Hon'ble Sir John Maynard : (a) No.

(b) Attempts were made to interfere with the course of the excise auctions. The police exercised their lawful authority to disperse an unlawful assembly. No peaceful persons were treated in the manner suggested by the questioner.

(c) No.

BASHAHR FOREST DIVISION.

1379. Diwan Bahadur Raja Narendra Nath : (a) Will the Government be pleased to lay on the table a statement showing the income and expenditure of the Bashahr Forest Division Service since 1917-18, when the policy of the sale of standing trees was abandoned in favour of departmental extraction ?

(b) Is it a fact that there is every year a deficit, and that although surpluses are budgeted every year, yet the actuals at the close of every year show a deficit ?

(c) If the answer to (b) be in the affirmative, will Government consider the advisability of stopping departmental extraction and resorting to the sale of standing trees again ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia, I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

EXECUTION OF BONDS BY SUB-ASSISTANT SURGEONS.

1380. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state whether it is a fact that Government of India letter No. 768, dated 31st August 1920, which increases the period of the bond to be taken from Sub-Assistant Surgeons from 5 to 10 years, and the amount from Rs. 400 to Rs. 1,000 creates an exception in favour of persons who, being students in Medical Schools, have as such signed bonds before 31st August 1920 to become Sub-Assistant Surgeons on completion of their courses of instruction ?

Has the Punjab Government issued an order which requires temporary Assistant Surgeons, before their confirmation, to execute bonds in the new form ? If so, is Government satisfied that none of the holders of temporary posts is governed by the exception created by the Government of India letter referred to above ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) Government of India letter No. 768, dated 31st August 1920, exempts only those who were "public students," that is, who were scholarship holders throughout the period of their training in Medical Schools and signed bonds to become Sub-Assistant Surgeons on completion of their courses of instruction, and not all persons as the question implies.

(b) This part of the question is not understood. If the inquiry is about Sub-Assistant Surgeons, the reply is in the affirmative.

Diwan Bahadur Raja Narendra Nath : Have the scholarship-holders been exempted from giving fresh bonds ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : That is what the answer implies.

LANGUAGE USED IN DRILLING THE POLICE.

1381. Malik Firoz Khan, Nun : (i) Is it a fact that all the commands in drilling the Police in this Province are given in the English language ?

(ii) Is it a fact that the mother tongue of all the members of the Police Force except the Superintendents and Assistant Superintendents of Police is *Hindustani*?

(iii) Is there any reason why in future the *Hindustani* language should not be substituted for the English language in drilling the Police in this Province?

(iv) Will the Government kindly take steps to bring about this change?

The Hon'ble Sir John Maynard : (i) is correct.

(ii) With the exception of European and Anglo-Indian Sergeants and Inspectors, part (ii) of the question is also correct.

(iii) Government sees no reason to alter past practice, which is similar to that in use in the Indian Army and which has worked extremely well.

(iv) No reply is required to part (iv) in view of (iii) above.

ACTION TAKEN BY GOVERNMENT ON THE RESOLUTION REGARDING
POLITICAL PRISONERS.

1382. Rai Sahib Lala Thakar Das : With reference to my resolution regarding the treatment of political prisoners, both under-trial as well as convicts, adopted at the last session of the Punjab Legislative Council, will Government be pleased to state if and how the said resolution has been given effect to in relation with the prisoners now undergoing imprisonment in the Punjab for offences against the State, as well as those who are undergoing trial for similar offences?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The action taken by the Punjab Government will be apparent from the rules issued under section 60 of the Prisons Act, 1894, and from the instructions issued by Government for the guidance of Superintendents of Jails. A copy of the rules and of the endorsement to the Inspector-General of Prisons containing the instructions is laid on the table.

2. After consulting the High Court, the duty of deciding which prisoners shall be placed in the special class has been transferred from Superintendents of Jails (to whom it has been entrusted as a temporary measure) to the Convicting Courts. The rules have been amended accordingly.

RULES UNDER SECTION 60 OF THE PRISONS ACT, 1894.

(1) Special class prisoners shall be classified as such by the Convicting Court by reason of the nature of the offence and the antecedents of the offender including his social position, education and standard of living.

(2) The Superintendent shall, so far as possible, allot to special class prisoners sentenced to rigorous imprisonment such tasks as may be suitable.

If any special class prisoner who is sentenced to simple imprisonment elects to labour, the Superintendent of the Jail shall allot to him such task as is suitable to his station in life.

(3) Every special class prisoner shall be permitted to provide his own clothing. The clothing may be conformable to the ordinary style of dress of the prisoner, but shall not offer facilities for suicide or escape: and shall provide a means of identifying the wearer as a prisoner.

(4) A special class prisoner shall receive a special dietary which shall be prescribed by the Inspector-General of Prisons with the previous sanction of the Local Government, provided that no such prisoner shall be entitled to a diet on the special scale unless he pays the additional cost over that of the diet prescribed for European prisoners.

(5) The food of special class prisoners shall be separately cooked and in separate cook-houses from that of other prisoners.

(6) Special class prisoners shall be permitted to use their own cups and plates and bedding.

(7) Special class prisoners shall, if possible, be confined separately from convicts of other classes either in cells or in an association ward with other prisoners of the same class, but this rule may be varied by the Superintendent for sanitary or other sufficient reason; such reason shall be recorded in writing.

(8) Special class prisoners shall take such exercise daily in the open air as the Medical Officer considers necessary and under such regulations as the Superintendent shall prescribe.

(9) Every special class prisoner shall be permitted to sleep in the open in summer, and separate latrine accommodation shall be allotted to them, of such a type as may ensure privacy.

(10) Every special class prisoner shall be allowed to have an interview with his friends and to write and receive a letter once a month during the term of his imprisonment provided that the exercise of this privilege shall be contingent on good conduct and may be withdrawn or postponed by the Superintendent of the Jail for bad conduct, or for abuse of the privilege.

(11) Special class prisoners may be given a light in their cells or ward till 10 p.m., and if there is a jail library, may be allowed books from it on such conditions as the Superintendent may deem necessary.

(12) Any act of misconduct on the part of a special class prisoner shall render him liable to the forfeiture of any or all of the concessions allowed by these rules for such period as the Superintendent may deem proper, in addition to any other punishment to which he may be liable under the jail Code.

(13) The Superintendent shall cause an abstract of the rules relating to discipline and conduct, rewards and punishments affecting prisoners to be placed in each cell or ward.

No. 1125-Jail, dated Lahore, the 18th January 1922.

ORDER OF THE GOVERNOR IN COUNCIL.

Copy forwarded to the Inspector-General of Prisons, Punjab, with the request that he will bring the rules into operation at once.

2. For the guidance of Superintendents of Jails it is noted that all prisoners convicted under the Seditious Meetings Act, the Criminal Law Amendment Act, or Section 124-A or 153-A, Indian Penal Code, should be put in the Special class provided that their antecedents including social position, education and standard of living, indicate that they are suitable

for inclusion in that class. This should not be taken to exclude from the special class other prisoners of good standing whose offence does not imply any moral turpitude.

By order,

D. J. BOYD,

Revenue Secretary to Government, Punjab.

SPECIAL DIET FOR POLITICAL PRISONERS.

1383. Rai Sahib Lala Thakar Das : (a) Is it a fact that the Superintendent of Central Jail at Lahore recently sent for certain leading political prisoners in that jail to inform them that they had been put in the special class of prisoners, and would be given special improved diet?

(b) Is it a fact that the prisoners sent for refused to avail themselves of the special diet unless the same was allowed to all political prisoners without distinction?

(c) If the replies to the above questions are in the affirmative, will Government be pleased to state the reasons which have led it to make a distinction between political prisoners?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia :

(a) Yes.

(b) Yes.

(c) The policy of Government is embodied in the rules regarding special class prisoners of which a copy has been laid on the table in connection with question No. 1382.

RELEASE OF PANDIT DINA NATH.

1384. Rai Sahib Lala Thakar Das : Is it a fact that Pandit Dina Nath was arrested and convicted along with a number of Sikhs at Amritsar in connection with the Gurdwara keys affair, and that he is still kept in detention, whereas his companions have been released?

(b) If so, will Government be pleased to state why differential treatment has been meted out to Pandit Dina Nath, and whether the question of his release is engaging their attention?

The Hon'ble Sir John Maynard : (a) Pandit Dina Nath has been released.

(b) Hence there is no need for any further reply to hon'ble member's question.

FUEL FOR COOKING THE FOOD OF PRISONERS.

1385. Rai Sahib Lala Panna Lal : Will the Government be pleased to state the quantity of fuel allowed for cooking the food of each prisoner in a jail?

NOTE.—Rai Sahib Lala Thakar Das being absent the answers to questions 1382, 1383, and 1384 were given by Government in the public interest.

(b) Does the Government consider that the quantity of fuel allowed at present is sufficient for cooking a man's food twice a day?

(c) If not, is the Government considering the question of increasing the allowance?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia: In Central and District Jails where the populations are large the daily allowance of fuel is 6 chattaacks per head. In sub-jails the allowance is 12 chattaacks per head.

(b) The allowance is considered sufficient.

SCARCITY OF WATER IN ROHTAK.

1386. Lala Atma Ram: (a) Is it a fact that the people of the Rohtak town are put to great inconvenience owing to the extreme scarcity of water there; that the Municipal Committee of Rohtak has proposed to take in hand a Water Works Scheme; that the canal is the only practicable source of water-supply for the scheme; and that the execution of the scheme is finally dependent on the remodelling of the Bhalaut distributary?

(b) If the answers to the above queries are in the affirmative, will Government be pleased to undertake immediately the remodelling of the Bhalaut Distributary in order to make the Water Works Scheme successful?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: The answer to part (a) of the question is, generally, in the affirmative, though the hon'ble member's statement of the case is somewhat exaggerated.

(b) The matter has already been referred to the Irrigation Department.

COMMUNAL REPRESENTATION IN THE INDIAN EDUCATIONAL SERVICE.

1387. Diwan Bahadur Raja Narendra Nath: (a) Will the Hon'ble Minister for Education be pleased to state whether in December 1921 the following was the proportion of different communities among officers working in the Indian Educational Service, whether temporary, officiating or permanent:—

<i>Europeans</i>	<i>Hindus.</i>	<i>Muhammadans.</i>	<i>Sikhs.</i>	<i>Indian Christians.</i>
87	26	26	8½	7½

If the actual proportion is somewhat different, will he give the real figures?

(b) Will he also give a similar proportion for December 1920 and December 1919?

(c) Is it a fact that this higher proportion of Muhammadans was attained by a process of extensive supersession of Hindu and Sikh officers in the Provincial Service? Will he state how many Hindus and Sikhs have been superseded while promoting Provincial Service officers to Indian Educational Service in temporary, officiating and permanent vacancies?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : (a) The proportions given by the hon'ble member are incorrect :—

Europeans are 58 per cent. and not 37.

Hindus are 15—per cent. and not 26.

Muhammadans are 15—per cent. and not 26.

Sikhs are 5½ per cent. and not 3½.

Indian Christians are 5—per cent. and not 7½.

(b) The statement giving the required proportion by percentage is laid on the table—

	Europeans.	Hindus.	Muham- madans.	Sikhs.	Indian Chris- tians.
December 19 ...	7 68— 11	4 12— 33	4 12— 33	2 6— 33	2 6— 33
Ditto 20 ...	6 67— 7	2 14— 7	4 2— 7	1 7— 7	7— 7

(c) Permanent appointments to the Indian Educational Service are made by the Secretary of State. Temporary and officiating vacancies are filled by the men most suited for the work. There is no question of supersession.

COMMUNAL REPRESENTATION IN THE PROVINCIAL EDUCATIONAL SERVICE.

1388. Diwan Bahadur Raja Narendra Nath : (a) Will the Hon'ble Minister for Education state whether the recruitment of officers in the Provincial Educational Service for temporary, officiating and permanent arrangements from among the different communities in the Province during the years 1919-20 and 1921 has been in the proportion given in the following table :—

	Hindus.	Muhammadans.	Sikhs.	Christians.	Total.
December 1919 ...	78	22	—	—	100
" 1920 ...	54	22	14	10	100
" 1921 ...	29	43	14	14	100

(b) If not, will he state in what proportion officers belonging to the different communities have been so recruited in these years ?

(c) Is it a fact that, in order to recruit Muhammadan officers to the Provincial Educational Service in the proportion given above, large number of officers belonging to the other communities in the Subordinate Educa-

- tional Service have been superseded? Will he inform this Council how many Hindus, Muhammadans, Sikhs and Christians have been so superseded in making appointments for temporary, officiating and permanent vacancies?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) If by proportion the hon'ble member means the percentage then the statement given in the question is incorrect.

The actual figures showing the recruitment of the members of the different communities are given in the statement below:—

			<i>Direct appointment permanent or officiating.</i>	<i>Promoted from Subordinate Educational Service.</i>
			1919.	1919.
Hindus	...	...	8	3
Muhammadans...	...	...	1	1
Sikhs	...	...	...	...
Christians	...	...	...	...
			1920.	1920.
Hindus	...	...	8	10
Muhammadans	...	...	2	9
Sikhs	...	...	2	4
Christians	...	...	...	8
			1921.	
			<i>Direct appointment officiating or permanent.</i>	<i>Promoted from Subordinate Educational Service, permanent or officiating.</i>
Hindus	...	...	3	1
Muhammadans...	...	...	1	8
Sikhs	...	...	1	1
Christians	...	...	1	...

(b) The information is given in the above statement.

(c) The promotion to Provincial Educational Service of such officers as are serving in the Subordinate Educational Service is granted by selection, and the question of supersession does not arise.

COMMUNAL REPRESENTATION IN THE SUBORDINATE EDUCATIONAL SERVICE.

1389 Diwan Bahadur Raja Narendra Nath: (a) Will the Hon'ble Minister for Education kindly state whether in making promotions from temporary, officiating and permanent appointments in the Subordinate Educational Service, Muhammadans and non-Muhammadans have been promoted in equal proportion from each of the lower classes to the higher ones?

(b) Will he kindly state how many Hindus, Muhammadans, Sikhs and Christians have been superseded in trying to give the above promotions to Muhammadans?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a) The question is not quite intelligible, but so far as it is understood the answer is in the negative.

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

Diwan Bahadur Raja Narendra Nath: What two meanings does the question bear?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: When a question is not intelligible, it does not always follow that it has two meanings.

COMMUNAL REPRESENTATION AMONG DISTRICT INSPECTORS AND HEAD MASTERS OF SCHOOLS.

1390. Diwan Bahadur Raja Narendra Nath: (a) Will the Hon'ble Minister for Education give a distribution list of Inspectors, Assistants to Inspectors, District Inspectors and Assistant District Inspectors giving names of each officer as it existed on 1st January 1921 and 1st January 1922, respectively?

(b) Will he also inform this Council as to what were the number of Head Masters of High Schools and Head Masters of Normal Schools from among Hindus, Muhammadans, Sikhs and Christians in January 1921 and January 1922, respectively?

(c) Will he also give similar information as regards Municipal High Schools and District Board High Schools for the two above-mentioned dates?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: (a), (b) and (c) Statements are laid on the table:—

Name of Inspector.	Names of Assistants to Inspectors on 1st January 1921.	Names of Assistants to Inspectors on 1st January 1922.
Lala Atma Ram On 1st January 1921. On 1st January 1922.	(1) Lala Shankar Das. (2) M. Abdur Rahman.	(1) B. Amir Singh. (2) M. Abdur Rahman. (3) M. Ashraf Ali.
H. Tydeman, Esq. On 1st January 1921.	(1) Lala Jagdish Sahai, Dhan	(1) Lala Jagdish Sahai. (2) Lala Latha Ram Talwar.
R. Sanderson, Esq. On 1st January 1922.		
Sardar Behadur Sardar Bishes Singh. On 1st January 1921. On 1st January 1922.	(1) Lala Hardyal Chopra. (2) M. Said-ud-Din Ahmad.	(1) Lala Hardyal Chopra. (2) M. Said-ud-Din Ahmad.
D. Reynell, Esq., M. A. On 1st January 1921 and M. Khur-hed Ahmad. On 1st January 1922.	(1) Bhai Ganda Singh. (2) Lala Ram Lal Kanwar.	(1) Bhai Ganda Singh. (2) Lala Ram Lal, Kanwar.
Khan Sahib Sayad Maqbul Shah. On 1st January 1921. Sh. Nur Nabi, M. A. On 1st January 1922.	(1) M. Imam Bakhsh. (2) Lala Latha Ram Talwar. (3) M. Mahmud Hasan.	(1) M. Mahsud Hasan. (2) Bhai Jawand Singh.

ON 1st JANUARY 1931.			ON 1st JANUARY 1932.	
Names of District Inspectors of Schools.		Names of Assistant District Inspectors of Schools.	Names of District Inspectors of Schools.	Names of Assistant District Inspectors of Schools.
1	Lala Visinda Ram (Gurgaon),	Haji Abdur Rahman. Lala Chand Kishore.	Lala Visanda Ram.	Lala Chand Kishore.
3	Lala Hem Raj (Ambala).	Bh. Gien Singh. Bh. Jawand Singh.	Lala Karm Chaud.	M. Haji Abdur Rahman. Lala Prabhu Dayal. Pt. Murli Dhar.
3	Rai Sahib Lala Khushi Ram (Karnal).	Ch. Darsat Ali.	Rai Sahib Khushi Ram.	M. Aqib Ali.
4	Lala Sham Chand (Hissar).	Pt. Mahraj Narain Rozdan. Pt. Ramji Lal.	Lala Sham Chand.	Lala Ragbir Chand. Pt. Ramji Lal.
5	Lala Sheo Diyal (Delhi).	Sh. Abdul Majid.	Lala Sheo Diyal.	Sh. Abdul Majid.
6	Lala Harya Ram (Simla).		Lala Harya Ram.	
7	Lala Bhagwan Das, Kaisth (Rohtak)	Ch. Des Raj. Lala Pitambar Lal.	Lala Bhagwan Das, Kaisth.	Ch. Des Raj. M. Umar-ad-din.
8	Lala Ram Nath (Jullundur).	Bh. Bikram Singh. Bh. Babu Singh.	Lala Ram Nath.	Bh. Babu Singh. Lala Ganda Ram. Sh. Asghar Ali.
9	Lala Lachhman Das (Kangra).	Pt. Durga Datt. B. Sher Singh.	Lala Lachhman Das.	B. Sher Singh. B. Babu Singh.
10	M. Fazl Hussain (Mritan).	M. Shah Qali Khan. M. Fazl Isha Chishti.	Pt. Bhagwan Das.	M. Shah Qali Khan. M. Fazl Isha Chishti. Pt. Gobind Singh.
11	Lala Karm Chand (Montgomery).	Lala Ganda Ram.	M. Muhammad Moisin (Offg.)	Lala Ganda Ram.

ON 1ST JANUARY 1921.		ON 1ST JANUARY 1922.	
Names of District-Inspectors of Schools.	Names of Assistant District Inspectors of Schools.	Names of District Inspectors of Schools.	Names of Assistant District Inspectors of Schools.
12 Ch. Abdul Hamid (Jhang).	Lala Garpat Rai. M. Muhammed Atta Ullah Khan. M. Nabi Bakshah. M. Muhammed Aslam.	Lala Khazan Chand. Sh. Allah Rakha.	M. Muhammed Atta Ullah Khan. Lala Garpat Rai, Jstly. M. Abdur Rasool. M. Imam Bakshah.
14 M. Fazil Mohammed Khan (Muzaffargarh).	M. Muhammed Sadiq.	M. Fazil Muhammed Khan.	M. Muhammed Sadiq.
15 Lala Khazan Chand (Lyallpur).	Lala Nurli Dhar. Lala Jai Ram Das. Lala Sundar Lal. M. Abdul Sattar.	M. Abdul Ali (Offg.)	Lala Jai Ram Das. Lala Pitambar Lal. M. Abdul Sattar. Lala Sunder Lal.
16 Lala Nihal Chand (Hoshiarpur).	Pt. Ram Kishan. S. Aschar Ali. Lala Yoga Datta.	Bhagat Lakshman Singh.	Pt. Ram Kishan. M. Ali Muhammed. R. Niranjan Singh.
17 M. Abdul Ghani (Ludhiana).	Lala Surej Bhan, Aggarwal. B. Harbans Singh.	Lala Sheo Saran Das.	Lala Surej Bhan, Aggarwal. Pt. Durga Datt.
18 M. Abdul Latif (Ferozepore).	Sodhi Jagat Singh. Lala Salig Ram.	M. Abdul Ghani.	M. Aziz-ud-Din Ahmad. Bh. Bikram Singh. Lala Salig Ram.
19 Lala Devi Ditta Mal (Lahore).	M. Sardar Alam. Ch. Abdul Majid.	Lala Devi Ditta Mal.	Ch. Abdul Majid. Bh. Gian Singh.
20 M. J. Marr (Amritsar).	Bh. Jogindra Singh. Bh. Barkat Singh. M. Maqbul Ahmad.	M. Fazl Hussain.	B. Barkat Singh. R. Jogindra Singh. M. Maqbul Ahmad.

21	Ch. Feteah Din (Gujranwala).	Lala Bhagpat Rai. Sh. Nasir-ud-Din.	Ch. Feteah Din.	Lala Bhagpat Rai. Sh. Ghulam Hussain.
22	Lala Makhan Lal (Shikot).	M. Abdur Rahman. M. Bahim Bakhsh. Sh. Ghulam Hussain. Mr. S. R. Mark.	Lala Makhan Lal.	M. Abdur Rahman, Quraishi. M. Bahim Bakhsh. B. Sohan Singh. Mr. S. R. Mark.
23	B. Mohan Singh (Gurdaspur).	M. Muhammad Niwaz Khan. L. Vishnu Das. Bh. Kahan Singh.	Ch. Gian Singh.	M. Muhammad Niwaz Khan. L. Vishnu Das. L. Yoga Datta.
24	L. Kanhaya Lal, Bedi (Sheikhpura).	M. Muhammad Nazir.	L. Kanhaya Lal, Bedi.	M. Muhammad Nazir.
25	L. Sheo Saru Das (Jhelum).	M. Ghulam Mohi-ud-din. Baba Badli Singh.	L. Nihal Chand.	M. Ghulam Mohi-ud-din. B. Badli Singh.
26	M. Ahmad Khan (Gujrat).	M. Ahmad Hassan. Ch. Pran Nath.	M. Ahmad Khan.	Ch. Pran Nath. M. Ahmad Hassan.
27	Lhagat Laksman Singh (Rawalpindi).	Ch. Abdul Majid. Bh. Balwant Singh.	M. Abdul Latif.	M. Nabi Bakhsh. Bh. Balwant Singh.
28	Hafiz Ahmed Din (Attock).	M. Muhammad Fuzail-ur-Rahman. M. Muhammad Hassan.	Hafiz Ahmed Din.	M. Muhammad Fuzail-ur-Rahman. M. Nabi Bakhsh.
29	Ch. Gian Singh (Shahpur).	L. Deolzi Nandan. M. Lal Din. Ch. Barkat Ali.	Bh. Narsain Singh.	M. Lal Din. Ch. Barkat Ali. L. Deolzi Nandan.
30	M. Fazl Mahmud (Mianwali).	Mufti Ahmad Said.	M. Fazl Mahmud.	Mufti Ahmad Said.

	HEADMASTERS OF GOVERNMENT HIGH SCHOOLS.	HEADMASTERS OF NORMAL SCHOOLS.	HEADMASTERS OF GOVERNMENT HIGH SCHOOLS.	On 1st January 1922.
Hindus ...	17	8	24	7
Muhammadans ...	7	4	9	5
Sikhs ...	3	3	5	3
Christians ...	2	...	2	...
	29	15	*40	15

***Including Provincialised Schools.**

	HEADMASTERS OF DISTRICT BOARD HIGH SCHOOLS.	HEADMASTERS OF MUNICIPAL BOARD HIGH SCHOOLS.	HEADMASTERS OF DISTRICT BOARD HIGH SCHOOLS.	HEADMASTERS OF MUNICIPAL BOARD HIGH SCHOOLS.
			1st January 1921.	1st January 1922.
Hindus	...	15	6	5
Muhammads	...	4	1	2
Sikhs	1
Christians	1

POLITICAL PRISONERS IN AMBALA JAIL.

1391. Chaudhri Daya Ram : Will the Government be pleased to lay on the table statistics showing the number of political prisoners sent to the Ambala Gaol from different parts of the province?

(b) Have any such prisoners been sent back; if so, to what gaol and after how many days?

The Hon'ble Sardar Bahadar Sardar Sunder Singh Majithia :
The required statement is laid upon the table :—

Statement showing the number of so-called political prisoners received in the Sub-Jail, Ambala, by transfer from other jails in the Province.

Number of Prisoners re- ceived.	Jail from which received.	Date of admis- sion into the Sub- Jail, Ambala.	Number of prisoners transferred.	Jail to which transferred.	Date on which transferred.	Number of days confined in the Sub- Jail, Ambala.	REMARKS.
3	Ludhiana District Jail	4th January 1922	3	Mianwali District Jail.	6th January 1922	3 days.	
4	Karnal Sub-Jail	24th January 1922	"	"	"	"	
6	Amritsar Sub-Jail	27th January 1922	2	Borstal Institution, Lahore.	8th February 1922	13 days	Adolescents.
16	Ferozepore District Jail	29th January 1922	9	Ditto ditto.	8th February 1922	11 days	"
2	Karnal Sub-Jail	31st January 1922	"	"	"	"	"
4	Ferozepore District Jail	1st February 1922	2	Borstal Institution, Lahore.	8th February 1922	5 days	Adolescents.
24	Amritsar, Sub-Jail	1st February 1922	14	Ditto ditto.	14th February 1922	14 days	"
8	Hissar District Jail	2nd February 1922	"	"	"	"	"
7	Ferozepore District Jail	5th February 1922	2	Borstal Institution, Lahore.	8th February 1922	4 days	Adolescents.
17	Amritsar Sub-Jail	8th February 1922	1	Ditto ditto.	14th February 1922	8 days	"
3	Rohatak District Jail	9th February 1922	6	"	"	7 days	"
7	Amritsar Sub-Jail	12th February 1922	"	"	"	"	"
7	Jalandhar District Jail	14th February 1922	"	"	"	"	"
2	Hoshiarpur Sub-Jail	15th February 1922	"	"	"	"	"
1	Ferozepore District Jail	16th February 1922	"	"	"	"	"
31	Amritsar Sub-Jail	16th February 1922	"	"	"	"	"
19	Ludhiana District Jail	16th February 1922	"	"	"	"	"
2	Hoshiarpur Sub-Jail	21st February 1922	"	"	"	"	"
12	Amritsar, Sub-Jail	22nd February 1922	"	"	"	"	"
Total 174	"	"	Total 38	"	"	"	"

PUNJAB CORRUPTION COMMITTEE'S REPORT.

1392. **Hai Sahib Lala Panna Lal :** Will the Government be pleased to inform this Council :—

- (a) If the Punjab Corruption Committee's report has been received.
- (b) If so, what action has the Government taken on it ?

The Hon'ble Sir John Maynard :—

- (a) Yes.
- (b) It was found necessary to consult the Judges of the High Court on certain questions before issuing the orders of Government upon it.

GUN LICENSES TO ABDUL HAQ OF SAHOWAL.

1393. **Chaudhri Ali Akbar :** (a) Is it a fact that one Abdul Haq of Sahowal, District Gurdaspur, shot dead one Dittu in the year 1915 or 1916, for which offence he was sentenced to be hanged ?

(b) Is it a fact that on preferring an appeal to the Chief Court he was pronounced not guilty and was released ?

(c) Is it a fact that Abdul Haq is in possession of a gun and a gun license which is available for the whole of India ?

(d) If the answers to the above are in the affirmative, will Government be pleased to state why Abdul Haq has been granted a gun license ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

EMOLUMENTS OF ZAILDARS AND LAMBARDARS.

1394. **Chaudhri Ali Akbar :** (a) Is it a fact that Deputy Commissioners of various districts have made it known to *zaildars* and *lambardars* that the question of increasing their emoluments is under the consideration of a committee ?

(b) If so, has the Committee made any recommendations ? If so, what are they and what action do Government propose to take upon them ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Government has no information on this point.

(b) The Committee appointed by Government to consider, in connection with the Council Resolution of the 2nd March 1921, the possibility of raising the emoluments of *Zaildars*, *Inamdars*, and *Lambardars*, has resolved that further consideration of this question should be postponed in view of the unfavourable financial position of the Province. The statistics supplied by the Financial Commissioner shew that a sum of $\frac{1}{3}$ rd of a crore goes annually to defray the cost of this agency. Of this sum Rs. 20 lakhs is paid by *Zamindars* by way of *pachotra*. Government proposes to accept the advice of the Committee that the present is not a suitable time to increase this charge.

NOTE.—Chaudhri Ali Akbar being absent the answers to questions 1393 and 1394 were given by Government in the public interest.

OVERSEA ALLOWANCES TO MEMBERS OF THE INDIAN POLICE FORCE.

1395. **Mian Ahmad Yar Khan, Daultana** : Is it a fact that one or more members of the Indian Police Force who were born, brought up and belong to India are drawing oversea allowances while other such officers are not ?

(b) If so, will the Government kindly remove this distinction ?

The Hon'ble Sir John Maynard : (a) With the approval of the Secretary of State it has been decided by the Government of India that overseas pay is admissible to all officers, irrespective of their domicile, who were recruited, under the special regulations in force during 1919 and 1920, from among candidates who rendered military service during the war. The Secretary of State has also decided that all officers who were in the Indian (Imperial) Police at the time of the introduction of overseas pay are entitled to it, irrespective of their domicile.

(b) It is beyond the competence of the Local Government to extend the concession of overseas pay to officers of Indian domicile other than those stated.

FINAL REPORT OF THE STANDING ORDERS COMMITTEE.

Mr. President : In the absence of Mr. Manohar Lal, Diwan Bahadur Raja Narendra Nath will present the Final Report of the Committee on the Standing Orders.

Diwan Bahadur Raja Narendra Nath : I beg to present the Final Report of the Standing Orders Committee which is as follows :—

We the undersigned members of the Standing Orders' Committee beg to report that we have concluded our examination of the Standing Orders, and have no further changes to propose.

M. S. D. BUTLER, *President.*

MANOHAR LAL.

FAZL-I-HUSAIN.

E. JOSEPH.

M. SHAH NAWAZ.

NARENDRA NATH.

ABDUL HAMID.

S. MUHAMMAD HUSAIN.

KARTAR SINGH.

Mr. President : This concludes the labours of the Standing Orders' Committee, and it will now cease to exist. I think the Council will wish me to express its thanks to the Committee for its labours in this matter.

STATEMENT BY MR. PRESIDENT REGARDING THE PROGRESS OF WORK.

Mr. President : Before the Council gets to work again on the grants I wish to draw attention to the position. As members have been informed eight days have been allotted for the voting of all the grants. Directly the eight days are over, I am compelled under the rules to put the remaining

votes without discussion to the Council. There are 28 grants to be dealt with, and in two days the Council has disposed of only five. At this rate the last eight votes will not be discussed at all, and amongst them are the important civil works and irrigation votes. In England it has become quite customary for enormous sums of money to be voted without discussion under what is called the guillotine closure, but I feel strongly that it is not in the interests of this Council that this habit should obtain root here. We are a young Council and should endeavour to discharge our duty to the public by so regulating our time that all votes may come under proper discussion. I had hoped that after the full examination of the budget by the Standing Committee, elected by members for the purpose, the Council as a whole would have been ready to drop criticism in detail, and would have confined itself to the bigger issues involved, but that has not been the case. Amendments have been put in with regard to small items like the purchase of typewriters the use of telephones, petty reductions in travelling allowance, and so on. Each of these matters takes time and the result is that in an endeavour to save Rs. 400 the Council may lose the chance to save four lakhs. With this higher object in view I have endeavoured, during the last two days, to curtail what seemed to me excessive discussion, whether from the Government or opposition benches, and I want members to understand why I have done so, and to help me with their co-operation. If I do not keep the discussion now within the narrowest limits compatible with a reasoned decision members will blame me later on when whole votes have to be put through undiscussed. I know I have only to explain my difficulty to secure the sympathy and loyal assistance of all concerned. It would be much easier and pleasanter for me to leave the discussion uncontrolled and to let members suffer at the end, but I should be false to the trust this Council has reposed in me if I were to adopt such a course—

BUDGET FOR 1922-23.

GENERAL ADMINISTRATION GRANT.

Mr. President: The motion before the Council is—

"That a sum not exceeding Rs. 73,12,700 be granted to the Governor in Council and to the Punjab Government (Ministries of Agriculture and Education) under the Major Head '22—General Administration' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Since the day before yesterday when this motion first came up, fresh amendments have been put in one of which, standing in the name of Khan Muhammad Abdulla Khan, is to the effect that the grant be reduced by Rs. 8,000 with respect to the item of Rs. 8,000—Council Secretaries. This item has already been passed and the question cannot be reopened. The next amendment stands in the name of Mr. Ganpat Rai.

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

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 2,97,000—Financial Commissioners, etc."

Sir, it is a very modest deduction that I have proposed in this amendment. I have arrived at the amount of Rs. 10,000 by the following calculations. Under the sub-head 'Allowances' there is a provision of Rs. 6,000 for travelling allowances and a further provision of Rs. 3,400 for hill journey and hill allowances. I propose one-fourth reduction which is equal

[Mr. Ganpat Rai.]

to Rs. 1,500 and Rs. 850, respectively. There is another total provision of about Rs. 35,000 under the sub-head 'Contingencies' which includes both contract and audited contingencies. I propose a similar reduction of one-fourth which comes to about Rs. 8,750. Thus the total reduction according to my formula of one-fourth is more than Rs. 10,000. I hope the Government will have no objection to such a meagre reduction.

Mr. H. A. Casson : Sir, in order to save time I might inform the Council that Mr. Abbott and myself are prepared to reduce the total demand by Rs. 6,000. I, therefore, ask the hon'ble mover, through you, Sir, whether he accepts the suggestion ?

Mr. Ganpat Rai : Sir, I accept the suggestion.

Mr. President : The amendment to the amendment before the Council is—

"That instead of 10,000 the figures 6,000 be read."

The amendment was carried.

Mr. President : The new amendment before the Council is—

"That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 2,97,000—Financial Commissioners, etc."

The amendment was carried.

Mr. President : The next amendment stands in the name of Rai Bahadur Lala Sewak Ram and runs as follows :—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 80,000—Local Fund Audit Establishment."

Due notice has not been given of this amendment. Has Government any objection to its being moved ?

Mr. B. T. Gibson : The Government has no objection to its being moved.

Rai Bahadur Lala Sewak Ram : I am satisfied with what Mr. Gibson has explained to me personally. In the circumstances I do not wish to move my amendment.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 3,83,000—Commissioners."

Sir, it is again an amendment of Rs. 10,000 being reduced from a huge sum of Rs. 383,000. I once again apply the same formula of one-fourth to some of the provisions which have been made under this head. Travelling allowances consume Rs. 9,000 which I wish may be reduced by Rs. 2,250. There is a big amount of Rs. 27,350 for Contract contingencies which can be also be easily reduced without any detriment to any interest. I pray, Sir, that the Government may kindly see its way to effect the proposed reduction. I need not go into the detailed items and shew in every case that a reduction is possible because I am anticipating a sympathetic attitude from the Government in this matter.

Mr. E. R. Abbott : (Financial Commissioner). (Urdu) : It appears that Mr. Ganpat Rai has taken objection to this provision without having gone into the figures. I invite the attention of the hon'ble members to page 51.

of the Detailed Budget Estimates and ask them to examine and compare the respective provisions for the past, and the coming financial years. It will be seen therefrom that Rs. 3,78,757 were provided in the financial year 1920-21; and that it is proposed to provide Rs. 3,83,000 for the coming financial year. I further beg to bring to the notice of this House that a provision of Rs. 11,927 for leave salaries has been included in this latter amount, an item which was not included before. It will thus be seen that the budget provision is already less by about Rs. 8,000 than in the last financial year.

It is not therefore possible to effect a reduction of Rs. 10,000 as proposed by Mr. Ganpat Rai. Mr Ganpat Rai has taken exception to some of the items individually. He wants the Travelling Allowance to be reduced by one-fourth. Perhaps he has not noticed that it is already less by about Rs. 3,000 than in the last financial year. Again, the provision for Contract Contingencies for the next financial year is less by about Rs. 4,000 than in the financial year of 1920-21; the provision being Rs. 27,350 and Rs. 31,666 respectively. The hon'ble mover of the amendment desires it to be still further reduced by about Rs. 6,837. I am afraid it is not possible to reduce it any more in the face of the ruthless reductions already effected. In short, it will be seen by comparing the figures that almost every individual item, *viz.*, subscription to periodicals, purchase of Typewriters, etc., has been drastically reduced to save as much as possible. There is of course some increase in the pay of the menial establishment as compared with the last financial year, but the Council itself and mainly Mr. Ganpat Rai is responsible for this increase. With these brief remarks I leave it in the hands of this House to judge and decide whether the reduction proposed in the amendment can be effected.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan). Rural] (Urdu) : Sir, the hon'ble Mr. Abbott has been all along comparing the provisions of the year 1920-21 and the estimated provisions for the next financial year and trying to show that the allotments are much less than the last financial year. I am afraid it is not the right thing to compare the figures of the last year, but it would be more fair and sound to compare the provisions of the present and the next financial year.

We allotted Rs. 8,000 for travelling allowances in the present financial year and a demand of Rs. 9,000 has been placed to start with for the next financial year. We allotted only Rs. 800 as cost of Books, etc., in the present year but Government has appropriated an amount of Rs. 4,900 for the purpose, as the revised estimates for the year 1921-22 show and now a demand is being made for Rs. 1,230 for the year 1922-23. Rs. 39,000 were allotted for the purchase of tents for the year 1921-22, but now Rs. 4,674 is being asked for the same for the next financial year. I have, Sir, entirely failed to notice any reduction over the present financial year's budget provisions and I still am unconvinced that no further reduction can be made in the allotments proposed. I submit, Sir, that the hon'ble official member who has just sat down should not have compared the actuals of the year 1920 and 1921 and the Council could judge better if he had instituted a comparison between the sanctioned provisions of the year 1921-22 and the next financial year.

Mian Beli Ram [Hoshiarpur (Non-Muhammadian) Rural] (Urdu) : Sir, I just beg to be enlightened on one single point. I have not so far been able to comprehend the necessity of purchasing tents every year. The tents once purchased are quite enough for a number of years and only small sums may be allotted for the repairs of wear and tear. I trust, Sir, that the necessity for budgeting the big amounts for the purchase of tents will kindly be explained by the hon'ble official member.

Mr. E. R. Abbott. (Urdu) : Sir, I quite see the point raised by Mian Muhammad Shah Nawaz regarding the budget provision of Rs. 8,000 for the year 1921-22 and his objection to provision for the same purpose being put for next year at Rs. 9,000. He will see, however, that although the provision was Rs. 8,000 in actual practice not less than Rs. 9,000 will be sufficient to meet the charges, as will be seen from the column of revised estimate, 1921-22, and accordingly we have provided the same amount, which is so to say at present the irreducible minimum for the next year.

As regards the objection to the purchase of tents every year, I would endorse from my personal experience that there is necessity for their purchase every year in one division or another. I was Commissioner of Multan Division up till a few months ago, and I can say from my personal experience that the tents for the Commissioner's use there had been condemned years ago and were not fit to live in. I wish to announce however, that Government is prepared to effect a total reduction of Rs. 3,000 as against Rs. 10,000 proposed by Mr. Ganpat Rai. I therefore move—

“That for Rs. 10,000 the figure Rs. 3,000 be read.”

Mr. President : I will now put the amendment.

The amendment was carried.

Mr. President : The original amendment now is—

“That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,33,000—Commissioners.”

The amendment was carried.

Mr. Ganpat Rai (Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 2,72,000 with respect to the item of Rs. 69,86,000—District Administration.”

Sir, I beg to submit that the total budget provision for this head is about 70 lakhs which is an enormous amount by itself and that a reduction of twenty-three per cent. will not materially effect the total allotment at all. Ours is a deficit budget, and in the circumstances we might be forced either to borrow money or to enhance taxes on the people. We will have to pay interest from wherever we borrow the money and alienate the sympathies of the public by increasing taxes every now and then. It is therefore in the best interests of the State and the public that I am proposing these reductions, specially when these curtailments in expenses will not materially interfere in the administration at all. It will be seen from page 53 of the detailed budget estimates that Rs. 2,60,000 has been provided for the travelling allowances of officers. I make

bold to say, Sir, that the tours undertaken by officers generally can be curtailed without in any way impairing the efficient administration of the district. Many of the tours undertaken by subordinate officers are useless, without purpose, and simply for the sake of making tours. I, therefore, think, Sir, that if one-fourth be reduced out of this amount it will be quite in the interests of economy. Further, I find, Sir, that an equal amount is provided for the travelling allowance of establishment. If the officers curtail their tours as anticipated by me their establishments will consequently have also fewer tours to make and less money will be spent on travelling allowances.

Once again I am face to face with contingencies which consume enormous amounts in a mysterious way. There is a huge sum of Rs. 4,71,415 standing against the item contract contingencies. It should be reduced by one-fourth. There is a further amount of Rs. 1,00,000 for revision of contract contingent grant. It is followed by audit contingencies which amount to more than Rs. 8 lakhs. I express my inability to comprehend most of the items provided for in this head. I, therefore, pray the official benches to be as kind and sympathetic in allowing this reduction as they have been in many cases in the past.

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

“That for Rs. 2,72,000 the figure Rs. 1,50,000, be read.”

Mr. President: Do you accept this amendment, Mr. Ganpat Rai?

Mr. Ganpat Rai: No, Sir.

Sayad Muhammad Husain [Montgomery (Muhammadian), Rural] (Urdu): Sir, the reduction proposed in the amendment moved by my hon'ble friend can be easily effected without much ado. The Government may be pleased to treat it sympathetically and thus obviate necessity of prolonging the discussion. I can vouch it from my personal experience that most of the tours undertaken are unnecessary and unproductive of any good and not taken in the interests of the administration. I hope the Government will pay heed to the circumstances explained and thus reduce the grant by the amount proposed.

Mian Beli Ram [Hoshiarpur (Non-Muhammadian), Rural] (Urdu): Sir, the Hon'ble Sir Patrick Fagan, then Mr. Fagan, when he was Deputy Commissioner of the Hoshiarpur District, ordered that no officer could undertake a tour without his express permission, which he obtained by explaining the need and necessity of the tour he wanted to make. It will be to his lasting credit, Sir, that by these means he had to a great extent curtailed the touring, and in most cases unnecessary touring, of the officers, which they undertook more for the sake of charging allowances and

Mr. President: It is as well not to impute evil motives to any body.

Mian Beli Ram (continued): I beg your pardon, Sir, was submitting for the consideration of this House that tours should be curtailed as far as possible compatible with efficient public administration.

Mr. E. B. Abbott (Urdu): Sir, after consultation with the other officers responsible, I inform the Council that it is possible for the Government to agree to the reduction of the two items of travelling allowance by Rs. 50,000 each. The Government is further prepared to concede another Rs. 50,000

[Mr. E. R. Abbott.]

out of the two contingencies demands, *viz.*, Contract Contingencies and Audited Contingencies. I hope that Mr. Ganpat Rai will see his way to abandon his idea of forcing his amendment on the Council and will accept a reduction of 150 lakhs as agreed to by the Government.

It rust this reduction will satisfy all concerned.

Mian Muhammad Shah Nawaz (Urdu) : Sir, I beg to submit for the consideration of this House that a look at the Civil List will show that there is no appreciable increase in the Deputy Commissioners, Assistant Commissioners or other Provincial Civil Servants in the Punjab, therefore it is not comprehensible why an increased demand should be made for the travelling allowances. The Budget estimates for the year 1921-22 are Rs. 1,50,000 for both the Travelling Allowances of officers and establishment, although the revised estimates show them drawn as Rs. 2,50,000. What is, pray, the earthly reason for putting up a demand which is in excess by over one lakh. I dare to think, Sir, that it is quite possible to easily allow a reduction of Rs. 2,72,000 as proposed by my friend Mr. Ganpat Rai without prejudicially affecting the discharge of duties by the District officers.

Mr. President : Mr. Ganpat Rai has moved—

“That the grant be reduced by Rs. 2,72,000 with respect to the item of Rs. 69,96,000—District Administration.”

To this an amendment has been proposed:—

“That the figure Rs. 1,50,000 be read for Rs. 2,72,000.”

Before proceeding to take a division I appeal to members to allow full liberty of voting to their Colleagues and not to attempt, as was done the day before yesterday, to push them up or incite them to vote otherwise than they wish to do. It is hardly consistent with the dignity of the Council to do so.

The Council then divided. Ayes 35. Noes 27.

AYES 35.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar
Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian
Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Sardar Randhir Singh.
Mian Ahmad Yar Khan, Daultana.
Malik Firoz Khan, Nun.
Pir Akbar Ali.
Lala Atma Ram.
Pandit Daulat Ram, Kalia.
Mr. N. H. Prenter.

Mr. Casson.
Mr. E. R. Abbott.
Colonel R. C. MacWatt.
Mr. W. P. Sangster.
Mr. D. J. Boyd.
Mr. C. A. H. Townsend.
Mr. M. G. Anderson.
Mr. E. A. Scott.
Mr. Nawab Din, Murad.
Chaudhri Ghazi Ram.
Captain Sardar Gopal Singh.
Sayad Ghulam Muhammad Shah.
Sardar Allan Khan.
Misar Mela Ram.
Khan Bahadur Raja Muhammad
Akbar Khan.

AYES 35—concluded.

Chaudhri Daya Ram.
Sardar Sahib Risaldar Dilbag Singh.
Khan Bahadur Rai Wali Muham-
mad Khan.

Khan Bahadur Khawaja Yusuf
Shah.
Dr. C. A. Owen.

NOES 27.

Malik Karim Ullah Khan.
Khan Sahib Amir Khan.
Sardar Balwant Singh.
Chaudhri Ghulam Muhammad.
Rai Bahadur Lala Hari Chand.
Sayad Husain Shah.
Chaudhri Kharak Singh.
Khan Bahadur Sayad Mehdi Shah.
Malik Najabat Khan.
Sodhi Lal Singh.
Mr. Moti Lal, Kaistha.
Khan Muhammad Abdullah Khan.
Sayad Muhammad Husain.
Rana Muhammad Jamil Khan.

Mian Muhammad Shah Nawaz.
Chaudhri Nabi Bakhsh.
Manvi Mubarram Ali, Chishti.
Diwan Bahadur Raja Narendra
Nath
Mian Beli Ram.
Rai Sahib Lala Panna Lal.
Lieutenant Sardar Ragbir Singh.
Rai Sahib Chaudhri Raja Singh.
Mr. Manohar Lal.
Sardar Sangat Singh.
Rai Bahadur Risaldar Sarup Singh.
Rai Bahadur Lala Sewak Ram.
Chaudhri Shafi Ali Khan.

The amendment was carried.

Mr. President: The motion before the Council now is—

"That the grant be reduced by Rs. 1,50,000 with respect to the item of Rs. 69,96,000—District Administration."

The motion was carried.

Mr. President: After deducting the sum disallowed by the Council the motion now before the Council is—

3 P. M.

"That a sum of Rs. 71,53,700 be granted to the Governor in Council and to the Punjab Government (Ministries of Agriculture and Education) under the Major head 22—General Administration to defray charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

The Honble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a sum not exceeding Rs. 33,39,158 be granted to the Governor in Council Punjab, under the Major Heads "24—Administration of Justice" and "XVII—Administration of Justice (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923.

Mr. President: The first amendment to this item stands in the name of Mr. Moti Lal, Kaistha and runs as follows:—

"That the grant be reduced by Rs. 1,700 with respect to the item of Rs. 1,700—Telephone Charges."

Before the Hon'ble Member moves this amendment, I should like him to consider whether this Council will be wise to attempt to interfere with

[Mr. President.]

the discretion of the High Court in this matter. The sum under objection relates to the High Court and that Court is not subordinate to this Council.

Mr. Moti Lal, Kaistha : Sir, I do not wish to move the amendment.

Mr. President : The next amendment also stands in the name of Mr. Moti Lal, Kaistha.

Mr. Moti Lal, Kaistha : [Kangra (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 65,093 with respect to the item of Rs. 4,63,700—
Law Officers."

Sir, I leave the amendment proposed by me to the Council to decide which way it likes. I need not make any speech at this stage.

Mian Beli Ram [Heshiarpur (Non-Muhammadan), Rural] (Urdu): Sir, I beg to say that a look at the budget will show that in the year 1920-21 more than Rs. 3,98,000 were provided for the Law Officers. In the year 1921-22 more than Rs. 3,50,000 were budgetted for this item. Inspite of an opposition in the council the Public Prosecutors were made whole-time servants. Their fixed monthly salary was increased from Rs. 100 to Rs. 150. This Council by a majority voted for an increase of Rs. 90,000 in the allotment of Law Officers. In short, Sir, the Council and the Government have done more than enough for the Public Prosecutors. The Public Prosecutors are earning more than they used to do over and above their fixed salaries.

Previously it was usually the custom with the appellate courts to fix a preliminary hearing of every appeal and examine the record to see if the charge was sustainable or not and decide accordingly if there was any necessity for summoning the Government Pleader to appear in the case. Now-a-days, in almost every case, big or small, Government Pleaders are requisitioned and thus much of the money allotted to them is wasted. Furthermore the Additional District Magistrate now-a-days summon the Public Prosecutors for any and every case and thus wastes the public money. They should not be able to requisition the services of a Government Pleader except with the permission of District Magistrate. I know it from my personal experience that almost every Public Prosecutor now earns about Rs. 800 or more. No body grudges them their incomes, but as partial guardian of the public purse it is our duty to bring to the notice of the Government the wilful wastage of public money wherever it is, and request it to take measures to stop the evil practice. I trust the Government will very kindly agree to this deduction. It would not find herself embarrassed in the administration at all.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu): Sir, I beg to support most cordially the amendment before the House. The Public Prosecutors have already very much profited by the raising of their monthly retaining fees. They are asked to appear in most ordinary cases in the district courts which could easily be decided without their help. I sincerely believe, Sir, that the Government benches will not offer any opposition to this amendment and will allow the deductions to be made.

Sodhi Lal Singh [(Sikh) Urban] : Sir, with your permission I wish to put before the Council that general complaint that the public has against one item. I mean the Public Prosecutors. This is an item of Rs. 3,37,600, while in the Budget estimate for the year 1921-22 only Rs. 2,22,000 was shown

The general complaint is that the Public Prosecutors sparingly appear in the original cases where their presence is most required. Whenever there is an important case they always come out with the excuse that they are overworked and that a special Public Prosecutor should be engaged to conduct the case and mostly they succeed in getting their friends some special fee to conduct such cases, which is an extra burden on the public. Special prosecutors sometimes do not really have the experience to conduct the cases. There are again Court Inspectors and Naib-Court Inspectors who are meant to conduct the cases in the Court. If they are really helped by the Magistrates they would do well, and by following this process I think we can save much money which is now being given to the Public Prosecutors. At present we do want to save money, and if it is to be spent it can be spent on some other schemes of elevation of morality of the people. Sir, with these few remarks I beg to support my friend Mr. Moti Lal Kaistha, and say that this item should be reduced.

The Hon'ble Sir John Maynard : Sir, I do not quite know how to reply to those who have spoken on the subject, because it seems to me they had very different objects in view. One gentleman in Lahore who has just spoken explained his object in supporting this amendment was to introduce schemes for the elevation of morality. Well, Sir, I am not quite sure what he meant by that, but one of the methods of elevating morality is to ensure the punishment of criminals. The principal object with which we engage Public Prosecutors is that we may be able to deal in a proper and adequate manner with the criminal. If we should accept the advice of some gentlemen and cease to employ Public Prosecutors, or rather expend money on the promotion of schemes for morality, I fear that there is every probability of the criminal escaping justice. I do not think that that is an object with which most of the members of this House will sympathise. I should have been glad if I had heard Mr. Moti Lal Kaistha's arguments, but I was totally unable to hear a word of what he said, and as his speech occupied only a minute, I do not think the arguments were considerable or extensive.

As to the remaining speakers I confess that some of the points that they put forward are well worthy of consideration, but it appeared to me that what all three of them really wished to have done is this : They wish to have certain reforms, certain methods of economy considered. I should be most happy to consider the possible methods of reduction, possible methods of economy. If that be the object in view, I suggest the proper course is to make a nominal reduction of the vote which I should be very glad to accept in order that the Government may consider the specific proposals that have been made and endeavour to see whether any economy is possible. I should be glad to accept, if necessary, a reduction of the vote by Rs. 10,000 in order that this may be done.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That instead of Rs. 65,000 the figure Rs. 10,000 be read."

The amendment was carried.

Mr. Moti Lal Kaistha : Sir, I beg to move—

"That the grant be reduced by Rs. 650 with respect to the item of Rs. 650—Telephone Charges."

[Mr. Moti Lal Kaistha.]

Sir, my point in moving this amendment was that this unnecessary luxury should not be indulged in, but on reconsideration I have decided to withdraw it.

Mr. President: The hon'ble member applies for leave to withdraw his amendment.

The amendment was by leave withdrawn.

Mr. President: After deducting the sum disallowed the motion before the Council is—

"That a sum not exceeding Rs. 33,29,158 be granted to the Governor in Council, Punjab, under the Major Heads "21—Administration of Justice" and "XVII—Administration of Justice (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

JAILS AND CONVICT SETTLEMENTS GRANT.

The Hon'ble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a sum not exceeding Rs. 29,28,200 be granted to the Governor in Council, Punjab, under the Major Heads "25—Jails and Convict Settlements" and "XVIII—Jails and Convict Settlements (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

POLICE GRANT.

The Hon'ble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a sum not exceeding Rs. 95,99,020 be granted to the Governor in Council, and to the Punjab Government (Ministry of Education) under the Major Heads "26—Police" and "XIX—Police (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

In connection with this matter, Sir, I should like to make a few very brief remarks. In the first place several members in dealing with matters relating to police some days ago referred to the policy of Government and said that the expenditure on police was to some extent dependent upon the policy followed by Government and suggested that certain steps should be taken which would have the effect of reducing the necessity of employing the police. Sir, at that time, I explained the position as clearly as I could and showed the House that what was asked for was actually necessary, but I should like to make it quite plain—and I am going to do so now—that the attitude of the Government in the matter of the policy it follows which involves the question of Police is always one open to the consideration of the changing circumstances. Accordingly I may explain to the House that a measure of some importance has been decided upon by the Government during the last few days—it has been decided at once to cancel the proclamation of the volunteers in a number of districts. That will be carried further when it is considered safe. That is one point.

The next is that a year ago when dealing with the subject of railway police, this House reduced the grant by Rs. 10,000, and I gave what was virtually a promise that when I had occasion to ask again for a vote for the railway police, I would endeavour to explain to this House why this is a charge on the Provincial Government and not on the railways or the Government of India. I now propose to redeem that promise. I think it just possible that if I do redeem it one of the amendments will be dropped or substantially modified.

Sir, the Railway Police fall under three heads. One of them, one of the sections deals with crime, one deals with order and one deals with watch and ward—crime, order and watch and ward. As to crime the House will readily understand that the mere accident that a murder or robbery happens to be perpetrated upon the railway premises or on the railway line makes no difference. Therefore the charge for the section of the Police which deals with crime is a proper charge against the Province. Then, Sir, the third section of the Police is the watch and ward police guarding property which belongs to the railway or which belongs to persons who have entrusted it to the railway as a common carrier. This charge is quite properly a charge upon the railway. Accordingly the watch and ward police are already a charge upon the railway and the Provincial Government bears no portion of that charge.

I may repeat that for the "Crime" Police for which the Provincial Government ought to pay, it does pay; for the "watch and ward police" for which the railway ought to pay, it does pay. Then there remains the other section, that is to say, the police for the maintenance of order. As to that, Sir, the position is this. The Government of India have accepted the principle that a very large proportion of the police who are engaged for the purpose of maintaining order shall be charged to the Railway, and they have made a considerable allotment to the Provincial Government on this account in consideration of the police who are working on the Companies' lines. The sum which has been allotted to the Provincial Government on this account is Rs. 42,000 per annum. Then there remains the question of the police employed for the purpose of order on the North-Western Railway. We have included the cost of the Police employed for the purpose of order on the North-Western Railway in our budget. It is approximately Rs. 2,60,000 per annum, and we have applied to the Government of India after investigating this question for the payment of two-thirds of the amount by the Railway, that is to say, Rs. 1,70,000 per annum.

Now, Sir, there are just two things about which I should like to say a few words. When the allotment is made by the Government of India it will not take the form of reduction in our expenditure on police, but it will take the form of an additional allotment from the Government of India to us, and it will appear under another head as income. Therefore, it would not be justifiable to reduce the allotment of the police budget on account of this item of Railway police in regard to which we hope to make a substantial recovery from the Government of India. The other thing is that this economy which, to some extent, we have already effected and which to some extent, we have yet to effect, is really due to the action which was taken a year ago in this Council in drawing attention to the subject. I acknowledge the very useful results which are secured by the valuable criticism of this kind, and I wish to congratulate the Council on what I hope will be a substantial economy in the provincial finances in consequence of the criticism that was devoted to this subject last year.

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

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 1,75,000—Special Police."

Mr. J. Wilson Johnston : I accept the amendment.

Mr. President : The motion before the Council is—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 1,75,000—Special Police."

The motion was carried.

Rai Bahadur Lala Sewak Ram : Sir, I beg to move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 6,84,700—North-Western Railway Police."

The amendment was carried.

Rai Bahadur Lala Sewak Ram (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 3,85,000—Criminal Investigation Department."

Sir, I beg to move this amendment with a view to curtailing our expenditure as far as possible. A grant of Rs. 3,85,000 is too much for the Criminal Investigation Department, and I propose it be reduced by Rs. 2,00,000. Although this demand will appear to be very large, yet it would not be out of place to mention here that the Criminal Investigation Department is the one most disliked by the public. This Department, Sir, has always been prejudicing the officials against the public. How often have the C. I. D. people disseminated false rumours and in a considerable number of cases their false reports have often misled a Deputy Commissioner or a Commissioner. The effect of these false reports has been so very detrimental that harmony and mutual good-will that once existed between the rulers and the subjects have now been supplanted by general disaffection and racial hatred. The present agitation throughout the country may also be ascribed to this very Department. Had I been in power I would have abolished this department entirely. Upon these grounds, Sir, I would request the House to reduce this grant by two lakhs. I am ready, however, to come to any compromise which the Government member may propose.

The Hon'ble Sir John Maynard : I am really obliged to my friend Rai Bahadur Lala Sewak Ram for disclosing in such a complete manner the misapprehensions that the ordinary public have, with regard to this useful and valuable body of public servant—the C. I. D. I say I am obliged to him, because it is always a good thing to know what people think even though what they think is mistaken. It is a useful thing to know that such misapprehensions exist which show that something ought to be done and that soon to remove the false impression. It is not known by my hon'ble friend, and probably not known by a very large number of other persons, that the C. I. D. consists largely of a body of men who are engaged in the Finger

Print Bureau at Phillaur. This Finger Print Bureau is an organization which prevents errors in the identification of criminals and thereby saves the public in general from many mistaken identifications. Before this system of identification by finger prints was introduced there were many cases of mistaken identification resulting in the escape of important criminals and no doubt also in the conviction of some innocent men. The Finger Prints Bureau does work of a value which cannot be exaggerated. It has substituted a perfectly certain and secure method of identification for completely haphazard methods. I am well aware that people do not know the facts of this system of identification and I should like to quote a couple of cases which well indicate the kind of results which are obtained by the finger print method of identification. In one case an orderly of the Officer Commanding of a Regiment was given a sealed cover which contained currency notes to take it to the post. The orderly took out the notes from the envelop. He destroyed the cover and prepared another cover in which he put the letter which accompanied the notes and sealed the cover again. The orderly, however, left a piece of evidence of which he himself was not aware but which was detected by the application of the scientific method of identification. It was found that some finger impression was left on the sealing wax and that impression corresponded with the impression of the orderly's left index finger. This department was thus the means of convicting a true criminal and saving an innocent man from being involved. This is one of the cases on which these much-belied men did a great service to the public. Here is another case also in which this bureau has rendered a useful help. A number of burglaries were committed in Multan Cantonment. In one of those cases it was found that a burglar lighted a lamp and while so doing he left finger prints on the chimney of the lamp. The chimney was sent to the bureau for examination. One impression on that chimney corresponded with the finger impression of a sweeper who was under suspicion and also with the impression of one of those men whose finger prints were on record in the office of the bureau. The man was sent up for trial and in this case it will be seen that it was proved that the man had actually touched the chimney. It was also discovered that he was an old criminal. Now, Sir, that is an instance of a very valuable piece of work which this body of men in the C. I. D. are doing. It has been said that generally their duty consists of political work. This is a great mistake. Quite apart from the work that they do in connection with the system of identification by means of finger prints they are also employed in specially difficult cases which over-tax the intellect of the ordinary police. Accordingly there have been a number of cases of a special kind in which their assistance has been sought with particularly useful results. I will give you one instance. A body of a woman was found murdered in the Lahore Race Course. Her throat was cut and the box in which it was enclosed was a plain wooden one. The service of one of the special officers of the C. I. D. were obtained to enquire into the case. There was an old label on the box showing that the box had been booked from Jullundur to Jhelum on November 1916. It was discovered on enquiry from the Railway station who the sender of that box in November 1916 was. It was found that the sender was that woman's own husband and his wife had suddenly disappeared. Thus this department was the means of bringing home the crime of a person who had committed a cruel murder. There are other important cases which C. I. D. officers have investigated. One is the case well known by the

[Sir John Maynard.]

name of the Nankana tragedy case. This was a case of very great complication involving a very large number of accused persons. The department made enquiries into this case which has now resulted in the conviction of a number of criminals. Then there was another case—a very difficult one—in which certain persons were defrauding other persons at Bombay. This case was enquired into by the Punjab Criminal Investigation Department. The organisers were prosecuted on a charge of defrauding people by accepting money on promises to procure them employment. This was done by the C. I. D., because the intelligence of the ordinary police was not up to the standard required. Then there was a big burglary case in which the property of the Hon'ble Sir Zulfiqar Ali Khan was concerned. That was a matter of 2½ lakhs of property stolen by criminals. This department was the means of establishing the guilt of the accused person and securing the recovery of the property. I will put one more case before the Council in order that it may understand a little more of the usefulness of this department. It was a case known as the Railway Ticket Case. It was a case of fraud committed by certain Booking Clerks of the North-Western Railway. It was found that the accused persons printed bogus tickets for the North-Western Railway and Foreign lines. They sold them to the public and thus misappropriated thousands of rupees. This also was a case in which the officers of the C. I. D.—this much-believed department—were the means of bringing home the crime. Finally, let me point out that the officers of this department are not, as the mover probably fancies, officers specially engaged for a particular department. They are simply ordinary Policemen selected out of the ordinary police; but they have a higher degree of intelligence and a higher degree of integrity and capacity. They are put to conduct enquiries in especially difficult cases. It is not possible now to say that these men, because the public have a general suspicion against the name of the C. I. D., should be told that they should cease to draw their salaries and cease to be entitled to their pensions. Such a course decided upon a mere popular prejudice would be one which I cannot believe it is possible that this Council will take.

Pir Akbar Ali [Ferozepore (Muhammadao), Rural] (Urdu): Sir, I had no mind to speak on this amendment. But certain facts related by the Hon'ble Finance Member have provoked me to participate in the discussion. On a certain occasion Chishti Sahib said that there are certain speeches which have little intrinsic value except that they are dressed in a fine garment of words. Exactly so is the case with the speech we have just now heard. Apart from the oratory of the learned speaker there is in reality nothing so far the subject matter is concerned. Sir, as the primary motive of the Government in having this Department is to ascertain true public opinion, circumstances have proved that the political branch of this Department is now no longer able to carry on that function. I perfectly agree with the Hon'ble Finance Member in commending the services of the Finger Prints Bureau and I would support him in keeping that department intact. But so far the other branch, I mean the one that deals with the detection of political crimes, is concerned I would say that it has lost the public confidence entirely, and hence I would desire it to be abolished.

The Hon'ble Finance Member, while relating these interesting complicated cases detected by this Department, has not told this House how much time was spent in the solution of those knotty cases by that Department. I think the District Police is equally competent to detect and investigate crimes of that type. Why may not the District Police be made more efficient so as to allow us to dispense with the Criminal Investigation Department? Nearly 90 per cent. reports made by this Department, Sir, are worthy of no credit. I therefore support the amendment.

Mr. Ganpat Rai [Lahore and Ferozepore—*Cum*—Sheikhupura, (Non-Muhammadan)] : Sir, when my hon'ble friend Rai Bahadur Lala Sewak Ram moved his amendment he did not mean to take away the services of the Finger Print Bureau, but his attack was directed against the other branches of this department. The Hon'ble the Finance Member has given us the bright side of the picture, but he has not put before the Council the dark side of it. How many cases which have been investigated by this special Criminal Investigation Department have proved false has not been stated by the Finance Member. I need not go very far back, but I may remind the Finance Member that not many years ago an hon'ble member of this Council was prosecuted for a very serious offence and one of the charges was that on a particular day at a particular hour he was in Lahore. This Department, the Criminal Investigation Department, produced witness after witness before a Court presided over by a Judge of the High Court to show that the accused—I need not mention his name—was present in Lahore at that hour, but it was proved conclusively by the evidence of officials of high standing that all this evidence was nothing but a fabrication. If I had time I could cite instance after instance on the dark side. I do not say there is no bright side of this department, but those gentlemen who have been enraged in the profession of law for a long time can easily multiply these instances. Sir, what I submit is that my hon'ble friend does not want a reduction in the pay of the Finger Print Bureau, but what he wants is that the expenditure on this department in general should be curtailed. What he means is this: that you say that you have got special experts, men of known merit and integrity who are able to do work which the district force is not competent to do. Why don't you take care when you engage men in the ordinary police force to have men of the same character. I find from a comparison of the emoluments that they both get the same pay.

The Hon'ble Sir John Maynard : May I point out, Sir, that that is a mistake.

Mr. Ganpat Rai : Subject to correction, I was looking at the pay of the Criminal Investigation Department on page 79 and of the ordinary police and I find that both the branches of the department are paid alike. I find on page 79 that Inspectors get Rs. 300, 260, 220 and 180.

The Hon'ble Sir John Maynard : The explanation lies on the very page from which the hon'ble member was quoting. A little lower down there is an item of Criminal Investigation allowance meant specially for men who are selected because of their special ability.

Mr. Ganpat Rai : There is no reason why these allowances should not be given to the members of the ordinary police force, but a selection be made so that the work which is done by this department by adding additional expense should not be done by the ordinary police department. So I say you have no right to incur this extra expenditure, but if you think and you are of opinion that these are special men and of

[Mr. Ganpat Rai]

special merit then why not reduce the expenditure on the district police proportionately. But I would not save the same number of the district police force and then create another department for this is not fair to the rate-payer. If they are really able men, pay them more but reduce the expense on the other side. With these remarks I support the amendment moved by Rai Bahadur Lala Sewak Ram.

As regards the dismissal, who has asked for the dismissal of these servants? You have a very large police force, so you can reduce them. You need not dismiss your able and old servants who have served your department for a long time.

Pandit Daulat Ram Kalia [East and West Central Towns (Non-Muhammadan), Urban] (Urdu)—Sir, I have heard this discussion with great interest, and I would venture to ask hon'ble members who have moved and supported this amendment, if there is any civilized Government which has dispensed with a department so important as the Criminal Investigation Department. It is absolutely false that this Department has been the cause of the present discontent and agitation in the country. No one has given any instance where and when any false report has emanated from this Department, which has been the cause of any serious disturbance. If there is a want of efficiency or any other flaw existing in this Department, the proper remedy is to remove those flaws and to make it more efficient, but not to dismiss this Department altogether. So the proper course is that means be devised by which this Department be made more efficient and more useful.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu): Sir, this amendment does not aim at abolishing this department. What the hon'ble mover means is that it has lost repute and no longer commands public confidence. To me this Department appears to be nothing but an evil necessity. Mr. Kalia is totally wrong in alleging that no false report has ever been made by this Department. Had Lala Harkishan Lal been present here I would have been in a better position to tell the House how mistaken is the opinion of Pandit Kalia. This very Department, Sir, has caused many innocent people to be hanged during the Martial Law days. The grant allotted to this Department should certainly be reduced. Last year there was a provision of Rs. 2,59,000 only. I cannot understand why it has been raised this year to Rs. 3,35,000 in the present Budget. So instead of there being a reduction we find that a larger sum this year has been asked for this Department. I therefore support the amendment.

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), Rural] (Urdu): Sir, it is for the Government to see what kind of material they require for the maintenance of peace and order in the country. It is a gross injustice to say that there is no longer any need for this Department. Of course there are certain evils imputed towards this Department which require a proper remedy. The expenditure too must be reduced so far as it is compatible with the improvement of the Department. The most common complaint against the Department is that it is a source of false rumours. This must be remedied. With these remarks I move to amend the amendment.

" That Rs. 25,000 be read in place of Rs. 2,00,000."

Mr. President : The amendment to the amendment before the Council now is :—

"That Rs. 25,000 be read in place of Rs. 2,00,000."

The amendment was carried.

Mr. President : The original amendment now before the Council is :—

"That the grant be reduced by Rs. 25,000 with respect to the item of Rs. 3,85,000—Criminal Investigation Department."

The motion was carried.

Mr. President : The motion before the Council after deducting the sums disallowed is :—

"That a sum not exceeding Rs. 95,63,020 be granted to the Governor in Council and to the Punjab Government (Ministry of Education) under the Major Heads "26—Police" and "XIX—Police (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

SUPPLEMENTARY POLICE GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 2,47,982 be granted to the Governor in Council and to the Punjab Government (Ministry of Education) under the Major Heads "26—Police" and "XIX—Police (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

SCIENTIFIC DEPARTMENTS GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 97,000 be granted to the Punjab Government (Ministry of Agriculture), under the Major Head "30—Scientific Departments" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : Sir, I beg to move—

"That a sum not exceeding Rs. 95,52,000 be granted to the Punjab Government (Ministry of Education), under the Major Heads "31—Education (Transferred)" and "XXI—Education (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Diwan Bahadur Raja Narendra Nath [Punjab Handholders (General)] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,63,000 with respect to the item of Rs. 5,63,000—Acquisition of Cathedral Girls' High School property."

[Dewan Bahadur Raja Narendra Nath]

I would like to point out that both the sums allotted for this purpose, as well as the proposed locality for establishing the Science College for Girls are open to objection. The Cathedral Girls' High School property is close to the Electric Supply Company, which means constant noise and disturbance; and moreover it is intended to make a laboratory in one and the staff quarters in the other, of two bungalows comprising that property. My opinion, Sir, is that new land should be purchased and new buildings be erected in a suitable locality for this purpose.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Urdu): Sir, the amendment moved by Raja Sahib does not raise any question of principle. The question under discussion is a simple one—whether the Cathedral Girls' High School property which we intend to purchase is suitable or not for the purpose of establishing the proposed Science College for Girls, or whether the site proposed by Raja Sahib is more suitable. Sir, every member will approve that this proposed college should neither be made inside the City nor should it be very far from it. For this purpose every body knows a more suitable place than the one we intend to purchase is very difficult to acquire in Lahore. Queen Mary's College as proposed by Raja Sahib is so far from the City that only rich people having motor cars or commanding other means of conveyance can send their girls there. What we intend is that both rich as well as poor girls may study in this college. The second point is that we do not like the idea of forcibly acquiring people's land against their will and thus to enter upon unnecessary and continuous litigation for years and years. The Education Department has been very fortunate in securing this property which comprises no less than 50 kanals of land in a locality where it is impossible to obtain land except at a high rate of even Rs. 6,000 per kanal.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu): Sir, I am very much interested in seeing established a College of this nature for Indian girls, but I too take objection to the proposed locality. I think the Queen Mary's College should be extended, and it is very easy to acquire land there for this purpose. Just behind the Queen Mary's College I own 52 kanals of land and I am ready to sell it at Rs. 1,700 a kanal. If my proposal is accepted it will mean less cost and greater comfort.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: Sir, we can purchase land even at a cheaper rate than that proposed by Mian Shah Nawaz, but the question is whether the locality proposed is at all suitable to us. The property in question provides the most essential requirement of *pardah* and we have proposed to purchase it after we have consulted the Public Works Department. Hence, in every way, I think this property suits our purpose, and I hope the house will approve of it and not of the suggestion of my hon'ble friend opposite to sell us his own land.

Mr. President: Order, Order. The Hon'ble Minister should not suggest that any member of this Council is proposing any action for his own pecuniary benefit.

Mian Muhammad Shah Nawaz (Urdu): Sir, behind the Queen Mary's College lies land which belongs to zamindars. It appears that the Hon'ble Member, Education, has no knowledge to the facts. The zamindars are prepared to sell their land. I suggested a suitable site, but much fuss has been made about my suggestion. It is to be extremely

regretted that I should have been improperly criticised. The Hon'ble Minister for Education should have known better than to have done this.

Mr. President : The hon'ble member is quite in order in repudiating the idea that he has any personal interest in the matter, and I called the Hon'ble Minister to order directly I saw that his remarks could be so interpreted. Personally I have no doubt that the Hon'ble Minister said what he said by way of chaffing the hon'ble member, and that he will be the first to disclaim any imputation on the hon'ble member's honour.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Certainly, Sir, I meant no such imputation.

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), Rural], (Urdu) : Sir, I would say, without hesitation that the only question now before the Council is whether the sum of Rs. 4 lakhs would be sufficient or whether the College should be built at the cost proposed by the Hon'ble Minister for Education, and whether it should be built at the site already approved by Government or elsewhere. I think that the question might well be determined through a few of the members of this Council, who might make a report after inspecting sites. As the Council members are aware, after the lapse of years a building site new selected might become unsuitable to the then existing requirements. I, therefore, fail to understand why the Hon'ble Minister for Education should insist on the College being built near a place where there is a smoke nuisance. The question of purdah is of no consequence to B.A. students who walk in the College premises without the least fear. The question to be decided is whether the College is needed, and, if so, where it should be built.

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

"That the question be now put."

Mr. President : The question is—

"That the question be now put."

The motion was carried.

Mr. President : The amendment now before the Council is—

"That the grant be reduced by Rs. 1,63,000 with respect to the item of Rs. 5,63,000—Acquisition of Cathedral Girls' High School property."

The amendment was lost.

Mr. President.—The motion before the Council is—

"That a sum not exceeding Rs. 95,52,000 be granted to the Punjab Government (Ministry of Education), under the Major Heads '31—Education (Transferred)' and 'XXI—Education (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

EDUCATION (RESERVED) GRANT.

The Hon'ble Sir John Maynard (Finance Member) :—Sir, I move—

"That a sum not exceeding Rs. 6,06,180 be granted to the Governor in Council, Punjab, under the Major Head '31—Education (Reserved)' to defray charges which will come in course of payment during the year ending March 31st, 1923."

[Sir John Maynard.]

In making this motion, Sir, I should like to explain that in consequence of the discussions which took place last year on this subject, arrangements have been made to modify the European Education Code in such a manner that there is absolutely no racial distinction of any kind now made in these schools with the single exception of the 15% rule which limits the proportion of the Indians to be admitted into these schools.

Mr. Ganpat Rai [Lahore and Ferozepore-Cum-Sheikhupura] (Non-Muhammadan): In supporting the motion for a grant of this sort I on behalf of my friends say that we are obliged to the Finance Member for having fulfilled his promise about the 15% proportion of Indians to be admitted into the European Schools. But a friend just tells me, and he severely rebukes me, that the reform granted by the Hon'ble the Finance Member about this 15% already existed before last year. Of course I have nothing to say as to whether it is right or wrong. But if it is right then this is no concession over the last year, in which case I shall ask the hon'ble member to look into this, and if 15% proportion was already in existence before last year, to increase this percentage in case there is a demand for a longer number of admissions of Indians into the European Schools. I hope the Finance Member will say whether my information is correct.

The Hon'ble Sir John Maynard: Sir, the points made last year were these. In the first place it was pointed out that although the rule provided for the possible admission of as many as 15 % of non-Europeans in the European schools, difficulties were in practice put in the way of admission of so large a proportion. These difficulties have now been removed. In the second place, Sir, it was pointed out that the fees which were charged to Indian boys in these schools were in some cases on a higher scale than those charged to European boys. That has now been ended. In the third place, as was pointed out that there were certain scholarships for which there was a racial qualification. That also has now been eliminated.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu): Sir, I distinctly remember that last year a Commission went before the Hon'ble Sir Muhammad Shafi, when the rule of admitting 15% Indian boys into European Schools was in vogue, though this rule has practically remained a dead letter. I quite remember that Sir Muhammad Shafi plainly told the Commission about the desirability of admitting Indian boys into European schools in the proportion of 25%. May I request the Hon'ble Member, Finance, that in view of Sir Muhammad's instruction, he would kindly agree to the admission of Indian boys into European Schools in the proportion of 25%.

The Hon'ble Sir John Maynard: If there had been any communication of that kind it would have been made to me because I am in charge of this branch of education, but no such communication has reached me. Of course if it reaches me I shall act on it.

Dr. C. A. Owen: (Representative of the Anglo-Indian community): Sir I should like to offer an explanation. I was present at the conference of Europeans and Anglo-Indians on European schools to which Mr. Shah Nawaz has made a reference, and after discussion the principle was accepted that the Headmasters should allow up to 25% of Indians in their schools.

Mr. President : The motion before the Council is—

"That a sum not exceeding Rs. 6,03,180 be granted to the Governor in Council; Punjab, under the Major Head '31—Education (Reserved)' to defray the charges which will come in course of payment during on March 31st, 1923."

The motion was carried.

MEDICAL GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : Sir, I beg to move—

"That a sum not exceeding Rs. 27,35,583 be granted to the Punjab Government (Ministry of Education) under the Major Heads '32—Medical' and 'XXII—Medical (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

PUBLIC HEALTH GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : Sir, I beg to move—

"That a sum not exceeding Rs. 11,43,280 be granted to the Punjab Government (Ministry of Education) under the Major Heads '33—Public Health' and 'XXII—Public Health (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 1,00,000 Grant to Simla Municipal Committee."

Simla is the summer headquarters of the Supreme Government and why should this province, in a year of deficit, be called upon to pay money for effecting improvements. It is only to-day that we have learnt that a promise had been made for giving two lakhs, but one lakh is now going to be given instead. I would say, with all emphasis, that this item of expenditure is superfluous. Punjab Government should not spend anything in effecting improvements at Simla. If it is absolutely necessary to fulfil the promise this year, this might be done, but the burden being abnormal, no such item should figure in next year's budget. Indeed why should the Punjab peasants be taxed to pay the cost of improvements at Simla. It is for the Government of India to look to its own requirements.

Lala Atma Ram [South-east Towns (Non-Muhammadan), Urban] : Sir, I had also given notice to move the same amendment which has been moved by Mian Beli Ram, but I have had a talk with the Hon'ble Minister for Education. He says that the Simla Improvement Scheme has already been in progress, and that this amount of Rs. 1,00,000 is merely in fulfilment of this Government's promise as its share towards the expenditure on that scheme. As the explanation is quite satisfactory, I do not wish to move my amendment.

Mian Beli Ram : In view of the explanation, I also beg for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President I will now put the motion to the Council.

"That a sum not exceeding Rs. 11,43,280 be granted to the Punjab Government (Ministry of Education) under the Major Heads '33—Public Health' and 'XXIII—Public Health (Refunds)' to defray the charges which come in course of payment during the year ending on March 31st, 1921."

The motion was carried.

AGRICULTURE GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 27,51,050 be granted to the Punjab Government (Ministry of Agriculture) under the Major-Heads '34—Agriculture' and 'XXIV—Agriculture (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

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

"That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 69,000—Camel Specialist."

I wanted to have an explanation as to why the number of camels has been raised. The expenditure in 1921 was Rs. 3,000 and it has now been straight off raised to Rs. 20,000 I should like to know why the number of camels has been raised. If it is possible to reduce the expenditure by Rs. 9,000 this might be done. In case some research work is in hand for inventing an inoculation for Surra I should not like to interfere, but if not it would be a kindness if the expenditure is reduced.

Mr. Q. A. H. Townsend (Director of Agriculture) : I welcome this amendment, Sir, and I also welcome the spirit in which the hon'ble member has moved it. I shall be very glad to give him any information that may be required by him that I can. Many of the activities of the Camel Specialist are very little known to the members of this Council; I am glad to inform the Council that he is doing admirable work in research into the disease called "Surra," which causes such terrible mortality not only among camels, but also among other animals of the province, and he has practically discovered a remedy—the tartar emetic treatment by which the disease can be cured to a very large extent. I will not trouble the Council by giving details of the remedy, or the methods of research, but I may say that it is very promising. The actual point on which Mian Muhammad Shah Nawaz asks information, that is, why our expenditure has increased from Rs. 51,692 to Rs. 69,000 in the course of one year, is that during the last two years the number of animals which have been treated has increased very considerably. This has naturally increased the cost. In order however, to show that both Government and I myself are anxious to do all we can in the way of economy, I am prepared to accept a reduction of Rs. 5,000 instead of Rs. 9,000, and I hope the hon'ble member will agree to this. I move the amendment—

"That instead of Rs. 9,000, Rs. 5,000 be read."

Rai Bahadur Lala Sewak Ram [Multan Division (Non—Muhammadan), Rural] : Sir, with your permission, I want to say a few words on this motion. On the question of principle, I would like to ask whether this item should not be paid by the Government of India. I do not think that the Punjab Government gets any benefit out of this department, and there is, therefore, no reason why this department should be

maintained by the Punjab Government. Granting, however, that it gains benefit to a certain extent, there is no doubt that it is the Government of India that is mostly benefited, as the Military department requires Camel Corps. That being so, I think that a considerable amount of the grant should be applied for an recovered from the Government of India. Now that all the camel corps have been abolished in the Punjab, I do not think that the Punjab Government will need this Camel Specialist at all. I am glad that the Government is prepared to accept a reduction of Rs. 5,000, but even then, I would suggest that the Government of India be addressed on the subject and that they be moved to bear a considerable amount of this item. I have brought this specially to the notice of the Council, and I trust that suitable action will be taken in the matter. If not, I am afraid that it will be my painful duty to urge upon the Council next year the necessity of abolishing this department altogether.

Sayad Muhammad Husain [Montgomery (Muhammadaan), Rural] Sir, I rise to give some of my personal experiences in this matter. I am unfortunately one of those men who have suffered a great deal of loss by the death of my camels. All the camels which I possessed died of 'Surra', and I remember quite well that when I went to see Colonel Pease, the Principal of the Veterinary College, he said that there was no remedy for this malady. But he suggested to me that an expert had been appointed by the Government.—I don't know exactly whether he was appointed by the Government of India, or by the Government of the Punjab—who was trying to ascertain the causes of this unfortunate malady and also to discover a remedy. Unfortunately, however, the gentleman who was appointed quarrelled with Government and ran away just when he was on the point of discovering a remedy for this disease. My friend, Mian Muhammad Shah Nawaz does not apparently seem to realise that this is one of the most useful measures in which perhaps the whole of the Punjab is directly connected and also interested, and if fortunately a remedy is found out, it will go a great way to increase the number of the camels, and they will become very valuable. The loss of camels is a great loss to the community in general and to the Government also. I would, therefore, ask the house to give their assent to this grant ungrudgingly, and I trust my colleague Mian Muhammad Shah Nawaz will see his way to withdraw his amendment, and if he does so, I may say, he will place the whole camel-owning rural population in the Punjab under a great obligation.

Mr. President: The motion is—

"That instead of Rs. 9,000 the figure Rs. 5,000 be read."

The amendment was carried.

Mr. President: The motion before the Council is—

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 69,000—Camel Specialist."

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-Cum-Sheikhupura (Non-Muhammadaan)]: Sir, I beg to move—

That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 2,64,900—Breeding Operations.

and in doing so, I may say that one naturally expects the Government to give some explanation in asking for grants so that a member who moves an amendment may be in a position to meet the argument of the Govern-

[Mr. Ganpat Rai.]

ment, or he may be in a position to drop his amendment. In the absence of this information, one is obliged to press one amendment, and, therefore, I ask that this grant relating to breeding operations be reduced.

The grant asked for comprises the following items :—

	Rs.
Cost of Stallions	6,500
Hissar Cattle Farm	2,52,400
Grants to District Boards for the encouragement of cattle-breeding	6,000

The biggest item is Rs. 2,52,400 for Hissar Cattle Farm, but it will be observed that no details whatsoever are given as to whether it is the cost of establishment at the Hissar Cattle Farm, or the cost of cattle, or the cost of building, or what. Of course, the Director of Agriculture could no doubt furnish further information, but I wish that some more particulars were given in the budget so as to make it clear as to how the item is proposed to be spent. In view of the deficit budget that we have this year, it is necessary to try and make up the deficiency, and I therefore trust that the amendment will be accepted.

Mr. C. A. H. Townsend : I am sorry that Mr. Ganpat Rai did not ask me personally about this matter. If he had asked for any information I would have given him all I could. Mr. Ganpat Rai has stated that on page 121 of the budget a sum of Rs. 2,54,400 has been provided for the Hissar Cattle Farm, but no detail for this amount are given anywhere. If he will turn up page 122 he will find full details of this amount. I admit, Sir, that this item is large, but I ask the Council to look at page 19 of the printed budget—receipts from the Hissar Cattle Farm—which shows an anticipated income of Rs. 1,52,910 from the farm in the coming year. Sir, this farm fulfils an admirable purpose. It breeds many bulls which are sold to District Boards in the Province at less than cost price—at a price less than what can be got for them in the ordinary market. It also provides animals to the military department for which they pay, and is also now starting a certain amount of Arab horse-breeding. I feel certain, Sir, that the Council would be most unwise in refusing to give the whole amount asked for this farm, and the reason of the increase is due to the scarcity of fodder we are now suffering from there and its increased price. This farm has but little irrigated land. In years when there are no rains and consequently poor crops—and of these in recent years we have had many—we have to buy a large amount of fodder.

I discussed this morning all the items of expenditure with the Hon'ble Minister for Agriculture, and I find that there are no heads under which I can cut down this sum of Rs. 50,000, or, as a matter of fact, any amount at all. Mr. Ganpat Rai says that we should economise this year and make up the deficiency next year when our finances improve. I might point out, Sir, that if we economise in this case, that is to say, if we do not give food to the cattle this year they will die and dead cattle cannot be given extra food next year. We have a Committee sitting to consider the question of milk and ghee supply of this province. The decrease in the number of cattle in the province, especially milk cattle, is frequently discussed in the public press, and I think that it would be most unwise for the Council to take any action which might reduce the efficiency of this excellent cattle-breeding institution. Taking these facts into consideration I trust the hon'ble member will withdraw his amendment.

Rai Bahadur Lala Sewak Ram : I would like to point out, Sir, that this again is a department which greatly benefits the Imperial Government in the Military Department. The Punjab Government spends a large amount of money on the up-keep of this farm, and in comparison to that expenditure very small number of bulls are supplied to the District Boards which shows that this farm should not be kept entirely at the expense of the Punjab Government. I again beg to submit, Sir, that such departments, which benefit the Military Department, should not throw the whole burden of expenditure on the Local Government. I do not deny that the money given would be best utilised but I would submit that some little reduction may be made on a question of principle so that the Government of India may be addressed on the subject of allowing some grant-in-aid for the Hissar Cattle Farm. Three-fourth of the Hissar Cattle Farm is maintained for the benefit of the Military Department. Mules and cattle are supplied to the Military Department. Taking into consideration the supply to the Government of India the District Boards are supplied very few bulls. Therefore, I think, it is unfair that all burden of the Military Department be put on the Local Government, and no attempt, on behalf of our Government, has ever been made, to get any grant from the Imperial Government. So, if a reduction be made in this item and the Government of India be addressed, on a question of principle, to allow some grant-in-aid for this farm, I shall feel very grateful.

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I must say that a reduction in a matter like this is impossible. You will find that prices for gram are rising. There was a scarcity of fodder last year and there is no knowing what will be the condition next year. The Director of Agriculture has very kindly pointed out for our information that we are getting Rs. 1,52,910 as income from that farm by investing Rs. 2,52,000. That is a good profit. I am, therefore, against any proposal for reduction. But I wish to tell the Director of Agriculture one thing that in the year 1920-21 our income was Rs. 2 lakhs and last year it was Rs. 1,80,000. So there is decrease under the head of income. This is a matter which requires consideration. I, as an agriculturist, would submit that a part of the money that this department is getting should be utilised for the purpose of boring wells. I must oppose this motion and I think no reduction should be made.

Mr. Ganpat Rai : Sir, after hearing what the hon'ble members have said I wish to withdraw my amendment. As suggested by my expert friend, Rai Bahadur Lala Sewak Ram, I trust the Agriculture Department will, on a question of principle, enquire into the matter and see if they can get some money from the Government of India or save money under that head. With these remarks I ask leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : Notice of an amendment has been given by Rai Bahadur Lal Sewak Ram which runs as follows :—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 90,000 — Travelling Allowance."

Has the Government any objection to its being moved, as due notice has not been given.

The Hon'ble Lala Harkishan Lal : I object.

Mr. President : As objection has been taken I disallow the amendment.

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

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 55,500—Workshop Contingencies."

My only objection is that the money demanded for Workshop is far in excess of the amount of last year. In 1921, an expenditure of Rs. 35,000 was incurred but Rs. 55,500 is now demanded, i.e., there is an increase of Rs. 20,500. The amount should be reduced by Rs. 10,000. By accepting this reduction the Director of Agriculture will not only oblige me but also help in improving the present financial situation.

Mr. C. A. H. Townsend : I am sorry I cannot meet the wishes of the Raja Sahib. The facts are these. Up to about 4 years ago there was a very small workshop at Lyallpur. Then the construction of a much larger workshop was sanctioned and that workshop is very nearly completed. You cannot run a large workshop like that without money. This expenditure is large but only a part of it is devoted to meet the cost of the kerosine, coal, etc., used in the workshop. The rest is for labour. A good deal of the expenditure will eventually come back in the form of income. We have just heard a remark from Mr. Beli Ram that some of the money may be used for tube wells. Most of the Agricultural Engineer's budget will help the cause of tube wells. Raja Narendra Nath has pointed out, and quite rightly, that as compared with last year the expenditure on the workshop contingencies has risen from Rs. 35,000 to Rs. 55,500. He has said that the amount is large, but the workshop is also large and the prices of articles consumed in the workshop are much dearer than they used to be. I would also point out that in 1921 the expenditure was even larger than is anticipated in the coming year. I earnestly beg the Raja Sahib to withdraw his amendment. If he comes with me to Lyallpur, I shall be glad to show him the workshop.

Diwan Bahadur Raja Narendra Nath : On the assurance given by the Director of Agriculture that the money spent will be money gained, I withdraw my amendment.

Mr. President : The hon'ble member asks for leave to withdraw his amendment.

The amendment was by leave withdrawn.

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

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 29,700,—other charges."

Although the figure is not very excessive I think that a reduction is desirable. The words 'other charges' are somewhat ambiguous and call for an explanation. In case the figure covers some important items of expenditure I would not press for its reduction.

Mr. C. A. H. Townsend : Sir, I have only a few words to say. The amount asked for in the coming financial year is Rs. 29,700. Raja Sahib has quite legitimately asked for further information as to what the

mysterious words "other charges" mean. When I forwarded the budget to the Accountant-General, I gave full details as to what this item is composed of. We give allotments of Rs. 2,000 and Rs. 1,000 to the ordinary running expenses of the various offices, under me: officers cannot be run without some money. We give larger amounts to the vernacular class at Gurdaspur where we have a class of vernacular students. They pay Rs. 10 a month for their board and tuition; any excess is borne by Government. An amount of Rs. 10,000 is given to the Entomologist, who is a most energetic officer, to investigate the very great amount of damage done by insects to the various crops of the Province. The Botanist gets some to investigate the ravages done to potatoes by various pests. Sericulture also gets a grant. In this way I can make up the whole item, and I can assure the Raja Sahib that this money will be needed. So I hope that the Council will not cut down this very small amount.

Mr. Ganpat Rai (Urdu) : Sir, Although the Director of Agriculture has made an effort to give an explanation of the 'other charges,' he has not succeeded. Items of expenditure figure in the Budget under various heads, e.g., contract contingencies, audited contingencies, and additional contingencies. An item under contingencies figures also on page 126 of the Budget. Then come Postage, Workshop Charges, Purchase of Tents, Variable Labour, and further on after passing several items comes the item on account of 'Other Charges.' This item of Rs. 29,700 looks like a 'reward' and I think Government ought to agree to a reduction of Rs. 10,000.

Mian Muhammad Shah Nawaz (Urdu) : Sir, really the phrase 'other charges' is ambiguous. It is the same thing which they call 'Jhunga' (perquisite) in Punjabi. Besides the item of Entomologist several other items have been shown and I would request that no more money should be given and Government ought to reduce the item by Rs. 10,000.

Mr. C. A. H. Townsend : I am afraid that the hon'ble members who have been speaking did not do me the honour of listening to me. I did do my best to explain to them how the amount of Rs. 29,700 is made up. Out of this sum Rs. 2,100 is given to run the vernacular classes at Gurdaspur. Rupees 10,000 is given to the Entomologist for work re insect pests. Rs. 2,000 is spent on mulberry plantations, for sericulture, and Rs. 1,200 are spent on potato experiments. I remember only a month ago we received a petition from some potato growers asking if the Agricultural Department would not put some time and money into the question of the loss sustained by damage to their potatoes when stored. Then other amounts are given to the various officers under me. Much of this money is used for small items, as the repairing and cleaning of typewriting machines, advertising charges. (I have to advertise myself a great deal and these charges run into some hundred rupees.) Then, there are the binding charges and book-binding charges, and the like. I am sorry I have to trouble the Council with these small items, but I can assure it that every penny of this expenditure is very carefully watched. In the previous year we spent very much larger amounts than we propose to in the coming financial year. Last year we asked for Rs. 48,000 in the coming year we asked for but little over Rs. 29,000. I ask those great critics the Raja Sahib and Mr. Ganpat Rai, to accept my assurance on the subject.

Mr. President : The amendment before the Council is—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 29,700—other charges."

The amendment was lost.

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

"That the grant be reduced by Rs. 52,100 with respect to the item of Rs. 52,100—Reclamation of Bara Lands."

The experiment of reclaiming Bara lands has yielded no beneficial result and the work had better be entrusted to some private agency. Constant expenditure appears to me to be open to objection. I would like to know what are the difficulties that stand in the way of this work being given to a private firm.

The Hon'ble Sir John Maynard [Finance Member] : Sir, this is a matter with which I am closely acquainted as when this experiment was inaugurated I was in charge of the Agriculture Department. I am, therefore, in a position to answer the questions which have been raised by the hon'ble member. There are 257,000 acres of a particular type of soil in Montgomery and Multan Districts which is at present completely intractable for agriculture, and it would be possible by reclaiming this large area of 257 thousand acres to obtain to Government a sum, which I think I can safely put at 10 crores of rupees. I have no doubt that there are many people who would be willing for a substantial consideration to undertake the experiment, but it seems to me fairly certain that they will expect to have a considerable share of this 10 crores of rupees if the experiment is successful, which will mean so much loss of money to Government. There is also no guarantee that they would conduct the experiments in a satisfactory manner. So long as the Government keeps this matter in its own hands, there is the hope that it will ultimately receive the whole of the 10 crores, or a large portion of that, which will materially add to the prosperity of the Province. I, therefore, sincerely trust that the House will not grudge this small sum of money which is necessary to secure to the Punjab and its people the full utilisation of this valuable property.

Mian Muhammad Shah Nawaz (Urdu) : Sir, the Hon'ble Member Finance is right in his remarks. I have myself tried several methods of reclaiming Bara land but without success. If small wells were to be sunk on the Bara land, this might improve matters. Barren land can be improved to some extent by airing and watering. I have made several attempts to reclaim Bara land, but to no purpose, but Government might succeed by making the experiment, which must be tried.

Diwan Bahadur Raja Narendra Nath : Sir, I beg leave to withdraw my amendment in view of the explanation given by the Hon'ble Finance Member.

The amendment was by leave withdrawn.

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

"That the grant be reduced by Rs. 8,100 with respect to the item of Rs. 16,200—Lyallpur Grain Elevator."

Last year also a debate took place over this item and the Director of Agriculture assured us that the Wheat Elevator was a very useful thing. The only experience that we have gained about the elevator is that the expenditure on it is increasing day by day, without any corresponding benefit. In 1921-22 a sum of Rs. 1,25,000 was spent on it. When it has been once erected, where is the necessity for new spending on it a sum of Rs. 16,200. An explanation for this item of expenditure ought to be given.

Mr. C. A. H. Townsend : Sir, I tried to explain last year what this elevator is meant to do. As the Hon'ble Minister has just said, 1½ lakh of rupees were provided in the budget last year. Of that amount, one lakh was to complete the building, and it has been practically completed. The remaining Rs. 25,000 was to maintain the staff that is necessary to look after the elevator. This year we cut down the expenditure on the elevator to the absolute minimum after discussion in detail with the Financial Commissioner and Messrs. Robson Clements & Co., who manage it for us, and I can assure the hon'ble member and this Council that this is the minimum on which it can be run. It is lamentable, as I said last year, that the initial starting of the elevator coincided with the most unprecedented circumstances as regards wheat export. As the Council knows, this has been for some years either entirely stopped, or much restricted, and it is impossible for us to give the elevator a fair trial until we can to export wheat to Europe practically unrestricted. Until wheat export, which has been entirely stopped, is re-opened, and the elevator wheat been given a full trial on the European market, this expenditure must continue. I am confident and so is the firm of Messrs. Clements Robson & Co., that it is well worthwhile to make this experiment and that it may eventually prove beneficial to the province. The amount asked for is very small, Rs. 16,200 much less than the amount asked for last year, and I hope the Hon'ble Raja Sahib will be satisfied with my explanation.

Mian Bell Ram (Urdu) : Sir, I was under the impression that the Wheat Elevator was a useful thing for the agriculturists and it was they who had to defray its cost. It is not apparent from the budget that any income has accrued from it, or there is any likelihood of its accruing. It is now admitted that the Elevator was erected for the export of wheat. There is no reason why exporters should benefit from the Panjab's money. I should say that this Wheat Elevator project is not useful.

The Hon'ble Lala Harkishan Lal : Sir, although I have before this explained what the Grain Elevator is, my explanation does not appear to have been understood. The Grain Elevator is a special kind of godown at Lyallpur where wheat is stored. In the first place, persons who import and export wheat incur a comparatively less expense in the despatch of goods through this elevator, which is near the railway. In the second place wheat, when stored in the godown, remains safe from damage, and in the third place, wheat is cleaned from all impurities in the elevator godown. An expense of Rs. 7,00,000 was incurred in erecting the Wheat Elevator. Rs. 16,200 is required for running it. If there is a good crop and there is import and export, income will accrue. The income if any will be shown in the next year's budget. A staff is required for running the Wheat Elevator

[Lala Harkishan Lal.]

and there is also consumption of oil, coal and water in running it. The amount to which exception has been taken is in fact required for the up-keep of the Wheat Elevator.

Mr. President: The motion before this Council is—

“That the grant be reduced by Rs. 8,100 with respect to the item of Rs. 16,200—
Lyallpur Grain Elevator.”

The motion was lost.

Mr. President: The motion before this Council is—

“That a sum not exceeding Rs. 27,46,050 be granted to the Punjab Government (Ministry of Agriculture) under the Major Heads “34—Agriculture” and “XXIV—Agriculture (Refunds)” to defray the charges which will come in course of payment during the year ending on March 31st, 1923.”

The motion was carried.

Mr. President: I thank hon'ble members for the way in which they have co-operated with me in speeding up business to-day.

The Council then adjourned till 2 P.M. on Friday the 10th March.

PUNJAB LEGISLATIVE COUNCIL.

Friday, 10th March 1922.

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

BUDGET FOR 1922-23.

GOVERNMENT DEMANDS FOR GRANTS.

Industries Grant.

The Hon'ble Lala Harkishan Lal (Minister of Agriculture) : Sir I beg to move—

"That a sum not exceeding Rs. 13,75,807 be granted to the Punjab Government (Ministry of Agriculture) under the Major Head "35—Industries" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Mr. Moti Lal Kaistha [Kangra (Non-Muhammadan), Rural] Sir, I beg to move—

"That the grant be reduced by Rs. 59,231 with respect to the item of Rs. 59,231—Fisheries."

The reason why I have given notice to move this amendment is that this Department should be totally abolished in my opinion. The income from this department for the last five years has never risen beyond Rs. 14,000 whereas the expenditure has risen from Rs. 25,000 to Rs. 59,000. Moreover, when I look at the work of this Department, I see that the fishes are born in rivers, streams and canals and this Department is trying to breed fishes artificially. The only head under which the income under this head is received is license fees. My information is that the sanctuaries which have been established in Palampur and Kangra Tahsils have proved miserable failures. I draw the attention of the House to the last year's dry weather when not a single pool of water was left. My point is that it is no good keeping this department for the sake of the name when it is not self-supporting today and there is no expectation of its ever yielding any income during the next many years. For this reason I move that this department should be absolutely abolished. Of course, I see that there are various difficulties in the way of the Hon'ble Minister for Agriculture abolishing this department at once. I see that there is the Warden of Fisheries whose pay is non-votable and similarly there may be other difficulties in the way of the learned Minister for Agriculture. It is just to record a note of disapproval by this Council that I have moved this motion to curtail the expenditure to any extent which the Hon'ble Minister thinks reasonable. With these remarks I resume my seat.

Mian Beli Ram : [Hoshiarpur (Non-Muhammadian), Rural] (Urdu) : Sir, This Fisheries Department exhausts much of our revenue without bringing in anything in return, and moreover, so far as we can see from the budget, it has proved a failure. I do not understand from where Mr. Moti Lal, Kaistha, has read the budget figures. So far as it appears from the budget a grant of Rs. 25,940, and not of Rs. 29,975 as alleged by Mr. Moti Lal, Kaistha, was voted in 1920-21; and during the year 1921-22 a grant of Rs. 51,267 was reduced to Rs. 44,000 in the Revised Estimate and was voted by this Council. From this comparison it is quite evident that this year's estimate are aiming at a higher figure, although we are on the verge of bankruptcy. When we derive no material benefit from this Department we cannot afford to spend more on it. We have to look to the interest of the tax-payers and hence we are not willing to vote for this grant.

Malik Firoz Khan, Nun [Shahpur (West, Muhammadian) Rural] (Urdu) : Sir, I beg to move—

“That in place of Rs. 59,231 the figure Rs. 29,231 be read.”

Instead of aiming at abolishing this Department I would propose that its grant of Rs. 59,231 be reduced by Rs. 29,231 for the following reasons : On page 29 of the Detailed Budget it will appear to the hon'ble members that during the year 1921-22 an income of Rs. 1,500, which in the Revised Estimates has come down to Rs. 300 only, has been shown; and that the same sum of Rs. 300 has been shown for next year. The House will note how injudicious is the policy of spending Rs. 59,231 on a department which brings in a revenue of Rs. 300 only. As it is unwise to abolish this old Department altogether, we must abstain from voting for Rs. 29,231 which is the excess over the last year's grant.

Sayad Muhammad Husain [Montgomery (Muhammadian), Rural] : Sir, will the Hon'ble Minister for Agriculture throw some light on the subject.

The Hon'ble Lala Harkishan Lal : Sir, accidentally this morning I received a case from the Financial Commissioner in which I found a letter from the Warden of Fisheries. He describes his department in these terms :—

“The work of the Fisheries Department falls under the following categories :—(a) Protective, (b) Propagative, and (c) Economical as well as commercial. Under “Protective” come Fisheries Legislation.

“First prescribing close seasons to save spawners during the spawning season. Secondly, prohibiting the use of fixed engines, dams, etc., for catching fish, to enable spawners to run up to their proper spawning grounds, and thirdly, prohibiting the use of poison, dynamite, etc., for killing fish.

“(2) Construction of Fish ladders at weirs for Canal Head works to enable fish to run up to the spawning grounds.

“(3) Constructions of Reservoirs along the canal for preservation of fish during closure.

“Under ‘Propagative’ comes the artificial breeding of important species of fish for stocking as well as commercial purposes. Under ‘Economical’ may be mentioned (1) Collection of fisheries statistics, (2) Improvement of

means of transport of fish, (3) Cuaring of fish, (4) Improvement of the economic and social condition of the fisherfolk by starting co-operative societies and schools for them, and (5) Exploitation of new Fisheries Resources.

"The making of buttons from the shells of fresh water molluses is also an allied subject of great importance.

"The work mentioned above is chiefly administrative and practical, but to make most of it a success it should be preceded by a good deal of scientific research. To give a few examples. Fisheries Legislation should be based on a complete knowledge of the life-history of all the important species. Our present knowledge about any species is far from complete, and a more detailed scientific knowledge of all the species should be acquired and the regulations amended in the light of that knowledge if any important results in the improved fish supplies are to be obtained. Again, though our experiments with the trout culture in the hills and mahili breeding in the plains have been successful, yet we have like other Provinces, Bengal, etc., failed in the Carp Experiments, which are much more important from the economic point of view.

"To ensure success it is essential to make a careful scientific study of the breeding seasons, habits, life-history, rate of growth, food, enemies and diseases of various species of Carp in natural conditions. In button making too research should precede practical work. Specimens of mussels were collected from all over the province in 1915 and sent to America for opinion as to their commercial value. The opinion received was not very encouraging and we were advised to first work out the life-history of the indigenous mussels and also to experiment with exotic species to be introduced from America.

"For all this scientific work the post of Superintendent of Fisheries was created in April 1920 and an M.Sc. in Zoology from the Government College, Lahore, was appointed as a Scientific Adviser. This officer was sent to alcutta for two months to study the work of the Bengal Fisheries Department and to undergo some training in the Zoological Survey of India. On his return he was put in charge of all the breeding experiment in the Province, but his work has been hindered a good deal for want of a Laboratory and well-furnished Library. Last April permission was obtained from the Government College authorities for him to work in their Laboratory, but during July to September, which being the spawning season of fish, is the busiest time for our Laboratory work, the College is closed on account of summer vacation. Besides no separate room is available in the College Laboratory for keeping our specimens, etc., and the present arrangement does not appear to be satisfactory. Our literature is incomplete. Some of the important books on Indian fishes and other Text Books in German and Latin are wanting. These books are very rare and therefore expensive."

This is a note which the officiating Warden of Fisheries put up on another case and I do not think I could explain the position of the Fisheries Department better than by reading to the Council this note. I must say that when a new department is started some difficulties are felt in ganging and measuring the results. The department is not old enough really to condemn it or to say that it has not been as successful as one would like it to be. I spoke to Mr. Meti Lal Kaistha and to Mian Beli Ram that I have decided to look into the department very carefully during the

[**Lala Harkishan Lal.**]

next summer. I am quite prepared to accept a nominal decrease, say up to Rs. 2,000, but as to the proposal of my friend Malik Feroz Khan that I should accept Rs. 29,231 against Rs. 59,000, that is on the face of it impossible. If you refer to page 132 you will find that the Warden of Fisheries, Mr. Donald, has budgeted Rs. 13,860 for establishment and Rs. 17,592 for allowances. That alone makes about Rs. 31,000. There are again books and all sorts of other things which are required. Therefore it is impossible for me to accept a reduction of Rs. 30,000 or Rs. 29,000. I am quite prepared to accept a nominal decrease, say of Rs. 2,000 so that the attention of the Government may be drawn to the subject and I promise that I will look into the matter as thoroughly as possible during the next summer.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] (Urdu) : Sir, I have heard the discussion over this Department. I think Malik Feroz Khan's proposal that this grant of Rs. 59,231 be reduced by Rs. 29,931 is quite reasonable. According to the Revised Estimates for the year 1921-22 a sum of Rs. 6,400 only was provided for Travelling Allowance, but this year we find instead Rs. 14,000; again there is an excess of Rs. 7,079 over the Revised Estimates provided for the same year, for Contingencies. Thus about Rs. 14,000 are being demanded more than what was granted last year. In view of the present circumstances we cannot afford to vote for the whole grant of Rs. 59,231. I therefore support Malik Feroz Khan's amendment.

Lieutenant Sardar Raghbir Singh [Amritsar (Sikh), Rural]

3 P.M.

(Urdu) : Sir, I am very sorry to hear that a sum of about Rs. 60,000 is being wasted on a scheme that has proved of absolutely no use to this province. I may draw the attention of this House to the fact that fish is not, as it is in Bengal or Burma, the main food of the Punjabis. Hence we are not anxious to spend all our resources in the improving this Department. It would be a gross injustice to the tax payers if this House sanctioned the grant of this sum in view of an appalling deficit of over one crore and a half.

Mr. Manohar Lal (Punjab University) : Sir, would it not be possible for the Minister for Agriculture to cut his demand down to the same figure as in 1921-22, that is to say, Rs. 44,000? On page 132 you will see the budget estimate for 1921-22 was Rs. 51,267. As a matter of fact the revised estimate does not come quite so high. It only comes to Rs. 44,000. It is not quite plain why amounts in the budget estimate for the next year were given at a higher figure. For the travelling allowances the budget estimate was Rs. 14,000. They spent Rs. 6,400. Under contingencies the budget figure was Rs. 7,500 and they were able to spend according to revised estimates, only Rs. 6,400. That being so I think it would be quite possible to keep this budget down to the figures of the revised estimate making any small correction for the increase in the salary of the Warden that may have become necessary under the terms of his service. I therefore suggest that the reduction be by Rs. 15,000 so as to bring the figure down to the revised estimate.

Mr. President : Do I understand that out of the Rs. 59,231, Rs. 12,600 is not votable?

The Hon'ble Sir John Maynard : Sir, I believe it to be non-votable.

Mr. President: Is Rs. 12,600 included in the Rs. 59,231 to which Mr. Moti Lal Kaistha has taken objection.

Mr. B. T. Gibson: It is included. This is clear from the entry on page 20 of the budget statement.

Mr. President: Then the only reduction I can allow Mr. Moti Lal Kaistha to be put to the Council is Rs. 46,631. I note also that Mr. Manohar Lal suggests the demand be reduced by Rs. 15,000, Malik Firoz Khan Nun by Rs. 29,231, and Mr. Harkishan Lal by Rs. 10,000. I will first put to the Council whether the reduction by Rs. 46,631 should take place or something less. I shall do this by first putting Malik Firoz Khan's amendment to substitute the figure Rs. 29,231 for the figure Rs. 46,631. All those who wish the reduction to be less than what Mr. Moti Lal Kaistha proposes should join in voting for Malik Firoz Khan's amendment. If his amendment is carried, then I will put the further reduction by Rs. 15,000 and then the further one of Rs. 10,000.

The motion before the Council is—

"That the figure Rs. 29,231 be substituted for the figure Rs. 46,631.

The Council then divided: Ayes 43, Noes 12.

AYES 43.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar
Sundar Singh, Majithia
The Hon'ble Khan Bahadur Mian
Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. H. A. Casson.
Mr. E. R. Abbott.
Colonel R. C. MacWatt.
Mr. W. P. Sangster.
Mr. D. J. Boyd.
Mr. C. A. H. Townsend.
Mr. M. G. Anderson.
Mr. E. A. Scott.
Chaudhri Bans Gopal.
Sardar Randhir Singh.
Mian Ahmad Yar Khan, Daultana.
Malik Firoz Khan, Nun.
Lala Atma Ram.

Chaudhri Daya Ram.
Sardar Sahib Risaldar Dilbagh
Singh.
Chaudhri Ghazi Ram.
Sardar Sahib Gopal Singh, Labana.
Captain Sardar Gopal Singh.
Sayad Ghulam Muhammad Shah.
Sayad Husain Shah.
Khan Bahadur Sayal Mehdi Shah.
Malik Najabat Khan.
Sodhi Lal Singh.
Misar Mela Ram.
Nawabzada Muhammad Irshad Ali
Khan.
Khan Muhammad Abdullah Khan.
Khan Bahadur Raja Muhammad
Akbar Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Rana Muhammad Jamil Khan.
Mr. Manohar Lal.
Rai Bahadur Risaldar Sarup Singh.
Chaudhri Shafi Ali Khan.
Dr. C. A. Owen.

NOES 12.

Chaudhri Kharak Singh.
Mr. Moti Lal, Kaistha.
Mian Muhammad Shah Nawaz.
Chaudhri Nabi Bakhsh.
Maulvi Muharram Ali, Chishti.
Diwan Bahadur Raja Narendra
Nath.

Mian Beli Ram.
Mr. Ganpat Rai.
Rai Sahib Lala Panna Lal.
Lieutenant Sardar Raghbir Singh.
Rai Sahib Chaudhri Raja Singh.
Rai Bahadur Lala Sowak Ram.

The amendment was carried.

Mr. President : I will now put Mr. Manohar Lal's amendment, that for the figure Rs. 29,231 the figure Rs. 15,000 be substituted.

Mr. Manohar Lal : I did not formally move this amendment. I made a suggestion which I do not want to press.

Mr. H. A. Casson : Sir, In that case I move—

“That in place of Rs. 29,231 the figure Rs. 10,000 be read.

The Council then divided. Ayes 26, Noes. 34.

AYES 26.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar
Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian
Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. E. Joseph.
Mr. J. Wilson-Johnston.
Mr. A. Latifi.
Mr. B. T. Gibson.
Mr. N. H. Prenter.
Mr. H. A. Casson.
Mr. E. R. Abbott.
Colonel R. C. Mac Watt.
Mr. W. P. Sangster.

Mr. D. J. Boyd.
Mr. C. A. H. Townsend.
Mr. M. G. Anderson.
Mr. E. A. Scott.
Chaudhri Bans Gopal.
Mr. Nawab Din, Murad.
Sardar Randhir Singh.
Sayad Ghulam Muhammad Shah.
Nawabzada Muhammad Irshad Ali
Khan.
Mr. Ganpat Rai.
Rai Sahib Lala Panna Lal.
Khan Bahadur Khawaja Yusuf
Shah.
Dr. C. A. Owen.

NOES 34.

Mian Ahmad Yar Khan, Daultana.
Malik Firoz Khan, Nun.
Malik Karim Ullah Khan.
Khan Sahib Amir Khan.
Lala Atma Ram.
Sardar Balwant Singh.
Chaudhri Daya Ram.
Sardar Sahib Risaldar Dilbagh
Singh.
Khan Bahadur Rai Walli Maham-
mad Khan.
Chaudhri Ghasi Ram.
Sardar Sahib Gopal Singh, Labana.
Sayad Husain Shah.
Sardar Jamal Khan.
Sardar Allan Khan.
Chaudhri Kharak Singh.
Khan Bahadur Sayad Mehdi Shah
Malik Najabat Khan.

Misar Mela Ram.
Mr. Moti Lal, Kaistha.
Khan Muhammad Abdullah Khan.
Khan Bahadur Raja Muhammad
Akbar Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Rana Muhammad Jamil Khan.
Mian Muhammad Shah Nawaz.
Chaudhri Nabi Baksh.
Maulvi Mubarram Ali Chishti.
Diwan Bahadur Raja Narendra
Nath.
Mian Bpli Ram.
Mr. Manohar Lal.
Sardar Sangat Singh.
Rai Bahadur Risaldar Sarup Singh.
Rai Bahadur Lala Sewak Ram.
Chaudhri Shafi Ali Khan.

The amendment was lost.

Mr. President : The deduction to be made will thus be Rs. 29,231. The motion now before the Council is—

“That a sum not exceeding Rs. 13,46,560 be granted to the Punjab Government, (Ministry of Agriculture) under the Major Head “35—Industries” to defray the charges which will come in course of payment during the year ending 31st March 1923.”

The motion was carried.

MISCELLANEOUS GRANT.

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

"That a sum not exceeding Rs. 82,600 be granted to the Governor in Council, Punjab, under the Major Heads "37—Miscellaneous Departments" and "XXVI—Miscellaneous Departments (Refunds)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

EXCHANGE GRANT.

Mr. B. T. Gibson (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 7,97,000 be granted to the Governor in Council, and to the Punjab Government (Ministries of Agriculture and Education) under the Major Head "40—Exchange" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Mian Beli Ram : May I ask the Government to give us an explanation with regard to this motion.

Mr. B. T. Gibson : If the hon'ble member will look at page 56 he will find this expenditure explained.

Mr. President : The motion before the Council is—

"That a sum not exceeding Rs. 7,97,000 be granted to the Governor in Council, and to the Punjab Government (Ministries of Agriculture and Education) under the Major Head "40—Exchange" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

CIVIL WORKS (RESERVED) GRANT.

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

"That a sum not exceeding Rs. 88,600 be granted to the Governor in Council, Punjab, under the Major Head "41—Civil Works (Reserved)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That sum not exceeding Rs. 1,87,72,940 be granted to the Punjab Government (Ministry of Agriculture), under the Major Head "41—Civil Works (Transferred)" to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Mr. President : The first amendment stands in the name of Diwan Pabdur Raja Narendra Nath.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)]: Sir, this is a deficit year. We are going to raise money by loans and taxation and the money for the Public Works Department should be mercilessly cut down. To avoid any further discussion I would suggest that, if the Hon'ble Minister for Agriculture accepts a reduction of 16 lakhs in all, no amendments be moved on this item.

The Hon'ble Lala Harkishan Lal: Sir, it has been said that the Public Works Department spends money mercilessly. May I point out, Sir, that this department spends very little unnecessarily.

What I want to ask the members is that they ought to remember that the Public Works Department has very little to spend on itself. It is for about a thousand other departments that it spends and if I have to reduce it I do not know which department will accept the reduction and which will not. In this budget there are requirements for the Education Department, for the Agriculture Department, for the Medical Department, Public Health Department, the High Court and so many other departments. I may be able to readjust funds up to a certain figure. If it is a very large figure, it will be difficult to adjust between the various departments. It is no question of giving up. It is a question of postponement. If for the sake of funds the Council wants to postpone, I am quite agreeable to the postponement. I want the Council to explain what is a good year and what is a bad year. I do not know what it is unless it is defined and I would make no promise unless I understand what is a good year. I would like to explain that by accepting the suggestion undefined buildings, unnamed buildings have to be postponed for unnamed years. If that is satisfactory it is another matter, otherwise they have to take their turn again next year. That is what I understand by postponement.

Mr. President: I can either put the amendments of which notice has been given one by one, and if the Hon'ble Minister claims that they should be so put I will do so. He can claim this as of right. There is, however, the possibility that if they are put one by one, the grant will be reduced by 30 or 40 lakhs. The other way is to put a lump sum and I am ready to do this if both sides agree to drop the detailed amendments. I can put to the Council either an agreed sum or a choice between say 16 and 18 lakhs.

The Hon'ble Lala Harkishan Lal: Sir, I accept that the grant be reduced by 16 lakhs.

Mr. President: Before I allow this motion to be made I call formally on any member who wishes to move an amendment with regard to any item to do so.

(No member made any motion.)

As no member has any such motion to make the coast is clear for a lump sum deduction.

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

"That the total grant be reduced by 16 lakhs."

The amendment was carried.

Mr. President : The motion before the Council now is—

"That a sum not exceeding Rs. 1,31,72,940 be granted to the Punjab Government (Ministry of Agriculture), under the Major Head '41—Civil Works (Transferred)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried—

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 83,86,100 be granted to the Governor in Council and to the Punjab Government (Ministries of Agriculture and Education) under the Major Heads '46—Superannuation Allowances and Pensions' and 'XXXIII—Superannuation Allowances and Pensions (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

STATIONERY AND PRINTING GRANT.

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

"That a sum not exceeding Rs. 11,79,550 be granted to the Governor in Council and to the Punjab Government (Ministry of Agriculture) under the Major Heads '46—Stationery and Printing' and 'XXXIV—Stationery and Printing (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

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

"That the total grant be reduced by Rs. 1,00,000."

Sir, I am given to understand that the Finance Department is quite prepared to agree to this reduction.

Mr. B. T. Gibson (Financial Secretary) : We have agreed to a reduction of Rs. 1,00,000. We cannot give it under the minor head which the hon'ble member asked for, but we can give it under the whole grant.

Mr. President : The amendment before the Council is—

"That the total grant be reduced by Rs. 1,00,000."

The motion was carried.

Mr. President : The motion now is—

"That a sum not exceeding Rs. 10,79,550 be granted to the Governor in Council and to the Punjab Government (Ministry of Agriculture) under the Major Heads '46—Stationery and Printing' and 'XXXIV—Stationery and Printing (Refunds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

MISCELLANEOUS GRANTS.

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

"That a sum not exceeding Rs. 48,98,500 be granted to the Governor in Council and to the Punjab Government (Ministry of Education), under the Major Heads '47—Miscellaneous' and 'XXXV—Miscellaneous (Rebonds)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Mian Feli Ram [Hoshiarpur (Non-Muhammadan), Rural] (Urdu) :
Sir, I beg to move—

"That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 2,00,000—Appointment of Contractors to supply commodities, etc."

There are ordinarily certain items of expenditure which we do not understand the significance of unless explained by the Heads of Departments incurring the same. I have thought this expenditure on the appointment of contractors to supply commodities to the touring officers to be unnecessary and needless and unless some more light is thrown on the question I will ask the House to disallow this grant.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural]—
(Urdu) : Sir, it will be known to the hon'ble members in this House that there was a general and widespread complaint that Zaildars, Lambardars and Safed Poshes were forced to supply commodities to the touring officers without payment. In order to put a stop to this practice Government appointed contractors for the purpose in selected districts, during the last year, as a tentative measure to see how the system worked. It was all very well in principle in so far as Government wanted to meet the public wishes in the matter, but in actual practice there were certain loopholes which were taken advantage of by those who did not wish to avail themselves of the contractors. In the Government circular, issued a few months ago, it was laid down that those officers alone who are accompanied by ten or more persons should be considered eligible for obtaining supplies from the contractors. It means in other words that such of the officers who are not accompanied by ten persons may obtain their provisions from the village magnates. It is only a very few officers who are accompanied by a retinue of ten persons and the limitation of ten persons thus takes away all the good from the orders which to all intents and purposes were meant to remove this long standing public grievance. I have received numerous letters from village officials of the Lahore District asking me to take up the matter and represent that the state of affairs in this respect is no better than before and will not be better at all unless this condition of ten is removed. The system of supplying commodities to the touring officers through contractors is a distinct improvement in itself on the old system of requisitioning the Rasad, and I am afraid Mian Beli Ram has not quite understood the significance of the scheme and the advantages accruing therefrom or he would not have moved it. I will pray the Hon'ble Revenue Member to extend the scope of this reform by removing the condition of ten and thus relieve the Zaildars, etc., from the unwelcome burden of entertaining every now and then a touring officer.

Khan Bahadur Sayad Mehdi Shah [Lyalpur (South Muhammadan), Rural] (Urdu) : Sir, I hail from the Lyallpur District where this system of procuring provisions through contractors is in vogue now. The touring officers previous to their arrival at a particular place send an indent of their require-

ments which they are supplied by the contractor. It has very much relieved the burden of the village officials who were formerly responsible for such supplies. I oppose any reduction being made in the allotment under this head.

Khan Muhammad Abdullah Khan [Muzaffargarh (Non-Muhammadan), Rural] (Urdu) : Sir, I strongly oppose the amendment which intends to subvert a system for which the public, rural more than the urban, has been trying for so long a time in the past. It only remains now to extend its scope of usefulness by increasing the number of localities where arrangements be made for the supply of provisions to the touring officers. The localities thus fixed for stationing the suppliers should not be according to Tahsil but according to Thana. The Deputy Commissioners of the districts should be circularised in the matter once again and asked to extend the net work of supplying agents in every nook and corner of their districts.

I trust the hon'ble member will be pleased to withdraw his amendment.

Lieutenant Sardar Ragbir Singh [Amritsar (Sikh), Rural] (Urdu) : Sir, the amendment of my hon'ble friend Mian Beli Ram is not happily conceived. He must have misunderstood the functions of this newly born system or he would not have brought his amendment before the House to abolish the system which is but just entering its career of usefulness. The system of appointing contractors is no doubt conceived in the interest of rural people who were every now and then forced to play the host of frequent and unwelcome touring officers. It has not even up till now done much to relieve the sufferers from the clutches of subordinate officers of the Police and Tahsils. I would appeal to the good sense of the Government to remove the limit of ten and order that every officer irrespective of rank and status should invariably receive provisions through contractors.

Malik Karim Ullah Khan [Jhelum (Muhammadan), Rural] (Urdu) : Sir, I hail from Jhelum District and have first hand knowledge of the system as it is worked there. The contractors are located at the camping places and District Board rest houses where when the officers arrive the commodities for their use are supplied to them. I think it should not be confined to a few localities only but wherever the officers may go, they should invariably receive their supplies through contractors. I hope this amendment will not be agreed to by the Council.

Chaudhri Kharak Singh [Amritsar-Cum-Gurdaspur, Rural] (Urdu) : Sir, I am here on behalf of the Gurdaspur District to say that my district has not profited much by the introduction of this system. These posts of contractors are considered to be sinecure posts there. It has passed its experimental stage and we should now give it a more extended trial than hitherto.

I make bold to say that the grievances of the zamindars are not removed in this respect in my district because they are labouring under almost the same difficulties as before. In order that every touring officer may be able to avail himself of the services of contractors, the contractor should be separately appointed for each tahsil instead of one for a district. He will then be able to arrange supplies for each and every officer easily. In the present arrangement of one contractor for district, it is not possible to reach every officer and supply him with his requirements. Secondly, these posts of contractors should not be treated as prize posts under the duress of subordinate officials who may abuse their influence in this respect. I would also pray

[Chaudhri Kharak Singh.]

that the condition of ten persons accompanying the officer is not at all such that can be characterised as conceived in the interest of people.

It will be a real boon to the people especially the rural people if they could be relieved of an unwelcome burden by an annual expenditure of Rs. 2,00,000. I hope that this amendment will not find favour with any member in the House and the original amount demanded will be voted as the advantages are comparatively more than the expenditure incurred.

Chaudhri Nabi Bakhsh [Amritsar (Muhammadan), Rural] Urdu:— Sir, the contractors have also been appointed in the district of Amritsar who have appointed their agents and sub-agents to supply the provisions to the officers on tour. The system there is in full swing, but I am sorry to say that it has not as yet begun to yield its full advantages. The high officers like Commissioners and Financial Commissioners and Deputy Commissioners come very rarely in the ilaga on tour and in fact the complaints of forced supplies were never met against them. It is the subordinate officials who have been and who are a nuisance to the village people. I therefore beg to submit that every official, high and low irrespective of whether he is accompanied by ten or more or less persons, should obtain his provision through the contractor or his agents. It will then alone be possible to remove the peoples' grievance in the matter.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia (Urdu):—Sir, the reason why this expenditure has been incurred is, that for some time past there has been a widespread complaint that tours of the officers in the districts and consequent supply of provisions for them without payment is an unnecessary and unwelcome burden on the shoulders of the people. Before the inauguration of the Reformed Council, the Revenue Secretary under the orders of His Excellency (then Lieutenant-Governor) issued a circular dated 14th December 1920, to the Commissioners and through them to the Deputy Commissioners explaining the desirability of appointing paid contractors to provide the camp requirements for touring officers and thus relieving the people of a much complained of inconvenience. It was a tentative measure but it has now well nigh passed the experimental stage, and I am glad to know from some of the members in the Council that this system is working very well in their districts and that its usefulness is likely to improve very much with certain modifications.

The grant of Rs. 2,00,000 was distributed as below:—Rs. 60,000 to the Lahore Division, Rs. 50,000 to the Multan Division, and Rs. 20,000 each to the Ambala, Jullundur and Rawalpindi Divisions. This allotment left some surplus in our hands which was to be utilised where and whenever necessary in the best interests of the people. The Commissioners wrote and asked for further sums as they felt the amount placed at their disposal was not enough. These demands were dealt with suitably from unallotted Funds. We have not asked for a bigger amount than this on account of the necessity for stringent economy in order to rehabilitate the finances of the province.

I am very glad to have had an occasion of listening to the hon'ble members on this subject. The hon'ble mover of the amendment himself however had nothing to say on the point. Mian Muhammad Shah Nawaz has urged the removal of the condition of ten persons accompanying the officers. This condition in the first instance was imposed in view of the fact that an officer who is accompanied by less than ten persons can without

difficulty arrange for his supplies himself, whereas an officer who is accompanied by ten or more may not be able to arrange his supplies conveniently. Anyhow I am prepared to consider the question afresh and will endeavour to make modifications in the light of what has been said by the hon'ble members to-day.

Government has issued circulars from time to time on the subject which have helped to improve on the then existing state of affairs and I trust that gradually as the system of receiving supplies through contractors takes root many of the complaints and grievances will disappear and that Begar system of which we have had constant complaints from the Hill territories will finally disappear. I therefore trust the Council will not accept Mian Bali Ram's proposals and sanction the grant asked for.

Mr. Beli Ram : I ask leave to withdraw my amendments.

The amendment was by leave withdrawn.

Mr. President : The motion before the Council is—

"That a sum not exceeding Rs. 48,98,500 be granted to the Governor in Council and to the Punjab Government (Ministry of Education), under the Major Heads '47—Miscellaneous' and 'XXXV—Miscellaneous (Refund)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

GRANT FOR THE CONSTRUCTION OF IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

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

"That a sum not exceeding Rs. 1,48,43,000 be granted to the Governor in Council, Punjab, under the Major Head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works—not charged to Revenue,' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

LOANS AND ADVANCE ACCOUNTS (RESERVED) GRANT.

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

"That a sum not exceeding Rs. 10,42,000 be granted to the Governor in Council, Punjab, under the Head 'Loan and Advance Account (Reserved)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

LOANS AND ADVANCE ACCOUNTS (TRANSFERRED GRANT.)

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : Sir, I beg to move—

"That a sum not exceeding Rs. 13,00,000 be granted to the Punjab Government (Ministries of Agriculture and Education), under the Head 'Loans and Advances Account (Transferred)' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

CIVIL CONTINGENCIES FUND GRANT.

Mr. B. T. Gibson (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 1,50,000 be granted to the Governor in Council, Punjab, for 'Civil Contingencies Fund' to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

IRRIGATION GRANT.

Mr. President :—Now we take up item No. 18.

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

"That a sum not exceeding Rs. 1,40,53,270 be granted to the Governor in Council, Punjab, under the Major Heads 'XIII—Irrigation—Working Expenses', '14—Interest on Irrigation Work', '15—Other Irrigation Expenditure' and '16—Construction of Irrigation, etc.—Works charged to revenue', to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] : Sir, I want to alter my amendments into the following amendment :—

"That the total grant under the head XIII—Irrigation—Working Expenses be reduced by 10 lakhs."

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), Rural] : Sir, in this connection I may mention that a compromise has been arrived at that a lump sum of Rs. 10 lakhs be reduced out of the total grant.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Yes, Sir, that has been accepted. Hon'ble members have promised that in cases of emergency they will do their best to carry supplementary grants through the Finance Committee.

Mr. President : The amendment before the Council is—

"That the total grant be reduced by 10 lakhs."

The amendment was carried.

Mr. President : The motion now before the Council is—

"That a sum not exceeding Rs. 1,30,53,270 be granted to the Governor in Council, Punjab, under the Major Heads 'XIII—Irrigation—Working Expenses', '14—Interest on Irrigation Work', '15—Other Irrigation Expenditure' and '16—Construction of Irrigation, etc.—Works charged to revenue', to defray the charges which will come in course of payment during the year ending on March 31st, 1923."

The motion was carried.

Mr. President : This, gentlemen, concludes the labours of the Council with regard to the budget for 1922-23. I think the historian of the future will be interested to note the great development which has taken place in the financial work of the Council during the past year. We entered upon the budget last year without any preliminary investigation by the Finance Committee, and after two days' general and eight days' somewhat heated discussion, at times of matters of small detail, a reduction of a little over 7 lakhs was effected. This year the budget has been thoroughly examined by a Finance Committee of the Council elected by the members of the Council.

Very large reductions, I understand, have been made, and policy thereby influenced; whilst here in the Council, after only one day's general and four days' detailed discussion, the Council has effected a reduction of Rs. 88,71,918. I think this shows what a very much greater control the Council is obtaining over the finances and through them the policy of the Government. And what is of even more importance is the prevailing spirit of co-operation which has brought the Government and the opposition benches, and may I say also the Chair, to work together for the good of the Province. I congratulate the Hon'ble the Finance Member on the rapid settlement of the budget.

The question now is when the Council is to meet again. I understand that the Hon'ble the Finance Member has some supplementary demands of a more or less formal character to put before the Council for audit purposes and before the close of the financial year. The Council will therefore adjourn until Tuesday, the 21st March.

The Council then adjourned till Tuesday, the 21st March, 1922.

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PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 21st March 1922.

The Council met at the Council Chamber at half-past ten of the clock. Mr. President in the chair.

QUESTIONS AND ANSWERS.

IRRIGATION OF CERTAIN VILLAGES IN THE KHANEWAL TAHSIL.

1396. Mian Ahmad Yar Khan, Daultana : (a) Is it a fact that the villages of (1) Ghospur, (2) Baghdad, (3) Batian, (4) Jungle Ali Chippa, (5) Jungle Bhusi Pindi, (6) Lodhi, (7) Chahan Amir Shab, (8) Ahmad Yar Hiraj, (9) Northern Jungle of Veriwala, (10) Sujawal Hiraj, (11) Kalu-putra, (12) Nuran Hiraj, (13) Manak Hiraj, (14) Choki Bhag, (15) Khichiwalla and (16) Jan Dangra, formerly in the Kabirwala Tahsil, and now in the Khanewal Tahsil of the Multan District, were originally irrigated by a zamindara canal—i.e., Langley *Wah* and others—and that these canals were handed over to the District Board for management without any compensation ?

(b) Is it a fact that, when the Lower Bari Doab Canal was constructed, these villages were brought within the irrigation boundary and the old canals were closed ?

(c) Is it a fact that these villages now receive no irrigation at all ?

(d) If so, will the Government kindly see their way to have these villages irrigated by Lower Bari Doab Canal or by some other means ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

APPOINTMENT OF THE MEMBERS OF THE PROVINCIAL CIVIL SERVICE AS SUB-DIVISIONAL OFFICERS.

1397. Mian Ahmad Yar Khan, Daultana : Will the Government be pleased to appoint in future as Sub-Divisional Officers only those members of the Provincial Civil Service who have enough knowledge of revenue and sufficient settlement training ?

Mr. J. Wilson-Johnston : Standing Order No. 11, paragraph 20, prescribes the principle that an Extra Assistant Commissioner in charge of an outpost should, within the limits of his charge, dispose of all the revenue work which is ordinarily entrusted to the Revenue Assistant of a district. It, therefore, follows that Sub-Divisional Officers have enough knowledge of revenue for the discharge of their duties. In the great majority of cases they also have received settlement training.

ALLOWANCE TO SUPERINTENDENTS OF DEPUTY COMMISSIONERS' OFFICES IN LIEU OF THE COPYING FEE.

1398. Mian Ahmad Yar Khan, Daultana : Did the Government ever promise to the Superintendents of Deputy Commissioners' offices an allowance in lieu of their copying fee ?

If so, does the Government propose to fulfil their promise ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : In fixing the revised rates of pay for Superintendents of Deputy Commissioners' offices the loss of attestation fees was taken into account, so far as was possible in view of the fact that the fees were not a part of salary, but remuneration for extra work, now no longer laid upon Superintendents. Government does not propose to take any further action in the matter.

STOPPING THE RECRUITMENT OF NON-AGRICULTURISTS IN THE CO-OPERATIVE CREDIT SOCIETIES DEPARTMENT.

1399. Sardar Balwant Singh : Will Government be pleased to state —

- (a) the number of agriculturists and non-agriculturists working in the Co-operative Credit Societies Department ?
- (b) Has there been an increase in the number of non-agriculturists in the year 1921 as compared with the years 1919 and 1920 ?
- (c) If so, will Government consider the desirability of stopping the further recruitment of non-agriculturists in this department ?

The Hon'ble Lala Harkishan Lal : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

DISPARITY IN THE PAY OF MATRICULATE AND NON-MATRICULATE CANDIDATES APPOINTED TO JUDICIAL AND REVENUE POSTS.

1400. Sardar Balwant Singh : (a) Is it a fact that Matriculate as well as non-Matriculate candidates who have passed the *Qanungo* examination are appointed as *Qanungos* and that no distinction is observed with regard to their salaries as such ?

(b) If so, will Government be pleased to state the reasons for the disparity in the pay of Matriculate and non-Matriculate candidates appointed to judicial and revenue posts ?

(c) Are Government prepared to do away with the disparity in the salaries of Matriculates and non-Matriculates ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Attention is invited to my reply to the hon'ble member's question No. 1216, which runs as follows :—

A candidate who has not passed the Matriculation Examination or its equivalent may not be appointed a *Qanungo* except by promotion from the rank of Patwari. Similarly a candidate who has not passed that examination or its equivalent may not be appointed a Naib Tahsildar except by promotion (i) after not less than 5 years' service under Government, of which not less than two shall have been spent in the duties of a Field *Qanungo* or (ii) if he is a permanent or officiating district *Qanungo* and has passed the Naib Tahsildars' Examination.

In the case of *Qanungos* no distinction as to pay is made between those who have and those who have not passed the Marticulation Examination. The special experience and training of the latter in revenue work justifies their payment at the same rate as directly appointed candidates.

(b) In the case of clerical posts Marticulates are paid on a higher scale than non-Matriculates in consideration of their superior educational attainments and knowledge of English.

(c) No.

THAL CANAL.

1401. **Diwan Bahadur Raja Narendra Nath :** (a) Is it a fact that Sind Sagar Colonisation Act, I of 1902, was passed with a view to construct the Sind Sagar Canal, commonly known as the Thal Canal, within a reasonable time ?

(b) What is the total area of the *shamilat* land which the Thal proprietors will surrender under sections 3, 5 and 14 of the Act to the Government on the date the construction of the Thal Canal shall begin ? Out of this area, how much is to be kept by the Government and how much is to be returned to the proprietors ?

(c) What is the total area of the Crown waste land at present belonging to the Government within the scope of the proposed Thal Canal ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

1402. **Diwan Bahadur Raja Narendra Nath :** (a) Is it a fact that the construction of the Thal Canal was recommended by the Punjab Government to the Government of India.

(b) Will the Government be pleased to lay on the table the correspondence that has passed between the Punjab Government and the Central Government in connection with the construction of the canal from 1st January 1920 to 31st January 1922.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : (a) The answer is in the affirmative.

(b) A copy of the correspondence * is laid on the table.

1403. **Diwan Bahadur Raja Narendra Nath :** Is it a fact that soon after the scheme for the construction of the Thal Canal was sent back by the Government of India to the Punjab Government a conference consisting of expert officials was held at Simla to consider the scheme in all its aspects ? Will the Government be pleased to lay on the table the decision arrived at in that conference ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : The answer is in the negative.

1404. **Diwan Bahadur Raja Narendra Nath :** Is it a fact that either the Tata & Company or some other company applied to the Government of Punjab to give them the job of the construction and control of the Thal

Canal? If the answer is in the affirmative, what was the reply of the Government to the offer made? Will the Government be pleased to lay on the table the correspondence that passed between the said company and the Government of Punjab?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : So far as can be traced, no firm has applied for the construction and control of the Thal Canal. In any case, the control of a canal would not be given over to a private company for obvious reasons.

Diwan Bahadur Raja Narendra Nath : Could I have some idea of the reasons which are so obvious to the hon'ble member?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Well, for one thing Government expects to make some money out of this Canal and so this project cannot be given to people outside. If Government can lower the taxation imposed on the people because of the income Government derives from this Canal, surely such income should not go to the pockets of private individuals.

1405. Diwan Bahadur Raja Narendra Nath : (a) Will the Government be pleased to lay on the table a copy of the conditions of the agreement which the Thal proprietors of Tahsil Bhakkar executed under the provisions of Act I of 1902?

(b) Is it a fact that the Thal proprietors of Tahsil Mianwali and Tahsil Khushab refused to execute and sign any such agreement?

(c) Is it a fact that the Thal proprietors of Tahsil Mianwali and Tahsil Khushab will receive the benefit of the canal water in the event of the construction of Thal Canal?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

1406. Diwan Bahadur Raja Narendra Nath : (a) Is it a fact that the Thal proprietors of Tahsil Mianwali and Tahsil Khushab have partitioned their *shamilat* land and are realising large profits from *barani* cultivation of gram, etc., in the Thal tract?

(b) Is it a fact that the Thal proprietors of Tahsil Bhakkar and Tahsil Leiah are not permitted to partition their *shamilat* land? Is it a fact that they cannot even sink new wells in the *shamilat* land belonging to them?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

SETTLEMENT OF TAHSIL LEIAH.

1407. Diwan Bahadur Raja Narendra Nath :

(a) When was the last settlement of Tahsil Leiah completed?

(b) What was the period of the settlement?

(c) What are the reasons of starting a new settlement in the Leiah Tahsil now attached to the Muzaffargarh District?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia :

- (a) The present Leiah Tahsil was assessed in two portions. Sanction was conveyed to the new settlement in the Thal Tract with effect from the Kharif harvest of 1903; and in the Indus Valley Tract with effect from the Rabi harvest of the same year.
- (b) The term of settlement was in both cases 20 years.
- (c) The reasons for re-settlement are explained in the Forecast Report and the orders passed thereon. A copy is laid upon the table.*

CHAUTANG NALA IN THE KARNAL DISTRICT.

1408. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state when the scheme will be taken in hand of supplying water from the Jumna Canal through the old Nala of Chautang in the Karnal District?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : It is proposed to take up the Chautang Nala Scheme in 1922-23, provided funds are available.

KING EDWARD'S MEDICAL COLLEGE.

1409. Diwan Bahadur Raja Narendra Nath : Will the Minister for Education be pleased to state the reasons for charging students, who wish to prosecute their medical studies abroad, a fee of Rs. 35 for a certificate of having attended a certain course of lectures in each subject in King Edward's Medical College?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : The fees are levied on the analogy of other similar colleges in British India. The Inspector-General of Civil Hospitals has however under consideration the question of the abolition of these fees.

ACTION TAKEN BY GOVERNMENT ON THE RESOLUTION CONCERNING LOCAL OPTION

1410. Mr. K. L. Rallia Ram : Will Government be pleased to state what steps it has taken to give effect to the Resolution concerning "Local Option" passed in the Punjab Legislative Council on the 18th March 1921, and does it propose to present a Bill on the subject to the council, and if so, when?

The Hon'ble Lala Harkishan Lal : The resolution on Local Option passed in the Punjab Legislative Council on the 18th March 1921 was discussed in a Committee of Councillors and others interested in tariff reform appointed by Government in June 1921. The conclusions of this Committee have since been considered by Government who have framed a Local Option Bill. This Bill was placed before the Excise Standing Committee of the Council on 22nd February 1922 and after embodying in it a slight amendment proposed by this Committee it has now been given to the Law Officers of Government for technical revision. The Bill will be placed before the Legislative Council at its next session and in the meanwhile it will be published in the Gazette under rule 13 of the Punjab Legislative Council Rules.

*Not printed.

NOTE.—Mr. K. L. Rallia Ram being absent the answer to question No. 1410 was given by Government in the public interest.

Rai Sahib Lala Thakur Das being absent questions Nos. 1411, and 1412 were not put.

Rai Sahib Lala Panna Lal being absent questions Nos. 1413, 1414 and 1415 were not put.

APPLICATIONS FOR LICENSES IN DISTRICTS THAT ARE NEAR THE FRONTIER.

1416. **Khan Muhammad Saifullah Khan :** Will the Government be pleased to allow applications for licenses in districts that are near the frontier to be made on ordinary paper instead of on authorised stamped paper?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : It is presumed that by licenses the hon'ble member means "Arms Licenses."

The fees for such licenses are fixed by the Government of India and the Local Government has no authority to remit such fees.

Question No. 1417 was not put.

Sardar Sangat Singh being absent, questions Nos. 1418, 1419 and 1420 were not put.

Chaudhri Daya Ram being absent question No. 1421 was not put.

APPOINTMENT OF GOVERNMENT ADVOCATE.

1422. **Mian Ahmad Yar Khan, Daultana :** (a) Is it a fact that Mr. Noad and Mr. Aziz Ahmad have officiated as Government Advocates; that Mr. Aziz Ahmad was officiating as recently as the 10th of February and that Mr. Jai Lal has never done so?

(b) If so, why have neither Mr. Noad nor Mr. Aziz Ahmad been appointed?

(c) Does not the Government think it desirable that one of the three Law Officers, i.e., the Legal Remembrancer, the Assistant Legal Remembrancer and the Government Advocate should be a *Musliman*?

The Hon'ble Sir John Maynard : (a) It is incorrect to say that Mr. Noad and Mr. Aziz Ahmad officiated as Government Advocates, though both of these gentlemen were appointed to act as additional Government Advocates during a period of stress to relieve the Government Advocate. Mr. Jai Lal has never officiated as Government Advocate.

(b) and (c) The only consideration that must influence Government in making appointments of this nature is that of fitness for the post. This will always be the deciding factor when there is more than one candidate for any of the posts referred to.

COMMUNAL REPRESENTATION IN THE CLERICAL STAFF OF THE LAW DEPARTMENT.

1423. **Mian Ahmad Yar Khan, Daultana :** What is the total amount of the salaries paid to the clerical staff of the Law Department, and how much of it is drawn by *Muslimans*?

The Hon'ble Sir John Maynard : The total amount of salaries paid to clerical staff of the Law Department is Rs. 1,526. Rs. 332 out of it is drawn by *Metalman* Clerks.

COMMUNAL REPRESENTATION IN THE MUNICIPAL COMMITTEES AND
DISTRICT BOARDS OF AMBALA DIVISION.

1424. Chaudhri Muhammad Hayat Khan : Will the Government kindly lay on the table a statement to show the numerical strength of Hindus, Muhammadans, Christians and Sikhs in the appointments of District Engineers, Overseers, Sub-Overseers, Clerks and Secretaries of Municipal Committees and District Boards of the Ambala Division ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

ALLOTMENT OF LAND TO JUNGLES OF GUGERA.

1425. Sayad Muhammad Husain : (a) Is it a fact that in 1851 Government acquired some 280 acres of culturable land from village Gugera situated in the Tahsil of Okara, District Montgomery, for forming a district without paying any compensation ?

(b) Is it also a fact that 85 acres of the above-mentioned land was well irrigated land connected with Wan Sorab and Chah Musrera ?

(c) Is it also a fact that there are many petty owners of Gugera, the descendants of those who never received any compensation for their acquired land in 1851, who were not given any land either in the Chenab Colony or in the Lower Bari Doab Colony ?

(d) If the answers to the above questions be in the affirmative, will the Government kindly see its way to allot some land to the *Jungles* of Gugera, keeping in view the loss they sustained with the acquisition of their land ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

ALLOTMENT OF LAND TO JUNGLES OF OKARA.

1426. Sayad Muhammad Husain : (a) Is it a fact that in the village Majhiana, Tahsil Okara, District Montgomery, there are many families of *Jungles* belonging to Dehr, Bhatti, Jakher and Saoo clans, who did not get a single acre of land in the Lower Bari Doab Canal ?

(b) Is it also a fact that Chaddirs of villages Majra and Bhatti's Keesa Sials and Khokhars of Satghara, Bhattis of village Bala, Toors of village Jhok Sahou, in the Tahsil of Okara, District Montgomery, are not given land in the Lower Bari Doab Canal ?

(c) If the answers to the above questions are in the affirmative, will the Government kindly consider the claims of the above-mentioned *jungles* and allot them land when available ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

PEASANT PROPRIETORS OF KOHLA, TAHSIL OKARA.

1427. **Sayad Muhammad Husain :** (a) Is it a fact that in the village Kohla, Tahsil Okara, District Montgomery, there are many peasant proprietors with very small holdings ?

(b) If so, will the Government consider their claims when the question of deprived *Junglies* of the Okara Tahsil is taken up ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

REWARDING THE SONS OF KHAN BAHADUR GHULAM MUHAMMAD KHAN.

1428. **Sayad Muhammad Husain :** (a) Is it a fact that Khan Bahadur Ghulam Muhammad Khan, late Extra Assistant Commissioner of Dera Ghazi Khan, rendered very useful political services to the Government while in service ?

(b) Is it also a fact that Government promised to reward his services but unfortunately he died ?

(c) If the answers to (a) and (b) are in the affirmative, will the Government reward in some way his sons ?

Mr. J. Wilson-Johnston : Materials for answering the hon'ble member's question are not at present available. The papers dealing with the late Khan Bahadur's case appear to have been transferred to the North-West Frontier Province. Necessary enquiries will be made from that Administration and the result will be communicated to the hon'ble member.

TERM OF SETTLEMENT OF THE VILLAGES IN PAKPATTAN AND DIPALPUR TAHSILS.

1429. **Sayad Muhammad Husain :** Will the Government kindly state the new term of the settlement of the villages in the Tahsils of Pakpattan and Dipalpur, where the irrigation contemplated from Sutlej Valley Canal Project will be half yearly.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : Orders with regard to the period of Settlement are not issued till the Final Settlement Report has been received by Government.

Sayad Muhammad Husain : Is the hon'ble member aware that he promised at the time when a deputation waited upon him a short time ago that the term of settlement will not be changed in the event of the Sutlej Valley Project coming into force or that at least the present term of settlement will remain 30 years ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia : I do not think that any promise was held out but the matter was promised to be considered.

Sayad Muhammad Husain : Are we to take it that there will be a further settlement ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia : My reply says that orders with regard to the period of settlement are not issued.

APPOINTMENT OF ASSISTANT SECRETARY.

Mr. President : Before the Council proceeds to the Government business on the continuous list, I have to announce that His Excellency the Governor has been pleased to appoint Mr. Abnasha Singh to be Assistant Secretary to the Council.

GOVERNMENT'S SUPPLEMENTARY DEMANDS FOR GRANTS.

LAND REVENUE GRANT.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '5—Land Revenue' and 'V—Land Revenue (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

Mr. President : I will put the motion to the Council.

The motion was carried.

EXCISE GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) under the major heads '6—Excise' and 'VI—Excise (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

REGISTRATION GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) under the major heads '9—Registration' and 'IX—Registration (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

GRANT FOR WORKING EXPENSES, ETC.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council Punjab, under the major heads 'XIII—Working Expenses,' '15—Other Revenue Expenditure, etc.,' '16—Construction of Irrigation Works, etc.' and '42—Waterways and Embankments,' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

GENERAL ADMINISTRATION GRANT.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '22—General Administration,' '37—Miscellaneous Departments' and 'XXVI—Miscellaneous Departments (Refunds)' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

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

"That the grant be reduced by Rs. 5."

I would like to draw the attention of the House to the fact that under these heads the Government is demanding a grant of no less than Rs. 6,36,000 and it is not an ordinary demand of Rs. 10 only as the wording of the motion may seem to indicate. This sum of Rs. 6,36,000 is alleged to have been expended on those additional members of the Punjab Civil Service who had to be employed later on and for whom no provision was made in the budget. This is no reasonable argument for having incurred such a huge expenditure. I think the administration could be carried on without employing these men, and if the same duties had been assigned to members of the Indian Civil Service this sum of Rs. 6,36,000 would have been saved. I would like to hear an explanation from the hon'ble member how this sum was expended and whether the need of employing these new Extra Assistant Commissioners could not in any way be avoided.

The Hon'ble Sir John Maynard : The reason for this excess is this: This money, or rather more money, would have been expended if it had been possible to find members of the Indian Civil Service to fill up certain posts. As it was not possible to find members of the Indian Civil Service to fill up those posts, it was necessary to appoint members of the Punjab Civil Service. More money would have been expended if the posts had been filled by members of the Indian Civil Service, but the salaries of the members of the Indian Civil Service are non-voted and therefore the increase is under the voted head. It, therefore, becomes necessary to ask this House to make up the balance which is due to the greater employment of the service whose salaries are voted. I do not think that the hon'ble member who raised this question wanted me to give specific instances, but every body knows that there has been recently a very large employment of members of the Provincial Civil Service in posts which are ordinarily filled up by the Indian Civil Service.

Rai Bahadur Lala Sewak Ram : Sir, my question was as to why did the necessity arise?

The Hon'ble Sir John Maynard : Sir, the necessity arose because the members of the Indian Civil Service are rather few in number. As they are not sufficient to fill certain posts it has become necessary to fill them by members of the Punjab Civil Service.

Rai Bahadur Lala Sewak Ram : Sir, I apply for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President: The original motion before the Council is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '22—General Administration,' '27—Miscellaneous Departments' and 'XXVI—Miscellaneous Departments (Refunds), to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

The Hon'ble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '24—Administration of Justice' and 'XVII—Administration of Justice (Refunds),' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

JAILS AND CONVICT SETTLEMENTS GRANT.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '25—Jails and Convict Settlements' and 'XVIII—Jails and Convict Settlements (Refunds)' to defray the charges which will come in course of payment during the year ending on 31st March 1922."

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

"That the grant be reduced by Rs. 5."

The reason for my having moved this amendment is that no explanation has been given in the budget what charges are to be defrayed and moreover when a sufficient grant was already provided in the Budget why has this additional supplementary demand been put forth? If my question elicits a satisfactory reply from the hon'ble member I may withdraw my amendment.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia: Sir, I draw the attention of the hon'ble member to page 2 of the explanatory memorandum in which general remarks for the increase are given. One is the abnormal rise in price of food grains necessitating the grant of grain compensation allowance at very liberal rates and higher dietary charges; and the second explanation that I can give him is that which I gave the other day, i.e., on account of the very large increase in the number of prisoners in our jails in the Punjab. If the hon'ble member will remember what I said the other day by giving figures of our jail population he will be satisfied that the grant asked for is necessary to meet the extra charge.

Bai Bahadur Lala Sewak Ram: Sir, I apply for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President: The original motion before the Council is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '25—Jails and Convict Settlements' and 'XVIII Jails and Convict Settlements (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

POLICE GRANT.

The Hon'ble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '28—Police' and 'XIX—Police (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

I should like to explain in this connection that ever since August last, owing to the extraordinarily high prices of food grains, additional grain compensation allowance has been drawn by practically the whole of the police force below the rank of the Sub-Inspector. The result is that there has been a very great expenditure under this head and this it is which accounts for the additional demand.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural]: Sir, in view of the explanation given by the Hon'ble Finance Member, I will not move the amendment of which I have given notice.

Mr. President: I will put the motion to the Council.

The motion was carried.

EDUCATION (RESERVED) GRANT.

The Hon'ble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '31—Education (Reserved)' and '30—Scientific Departments', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) under the major heads '31—Education (Transferred)' and 'XXI—Education (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

MEDICAL GRANT.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) under the major heads '32—Medical,' '47—Miscellaneous' and 'XXII—Medical (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

AGRICULTURE GRANT.

The Hon'ble Lala Harkishan Lal (Minister for Agriculture): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) under the major heads '34—Agriculture,' '22—General Administration,' and 'XXIV—Agriculture (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

SUPERANNUATION GRANT.

The Hon'ble Sir John Maynard (Finance Member): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '45—Superannuation' and 'XXXIII—Superannuation (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

STATIONERY GRANT.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major heads '46—Stationery' and 'XXXIV—Stationery (Refunds)', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

EXCHANGE GRANT.

Mr. B. T. Gibson (Financial Secretary): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council, Punjab, under the major head '40—Exchange', to defray the charges which will come in course of payment during the year ending on 31st March 1922."

The motion was carried.

RESOLUTION.

RESOLUTION RE APPRECIATION OF THE SERVICES OF THE RIGHT
HON'BLE E. S. MONTAGU.

Mr. President : The Council will now proceed with the consideration of the resolution standing on the List of Business in the name of the Hon'ble Khan Bahadur Mian Fazl-i-Husain.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Education Minister) : Sir, I beg to move—

"That this Council recommends to the Government to convey to the Right Hon'ble E. S. Montagu its profound regret at his resignation and its appreciation of the valuable services rendered by him in helping India to achieve self-government and in securing for her an honourable position in the comity of nations."

Sir, these are not the usual empty words which are put together on such occasions to serve the purpose of mere formality, nor are these the trinkets of customary compliment or courtesy which politicians on similar occasions employ. These words, Sir, as a matter of fact give but an inadequate expression to the feelings of admiration and appreciation, to the feelings of gratitude for the services rendered by the outgoing Secretary and to feelings of an alarming apprehension at his resignation. It is the resignation then which is the root cause of a sudden shock to us and created the feeling of consternation throughout India. This resignation has been very deeply deplored. The Indian press, both English and vernacular, has unanimously and strongly bestowed its encomiums on the outgoing Secretary of State for the valuable services he rendered to India. Then, Sir, one naturally wants to know how is it that the epithets of "the greatest Secretary of State India has ever had," "the best friend of India," "the best representative of India" have been universally bestowed on him. Has not this exalted office been held before by men who have been known to be men of deep learning and of liberal ideas of great statesmanship? Did not Lord John Morley a man of letters, as a Liberal, and a statesman occupy a position which has not yet been excelled by anyone and was it not from him that the present Secretary of State learned his first lessons in India? How is it then that in spite of not being as great a Liberal, as great a learned scholar as Lord John Morley, Mr. Montagu has evoked these sentiments in the Indian mind which his teacher was not able to command. One has to go to the man rather than to the statesman to find an explanation of this. I believe, Sir, that there are three qualities which made the Right Hon'ble E. S. Montagu the idol of Indian political thinkers. The first quality was his wonderful understanding of the educated Indian. He, I believe, understood the educated Indian's mentality better than any other English statesman has done. He realised what an educated Indian feels for his country, and what he aspires to. He also comprehended how sensitive an educated Indian is on international inferiority of his countrymen, and some proud and arrogant statesmen without devoting a thought to the matter unfortunately strengthen this impression. With this wonderful understanding of his, he naturally combined great sympathy for Indian aspirations and ideals. These qualities, his wonderful understanding and his great sympathy enabled him to make India's cause his very own, with the result that he put before himself the goal of elevating a dependency to the status of an associate and a partner in the Empire. With that ideal before him he naturally was working in the direction in which all Indian political work-

ers have been working, but, Sir, had he been only a learned man, had he been only a great philosopher he would not have achieved what in the course of time he did achieve. The third quality of his was his great courage. A philosopher like Lord John Morley perhaps would have become sceptical of extending representative institutions to India though he believed in them. It was left, Sir, to Mr. Montagu to do away with the shibboleth that representative institutions are the monopoly of the west. Courageously, Sir, he overcame all the obstacles that narrow-minded people placed in his way and took the India Act through the Parliament. His courage combined with his understanding and sympathy combined with his great influence combined with his tact enabled him to get this measure passed.

Sir, whatever the critics may say against the India Act, whatever room there may be for improvement in it from the Indian point of view, one cannot deny that the measure was certainly a great one and gave a good start to India on the road to realisation of complete self-government at an early date and for that undoubtedly we are beholden to Mr. Montagu. Over and above this, Sir, Mr. Montagu set himself to work in the interest of India for the recognition of India in the comity of nations. In the colonies, he worked hard to secure a respectable position for Indians. It was largely through his untiring efforts that India was admitted as an Original Member in the League of Nations. So, Sir, we find that Mr. Montagu has worked in the interest of Indians not only for improvement within, not only for advancement within but also has secured for her an honourable position in the outside world. There are these and other services which entitle to our appreciation and admiration. But there is one reason why he is entitled to a great measure of this feeling than would ordinarily have been felt by the Indians. The reason for this is, Sir, his gift to see the Asiatic question from the Indian point of view. He practically put himself in the place of Indians and looked upon the Turkish question and the reconstruction of Eastern Europe from an Oriental point of view and this is what India—united India—has been saying in this matter. There is no Islamic view as distinct from Hindu view. The Hindus and Muhammadans stand united in support of Government of India's policy, which policy has also been supported by Mr. Montagu. They know that India wants to stand by Turkey not on the ground of Islamic religion only, but rising above sectarian prejudices or religious bias supports it on the ground of its being a public question. Mr. Montagu with his wonderful capacity, while seeing it from the Indian point of view, was able to firmly grasp that Indian point of view and having once grasped it, with his usual zeal and integrity he pressed it.

Now, Sir, why is there any alarm felt at his resignation. It is in some quarters apprehended that his resignation may be an indication that the present policy is going to be surrendered and that the Reforms Scheme will not have the same careful supervision that it had under Mr. Montagu. I can assure you, Sir, that these apprehensions which find support in some quarters are not the apprehensions that I share. If India still stands in need of some one to feed the Reforms Scheme just as if it were still an infant, the chances of her advancement are very small. I feel that whoever the Secretary of State may be the Reforms Scheme is no longer an infant which needs spoon feeding either by a step-mother or by a new nurse. It has now become a robust youth that can take care of itself. If the Indians work the Reforms Scheme properly no Secretary of State can stand in the

[K. B. Mian Fazl-i-Husain.]

way of making the Reforms Scheme a success. It is for this reason, Sir, that I do not countenance in any way the doubts and the suspicions that are in the minds of some of us : and I hope, Sir, that Indians will in future think that the destinies of India lie more in their own hands than in the hands of any Secretary of State that may from time to time fill the office which the Right Hon'ble E. S. Montagu filled with such distinction.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, I beg to move that the word "and" be omitted after the word "self-government" and "that the words 'to the cause of Islam' be added after the words 'comity of nations'."

Sir, on the 17th March I sent in a resolution to be moved in this Council to convey to the Right Hon'ble E. S. Montagu its profound regret at his resignation and its appreciation of the valuable services rendered by him to India and the cause of Khilafat. Objection was taken to the word "Khilafat." I would therefore like to move an amendment to the Hon'ble Khan Bahadur Mian Fazl-i-Husain's resolution by adding the words "and to the cause of Islam" at the end of that resolution. The word "Islam" would serve the same purpose because it is so comprehensive that it includes the Khilafat question as well. I would like to speak on the amended resolution later on.

Diwan Bahadur Raja Narendra Nath [Punjab landholders (General)] : Sir, the hon'ble mover has in the concluding portion of his speech already intimated that on the Khilafat question there is no difference between the Hindus and Muhammadans, not only on account of the sympathy which the Hindus entertain towards their fellow subjects in India but also on other grounds. The Khilafat question is really a question of the defence of the rights of the Asiatic powers and so far as Indian interests are in common with Asiatic powers the Hindus have also a direct concern. Therefore I support the amendment which has been moved. In fact, if the hon'ble mover had in the first instance given any intimation of what he said in the concluding portion of his speech the amendment might have been obviated and no necessity would have been felt for introducing it. I hope the Hon'ble Mian Fazl-i-Husain will accept the amendment.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain : Sir, as I understand my resolution it certainly covers the point that Mian Shah Nawaz has brought in, that is to say, when Mr. Montagu served the cause of India he could not possibly have in doing so ignored the cause of Indian Mussalmans and therefore the cause of Indian Muhammadans and of Islam comes in, but to my mind he placed before him the cause of the united India, that is to say of Muhammadans and Hindus which is a stronger point than the cause of Islam as separated from that of India. However, as Raja Sahib has said inasmuch as it is simply a repetition of a part of my resolution, I have no objection to the addition being made.

Mr. President : Does any member wish to speak to the amendment ?

No member stood up.

Mr. President : The motion before the Council is—

"That this Council recommends to the Government to convey to the Right Hon'ble E. S. Montagu its profound regret at his resignation and its appreciation of the valuable services rendered by him in helping India to achieve self-government and in securing for her an honourable position in the comity of nations."

To this an amendment has been moved and which runs as follows :

That the word "and" be omitted after the word "self-government"

and

That the words "to the cause of Islam" be added after the words "comity of nations."

The amendment was carried.

Mr. President : The motion now before the Council is—

"That this Council recommends to the Government to convey to the Right Hon'ble E. S. Montagu its profound regret at his resignation and its appreciation of the valuable services rendered by him in helping India to achieve self-government, in securing for her an honourable position in the comity of nations and to the cause of Islam."

Diwan Bahadur Raja Narendra Nath : Sir, I associate myself in a whole hearted manner with what has fallen from the lips of my hon'ble friend the Minister for Education. I was not sure that I would be able to attend to-day's meeting of the Council, otherwise I would have myself sought the honour of moving the resolution which he has so ably moved. The students of Indian political and constitutional history are aware of the fact that Indians have gradually, though slowly, received larger and larger share in the administration of their country. In the last twenty years substantial advance has been made. I refer particularly to the two Reform Schemes which have been introduced, the first associated with the name of Lord Morley and the second with that of Mr. Montagu. The Minto-Morley Scheme had a limited scope. In fact Lord Morley at the time of introducing his policy announced that there was no intention of giving to India parliamentary institutions. He simply aimed at the creation of large advisory bodies. Mr. Montagu went further and took an advanced step which was announced in the Parliament in the famous declaration of August, 1917. Whoever originated the idea of conceding to India responsible self-government, the fact is indisputable that Mr. Montagu worked out and developed the idea. He went further than any predecessor of his had gone in obliterating the policy of racial distinction. He recognised fully the right of India to equal partnership in the Empire. The hon'ble member has already referred to Mr. Montagu having admitted India to the League of Nations and to the Peace Conference which is evidence, if evidence were needed, of the ideals for which he was working. Whenever he found there was no administrative or practical difficulty he gave full scope to the ideals he had in his mind. Sir, I am aware of the fact that Mr. Montagu has not escaped criticism at our hands, at the hands of advanced Indian politicians, but these gentlemen however laudable and noble their motives may be, forget three important points. First of all Mr. Montagu is not to be judged from the standards of an irresponsible politician. He has been a responsible Cabinet Minister and as such he did his best to advance the principles of government which he advocated as a politician but he had also to bear in mind the necessity of carrying on administration. The dynamic side of politics is not the only side to which Cabinet Ministers have to attend, there is another side which may be called the statical which is equally important for them. The machinery of the State must be kept in equilibrium before it can be made to advance further and to proceed on the path of progress. The points of view of an administrator never come before mere politicians. The second point is that

[D. B. Raja Narendra Nath.]

Mr. Montagu has sometimes been accused that he has not gone far enough and that he does not promise to move fast enough. For this also he is not to be blamed. After mature thought and deliberation he took the Government of India Act to the Parliament to which the Parliament gave their consent. In obtaining the consent of the Parliament he had some difficulties, and it cannot be expected now that Mr. Montagu should wash out the whole of what he had done and to go again with a clean slate before the Parliament. If he has been unable to do it, if he says that he can not do it, I for one can not blame him. The third point which is lost sight of is that Mr. Montagu has to carry the Parliament with him. The Parliament is a mixed assembly of over 600 members, a large number of whom do not share Mr. Montagu's political views and ideals as some of the speeches of members of the Parliament and even members of the Cabinet might have shown how widely some of them differed from Mr. Montagu. He can not be unmindful of their views. He can not ignore the fact that the swing of the political pendulum in the Parliament may at any time go in the opposite direction. In fact the *raison d'être* of the extremist movement is this very apprehension. Therefore I am strongly of opinion and I believe I will carry the Council with me that no British statesman has done more for the political advancement of India than Mr. Montagu. His memory will go down to posterity with feelings of profound gratitude and esteem. Whilst fully supporting the resolution which has been moved by my hon'ble friend, I request that this resolution may be communicated to Mr. Montagu by cable with an expression of hope that in the next election when some other party comes into power Mr. Montagu will be reinstalled to complete the work which he has so ably guided.

Sayad Muhammad Husain [Montgomery (Mubammadan), Rural]: Sir, I rise to give expression to the unfathomed grief experienced by my poor country in general and the Muhammdans in particular at the forced and sad resignation by the Right Hon'ble E. S. Montagu, the friend of India and the author of the Reforms. The circumstances under which Mr. Montagu had to submit his resignation have sprinkled salt to our wounds. It is a death blow to all our aspirations. The speech of Mr. Shastri followed by the resignation of Mr. Montagu has given a colour of reality to the rumour that the public opinion in England is hardening against reforms and the day may not be far off when we may be robbed of the poor little thing that has been given to us, for the sacrifices that we have made and for the services that we have rendered in freeing England from the menace of Germany. I may assure you, Sir, that the Reforms that we now possess are the result of our sacrifices. We fought for them, we shed our blood, shoulder to shoulder, with England for the liberties of the world far away from our homes: those near and dear to us lie buried in the different corners of the world fully confident that their sacrifices will win freedom for us. They were won by those who gave their lives during the war. Their blood has not been shed in vain. They won for us this little freedom which is only a morning star of that complete freedom which may come to us in the course of time. We are led to believe that the old bureaucratic days stare us in the face. I agree with the Hon'ble Mian Fazl-i-Husain that it is impossible. We can never tolerate that and it will be a very sad day for India when these reforms are withdrawn from us. The only thing that will follow will be martial law.

and no less than martial law will keep us here. Any delay in the realisation of full provincial autonomy or any attempt to undermine the present reforms will be a very dangerous and retrograde step. The circumstances under which Mr. Montagu was obliged to submit his resignation are very hard. The Muhammadan question is not a different question from the Indian question. As my hon'ble friend Raja Narendra Nath has just said we are Indians—Hindus, Muhammadans, Sikhs, Parsis and Christians are one and the same. We are a part and parcel of the same whole and are true sons of India. If the Muhammadans are troubled all the other population will be troubled as well. If the rights of the Hindus are encroached upon, we the Muhammadans as their brothers, must be troubled in the same way. If the Sikh population is disturbed, as it is evident from the gurdwara movement, we are also troubled to the same amount, if not more than that. The Muhammadans fought for the empire and defeated the Turks. The pledges that were given to us by the Prime Minister must be redeemed. We were told that it was a political war and not a religious war and we set aside our religion for the moment to win the war. We gave men and money. We were fully confident that the pledges given by the Prime Minister will not go unredeemed and that our holy and sacred places will remain unmolested. The resignation of Mr. Montagu is the fruit of those promises that were given to us. I thank the Punjab Government, I thank the Government of India and all the local Governments—they are at one with me, in fact they did all that they could possibly do, they gave expression to the feeling of the whole of united India and of Muhammadans especially when they wired to the Secretary of State. I thank him for the services rendered to India in permitting the publication of the united opinion of the Government of India—the opinion of the Hindus, Muhammadans, Sikhs, Christians and Parsis. That is the greatest service which he could render to the Empire and the result was his forced resignation. Through you, as a member of this House, Sir, I would like to convey our deep sense of gratitude to that friend of India and true patriotic son of England who has rendered such a useful service. In fact he has rendered service which no man could foresee. We want, through you, Sir, that the thanks of this House may be communicated to that noble friend of India who stood by us through thick and thin and brought about these reforms.

Whatever the Government of India have published, whatever the Government have said in their despatch that was the least with which the Muhammadans or rather united India could be satisfied in redeeming the pledges given to us by the Prime Minister of England.

Mian Muhammad Shah Nawaz : Sir, the Right Hon'ble E. S. Montagu has unfortunately resigned and India has lost one of the best and most sympathetic Secretaries of State she ever had. The immediate cause of his resignation is the publication of the despatch to the Government of India with regard to the revision of the Turkish Treaty without the sanction of the British Cabinet. Sir, it is a grave misfortune and a great mistake that the ex-Secretary of State was forced to resign on the technical ground of official propriety, which would not have raised such a storm if the published despatch had been in accord with the views of the Foreign Office. Sir, the doctrine of collective responsibility of the Cabinet, as pointed out by Mr. Montagu in his recent speech at Cambridge, had been violated in three cases, namely, those of Lord Milner's report on Egypt, Colonel Amery's memorandum on the Geddes recommendations and Mr. Churchill's speech on Kenya. The last mentioned

12 noon.

[M. Shah Nawaz.]

instance is directly in point because it certainly raised questions whose importance went far beyond the frontiers of India, and the responsibilities of the Colonial Secretary who rode roughshod both over Mr. Montagu and Indian feelings. It may be that the Premier in order to save his own position as the head of the tottering Coalition Ministry and to please the Unionists and the die-hards, has sacrificed the ex-Secretary of State for India.

Sir, the issue raised by Mr. Montagu's forced resignation is not limited to the official propriety or to the collective responsibility of the Cabinet, it also raises the important question of India's status. As you are aware, Sir, India is now considered to be a partner in the Free States of British Commonwealth. The Government of India has been sending its separate representatives to the Peace Conference and on the League of Nations. It was also a party to the Turkish Peace Treaty. It has now come to the conclusion that it is difficult to maintain peace in India without reconsidering the whole situation in the Near East. I know that the Government of India has done its level best to persuade the British Cabinet to revise the Treaty but without any effect. I submit, Sir, that a large section of the people of this country still erroneously believe that the Government of India has not done much for the cause of the Khilafat. It has therefore acted wisely in publishing the despatch after obtaining the requisite sanction from the Secretary of State who as Secretary of State could not betray the interests of a large and important section of His Majesty's Indian subjects. Turkey was beaten by the Indian soldiers, of whom nearly fifty-five per cent. were Mussalmans of India, and therefore the Government of India should have a predominant share in the Turkish Peace. The Government of India could not keep silence when the so-called peace was destroying the internal peace of this country. I must tell you, Sir, that the letter of Marquis Curzon which was recently published and in which he has described the Government of India 'as a subordinate branch of British Government six thousand miles away' has given rise to grave misgivings in this country. Surely Lord Curzon cannot expect that India should be governed in the year of grace 1922 in the same old fashion as she was governed in the year 1900 during the regime of his Lordship's Viceroyalty. India should be told frankly whether in spite of her separate representation at different conferences and on the League of Nations, the Government of India is still considered to be subordinate to the Foreign Office even in matters which vitally affect India's own people in her internal peace. It will be better in the interest of all parties concerned that the truth should be told, so that the Indians may realize that they have yet to attain by an agitation of unprecedented magnitude an honourable place in the Free States of the British Commonwealth. In point of fact neither the Government of India nor the Indian people have ever attempted to dictate terms to the British Cabinet. All that they say is that peace cannot be maintained in India and therefore the whole situation should be reconsidered and full weight should be given to their views. I respectfully submit that the British Cabinet should accept the recommendations of the Government of India with regard to the revision of the Turkish Treaty. They should urge upon the members of the Peace Conference in Paris the necessity of revising the terms of the Treaty on the lines pressed by the Government of India. Sir, the services done to Islam and the Khilafat by the Government of India and Mr. Montagu are unique. The cause of the Khilafat is inherently just. The recommendations of the Government of India are substantially in accord with the pledges

given by the Premier in his speech of the 5th January, 1918. While outlining the war aims of Great Britain, the Premier said:—"I am glad to be able to say as a result of all these discussions (with representative men of all sections of thought and opinion in the Empire) that although the Government are alone responsible for the actual language I propose using, there is National agreement as to the character and purpose of our war aims and peace conditions and in what I say to you to-day, and through you to the world, I can venture to claim that I am speaking not merely the mind of the Government but of the Nation and of the Empire as a whole."

Mr. Lloyd George then proceeded to define Great Britain's War aims and continued thus:—"Nor are we fighting to deprive Turkey of its Capital or of the rich and renowned lands of *Asia Minor and Thrace* which are predominantly Turkish in race, while we do not challenge the maintenance of the Turkish Empire in the Home Lands of the Turkish race with its capital at Constantinople the passage between the Mediterranean and the Black Sea internationalized—Arabia, Armenia, Mesopotamia, Syria and Palestine are in our judgment entitled to a recognition of their separate National conditions." Mr. Montagu is therefore quite right in saying that the Premier has violated his pledges to India.

Coming now to the services which Mr. Montagu has rendered to India I can at once say that they are great and form the most memorable landmark in the history of the British connection with India. He will always be remembered as the Montagu of the Mesopotamia Debate in the House of Commons which overthrew Mr. Churchill and placed him at the head of India Office, as one who successfully pushed the Government of India Bill through the Parliament with marked skill and determination, as one who has firmly planted India on the road to self-government, as one who secured for her an honourable place in the League of Nations as an original member. He therefore fully deserves our heartfelt thanks for all that he has done for us. He stood by India in her hour of need, sometimes fighting single-handed against odds. Well, the reactionaries may say that they have obtained a temporary victory. Their glee, however, will not last very long for the downfall of the present Ministry is in sight. The Premier, however, has sacrificed one of the ablest and most distinguished of his Liberal colleagues, who stuck to him through storm and snow, through thick and thin. With these remarks, Sir, I support the resolution in its amended form.

Mr. Manohar Lal (Punjab University): Sir, I beg, also, to associate myself with this resolution marking our appreciation of the eminent services rendered by the Right Hon'ble E. S. Montagu to the cause of constitutional reforms and to India generally. The Right Hon'ble the ex-Secretary of State developed an interest in India quite early in life. I remember the days at Cambridge when he came in close contact with Indian students who made their impression on him. When he came out to this country three years ago in order to examine the possibility of introducing measures of reforms here he was not forgetful of the early days at Cambridge when he was studying the Indian question. Sir, as a chapter in the life history of this great statesman has closed, I feel that the heading that this chapter will bear would be this: "A friend of India and a true empire builder." He had studied and not only studied but studied with a view to give the amplest effect to it—how to make this great Indian empire surer, better and happier. We here cannot forget the faith in the rise of new India which this far-seeing British statesman has evinced, and the great

[Mr. Manohar Lal.]

cause which he so nobly espoused. To achieve India's good Mr. Montagu worked with unflagging energy and dauntless courage. How he secured the passage of the Reforms Act in the face of the most untoward circumstances is now a matter of history. How he has worked against all odds to secure favourable working of the reforms is gratefully recognised by all India to-day and when a future historian reports it in detail, it will form a most thrilling chapter in the records of British statesmanship. It will form, if I may say so, the strangest commentary on the way in which the devotion of a single man sustained and strengthened the bonds of imperial union in an age bidding for the most unrestricted freedom and unprecedentedly clamant for liberty. Mr. Montagu's manifest devotion to India is obviously inexplicable to certain minds and quite obviously so to those who have now sacrificed him at the altar of unreflecting conservatism but India is convinced of it and appreciates it *uno animo* as perhaps never in the march of her democratic history before.

Mr. Ganpat Rai : Sir, I rise to a point of order. The hon'ble member is reading his speech.

Mr. President : I have not marked this.

Mr. Manohar Lal (continued) : The question has been asked and been repeatedly asked recently as to what effect Mr. Montagu's resignation on India would have. The very occasion of his exit has once more proved what a true friend of India we are losing—a gentleman of truly liberal instincts, wedded to the cause of Indian political advance and with an unflinching determination to stand by his ideas. To lose such a friend is unquestionable calamity. India seldom had such a friend in the front rank of British politicians, certainly no one who worked so zealously with at the same time such small recognition in the land which he so devotedly served. But, Sir, his greatness consists further and more truly in this that he founded his policy on a firm rock and tended it with such care that no reaction is easy, even if it were possible with the growing force of opinion in India and any misgiving that we have on that point or that some of us may entertain on that head would mean that we are not paying adequate compliment to the great ex-Secretary of State in whose honour we are adopting this resolution to-day. India has been once for all set on the road of constitutional progress and the credit is due mainly, if not wholly, to Mr. Montagu.

And, Sir, a word in reference to the amendment which the House has unanimously accepted and rightly accepted in amplification of the resolution as originally framed by the Hon'ble the Minister for Education. As has already been observed the amendment lies implicit in the words of the resolution itself and this has been made clear by the hon'ble the mover of the resolution in adopting it : but it strikes me on reflection that it tends in some way to narrow our view of the scope of Mr. Montagu's statesmanship. Mr. Montagu, as Secretary of State, was anxious for, and naturally so, peace and good will in India, and therefore could not but view with concern the feelings and opinions of 7 crores of Indian Muhammadans ; with the result that he took up the particular attitude that he did towards the whole question of the Turkish settlement. Mr. Montagu's services are to progressing India as a whole, to the Moslem no more than to the Hindus, and equally so to all our many communities and races. He singled out, if I may say so, no one for special service. His resignation undoubtedly makes it clear how he fought and the Government of India fought

for Muslim opinion in India and thereby earned the right to loyal support and good will on the part of the Indian Muhammadans. But in marking out for special mention a Secretary of State's services to any community, however outstanding and eminent—and in these days of unity we all rejoice in Mr. Montagu's advocacy of Muhammadan interests—we are in my humble opinion almost in danger of limiting the scope of the usefulness and efficiency of the great charge of the Indian Secretary of State and I doubt, Sir, whether Mr. Montagu would himself regard such a limitation or such a specialised reference as a compliment.

Sir, I said a minute ago that Mr. Montagu and those who worked with him have set India once for all on the road of constitutional progress. The loss of Mr. Montagu's retirement is none the less irreparable except in so far as he will still watch our interests in the Commons. In the hard days that are ahead of us—seriously disturbed political atmosphere and hopelessly involved finances—the guidance of this sympathetic and resolute friend would undoubtedly have been valuable.

I am reminded on this occasion of a line in a famous speech of Mr. Gladstone when he was urging with more even than his wonted fervour and tenacity the cause of the extension of the franchise in England in 1866. The great measure that had moved the country deeply seemed in danger of shipwreck at the hands of determined Tories; even as our reforms are now said to be in jeopardy. Mr. Gladstone said that if the Bill (which he then held in hand) should suffer wreckage at the hands of the House of Commons, then on the grave of that bill would be inscribed the epitaph—

"Exoriare aliquis nostris ex ossibus ultor."

Mr. Montagu's work actually stands achieved, but in so far as there may be the slightest danger of anything like reaction threatening us we can but remember that forces have already been set in motion that can not be withstood, that our cause is great and the time is undoubtedly to fight on our side and no amount of reactionary impulse can be gathered to drive back the onflow of that great movement and India is within sight of victory, and helped by statesmanship of this character, a certain and by no means distant victory; and in this victory of united India every aspect of Indian opinion shall have its due consideration and weight and that will, if I may say so, point the peculiar lesson of Mr. Montagu's resignation of a few days ago. India, Sir, has never remained without friends. No aspect of Indian opinion is to-day without friends and there is no cause whatever for despair. I have, therefore, Sir, great pleasure in associating myself with this resolution formally to mark our appreciation of this fearless and devoted friend of India. And I further associate myself with the special request made by Raja Sahib that this resolution should be communicated to Mr. Montagu by a cable message.

Malik Firoz Khan, Nua [Shahpur West (Muhammadan), Rural]: Sir, there has been a great deal said on Mr. Montagu's services to India as a whole and as to the constitutional evolution of India during the recent few years. Sir, I for one would like to confine my remarks to the immediate cause of his resignation. We are well aware, Sir, that the political situation in India is growing acute every day. On the one side we have got the Hindus who are discontented and are clamouring for Swaraj (cries of "We are all clamouring for Swaraj"). On the other side we have got the Muslims who are very badly hurt over the Khilafat question and thirdly in this Province we

[M. Firoz Khan, Nun.]

have got the Sikhs who are very much disturbed over the religious reform in their community by the Akalis. It was high time, Sir, that the Government of India should have taken some action to reconcile some, if not all, of the people of this country. I think, Sir, that they realise that the people of any country cannot be made friends by means of an army costing 62 crores of rupees a year nor can the people be made friends of the Government by means of any Acts in the form of the Rowlatt Act, but the real method of bringing the people to their side is to win over their hearts and that is the foremost duty of the Government of India. We realise, Sir, that the Government of India is quite aware of that duty which they are bound to perform, and recently we see, Sir, that they have taken some action in that direction. We realise, Sir, that in this Province they have tried to reconcile our sister community—the Sikhs, and we realise, Sir, that for the first time, I will explain shortly why I say for the first time, they have tried to reconcile the Mussalmans of this country. I have said "for the first time" because before now representations have been made to the British Government on behalf of the Mussalmans of this country but no result has come out of the representations and judging from the resignation and the circumstances opened out by that resignation we are beginning to feel, Sir, that all the representations on behalf of the Indian Mussalmans were kept within the four walls of a Secretary's room. They were not meant for the world at large, they were not meant for the people of India. The only thing which I cannot understand in the circumstances is why the Home Government should have taken such exception to the publication of this telegram. Was it a sin on the part of the Government of India to tell its people that it was doing such and such a service to them, that it was doing such and such a thing to press their cause on the European countries? What was the object underlying the mind of the Home Government in desiring to try and keep this telegram a secret? Did they not wish the world to know the views of the Indian Mussalmans? Unless this was their object, I can see no other object for keeping this telegram secret. Up to now, Sir, we quite realise in India that there were in England bureaucratic and autocratic influences working against us, but it was solely the personality of Mr. Montagu that acted as a curtain between those influences and ourselves. We had believed that no evil would come to India or to the interests of Islam as long as Mr. Montagu was there. His leaving the office has created certain misgivings in our minds, but let us hope for the best and hope that British statemanship has not come to an end and that some steps will be taken to reconcile the gradually alienated sentiments of the people of this country. I do not wish to detain the Council any longer and I will finish my speech with just this that Mr. Montagu's resignation is really felt by the people of India equally whether they are Hindus, Muslmans or Sikhs or of any other community and we believe, Sir, that he was a true and sincere friend of Indians as well as of Englishmen because he was trying to keep the two people together, and if any step is taken which will lead us astray from the path that he was treading I think it will be very sad day for England and for India.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I would like to remove a misapprehension. I noticed that there was on the part of several members who have spoken on this subject some misapprehension which I think it is my duty to endeavour to remove. My friend Sayad Muhammad Hussain in particular struck a very lugubrious note

He even said that a death blow had been dealt to the Reforms in India. I can assure the House that the Reforms would need a much stronger blow than this to be destroyed. They have a vitality which would not be so easily destroyed. They have come to stay. Naturally I speak primarily for myself and for the Government which I represent, but there are facts from which it can be deduced that the Reforms are not in that danger in which some of my friends have supposed them to be.

Let me begin with a personal illustration as to what the Reforms mean to me. I have three Indian colleagues—colleagues with whom I am on terms of the warmest confidence and most complete mutual respect. In them I have advisers who give me glimpses into regions of thought with which I am normally unfamiliar. Then we have a House which has been critical without being captious and which has denied to Government no essential provision. In circumstances such as these the Reforms do not depend upon the will or the intention of a particular statesman, however great the services which that statesman has rendered. The Reforms are safe because of the success which has attended their introduction. They have worked and therefore they are safe. They are safe because of the conviction which lies deep down in the breast of the British Nation that it is best for men to control their own destinies. In associating myself, Sir, with the expression of thanks to the Right Hon'ble E. S. Montagu, I believe that I am safe in assuring this House that his work will not perish.

Mr. President : The motion before the Council is —

"That this Council recommends to the Government to convey to the Right Hon'ble E. S. Montagu, its profound regret at his resignation and its appreciation of the valuable services rendered by him in helping India to achieve self-Government, in securing for her an honourable position in the comity of nations and to the cause of Islam."

The motion was carried.

MOTION RE APPRECIATION OF THE SERVICES OF THE HON'BLE MR. M. S. D.
BUTLER AS PRESIDENT OF THE COUNCIL.

The Hon'ble Sir John Maynard (Finance Member) : Sir, I ask permission to move a motion without notice. It is this—

"That this Council do place on record an expression of its thanks to the Hon'ble Mr. Butler for his services as its President."

Mr. President : Does the Council desire that this motion be put?

Maulvi Muharram Ali Chishti [Lahore City (Muhammadan) urban] (Urdu) : Sir, I rise to a point of order. It is that according to the standing orders seven days' notice is required to bring any motion before the House, not to speak of seven days, we have not been given even seven minutes' notice regarding the motion which has been sprung upon us. You have, Sir, been very strict in the enforcement of the standing orders and I trust you will enforce the order which debars this motion being brought before the House for discussion. I assure you, Sir, I am feeling no little pain that I should have to request you to enforce a point of order regarding the very motion which concerns your goodself. I only trust that you will take a stricter view of the whole thing now that it concerns you, than otherwise.

Malik Firoz Khan, Nun [Shahpur West (Muhammadian), Rural] : Sir, as the hon'ble member is trying to leave it to yourself to decide this point and as you yourself are concerned in it we would like to save you from the situation. It is the general sense of the House that we should not allow our first President to go without recording our appreciation of the services which he has done to the Council and I think it will be disgraceful and a lasting ignominy to this House if our first President be allowed to go without due appreciation of his services. It is not an urgent matter in the way of a political question, but I think it is a very ordinary one and there was not the least necessity for a notice in this case and I trust you will not decide this question by your modesty or discretion but by the sense of the House. We all unanimously agree that we should place on record the appreciation of the services of our President and I hope you will allow us this opportunity.

Mr. President : On the point of order the procedure is quite clear. There is full discretion in the President to admit a motion without notice. The motion which the Council has just passed thanking Mr. Montagu was admitted by me in virtue of those powers. This motion was not within time and was admitted by me, in deference to what I thought would be the general wish of the House. In the same way I propose to admit this motion if the Council wishes it to be introduced. I suggest however, that the Council spare me a discussion on the subject and come to a decision. If the Council agrees I will leave the decision to the Council. I do not wish myself to rule on such a point.

The Hon'ble Sir John Maynard : Sir, I suggest that those who desire that this motion be admitted rise and stand in their places.

(All members except five stood up.)

The motion was admitted.

The Hon'ble Sir John Maynard :—Sir, I beg to move—

"That this Council do place on record an expression of its thanks to the Hon'ble Mr. Butler for his services as its President."

In moving this motion I shall be very brief because I know that the House already is convinced before I begin to speak on it. But I must say one thing. It is this I am told very generally that this Council has the reputation of being one of the very best of the Reformed Councils. That, Sir, is no doubt very largely due to the natural good sense of the Punjabi character which submits itself to a necessary discipline and is prepared to accept the rulings of authority. But while this natural good sense of the Punjabi character has very much to do with the success which this Council has attained the shaping of our ends has been due to our first President : to his deep interest in representative institutions, his intellectual grasp of constitutional procedure and his natural instinct for the management of men. Sir, you have set us on the right path and we shall retain grateful recollections of you as our earliest guide.

Maulvi Muharram Ali Chishti (Urdu) : Sir, I most respectfully beg to assure you that it is not on account of any personal ill-feelings that I stand to oppose the motion. I have my objections on another score. Nothing would have given me greater pleasure than to have associated myself with a motion of the kind which is before the House. It is not a right thing, Sir, that the motion should come from official benches for an

official president, it would have been far fairer if it had emanated from the leaders of the opposition like my friend Dewan Bahadur Raja Narendra Nath, Mr. Ganpat Rai, Sayad Muhammad Hussain. I think, Sir, that I too would have associated myself in the thank-offering. I owe it as a duty to myself, to my friends here that I in support of the privileges of this House should strike a discordant note in these felicitations.

I submit, Sir, that the members of this Council have certain privileges, have rights of speech and last but not the least have self-respect. You have, Sir, not unoften ruled them out of order, given them a snub or ordered them to discontinue their speech on the ground of irrelevancy, I might say not in quite an amiable tone. We are styled hon'ble gentlemen of this Council and certainly are far above school children who can be treated as the schoolmaster pleases. You, Sir, as our first President had to and have created traditions and precedents and I think you should not have left any such precedents to your successor to misuse his authority. I am as much jealous of the dignity of the chair as I am of the privileges of the members. I want to see both upheld. I am not possessed of a revengeful or vindictive nature. Nothing is further from my wishes than to feed any grudge by taking an opportunity of the kind. But, Sir, I cannot conceal from myself that I have been hurt on a certain occasion. Although it is true that efforts were made to heal the wound, but, Sir, efforts or the remedy proposed fell far short of the situation. I have no wish, Sir, to say anything in disparagement of your good self. I honour and I respect you for the good qualities of your head and heart and everybody admires you for certain exceptional traits in your character. I find myself in a most awkward situation to-day in that I have to strike a discordant note in the happy duty of thanking you and praising the good work accomplished by you during your régime at the helm of Council. It is beyond doubt, Sir, that your association with this Council since its inauguration, and your piloting it through many a difficult period will be a proud landmark in the history of its achievements, accomplishments, and successes. In the end, I trust, that the remarks which I have made will be taken in the spirit in which they were offered.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] :

1 P.M.

Sir, I am very sorry that instead of giving unanimous gratitude to our first President, the teacher of the House, a few members have opposed the resolution. It would have been a great honour to me if I had been given the opportunity of putting in my own name the resolution which has been moved by Sir John Maynard. Even now, Sir, I am quite willing to take the responsibility, if the rules allow it and if Sir John Maynard is kind enough to allow the resolution to stand in my name. I can say, Sir, that there is no man in this House who cares for his self-respect more than I do. I would sacrifice everything, my life, my property, to maintain myself-respect. I can say, Sir, that during the last fifteen months I have had no opportunity even on one occasion from the President where I could complain that he did not pay full regard to my self-respect. I do not go to any one's house. I have to safeguard my dignity. I do not want to remain waiting at the doors of officers for hours to waste their time and to waste mine. If I want to see them I pay them my respects in their rooms. I can say that whenever I saw the President he gave me the most cordial welcome, the most cordial treatment that I could possibly expect.

[S. Muhammad Husain.]

If he did give me a snub he was always in the right. I have always regarded him as a good and strong and stern teacher. We are only his pupils. We do not know the parliamentary ways and methods. Of course we will learn by and by. But if the President has treated us, his pupils, sternly on occasion he was always in the right. Is it not a fact that he brought the Government officials to order on several occasions? Did he not call Mr. Joseph and Mr. King to order many a time? If he has done so he has done so to uphold the dignity of the Council. Did he not ask an official the other day not to sign papers because it was not in consonance with the dignity of the Council? Did he not disallow for similar reasons the reading of newspaper? Does it not mean that he treated the officials in the same stern manner as he has treated us, non-officials? We must be thankful to His Excellency the Governor that he gave us a President who knew the Parliamentary affairs and who administered them to the best of his ability. It is just possible that Maulvi Sahib has had a long standing grudge against the President. My noble friend, my learned friend, Maulvi Muharram Ali Chishti has been a strong friend of the Government and I am sorry to find that such a great friend of the Government is now standing up to oppose the President which is really a pity. So I stand up here to ask and beg and entreat Maulvi Muharram Ali Chishti, my dear friend, a friend of the Government, to withdraw his words, and to let the resolution be unanimous. It is against our religion. — I speak as a Muhammadan that we should forbear to pay the debt of gratitude that we owe to the President. Is this the way we are going to treat the services of a gentleman who has rendered such useful and noble services, who never cared for the prestige of the Government but who only cared for the prestige of the House.

He has given proof of his liberal-mindedness today when we were attacking the policy of Government and when we were attacking the Premier. When I saw the Hon'ble Minister for Education he advised me not to touch the Premier, but I did not pay any heed to it. I said no, and I attacked the Premier as much as I wanted to, trusting in the broad mindedness of the President of the Council. So it is our duty, our bounden duty, to place on record the deep debt of gratitude that we owe to the President. In him we shall lose one of our best Presidents. My only gratification is that the man who is taking his place is my hon'ble friend Mr. Casson who will, I hope, prove to be even more liberal. From what I have seen of him I have formed a very high opinion of him and I do hope he will bring credit to the high post he will soon occupy. I hope Mr. Muharram Ali Chishti will be reconciled at some later stage. With these remarks I beg to support the resolution.

Mr. President: Perhaps I may make a personal explanation. The point is this. During one of the budget debates it appeared to me that Maulvi Sahib was becoming irrelevant. I warned him as I considered it my duty to do. He then began to argue with the Chair, which I thought was wrong, and in the exercise of my duty I asked him to discontinue his speech. I think the Council will agree with me that I have never treated any member harshly and it is certainly a new charge against me that I do not consider the *isbat* or the honour of the members of the Council.

Well, when that was over, I saw from my friend Maulvi Sahib's face that he had taken it ill. I did not attach much importance to the matter at the time, but as I watched a scowl spreading over his face I saw that his feelings were hurt. I hate to hurt any man's feelings. So I asked him

if he would be good enough to come and see me in my room. There I talked with him and told him how very sorry I was that such an old friend of mine should have taken offence at my doing something which I thought was my duty, and I said that, if I had hurt his feelings, I was very sorry. Then he said to me that his friends would not know what I was saying. So I asked my friend Raja Narendra Nath as a man whom we all trust if he would come and see me, and I told him what I had said to Maulvi Sahib, and begged him to assure Maulvi Sahib and all his friends that I had no intention of hurting his feelings, and that all that was done was done in the ordinary course of business to try and keep the debate within certain limits.

I had hoped that that would end the matter. The next day, when I found there was still feeling, I went a step further and said that it would be a personal favour to myself if Maulvi Sahib would join in the debate and I presumed that, as soon as he had spoken, I would say something to show how glad I was that he had done so. It would, I think, have been more graceful if he had accepted the olive branch and joined in the debate and allowed me to say nice things about him at an early date. He did not do it and has nursed his grievance until now. Still I am glad he has spoken out to-day because it has given me an opportunity of saying that I had no sort of intention of hurting his feelings any more than I have of hurting any man's with whom I have been brought in contact.

Maulvi Muharram Ali, Chishti (Urdu) : Sir, since matters have been kindly explained I am satisfied. I am not a spiteful or vindictive person and all that I wanted was that the expression of regret should take place in the Council Hall. I would not therefore press the matter which has been cleared up, for which I am grateful. I hope that the Hon'ble the President will accept my tribute also. No person can deny the President's qualities and talents. The adverse view that I held about the President's qualities was only for the time being and it will be erased from the slate of my heart.

Diwan Bahadur Raja Narendra Nath [Punjab landholders (General)] : Sir, I wish that the episode which has just occurred had occurred earlier. If that had been the case the slight unpleasantness which preceded might have been avoided. I know, Sir, that there are two conflicting principles, which every man of importance, especially one in your position, has to reconcile. One is the principle of 'liberty' and the other the principle of 'discipline.' I myself had some difficulty in reconciling these two principles in the present case because I found that there were on the one side claims of liberty advanced by my friend on this bench and on the other hand there were the claims of discipline. I myself was under the influence of these two conflicting principles.

Sir, I look upon your departure with mixed feelings. I am glad at your advancement to which your departure from us leads, but I am sorry that we are going to lose from amongst us a gentleman who began the work of this Council—a work which was one of very great difficulty. All of us here are unfamiliar with the working of the British House of Commons or of the representative institutions of other countries. I believe, Sir, that many of the duties imposed upon you were quite new to you and you had to find your way in the midst of difficulties, for the solution of which, probably, you had to consult constitutional law. I am glad to say, Sir, that you have discharged those duties in an efficient manner and I believe your successor will keep up the reputation which you have given to the chair of this House.

Raja Muhammad Akbar Khan [West Punjab Towns (Muhammadan), Urban] (Urdu) : Sir, it is unnecessary to make a detailed mention of the qualities with which the President is gifted. The tributes that have been paid by the members are proof positive of those qualities. We are grateful that the Hon'ble the President has discharged his functions in an admirable manner.

Sardar Bakhtawar Singh [Hoshiarpur and Kangra (Sikh), Rural] (Urdu) : Sir, the tributes paid to the Hon'ble the President in this House clearly show that he has won the admiration of the members of this Council. Your treatment, Sir, towards us has never left anything to be desired. You have invariably respected and been considerate towards our sentiments. I quite remember the time when I was a minor and you were the Deputy Commissioner. At that time also, as now, your treatment towards me was good and considerate. The remarks that have fallen from Maulvi Mubarram Ali Chishti have hurt our feelings. We pray Almighty God that wherever you may be, you may have solicitude for us, Indians. I express my gratefulness to you.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu) : Sir, I wish to say a few words in support of the resolution. When attending the Council meetings I have always regarded two persons as being worthy of respect, i.e., you and Sir John Maynard. You, Sir, have at times assisted new members like me in the discharge of our duties. I express my thanks to you on behalf of the new members.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : Sir, with a mixed feeling of joy and sorrow I bid you farewell. I am very glad that you are going to the Government of India as Secretary to the Education Member. I am extremely sorry that you are leaving us at the time when we needed you most. Believe me, Sir, that you have guided and controlled the proceedings of this Council with ability, impartiality, skill and determination. You have been really very kind and considerate to all the members of this Council. That kindness has been shown to-day in the personal explanation which was very good of you to offer. I finish my speech with a couplet :
بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ — سلامت رری باز آئی

Our loss is the gain of the Government of India. So, I say we bid you farewell. May you go home joyfully and may you come back to India hale and hearty.

Chandhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadan), Rural] (Urdu) : Sir, the new members have the greatest reason for being grateful to you. We have been taught our work by you in a considerate manner. We are grateful to the Council that it has recognised your work as being characterised by prudence and justice. The opposition of the two or three members has been dispelled by you, by rightly explaining your position. You, Sir, have treated official and non-official members alike and we are grateful to you.

Rai Sahib Lala Thakar Das [North-West Towns (Non-Muhammadan), Urban] (Urdu) : Sir, After having discharged your duties as President of this Council, you are leaving us to assume charge of a high office. In discharging your duties as President, you have maintained a high tradition. While expressing my thanks to you, I venture to express a hope that your successor will maintain the same tradition.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan)]: While associating myself with what Sir John Maynard and other members have said about you, I have two complaints to make against you. When you assumed charge of the office we did not expect that you would now and then make us civil prisoners. My complaint is that when a division is called the doors are shut for the time being and it so looks as if we were undergoing simple imprisonment. The second complaint is this that within the first year most of us, though I may not be one of them, tried to make speeches by writing them out, but you were so cruel as to stop that practice (laughter).

Mr. President: The motion before the Council is—

"That this Council do place on record an expression of its thanks to the Hon'ble Mr. Butler for his services as its President."

The motion was carried unanimously.

Mr. President: Brother members of the Council, it is said that those who live together get to be very like each other in their ways, in their conduct and in their outlook on life. I believe this to be a fact and I attribute whatever good may be in me to association with this Council. A bad Council makes a bad President and a good Council a good President, whilst a very good Council, such as this is, has made, you tell me, a very good President. It follows of course that if there are any flaws in a very good President, such as have been shown up to-day, they must have been produced by some little bit of original sin in the Council itself (laughter). Joking apart, I am rather glad that what has happened to-day should have happened. It shows that our proceedings are genuine and I like what is genuine rather than mere flattery. And I am glad that my faults as well as my virtues have been shown up, for after all a man is loved not so much for his virtues as for his faults. I should not love this Council so much if it too had not failings, and I rejoice that there should be in it a dose of original sin and that this should be reflected in their President. Gentlemen, when I look over last year and try and think what has made this Council a very good Council the thing which strikes me most is its independence. I have set myself throughout to encourage the independence of this Council. When we were first appointed we were regarded, some of us regarded ourselves, like the old Council as a mere branch of the executive government. But, owing to the wise policy of the Government, and specially of my friend Sir John Maynard, and of the Council itself, we very soon took the lead among the Councils of India in setting up our own staff, our own Secretary, our own Assistant Secretary, our own Interpreter, our own everything and stood out independently for ourselves. And by being independent we did not of necessity go into opposition to the executive on every point. It was far otherwise. For my experience is that by independence you get co-operation. The government of a country is not centred in the executive only as some people think. The government is made up of the judiciary, the executive and the legislature and it is when these three bodies all function independently, but in co-operation, that you get the truest freedom. Personally I believe that the independence of this Council has been a great help to the executive and that the wise policy of the executive in encouraging the independence of this Council has borne and will bear good fruit. Before I leave the subject I should like to say, as I have mentioned the staff, how much I, and I think the Council, owes to its permanent

Mr. President.]

staff for all their labours during the last fifteen months. I for one cannot leave this chair without putting my debt on record.

There is one other thing that I would like to mention with some pride. When I accepted the Presidency my great fear lay in the rule which prescribed that all our proceedings should be in the English language. Well, I knew that we could not get the real views of the people of the Punjab, that we could not have a real expression of popular feeling without using Urdu and Punjabi, and I determined from the outset to encourage the Urdu. This use of the vernacular has now become a feature of this Council and marks it off as being specially in touch with the masses of the people. We get here men speaking the language of the people and speaking it to officials who understand it, and the officials, I am proud to say, are often willing and able to reply in the same language. Well, gentlemen, I need say no more. The time has now come to say good bye to you and, believe me, with a very full heart. I have been very happy here and if I am leaving you it is not because I want advancement for there is no real advancement where I am going but because I do feel that it is perhaps better for the Council to have a change of President. One man looks upon things in one way and one in another and there is a danger as the poet puts it—

'Lest one good custom should corrupt the world.'

The things which I have done well will remain and the things which I have done ill will be corrected by my successor, and I am moved by the fact that I am going to the Education Department. For generations my family has been known in the educational world in England. I have the cause of education in my blood and I have always wanted to do what I could to serve that cause in India and I hope that if I do leave you it is not with any vulgar feeling of getting more salary or anything of that sort but because I do really have the cause of education at heart and because I also feel that it is good for the Council to have a change of President. And now I will just say good bye. I shall go forth from here strengthened by all I have learned and encouraged by all the very kind things which you have said about me and for which from my heart I thank you.

PROROGATION OF THE COUNCIL.

Mr. President: I have to announce to the Council that the following prorogation order has been received by me from His Excellency the Governor:—

In pursuance of the powers conferred on me by sub-section 2 of section 72B of the Government of India Act, 1, Edward Douglas MacLagan, Governor of the Punjab, hereby direct that the Legislative Council of the Punjab stands prorogued until such date as shall be hereafter fixed.

E. D. MACLAGAN,

Governor of the Punjab.

The Council was accordingly prorogued.

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