

THE
Punjab Legislative Council
Debates.

June 20th to December 14th, 1925.

Vol. VIII.

PART B.

OFFICIAL REPORT.



ahore :

PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE
COUNCIL.

President.

The Honourable Khan Bahadur Chaudhri Shahab-ud-Din.

Deputy President.

Sardar Mohindar Singh.

Secretary to the Council : Sardar Abnasha Singh.

Assistant Secretary to the Council : Hakim Ahmad Shujaa.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

EX-OFFICIO MEMBERS AND MINISTERS.

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

The Honourable Sardar Bahadur Sardar Sandar Singh, Mijithia, Revenue Member.

The Honourable Rai Sahib Chandhai Chhotu Ram, B.A., LL.B., Minister for Agriculture.

I.—OFFICIALS NOMINATED.

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

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

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

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

Beazley, Mr. J. G., Secretary to Government, Punjab, Transferred Departments.

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

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

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

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

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

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

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

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

II.—NON-OFFICIALS NOMINATED.

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

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

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

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

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

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

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

III.—ELECTED.

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

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

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

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

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

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

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

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

Dan Singh, Sardar, Amritsar (Sikh), Rural.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mangal Singh, Sardar (Sikh), Landholder.

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

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

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

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

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

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

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

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

Muhammad Mehr Shah, Nawab, Sayad, Jhelum (Muhammadan), Rural.

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

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

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

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

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

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

Najib-ud Din Khan, Chaudhri, Ferozepore (Muhammadian), Rural.
 Nanak Chand, Pandit, M.A., Hoshiarpur (Non-Muhammadian), Rural.
 Narain Singh, Sardar, B.A., LL.B., Rawalpindi Division and Gujranwala (Sikh), Rural.
 Narendra Nath, Diwan Bahadur Raja, Punjab Landholders (General).
 Nihal Chand, Sikri, Lala, L.M.S., Lahore City (Non-Muhammadian).
 Nur Din, Chaudhri, Lyallpur South (Muhammadian), Rural.
 Partap Singh, Jamadar, Jullundur (Sikh), Rural.
 Pohap Singh, Rao, M.A., LL.B., Gurgaon (Non-Muhammadian), Rural.
 Ram Singh, Chaudhri, Kangra (Non-Muhammadian), Rural.
 Randhir Singh, Sardar, Kalaswala, Sialkot-cum-Guidespur (Sikh), Rural.
 Ruchi Ram, Sahni, Professor, M.A., Punjab University.
 Saadullah Khan, Chaudhri, B.A., Jullundur (Muhammadian), Rural.
 Sahib Dad Khan, Chaudhri, Gurgaon-cum-Hissar (Muhammadian), Rural.
 Sewak Ram, Rai Bahadur Lala, Multan Division (Non-Muhammadian), Rural.
 Sheadat Khan, Rai, Lyallpur North (Muhammadian), Rural.
 Sham Lal, Lala, Hissar (Non-Muhammadian), Rural.
 Silandar Hyat Khan, Lieut. Sardar, M.B.E., Attock (Muhammadian), Rural.
 Tara Singh, Sardar, B.A., LL.B., Ferozepore (Sikh), Rural.
 Tek Ram, Chaudhri, North-West Rohtak (Non-Muhammadian), Rural.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Saturday, the 20th June, 1925.

THE Council met at the Legislative Assembly Chamber, Simla, at 10-30 of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Kanwar Dalip Singh—Official Nominated.

QUESTIONS AND ANSWERS.

GRANT OF PROPRIETARY RIGHTS TO PEASANTS IN THE LOWER BARI DOAB CANAL COLONY.

1902. Chaudhri Noor Din : (a) Will the Government kindly state when it intends to give proprietary rights to peasants who were granted Bara land on the Bara conditions in chaks Nos. 185 and 186-9 L of the Lower Bari Doab Canal colony, through the Agricultural Department with reference to paragraph 4 of the Government Notification No. 22031, dated the 15th September 1920 ?

(b) Will the Government kindly state what action it took or proposes to take against those grantees of the Bara who have not settled down so far in the chaks in which they were given the Bara land and have failed to fulfil the conditions laid down in paragraph 18 and (1) and (2) of paragraph 21 of the said Notification ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) After the expiry of 5 years in terms of Punjab Government Notification No. 22031, dated 15th September 1920.

(b) In cases of breach of conditions lands are being resumed and allotted to others.

AUCTION OF COLONY LANDS.

1903. Chaudhri Duli Chand : Has Government taken into consideration the possibility of unreasonably high biddings at auctions of colony lands and abnormally high prices which may be tendered in competition for the purchase of colony lands ultimately resulting in defaults of payment ? Will Government be prepared to fix an average minimum price and to sell the colony lands to deserving men approved by Government ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Yes.

(b) Government is not prepared to accept the suggestion.

INTERFERENCE WITH PUBLIC RIGHT OF WAY.

1904. Professor Ruchi Ram, Sahni : (a) Is it a fact that all public roads and bye-paths leading from Gagan and other villages to Kot Fateh Khan (Attock District), which have always been open to the public have for the past two or three years been restricted for use to those drivers only who might obtain permits, month by month, from the Sardar of Kot Fateh Khan ?

(b) Is it a fact that on some of these public roads signboards bearing the words 'Not a Public Way' have been put up by the said Sardar ?

(c) Is it a fact that some memorials complaining of this hardship have also been submitted to the local Government ?

(d) If the replies to (a), (b) and (c) are in the affirmative, what action has the Government taken or proposes to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Signboards bearing the legend described are to be found on the road leading from Gagan to Kot Fateh Khan. The question whether this road is a public road or a private road is under investigation.

(c) No.

(d) Does not arise.

ABUSE OF MAGISTERIAL POWERS.

1905. Professor Ruchi Ram, Sahni : (a) Is it a fact that Sardar Muhammad Nawaz Khan of the Attock District has been invested with the powers of a second class Magistrate and a third class Munsiff ?

(b) Has the Government received any representations from the inhabitants of Kot Fateh Khan and surrounding villages to take away certain villages from the magisterial jurisdiction of the said Sardar on account of the old enmity of the people of those villages with his ancestors ?

(c) If so, has the Government taken any action or does it propose to take any action thereon ?

(d) Is it a fact that under similar circumstances the villages of Gagan, Baja and Deri Bhai Than Singh were taken out of the magisterial jurisdiction of Sardar Fateh Khan and Sardar Ghulam Muhammad Khan of Kot Fateh Khan ?

The Honourable Sir John Maynard : (a) Yes.

(b) No such representations have been received.

(c) Does not arise.

(d) The Secretariat records do not corroborate the honourable member's suggestion.

IMPOSITION OF HAQ BUHA TAX.

1906. Professor Ruchi Ram, Sahni : (a) Is it a fact that Sardar Muhammad Nawaz Khan has been collecting a tax known as Haq Buha for appropriation to his own use from the Hindu residents and kamins of Kot Fateh Khan ?

(b) If so, what is the origin of this tax ?

(c) Will the Government be pleased to stop the levy of this tax upon the Hindus ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) The Wajib-ul-Arz.

(c) No. The Sardar is sole malik of the estate and *Haq Buha* is a village cess to which he is entitled.

MANJEHR-BAROTA CANAL.

1907. Lala Mohan Lal : (a) Will the Government be pleased to state if there is any agreement between the Government and the owners of the canals of the Nurpur Tahsil in the Kangra District and Dasuya Tahsil of the Hoshiarpur District, by which the owners of the canals taking water from the *Shahnehr*, have to pay Rs. 10, as water-rate per 100 *ghumaons* of land ? If so, is there any condition by which no water-rate is charged for the surplus water of *Shahnehr* used by them ?

(b) Is it a fact that Manjehr canal of Barota, Tahsil Nurpur, District Kangra, has been washed away by floods ? If so, will the Government be pleased to state why the lands which are being watered by the surplus water which comes in the Manjehr-Barota canal are being charged water-rate at the rate of Rs. 10 per 100 *ghumaons* of land ?

(c) Is it a fact that the surplus water which runs into the Manjehr-Barota canal, waters some other villages of the Nurpur Tahsil and no water-rate is charged for those lands ? If so, will the Government be pleased to state the reason for this distinction ?

(d) Will the Government be pleased to state if the owners of the land of the Manjehr-Barota canal have petitioned the Government several times not to charge from them the water-rate and that their petitions have been rejected ? If so, will the Government be pleased to state the reasons for the rejection of these petitions ?

(e) Will the Government be pleased to state whether they will issue instructions to the officers in charge of the *Shahnehr* not to charge water-rate for the lands which were formerly watered by the now non-existent Manjehr canal ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The matter has necessitated a reference to the local officers and their report has not yet been received. The answer will be communicated to the honourable member when ready.

NON-OFFICIAL PRESIDENTS OF DISTRICT BOARDS.

1908. Khan Muhammad Abdullah Khan : (a) Is it a fact that the settled policy of the Government is to encourage the election of non-official presidents of District Boards ?

(b) Is it a fact that the Ministry of Local Self-Government has recently issued a circular declaring its readiness to consider sympathetically the motion of any District Board asking for power to elect its non-official president, passed by the support of at least 60 per cent. of the members of a Board at a meeting convened specially for the discussion of this motion ?

[Khan Muhammad Abdulla Khan.]

(c) Is it a fact that the District Board of Gujrat at its special meeting of the 30th April 1925 adopted a motion (with a majority of 32 against 1) asking for the right to elect a non-official president?

(d) If the answer to clause (c) be in the affirmative, will the Government be pleased to state—

(i) whether papers about the motion referred to in clause (c) of this question have reached the Government;

(ii) if they have reached the Government, what action is being taken in regard to them;

(iii) if they have not reached the Government so far, what has been the cause of this delay in the transit of papers concerned on the subject;

(iv) in the latter case, whether the Government will be pleased to consider the advisability of sending for the papers on the subject forthwith?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, in the cases of district boards having a large preponderance of elected members.

(b) Yes.

(c) Such a motion was passed with only one member dissenting.

(d) (i) Yes.

(ii) The district board has been informed that when the draft rules regulating the election of chairmen of district boards have been confirmed, orders will be issued to give effect to the resolution passed by the Gujrat district board.

(iii) & (iv) Do not arise.

AUDITORS OF COMPANIES.

1909. Mr. Owen Roberts : (a) Will Government be pleased to state whether it has issued any Notification under Section 144 (2) of the Indian Companies Act of 1913?

(b) If so, will Government please lay a copy of the Notification on the table, for information?

(c) If the answer to (a) is in the negative, will Government be pleased to consider the advisability of issuing a Notification making the necessary rules providing for the grant of certificates enabling the holders to act as Auditors of Companies?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) A copy of notification No. 17914, dated the 1st August 1919, is laid on the table.

(c) Does not arise.

GAZETTE NOTIFICATION.

The 1st August 1919.

No. 17914.—In exercise of the powers conferred by section 144 (2) of the Indian Companies Act, VII of 1913, and in supersession of Punjab Government Notifications No. 493 (C. & L.), dated 9th April 1914, and No. 825, dated 7th June 1915, the Lieutenant-Governor is pleased to prescribe the following rules for the grant of certificates entitling the holders thereof to act as Auditors of Companies:—

RULES.

1. The Local Government will grant unrestricted certificates entitling the holders thereof to be Auditors of Companies to those persons only who have obtained the Government Diploma in Accountancy awarded by the Sydenham College of Commerce and Economics, Bombay.

2. The holders of such certificates will be entitled to act as Auditors of Companies throughout British India and to have a place of business in the Province of the Punjab. If, however, they desire, at any time to have a place of business in some other Province, they shall obtain a certificate from the Government of that Province as well.

3. The Local Government may at its discretion grant to present holders, both of temporary restricted and temporary unrestricted certificates, new restricted certificates for such periods and subject to such restrictions as it may determine in any case. Holders of such certificates shall be entitled to conduct audits in this Province only.

4. In exceptional cases the Local Government may give a person, who under the rules is ineligible for auditing the accounts of Joint Stock Companies, permission to audit the accounts of any specified Company for any specified financial year, but such cases shall be reported to the Government of India.

5. Holders of unrestricted certificates, either already granted or to be granted by virtue of the Diploma specified in Rule I, will be eligible for auditing the accounts of any Company, subject in the case of those already granted by the Local Government to such restrictions as may be stated in their certificates.

The Local Government may at any time cancel any certificate for reasons which it deems sufficient.

6. Applications for the grant of certificates should be forwarded to the Local Government through the Registrar, Joint Stock Companies, with a copy of the Diploma awarded by the Sydenham College of Commerce and Economics, Bombay. Applicants may also be called upon to supply any further information required by Government prior to the grant of a certificate. Applicants should also state in their applications whether they have applied to any other Government for a certificate, and if so, with what result.

7. No fee will be charged for certificates issued under these rules.

FORM I.

UNRESTRICTED CERTIFICATE.

This certificate ("unrestricted") granted under section 144 (2) of the Indian Companies Act (VII of 1913), entitles A B to act as an Auditor of Companies throughout British India.

The holder is also entitled—

- (i) in view of the provisions of rule 11-A of the rule issued by the Governor-General in Council under section 39 (2) (a) of Act VI of 1912, to audit the accounts of Life Assurance Companies throughout British India;
- (ii) in view of the provisions of rule 1 (a) issued by the Local Government under section 24 (2) (a) of Act V of 1912, to audit the accounts of Provident Insurance Societies within the Province of the Punjab; and

[Hon'ble S. B. S. Sundar Singh, Majithia.]

(iii) to audit the accounts of Provident Insurance Societies in other Provinces, subject to any restrictions imposed by the Local Government concerned by rule under section 24 (2) (c) of Act V of 1912.

Secretary to Government, Punjab.

Date _____

FORM II.

PROVISIONAL RESTRICTED CERTIFICATE.

This certificate ("restricted") granted under section 144 (2) of the Indian Companies Act (Act VII of 1913), entitles A B to act for a period of _____ from the date of issue (that is from _____ to _____) as an Auditor of Companies in the Province of the Punjab, except such Companies as are required to be registered under the Indian Life Assurance Companies Act (Act VI of 1912) and the Provident Insurance Societies Act (Act V of 1912).

NOTE.—The holder of this certificate is entitled to audit Companies' accounts within the limits of the Province of the Punjab only.

Secretary to Government, Punjab.

Date _____

MUHAMMADAN BOILER INSPECTOR IN THE PUNJAB.

1910. Khan Muhammad Abdullah Khan : (a) Is it a fact that no Muhammadan has yet been appointed to the post of the Boiler Inspector in the Punjab ?

(b) If the answer to (a) is in the affirmative, will the Government kindly state whether they are prepared to make provisions for at least two Muhammadans out of the four appointments of Boiler Inspectors ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) No : only two Muhammadans applied and they were both over age.

BOILER INSPECTOR AND THE BOARD OF EXAMINERS.

1911. Khan Muhammad Abdullah Khan : (a) Is it a fact that the Boiler Inspector is included in the Board of Examiners (as a member) in the Punjab ?

(b) If the answer to (a) is in the affirmative, will the Government kindly say whether they are prepared to exclude the Boiler Inspector from the Board of Examiners in the Punjab ?

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

(b) No.

REMISSION OF LAND REVENUE ON CROPS SWEEP AWAY BY FLOODS IN THE KANGRA DISTRICT.

1912. Chaudhri Ram Singh : (a) Is it a fact that remission of land revenue on crops swept away by floods in the Kangra District is not effected in the same season, but it is effected in the following season ?

(b) If so, will Government consider the advisability of issuing instructions to the effect that land revenue be remitted in the same season in which land is swept away by floods?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Presumably the honourable member is referring to cases in which land revenue is remitted on lands washed away by rivers under the ordinary alluvion and diluvion rules. Adjustments on account of decrease of land revenue due to diluvion in *khari* are ordinarily made by deduction from the collections in the following *rabi*. If no revenue is due from an individual in *rabi*, the usual refund procedure is adopted. The detailed rule will be found in para. 10 of Financial Commissioner's Standing Order No. 26, a copy of which is attached. Government has no reason to think that these rules are not being duly observed in the Kangra District. The attention of the Deputy Commissioner has however been directed to them.

FINANCIAL COMMISSIONERS' OFFICE, PUNJAB.

Correction Slip No. 333, Standing Order (New Series), dated the 8th January, 1918.

STANDING ORDER No. 26.

For the existing paragraph 10, substitute the following :—

10. Except where the orders passed at settlement and still in force require the observance of a different practice, ^{Alterations to take effect from the} increases due to the alluvion and decreases due to diluvion should take effect from the *khari* season in which they occurred; but while increases due to alluvion or to excess of alluvion over diluvion, in any village will be collected as fluctuating revenue due on account of the *khari* harvest in which the alluvion and deluvion occurred, the decreases on account of losses due to diluvion, or to excess of diluvion over alluvion in any village will ordinarily be refunded by means of reductions from the collections of the fixed revenue due on account of the following *rabi*. In cases, however, in which no such revenue is recoverable from an individual to whom a refund has to be made the usual refund procedure will be adopted. In all other cases a reduction will be made by the *patwari* in the demand recoverable for the following *rabi* from the individuals to whom refund is due, the reduction being duly incorporated in the *Fard Bachh*. The net increase or decrease for the district, as the case may be, will appear as an addition or deduction in the rent roll submitted for the ensuing agricultural year in the following October.

WALI MUHAMMAD AND GAJJU HATTA CANALS IN MULTAN.

1913. Lala Bodh Raj : (a) Is it a fact that the two inundation canals of Multan, namely, Wali Muhammad Canal and Gajju Hatta Canal do not receive as much supply of water as they used to do 7 years back? If so, what are the reasons for the same?

(b) Is it a fact that these canals could flow when the water in the river Chenab was even 8 feet deep and that they cannot flow now unless

[Lala Bodh Raj.]

water in the Chenab is over 12 feet deep ? If so, what are the reasons for the same ?

(c) Is it a fact that there has been no proper silt clearing throughout the length of the canals and at the head, as it was done some 7 years back ?

(d) Is it a fact that Government has received complaints from the zamindars of Multan regarding inadequate supply of water in these canals and that their lands do not receive water in season ? If so, will the Government please state what steps it has taken or intends to take to remove this grievance of the zamindars of Multan ?

(e) Is it a fact that the revenue and *abiana* rates have been enhanced from time to time in the district while the facilities for the irrigation and cultivation of lands have not increased in the same proportion but have decreased instead ?

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

VISIT OF CAPTAIN GOPAL SINGH TO THE MULTAN JAIL.

1914. Lala Bodh Raj : Will the Government please state if Captain Gopal Singh of Bhagowal visited Multan Central Jail on or about the 2nd of March 1923 ?

Will the Government please state if he visited the jail of his own accord or under instructions from the Government ?

In case he visited the jail under instructions from the Government, will the Government please lay those instructions on the table ?

The Honourable Sir John Maynard : (a) Yes.

(b) Of his own accord as a non-official visitor.

(c) Does not arise.

USE OF OFFICIAL PRESSURE FOR THE PURPOSE OF COLLECTING SUBSCRIPTIONS FOR CHARITABLE PURPOSES.

1915. Sardar Partap Singh : Has the attention of the Government been drawn to the fact—

(a) that subscriptions to the various funds are not generally made voluntarily, and that the Government officials entrusted with the collection of such subscriptions generally compel the people to subscribe to such funds ;

(b) that the Tahsildars of Jullundur District are collecting now-a-days subscriptions for the British Empire Leprosy Relief Association, and that they refuse to attest the passport papers of gentlemen proceeding to foreign countries unless they contribute something towards the Leprosy Relief Fund ;

(c) If the answers to the above are in the affirmative, will Government be pleased to state whether it is legal on the part of Government officials to use official pressure for the purpose of collecting such subscriptions ?

If not, will Government be pleased to issue necessary instructions on the subject, and thus put a stop to this practice?

The Honourable Sir John Maynard : (a) No pressure has been used.

(b) No. Attestation of passports was not refused.

(c) Does not arise.

Sardar Partap Singh (Urdu) : Is it not a fact that subscription is collected in the court room? If the subscription is taken in the court room, does not the court influence the subscriber?

The Honourable Sir John Maynard : No pressure has been used.

SUBSCRIPTIONS FOR DISTRICT BOARD HIGH SCHOOL, NIKODAR, AND SUB-REGISTRAR OF NIKODAR.

1916. Sardar Partap Singh : (a) Has the attention of the Government been drawn to the fact that the Sub-Registrar of Nikodar is collecting subscriptions for the District Board High School, Nikodar, and that he refuses to register documents unless something is paid as subscription for the said school, and that this payment has become a sort of tax on the zamindars?

(b) If the answer to the above is in the affirmative, will Government be pleased to issue instructions that this practice of compelling people to subscribe should be stopped?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

Sardar Partap Singh (Urdu) : What does the Honourable Member mean by saying : No. Does he mean to say that the Sub-Registrar never collected any subscriptions, or that he is not so doing now, or that he is not using pressure for collecting subscriptions?

The Honourable Mian Sir Fazl-i-Husain (Urdu) : "No" is the correct answer to the question as put by the honourable member.

CENSORSHIP OF CINEMATOGRAPH FILMS IN THE PUNJAB.

1917. Mr. Owen Roberts : (a) Will Government please state whether there is any censorship by the Local Government of Cinematograph films before they are allowed to be shown in the Punjab?

(b) If so, will it state what the arrangements for censorship are?

(c) If the answer to (a) is in the negative, will Government consider the advisability of establishing a censorship?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : (a) and (b). Films are submitted to censorship only at certain seaports where they are licensed for the whole of India. The Local Government's interference is limited to suspending or revoking the licence given at the seaport. A system of reciprocity with other provinces enables the Local Government to interfere even before a film has been shown in the Punjab.

(c) No, but Government is vigilant to improve the present procedure, which is well adapted to the conditions of the trade.

2 MUSLIM CLERKS IN THE MEDICAL DEPARTMENT.

1918. Khan Muhammad Abdullah Khan : Will Government be pleased to lay on the table the answer to my question No. 1723§ asked on the 1st May 1925 ?

The Honourable Mian Sir Fazl-i-Husain : A reply to Council Question No. 1728, is laid on the table.

REPLY TO COUNCIL QUESTION No. 1728.

The Honourable Mian Sir Fazl-i-Husain : (a)—

(1)	.. .. .	10
(2)	.. .. .	29
(3)	.. .. .	53
(b)—		
(1)	.. .. .	1*
(2)	.. .. .	6
(3)	.. .. .	12

* There are nine Muslims in the two lower grades of the office.

(c) Yes, but the matter is not as simple as it looks at first sight.

PERIODICAL TRANSFER OF EXTRA ASSISTANT COMMISSIONERS, ETC.

1919. Khan Muhammad Abdullah Khan : Will Government be pleased to lay on the table answer to my question No. 1735† asked on the 1st May 1925 ?

Mr. H. D. Craik : The reply is laid on the table.

REPLY TO COUNCIL QUESTION No. 1735.

Mr. H. D. Craik : (a) & (b). There are no rules prescribing the period during which Extra Assistant Commissioners, Tahsildars, Inspectors and Sub-Inspectors of Police may remain at one station, but in practice the period is ordinarily limited to three years.

(c) Government is not prepared to specify the names of officers concerned. In one instance an E. A. C. has been stationed in the Lahore District since June 1918 : in another instance since December 1919. There is no other case of an Extra Assistant Commissioner being stationed in a district of the Lahore Division for a long period ; nor is there any instance of a Tahsildar being so stationed. Similar information regarding Inspectors and Sub-Inspectors of Police will be communicated when ready.

(d) Government is not prepared to make a rigid rule to this effect.

§ Vol. VIII, page 862.

† Vol. VIII, pages 869-70.

JUDICIAL MUHARRIRS.

1920. Khan Muhammad Abdullah Khan : (a) Will Government kindly state whether the Judicial Muharrirs or Muharrirs of the Bench of Honorary Magistrates are under any rules or law framed by Government prohibited from being posted to Tahsils of which they are residents ?

(b) If the answer to the above is in the negative, will Government kindly state the names, if any, of such Muharrirs who were employed at their residence tahsils and were transferred elsewhere on the ground mentioned in (a) during the last two years ?

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

LICENCES FOR RUNNING MOTOR CARS ON HIRE ON THE PATHANKOT-DALHOUSIE ROAD.

1921. Shaikh Muhammad Sadiq : (a) Will the Government be pleased to state the result of the conference called by the Deputy Commissioner of Gurdaspur for discussing the question of free grant of licences for running motor cars on hire on the Pathankot-Dalhousie road ?

(b) Arising out of the answers given to questions Nos. 1381* and 1571,† will the Government be pleased to state under what authority this special monopoly has been created for the benefit of the Clive Motor Company ? Is Government aware that whereas the Clive Motor Company charges about Rs. 22 per seat to Dalhousie, another firm from Lahore is ready to charge only Rs. 18 per seat to Dalhousie ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) The Deputy Commissioner adhered to his predecessor's decision to allow no competition in the public interest, on the following grounds. The Dalhousie road is dangerous and as yet imperfectly graded. Traffic is permitted in a single direction only at a time, and is carefully controlled. It is possible to maintain this control only by concentrating all traffic in the hands of a single company which co-operates with the authorities. There is not moreover sufficient traffic to justify free competition, which would only result in frequent breakdowns and the final possibility of no reliable motor service at all.

The Commissioner is examining the matter further.

(b) Rule 3 of the Motor Vehicles Plying for Hire Rules, 1922.

Yes.

Shaikh Muhammad Sadiq : May I know what is the opinion of the Government about it ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : No expression.

Shaikh Muhammad Sadiq : If a reliable company is started on that road and if it promises to accept lower rate, will the Government be pleased to reconsider their decision ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : No doubt the matter will be considered by the Deputy Commissioner.

*Vol. VIII, page 143.

†Vol. VIII, page 421.

LOCAL ALLOWANCE TO DRAFTSMEN AND TRACERS OF BUILDINGS AND ROADS AND IRRIGATION BRANCHES.

1922. Shaikh Muhammad Sadiq : (a) Will the Government please state the number of draftsmen and tracers (permanent and temporary) attached to the Buildings and Roads and Irrigation Branches, employed at Lyallpur, Sargodha, Amritsar and Lahore who are getting less than Rs. 100 per mensem and are not allowed the local allowance sanctioned for Clerks, Munshis, etc. ?

(b) Will the Government please consider the advisability of sanctioning the grant of local allowance for house-rent to the draftsmen and tracers (temporary and permanent) in Amritsar, Lahore, Lyallpur and Sargodha, drawing less than Rs. 100 per mensem in the Buildings and Roads and Irrigation Branches as is being allowed to the Clerks, Munshis and Peons employed at Sargodha, Lahore, Amritsar and Lyallpur from 1920 ?

The Honourable Sir John Maynard : The Honourable Member is referred to the answer given to parts (a) and (b) of Council Question No. 1597* of 1925 to which there is nothing to add.

COMMUNAL REPRESENTATION IN THE SERVICE OF THE KARNAL DISTRICT BOARD.

1923. Khan Bahadur Chaudhri Shahab-ud-Din : (a) Is it a fact that the Karnal District Board has decided by a recent resolution to take Muslims and non-Muslims in its service on the basis of their respective populations within its jurisdiction ?

(b) Is it also a fact that the ratio of the Muslim and non-Muslim populations within the District Board area is 1 : 3 ; while at present the ratio of the Muslim and non-Muslim employees of the District Board is 1 : 2 ?

(c) If the replies to the above questions are in the affirmative, will Government be pleased to state whether they are prepared to advise all District Boards and Municipal Committees in the Province to give effect to that principle within their respective jurisdictions ?

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

(b) Yes.

(c) It is open to local bodies to administer the affairs entrusted to them to the best of their ability, and Government do not propose to interfere with the discretion of district boards.

NON-OFFICIAL PRESIDENTS FOR DISTRICT BOARDS.

1924. Shaikh Faiz Muhammad : (a) Will Government kindly state if it is their policy to encourage election of non-official presidents for District Boards ?

(b) Is it a fact that any District Board by passing a resolution by 50 per cent. majority of its non-official members can move the Government to sanction the election of a non-official president for the board concerned ?

(c) Is it a fact that the District Board, Gujrat, passed a resolution to this effect with 90 per cent. majority of non-official members ?

(d) If the answer to (c) is in the affirmative, has that resolution been submitted to the Government for action? If not, will Government be pleased to call upon the authorities concerned to explain the reasons for this delay?

The Honourable Mian Sir Fazl-i-Husain: The Honourable Member is referred to the reply given to question No. 1908* asked by Khan Muhammad Abdullah Khan.

RESTRICTIONS ON THE SALE OF TIMBER IN THE KANGRA DISTRICT.

1925. Chandhri Ram Singh: (a) Will Government be pleased to state if it is a fact that dealers in *deodar* and other kinds of timber who convey their timber by means of the river Beas, are not allowed to dispose of such timber at any intermediate stage except at Wazir Bhalla? If so, will Government be pleased to state if they are aware of the fact that zamindars and other inhabitants of the Kangra District are being deprived of purchasing the timber found in their own District?

(b) Will Government be pleased to state whether they are prepared to allow the timber merchants to dispose of their timber at Dera and some such other places on the river Beas in the Kangra District?

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

IMPROVEMENT OF THE MEANS OF WATER SUPPLY IN THE KANGRA DISTRICT.

1926. Chandhri Ram Singh: Will Government be pleased to state—

(a) if it is a fact that the Sanitary Board with a view to improve the means of water supply in the Kangra District has recommended that the cost of providing means of water supply in the Kangra District be borne in three equal shares by the local public concerned, the District Board concerned and by the Government;

(b) whether this principle will apply only to the Kangra District, or will it be enforced throughout the province;

(c) whether this proposal has emanated from the Government or from the local officers;

(d) whether they are aware of the fact that there is a great scarcity of water in the Kangra District, so much so that in many parts of the district water is not obtainable for miles together during the summer months;

(e) whether they are prepared to consider the advisability of bearing the entire cost of providing means of water supply in the Kangra District?

The Honourable Mian Sir Fazl-i-Husain: (a) No.

(b) Does not arise.

(c) The proposal referred to in (a) was put forward as a suggestion by the Director of Public Health for the consideration of the District Board.

[Hon'ble Mian Sir Fazi-i-Hussain.]

(d) Government is aware that scarcity of water exists in parts of Kangra District and the Sanitary Board has given a grant-in-aid of Rs. 11,696 for improving the water supply and has intimated to the District Board that a fresh grant-in-aid will be given as soon as approved plans and estimates are submitted to the Board.

(e) The precise amount of grants-in-aid given by the Sanitary Board is determined in each case on its merits, but as general principle it is considered to be expedient that part of the cost of improving the water supply of rural areas should be borne by those for whose benefit the improvements are made.

VERNAacular CLERKS AND MINIMUM PAY.

1927. **Sardar Harchand Singh** : (a) Is it a fact that the minimum pay of vernacular clerks was fixed at Rs. 30 per mensem and in a press *communiqué* of October 1920 it was admitted that an educated Indian cannot adequately live upon a monthly salary of less than Rs. 30 ? If so, will the Government be pleased to state the reasons for fixing the minimum pay of canal vernacular clerks at Rs. 25 per mensem ?

(b) Is it a fact that it was proposed in the above-mentioned *communiqué* that vernacular clerks be appointed on a time scale of Rs. 30—1½—60—2—70 without any bar ? If so, is this proposal being carried out in the case of vernacular clerks in civil department ? If so, will the Government kindly state their reasons for the present grades of Rs. 25—1—35, 35—2—45, 50—2—60, 70—4—90 fixed for the canal vernacular clerks ?

The Honourable Sir John Maynard : (a) No such *communiqué* ever issued from the Punjab Government. The reason for fixing the minimum pay of the canal vernacular clerks (munshis) at Rs. 25 per mensem is that they are often promoted patwaris who have generally passed only the Anglo-Vernacular Middle Examination.

(b) There is an efficiency bar at Rs. 60 in the case of all vernacular clerks appointed on a time-scale of Rs. 30—1½—60—2—70. The present grades of Rs. 25—1—35, 35—2—45, 50—2—60, 70—4—90, fixed for the canal vernacular clerks (munshies) are due to the difference in the kind of duties performed by assistant munshies, munshies, ahmads and head munshies.

FERRY TOLL IN THE KANGRA DISTRICT.

1928. **Chaudhri Ram Singh** : (i) Will Government be pleased to state if it is a fact—

(a) that the ferry toll (Mahsul Guzar) in the Kangra District has been increased from three pies to six pies per head ;

(b) that the rate of toll for a person carrying a load has been raised now, while formerly there existed no such distinction ; and

(c) that children are charged the same rates as adults ?

(ii) Has the Government received any representation on the subject from the people of Kangra ?

(iii) If the answers to the above are in the affirmative, does the Government propose to consider the desirability of reverting to the old rates of ferry toll and of charging one-half the rates for children ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (i) (a) Yes.

(b) Yes.

(c) Yes.

(ii) No.

(iii) Government have proscribed maximum rates. The actual rate to be charged is a matter for the district boards and Commissioners to decide.

WATER SUPPLY SCHEME FOR NURPUR.

1929. Chaudhri Ram Singh : (i) Will Government be pleased to state if it is a fact—

(a) that Nurpur is one of the oldest towns in the Kangra District and that its population is decreasing now-a-days ;

(b) that there is a great scarcity of water in Nurpur ; and

(c) that for the last fifteen years or so a scheme has been under the consideration of Government for supplying drinking water to Nurpur by means of a pipe ?

(ii) If the answers to the above are in the affirmative, will Government be pleased to state in what stage the scheme is at present ? If there is no scheme at present under the consideration of Government, does it propose to devise a scheme for the supply of drinking water to Nurpur ?

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

(b) No, but the water supply is not good.

(c) A scheme estimated to cost Rs. 17,657 was drawn up in 1905 and the Sanitary Board promised to give a grant-in-aid of Rs. 9,000 provided the notified area committee would find the balance. Nine years later the committee informed the Sanitary Board that it was not in a position to bear any portion of the cost, and nothing has been heard of the scheme since.

(ii) It is open to the Small Town Committee to revive the scheme and approach the Sanitary Board for a grant.

Shamilat Forests in the Kangra District.

1930. Chaudhri Ram Singh : Will Government be pleased to supply the following information in regard to the *Shamilat* Forests in the Kangra District from the date on which they were transferred to the Forest Department :—

(a) the number of trees granted gratuitously to the zamindars with a view to enable them to construct agricultural implements ;

(b) the number of zamindars challaned for cutting down branches of trees ;

(c) the amount of fine realized from the zamindars for causing damage to the forests ; and

[Ch. Ram Singh.]

(d) the number of zamindars who have foregone their possession of *shamilat* lands?

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

ZAILDARS, ETC., OF THE KANGRA DISTRICT AND WAR SERVICES.

1931. Chaudhri Ram Singh : Will Government be pleased to state the number of zaildars, sufedposhes and lambardars of the Kangra District who rendered war services during the great war and who have been granted lands as a reward for such services?

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

CONDOLENCE ON THE DEATH OF MR. C. R. DAS.

Mr. President : I am sure the honourable members of this House have heard with deepest regret of the sudden and untimely death of Mr. C. R. Das, which took place at Darjeeling on the afternoon of the 16th instant. In him India has lost one of her most distinguished sons and the political life of the country has suffered an irreparable loss by the passing away of one of its most prominent leaders. He had given up a highly lucrative practice at the bar to devote himself to the political advancement of his motherland and his singleminded devotion to the cause of the country and his self-sacrificing zeal had won for him the admiration of even those who did not see eye to eye with him in politics. He was a firm believer in the necessity of uniting the various communities of India and welding them into nation in the true sense of the term. He has been called away from the scene of his earthly labours at a very critical period in the history of India, when she stands sorely in need of the services of the best of her citizens and it is no wonder that his loss is being so deeply and so widely mourned throughout the country. It is in the fitness of things that on behalf of this Council a message of condolence and sympathy with the bereaved family may be sent to Mrs. Das.

The Honourable Sir John Maynard (Finance Member) : Sir, on behalf of the official benches I beg to associate myself with the expressions of regret and condolence which have fallen from the lips of the Chair on the occasion of the death of Mr. C. R. Das.

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders, General) : Sir, I associate myself whole-heartedly with the words to which you have just given expression and also with what has fallen from the lips of the Honourable Sir John Maynard. The sudden and unexpected death of Mr. C. R. Das is a great calamity for India. It will be impossible to replace him in Bengal and very difficult to replace him in the political life of India. He had a combination of very rare qualities which are very seldom found combined in one man. His great intellectual merit was manifested as an eminent lawyer. He drew attention to himself of the great public of Bengal by his great self-sacrifice. He gave up legal practice to work in the cause of the mother country. In his private life, from all

reports received, he is said to have been generous in the extreme. All these qualities combined to make him a great and successful organiser. It will be very difficult for any man in Bengal to acquire all the qualities which Chitta Ranjan Das had. I quite agree with you, Sir, when you say that his death happens at a critical time. It is very difficult for any one to foretell what should be the next step that the political workers ought to take in the cause of political advancement of India. At such a time as this we needed the guidance of a man of the calibre of Mr. Das, and we are sorry that we have lost him. Words are inadequate to give expression to our feelings of grief, but I am sure that posterity will remember his name with feelings of gratitude and veneration.

Mir Maqbool Mahmood [Amritsar (Muhammadan) Rural] : Sir, I beg to associate myself with the expressions that have just been made on the death of Mr. C. R. Das. That death has been rightly remarked as a great national calamity. Mr. Chitta Ranjan Das was our greatest living statesman, and he has been snatched away from us at a time when we most needed him. I know that there are many here like myself who do not subscribe to certain items of his political programme. We have had our differences with him ; but, Sir, in the chamber of death all controversies hush up and we see him there as the great hero whose strife for national work, whose burning patriotism, whose towering personality and whose unique sacrifice transcend all party considerations and command the respect of every fairminded person. It is him that we mourn. But, Sir, as has been rightly remarked by you, his greater claim lay somewhere else. He was, next to Mr. Gandhi, the greatest ambassador of Hindu-Muslim unity. This unity with him was not a mere formula to be blurted out in platform oratory ; he lived it, and I say this as a Musalman that it was his personality like those of Mr. Gandhi and Mr. Nehru which we could quote even in these days as the greatest argument and the highest hope in favour of Hindu-Muslim unity. His death weakens the angels of peace. Heavens help us from the devils of discord.

He had a special claim also on the admiration and affection of the Punjabi. It was he who with his colleagues came forward to help us when we lay shocked and lacerated under the heels of Martial law. I had the privilege of being associated with him in those days. I saw him weep over our worries, I saw him fight for our rights. And the Punjab would be false to its best traditions, if it did not feel as it does feel at the parting of such a true friend. Such is the man, Sir, whom we mourn to-day. I feel that his death should unite us just as he has been trying to unite us all his life ; and standing on this floor at this time, Sir, I appeal to the members of this Council and to the press and public men of this country to make a better effort than they have hitherto done, in the name of Mr. Das to unite this country together. I also take this opportunity of appealing to Government not to let go that offer of better understanding which Mr. Das made at Faridpur. With these words, Sir, I associate myself with the expression of sympathy and condolence.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan) Rural] : Sir, the sad news of the untimely and unexpected death of Mr. Chitta Ranjan Das, the Swarajist leader and one of the foremost public men in the whole of India, at a comparatively early age of 54 at a time when we needed his services most, has come to us with a shock and has been received by the public in general with the deepest sorrow, a sorrow amounting to personal bereavement. It is indeed a national calamity of the

[Mian Md. Shah Navaz.]

first magnitude. Our loss is great, rare, and irreparable. Although the liberals and the independents did not belong to his party and we had differences of opinion, yet it will be admitted on all hands that he was a sincere patriot, one who had sacrificed his lucrative practice and large income at the bar, and even his life in the national cause. He was a man gifted with talents, a man of great ability, resourceful, vigilant and shrewd politician and a lover of Hindu-Muslim unity, generous in disposition and generous with his purse, ready to bear and to brave. Above all he had a passion for the freedom of his country ready to purchase it at any cost. Indeed he was one of the greatest sons of India, one of her brightest jewels, an outstanding personality, indomitable leader and a conspicuous genius of the day. The sudden and unexpected death of such a gentleman is clearly a national misfortune. Sir, his latest letters and speeches indicate that his opinions had undergone a healthy transformation, that he was not an out and out obstructionist, that he believed in responsive co-operation, that he was against anarchical crime and that he might have accepted "office" if offered to him on honourable terms. To the Muhammadans the loss is great, because he wanted to bring about unity between the two classes. The Bengal pact stands as a great instance of his foresight, judgment, wisdom and largemindedness. We mourn his death very deeply. In conclusion, Sir, I wish to express our sympathy with Mrs. Das, a most devoted wife, and her children and other relations in their sad bereavement. Their affliction is terrible. I assure you, Sir, that their grief is shared by all their countrymen and countrywomen in general. Well, Mr. Das, the deceased patriot has fulfilled the desire of the Persian poet which has been expressed in the following couplet :—

*Yad dari ki waqt-i-zadan-i-to
Haman khandan budand o tu giryan
An chunan zi ki bad-i-murda-i-to
Haman giryan shawand o tu khandan.*

Rememberest thou that thou at thy birth wert crying

While all around thee were heartily laughing,

Live thou so well that after thy death thou mayst happily
be laughing

While all around thee will be weeping.

Sardar Tara Singh [Ferozepur (Sikh) Rural] : Sir, on my behalf and on behalf of the Sikh members of this Council I heartily associate myself with the expressions of sorrow given utterance to this morning by the honourable members of this House in regard to the sudden and unexpected death of Mr. C. R. Das. Sir, he possessed all the qualities of head and heart that make a man truly great. In the Punjabi we have a saying :—

to serve with *tan* (body), *man* (soul) and *dhan* (money).

This is true of Mr. Das who served his country with *tan*, *man* and *dhan*. He sacrificed his body even in his ill-health. He was brought in a little to the Council simply to serve the cause of the mother country. As has been pointed out by honourable members he sacrificed his lucrative practice, he sold all his belongings simply to serve his country. He was a man with practical political vision. He was not building on imagination. He had a very clear insight into politics and had a determination without

any fear of opposition. It was his sincerity, his love of country that brought the whole following at his back. Sir, I wholeheartedly associate myself with Mr. Magbool Mahmood in his appeal to all countrymen to sink their differences and learn a practical lesson from the death of Mr. Das. It is only then that we can say that we really feel his death. Let us sink all differences to-day and from to-morrow let us give a practical proof of our unity on all sides. With these remarks, Sir, I heartily associate myself with the sympathy and condolence with the bereaved family. It is not their loss alone, it is our loss as well.

Mr. President: I am sure that the House wishes that the sympathy and condolence of this House may be communicated to Mrs. Das and the bereaved family.

(The House assented.)

I will ask the Secretary to communicate this message of condolence to Mrs. Das to-day.

THE PUNJAB SIKH GURDWARAS AND SHRINES BILL.

Sardar Tara Singh [Ferozepur (Sikh) Rural]: Sir, I beg to present the report of the Select Committee on the Punjab Sikh Gurdwaras and Shrines Bill.

Mr. President: The business before the House to-day was the formal presentation of the Select Committee's Report. As the honourable members must have seen from the report itself, the select committee recommends that the Bill be republished. Therefore the Bill will be republished.

The Council then adjourned till 10-30 O'clock on Monday, the 6th July 1925.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 6th July, 1925.

THE Council met at the Legislative Assembly Chamber, Simla, at 10-30 of the clock. Mr. President in the chair.

QUESTIONS AND ANSWERS.

PASSPORT TO DHANTA TO GO TO FIJI.

1932. **Sardar Partap Singh** : (i) Will the Government be pleased to state if it is a fact—

(a) that one Dhanta, son of Nihala, resident of Chak Kalan, District Jullundur, obtained from the Punjab Government a passport for Fiji ;

(b) that he could not proceed beyond Hongkong as the passport was not accepted by the Mexican Consul there and he had to return to India ; and

(c) that he made a representation to the Punjab Government asking for a fresh passport or compensation for the loss sustained by his going to Hongkong and then returning ?

(ii) If the answers to above are in the affirmative, will the Government please say what action has been taken or it proposes to take on the representation ? If no action is proposed to be taken, why ?

The Honourable Sir John Maynard : (i) (a) Yes.

(b) Yes, Dhanta had in the meantime changed his mind, and proposed to proceed to Mexico on an endorsement granted by the Government of Bengal, and a visa granted by the Mexican Consul, Calcutta.

(c) No, the representation was made to the Government of Bengal.

(ii) No action can be taken. The matter is one for the discretion of the Mexican authorities in Hongkong.

UNEMPLOYMENT IN CERTAIN VILLAGES OF THE JULLUNDUR DISTRICT.

1933. **Sardar Partap Singh** : (a) Will the Government be pleased to state if it is a fact that all the culturable lands of the villages of Akowal, Sudhara, Bhundri in Tahsil Phillour of the Jullundur District, have been swept away by the floods of the river and this has led to unemployment of the people and they have consequently taken to cattle-lifting ? If so, what action has been taken to remedy this state of affairs ?

(b) Does Government propose to provide some kind of work for the people of the villages mentioned above and thus prevent the spread of crime in the *ilaga* ?

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

CIRCULATION OF 'DESH SEWAK' IN THE SCHOOLS OF THE JULLUNDUR DISTRICT.

1934. **Sardar Partap Singh** : (a) Will Government be pleased to state whether the *Desh Sewak* of Jullundur has been proscribed by Government or has the Education Department issued a ban on its circulation in the schools ?

(b) If the answer to the above be in the affirmative, will Government be pleased to state the number and date of the order issued by the Government or by the Education Department imposing restrictions on the circulation of this paper in the schools ?

(c) If the answer to (a) be in the negative, will Government be pleased to enquire into the reasons for the stoppage of circulation of this paper in the schools of the Jullundur Division ?

(d) Will Government be pleased to consider the advisability of removing the restrictions, if any, imposed on the circulation of this paper in the schools ?

The Honourable Mian Sir Fazl-i-Husain : There has been no occasion to consider the issue of a ban, and no school is alleged to be subscribing to it.

ACQUISITION OF LAND FOR THE DHARAMSALA CANTONMENT.

1935. **Chandhri Ram Singh** : (a) Is it a fact that Government has acquired land for the extension of Dharamsala Cantonment in the Kangra District ? If so, will Government kindly state at what rate compensation has been paid for such land ?

(b) Is it also a fact that the owners of this land are agriculturists and that they have been rendered homeless due to this acquisition ? If so, does Government intend to give land in exchange to these agriculturists in accordance with the terms of the resolution recently passed by the Punjab Legislative Council on the subject ?

The Honourable Sir John Maynard : (a) No, but the proposal to extend the limits of the cantonment is under consideration.

(b) The question will be considered when it arises.

HAISIYAT TAX IN THE KANGRA DISTRICT.

1936. **Chandhri Ram Singh** : (a) Is Government aware of the fact that the Kangra District is a very poor district and that there are no railways or good roads ?

(b) Is it also a fact that haisiyat tax has been levied this year in the said district ?

(c) If the answers to the above are in the affirmative, will Government be pleased to consider the advisability of doing away with this tax or seeing that this tax is not levied on people having an income of less than Rs. 500 per annum ?

The Honourable Mian Sir Fazl-i-Husain : (a) Government are aware that the Kangra district is not so well off as some other districts.

(b) Yes.

(c) This is a matter for the District Board.

RUNNING OF MOTOR CARS AND DAMAGES TO LIVE STOCK IN THE KANGRA DISTRICT.

1937. Chaudhri Ram Singh : Is Government aware of the fact that several cattle belonging to the zamindars of the Kangra District have lost their lives due to the running of motor cars of the Clive Motor Company? If so, has Government considered the advisability of framing rules according to which (i) the drivers of motor cars in the Kangra District may drive slowly especially where the road is dangerous and (ii) compensation may be awarded to the owners of cattle for the loss of their live stock due to the negligence of car drivers?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : No. The Honourable Member is referred to sections 4 (b) and 5 of the Indian Motor Vehicles Act, 1914, to rules 23 and 24 of the Punjab Motor Vehicles Rules, 1915, and to schedule A of the Punjab Motor Vehicles Plying for Hire Rules, 1922. The rule making power contained in the Indian Motor Vehicles Act, 1914, does not include a power to frame rules for the award of compensation. That is a matter for the Civil Courts.

HOLI RIOTS AT CHINIOT.

1938. Lala Bodh Raj : Will Government be pleased to state :—

- (a) how many persons were accused of taking part in the Holi riots at Chiniot ;
- (b) how many of them have been convicted and what is the sentence passed in each case ; and
- (c) if it is a fact that several complaints were made to Government against the Public Prosecutor who was in charge of the case ?

The Honourable Sir John Maynard : (a) 44.

(b) Number of persons convicted is 7.

Details of Convictions

Two of the accused sentenced to a fine of Rs. 200 each.

Five of the accused sentenced to a fine of Rs. 100 each.

(c) Yes. Several complaints were made to District Magistrate and one direct to local Government.

PUNITIVE POLICE TAX AT CHINIOT.

1939. Lala Bodh Raj : (i) Will the Government please state if any tax is proposed to be levied under the Police Act on the people of Chiniot in connection with the last Holi disturbances?

(ii) If so, what is the amount proposed to be levied and in what manner is it proposed to be collected?

(iii) Is it a fact that it was originally proposed to charge the tax on the basis of population and that the proposal is now being dropped? If so, why?

The Honourable Sir John Maynard : (i) Yes ; the cost of additional police.

(ii) Rs. 10,518-8-0 to be recovered from the inhabitants according to their financial circumstances, without distinction as regards community.

(iii) Government is not aware of any such proposal.

GULLU, SON OF KHAIRA, PRISONER IN THE CENTRAL JAIL, MULTAN.

1940. Lala Bodh Raj : (i) Will Government please state —

(a) when Gullu, son of Khaira, prisoner No. 2509, who died in the Central Jail, Multan, on 9th March 1922 was admitted into that jail ; and

(b) from which jail he had been transferred to Multan ?

(ii) Will the Government please lay on the table the history of the case as reported by Major Truter, the Medical Officer in charge and as given in the Medical Officers' Journal ?

The Honourable Sir John Maynard : (i) (a) The prisoner in question was admitted into the Central Jail, Multan, on 6th July 1922 and died from heat-stroke on 9th July 1922, not on 9th March 1922 as stated in the Council question.

(i) (b) Rajanpur Sub-Jail.

(ii) A copy of the relevant entry of the Medical Officers' Journal is attached herewith.

Copy from the Medical Officer's Journal.

7. Convict No. 2509, Gulla, son of Khaira.

1. The date on which the deceased first complained of illness or was observed to be ill. 9th July 1922.

2. The labour if any, on which he was engaged on that day. Grinding.

3. The scale of his diet on that day. Ordinary.

4. The day on which he was admitted to hospital. 9th July 1922.

5. The day on which the Medical Officer was first informed of the illness. 9th July 1922.

6. The nature of disease. Heat stroke.

7. When the deceased was last seen before his death by the Medical Officer or Medical Subordinate. 9th July 1922.

8. When the prisoner died. 9th July 1922.

9. (In cases when a post mortem examination is made) an account of the appearances after death. P. M. field.

This was a case of heat apoplexy of the Apophysal type—a true stroke. The patient was a healthy, strong full blooded Biloch working on the pump well. The onset was quite sudden and without any preliminary warning the man dropped unconscious. First aid was rendered immediately and the patient conveyed to hospital but died in a very short time. P. M. except for slight congestion of the meninges there was nothing of note.

(Sd.) A. W. TRUTER.

Lala Bodh Raj : Will the Honourable Member say from which jail he has been transferred to Multan ?

The Honourable Sir John Maynard : The answer to that has already been given. He has been transferred from the Rajanpur Sub-Jail.

RECRUITMENT FROM THE ENGINEERING COLLEGE, ROORKEE AND RASUL.

1941. Lala Bodh Raj : Will the Government please state if the appointments of Assistant Engineers or upper subordinates in both the branches of the Public Works Department are made every year from amongst the students who pass the engineering examination from Roorkee and Rasul Engineering Colleges ? If so, has any proportion been fixed for the selection of candidates from the two colleges ? If so, what is the proportion and on what basis has it been fixed ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (1) The Engineering School at Rasul trains only Subordinates and not Assistant Engineers. (2) The Public Works Department does not recruit Subordinates from the Roorkee Engineering College. The question of proportionate recruitment from the two institutions does not therefore arise.

UNPRODUCTIVE LANDS IN THE LOWER BARI DOAB CANAL.

1942. Lala Bodh Raj : (a) With reference to the answer to part (c) of question No. 1623,* given on 1st May 1925, in reply to question No. 1754,† will the Government please lay on the table a list of the persons who were excluded from the grant of lands on ordinary peasant conditions ?

(b) Is it a fact that before the preparation of the lists referred to in part (a) of the answer to question No. 1623, a list of inferior lands had also been prepared ?

(c) Is it a fact that in the allotment of these inferior lands no distinction was made between agriculturists and non-agriculturists ?

(d) Is it a fact that lands in the Lower Bari Doab Canal have been granted to non-agriculturists like mirasis (dom), sais (grooms), nais (barbers), shoe-sellers, shop-keepers or moharris in the Civil Department, pointmen and guards in the Railway Department ?

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

STREETS IN GUJARAT CITY.

1943. Lala Bodh Raj : With reference to the reply to question No. 1760‡ asked on the 4th May 1925, will the Government please lay on the table the further report referred to if it has since been received ?

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

FEE CONCESSION TO CHILDREN OF MEMBERS OF THE TEACHING STAFF OF VARIOUS SCHOOLS.

1944. Lala Bodh Raj : With reference to the reply to question No. 1762§ will the Government please state if any decision has been arrived at in the matter ? If so, will the Government please lay on the table the decision arrived at ?

The Honourable Mian Sir Fazl-i-Husain : The matter is under consideration.

Lala Bodh Raj : Will the Government please state by which time it will be ready ?

The Honourable Mian Sir Fazl-i-Husain : As soon as it is ready for decision.

Lala Bodh Raj : Will the Honourable Minister please state when it will be ready for decision ?

The Honourable Mian Sir Fazl-i-Husain : As soon as the materials have been supplied for it.

Lala Bodh Raj : Will the Government please care to supply the necessary materials at an early date ?

The Honourable Mian Sir Fazl-i-Husain : Every effort is being made to that effect.

* Page 526 ante.

† Page 880 ante.

‡ Page 923 ante.

§ Page 924 ante.

TIME SCALE OF PAY FOR THE SUBORDINATE EDUCATIONAL SERVICE.

1945. Lala Bodh Raj : Will the Government please state what steps have been taken by the Government in the matter of introduction of time-scale of pay for the Subordinate Educational Service ever since the discussion in the Council on the subject on 24th November 1924*?

The Honourable Mian Sir Fazl-i-Husain : The advice of the Education Committee was invited and obtained together with Finance Department's advice has been considered by Government, but the introduction of a time scale in the Subordinate Educational Service is not considered feasible on financial and other considerations. Other proposals, however, have been made by the Director of Public Instruction, which are being examined.

ACCELERATED PROMOTION TO POLICE OFFICIALS.

1946. Lala Bodh Raj : Will the Government please state in how many cases accelerated promotion has been given to police officials during the period commencing from 1st January 1924 ?

The Honourable Sir John Maynard : Sub-Inspectors fit for promotion to the rank of Inspector are annually selected with regard to their physical, intellectual and moral qualifications, and are borne on Promotion List D. Promotions to the rank of Inspector are made from among officers borne on this list. Promotion of Sub-Inspectors are therefore in practically all cases accelerated promotion.

SUPPLY OF CANAL DEPARTMENTAL ORDERS.

1947. Lala Bodh Raj : Is it a fact that in the canal department copies of departmental orders affecting the rights of private individuals are not supplied even on payment to persons who consider themselves aggrieved by such orders and who want to seek relief against those orders from higher authorities or in the law courts ?

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

PUNJAB EDUCATION CODE.

1948. Lala Bodh Raj : Will the Government please state if a new edition of the Punjab Education Code is being prepared ? If so, when does the Government intend to publish it ?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain : The revised edition of the Punjab Education Code is in the press and will be published shortly.

READING ROOMS AND LIBRARIES IN THE KANGRA DISTRICT.

1949. Chaudhri Ram Singh : (a) Is it a fact that Government has opened reading rooms and libraries even in the small towns for the benefit of the public ?

(b) Is it also a fact that there is no reading room or library in any of the towns of the Kangra District ?

(c) If the answers be in the affirmative, will Government kindly consider the advisability of opening reading rooms and libraries in some of the towns in the Kangra District which are already backward in every respect ?

The Honourable Rai Sahib Chaudhri Ohhotu Ram: (a) Yes.

(b) Yes.

(c) The Government grant is too small to allow of the opening of further reading rooms in the current year: but Government is considering the advisability of increasing this grant substantially so as to be able to extend the benefit of reading rooms not only to other towns but also to selected villages in the next financial year.

LAMBARDARS AND PANJOTRA IN THE KANGRA DISTRICT.

1950. Chaudhri Ram Singh: Will Government kindly state the number of lambardars in the Kangra District and the annual average per head of the amount of Pachotra paid to them?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia:

1. Total number of lambardars 1,171.

2. Annual average pachotra paid per head Rs. 45.

MARTIAL LAW PRISONERS.

1951. Chaudhri Afzal Haq: (a) Will the Government be pleased to lay on the table the names of all the martial law prisoners still undergoing imprisonment with the districts in which they were convicted and also the names of jails in which they are serving their terms of imprisonment?

(b) Is it a fact that some of those martial law prisoners who were deported to Andamans have again been brought to the Punjab jails and are now serving their terms of imprisonment in different jails of the province?

(c) Is it a fact that the Indian Jails Committee has in its report objected to the deportation of prisoners to Andamans?

(d) If so, will the Government be pleased to state if they are considering the desirability of bringing back all the martial law prisoners now in the Andamans to the jails of this province?

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

TRIAL OF REVENUE CASES AT DISTRICT HEADQUARTERS.

1952. Chaudhri Afzal Haq: (a) With reference to the assurance given to the Council by Mr. C. M. King, the Financial Commissioner on the 19th January last, that instructions will be issued to the revenue officers not to take up for trial revenue cases except at the headquarters of the district or at some place nearer to the land where the cause of action arises, will the Government be pleased to state whether such instructions have been issued?

(b) If not, will the Government be pleased to state the reasons for not doing so?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia: The Financial Commissioner has issued instructions that revenue appeal cases tried by Collectors must in future be heard either at the headquarters of the district or at the spot where the land, which is the subject of the appeal, is situated, or at some place which is nearer to the spot

[Hon. S. B. Sardar Sundar Singh Majithia.]

than district headquarters, and has extended these instructions to the trial of original cases by revenue officers.

EXEMPTION OF THE SWORD FROM THE PROVISIONS OF THE ARMS ACT.

1953. Chaudhri Afzal Haq : With reference to the answer to question No. 867* asked on the 12th November last, will the Government please say whether they have since taken up the further consideration of the question regarding the exemption of the sword from the provisions of the Arms Act? If so, with what result? If not, why not?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : The matter has remained under consideration, but in view of the conditions obtaining in various parts of the province, it is not one on which Government is at present able to come to any conclusion.

BADSHAHI MASJID AT LAHORE.

1954. Chaudhri Afzal Haq : With reference to the answer to question No. 715† asked on the 7th August last, will the Government please state in what stage the matter now is? If the Government has not yet come to a decision, will it please state the cause of delay in arriving at a conclusion?

The Honourable Sir John Maynard : The attention of the Hon'ble Member is invited to the reply given to Council Question No. 1837.

NON-OFFICIAL ELECTED PRESIDENT FOR THE HOSHIARPUR DISTRICT BOARD.

1955. Chaudhri Afzal Haq : Is it a fact that the Hoshiarpur District Board passed a resolution requesting that they may be given the privilege of electing a non-official president for themselves?

If so, does the Government propose to comply with the wishes of the District Board? If so, when?

The Honourable Mian Sir Fazl-i-Husain : (1) Yes, but the district board does not wish the resolution to take effect until the present Deputy Commissioner leaves the district.

(2) The matter will be considered when the occasion arises.

THE PUNJAB INDUSTRIAL LOANS ACT.

1956. Lala Mohan Lal : Will the Government be pleased to state how many persons in the Punjab have taken loans from the Punjab Government under the Punjab Industrial Loans Act since the Act was passed?

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

CLERICAL STAFF OF THE HYDRO-ELECTRIC DIVISION.

1957. Lala Mohan Lal : Will the Government be pleased to lay a statement on the table showing the number of (i) Hindus, (ii) Muham-

*Vol. VII, page 323.

† Vol. VII, page 189.

loadans, and (iii) Sikhs, on the clerical staff of the Hydro-Electric Division ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The clerical staff of the Hydro-Electric Circle including the Hydro-Electric Survey Division consists of—

Hindus	12-21	12-21	12-21	12-21	2
Mohammedans	12-21	12-21	12-21	12-21	6
Sikhs	12-21	12-21	12-21	12-21	0

GUMA WATER SUPPLY SCHEME.

1958. Lala Mohan Lal : (a) Will the Government be pleased to state if it is a fact that a sum of rupees four lakhs was provided in the budget of 1924-25 for electric works in connection with the Guma Water Supply Scheme ?

(b) If the reply to the above be in the affirmative, will the Government be pleased to state if this sum was spent during the year in which it was provided ? If not, why not ?

(c) Will the Government be pleased to state if it is a fact that this sum has again been provided for the electric works in connection with the Guma Water Supply Scheme in the budget of 1925-26 ?

(d) If the reply to (c) above be in the affirmative, will the Government be pleased to state what steps are being taken to spend this money during this year and what progress has been made in regard to this scheme ?

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

(b) No expenditure was incurred in 1924-25 as it was not till January, 1925 that the agency, by which the scheme was to be carried out, was determined.

(c) Yes.

(d) The detailed project, designs and specifications are being prepared by the Electrical Engineer to Government, Punjab, who expects to complete them by the end of June 1925. If the delivery of plant is not delayed, it is hoped to spend 3 lakhs of the grant in 1925-26.

PUNITIVE POLICE TAX.

1959. Captain Dhan Raj Bhasin : Will the Government be pleased to state :—

(a) whether first class Punitive Police Tax was proposed to be levied from Mr. Om Prakash, a congress preacher of Kot Fatoohi, District Hoshiarpur, while he was in jail, besides the tax levied from his grandfather L. Ram Chand ;

(b) whether, the tax not having been paid by Mr. Om Prakash, it was realized by the sale of a buffalo belonging to his grandfather ;

[Captain Dhan Raj Bhasin.]

(c) whether Government is aware that Mr. Om Prakash and his grandfather belong to a joint Hindu family ;

(d) if the reply to clause (c) be in the affirmative, why the tax was proposed and levied from both Mr. Om Prakash and his grandfather Mr. Ram Chand, and whether the Government proposes to refund the tax of one of them ; and

(e) if the replies to clause (b) is in the affirmative and to clause (c) in the negative, why the buffalo belonging to the grandfather of Mr. Om Prakash was sold for realizing the tax due from the latter ?

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

COMMUNAL REPRESENTATION AMONG THE VARIOUS OFFICERS AT KASUR.

1960. Captain Dhan Raj Bhasin : (a) Is it a fact that at Kasur, the Sub-Divisional Officer, Section 30 Magistrate, Revenue Assistant First Class Magistrate, Additional E. A. C., Tahsildar, Munsif, Deputy Superintendent of Police, Assistant Surgeon, Naib Tahsildar, First Class Honorary Magistrates and second class Honorary Magistrates are all Muhammadans, Sikhs or Christians and not a single officer among these is a Hindu ?

(b) Is it also a fact that the present Principal, Government High School is the only Hindu official who holds a responsible Government post at Kasur ?

(c) If the reply to clause (a) be in the negative, will the Government be pleased to state the names of the Hindu officials who hold responsible posts at Kasur ?

(d) Is it a fact that Islamia Middle School, Kasur, applied for and is being raised to the High Standard and that the majority of the Muhammadan students of Kasur receive their education in the Islamia School ?

(e) Is it also a fact that the majority of the students of the Government High School is composed of Hindus and Sikhs ?

(f) Is the Government aware that a strong feeling of resentment prevails amongst the Hindus of Kasur on account of the absence of any Hindu official holding a responsible job except the Principal, Government High School ?

(g) Is there any proposal for replacing the present Principal of the Government High School by a Muhammadan ?

(h) If the reply to clause (g) be in the affirmative, will the Government kindly state its reasons for doing so ?

Mr. E. D. Craik : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1961. Chaudhri Dull Chand : Will the Hon'ble the Finance Member be pleased to lay on the table a statement in the following form relating to his departments giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 :

Department.	Year on 1st January of	All-India Service.						PROVINCIAL SERVICE.							
		Europeans	Punjab.				Total.	Mahdus.		Hindus.		Sikhs.		Others.	Total.
			Mahdus.	Hindus.	Sikhs.	Others.		Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		
	1921														
	1922														
	1923														
	1924														
	1925														

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE OF RS. 100 AND BELOW.							
Mahdus		Hindus		Sikhs		Others	Total	Mahdus		Hindus		Sikhs		Others	Total
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1962. Chaudhri Duli Chand: Will the Hon'ble Revenue Member be pleased to lay on the table a statement in the following form relating to his departments giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925?

Department.	Years on 1st January of	ALL-INDIA SERVICE.						PROVINCIAL SERVICE.					
		Indians.					Total	Muhdms.		Hindus.		Sikhs.	
		Europeans.	Muhdms.	Hindus.	Sikhs.	Others.		Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Muhdms.		Hindus.		Sikhs.		Others.	Total	Muhdms.		Hindus.		Sikhs.		Others.	Total
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1963. Chaudhri Duli Chand : Will the Hon'ble Minister for Education be pleased to lay on the table a statement in the following form relating to the departments under his Ministry, giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Year on 1st January of	ALL-INDIA SERVICE.						PROVINCIAL SERVICE.							
		Europeans.	Indians.					Muhdus.		Hindus.		Sikhs.		Others.	Total.
			Muhdus.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		
	1921														
	1922														
	1923														
	1924														
	1925														

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Muhdus.		Hindus.		Sikhs.		Others.	Total.	Muhdus.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1904. Chaudhri Dal Chand : Will the Hon'ble Minister for Agriculture be pleased to lay on the table a statement in the following form relating to the departments under his Ministry, giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925?

Department	Year on 1st January of	ALL INDIA SERVICE						PROVINCIAL SERVICE					
		Indians.						Muslims.	Hindus.	Sikhs.			
		Europeans	Muslims	Hindus	Sikhs	Others	Total	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.							SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.						
Muslims.		Hindus.		Sikhs.		Total	Muslims.		Hindus.		Sikhs.		Total
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.	

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1965. **Chaudhri Duff Chand :** Will the Government be pleased to lay on the table a statement in the following form concerning the departments which are not under the Hon'ble Members or Ministers giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925.

Department.	Year on 1st January of	All-India Service						Provincial Service					
		Europeans.	Indians					Muhals		Hindus		Sikhs	
			Muhals	Hindus	Sikhs	Others	Total	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921.												
	1922.												
	1923.												
	1924.												
	1925.												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE UP TO RS. 100 AND BELOW.							
Muhals		Hindus		Sikhs		Others	Total	Muhals		Hindus		Sikhs		Others	Total
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

Mr. H. D. Crank : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1906. Malik Firoz Khan Noon : Will the Hon'ble Finance Member be pleased to lay on the table a statement in the following form relating to his departments giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Years on 1st January of	ALL-INDIA SERVICE.						PROVINCIAL SERVICE.					
		Europeans.	Indians.					Muhdus.		Hindus.		Sikhs.	
			Muhdus.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921 .												
	1922 .												
	1923 .												
	1924 .												
	1925 .												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE OF RS. 100 AND BELOW.							
Muhdus.		Hindus.		Sikhs.		Others.	Total.	Muhdus.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

1967. **Malik Sirar Khan Noon** : Will the Hon'ble Revenue Member be pleased to lay on the table a statement in the following form relating to his departments giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

[illegible][illegible]

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1968. Malik Firoz Khan Noon : Will the Hon'ble Minister for Agriculture be pleased to lay on the table a statement in the following form relating to the departments under his Ministry, giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Year on 1st January of	ALL-INDIA SERVICE						PROVINCIAL SERVICE					
		Europeans.	Indians.					Muhdno.		Hindus.		Sikhs.	
			Muhdno.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Muhdno.		Hindus.		Sikhs.		Others.	Total.	Muhdno.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1939. **Malik Firoz Khan Noon** : Will the Hon'ble Minister for Education be pleased to lay on the table a statement in the following form relating to the departments under his Ministry, giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 :

Department.	Year on 1st January of	ALL-INDIA SERVICE						PROVINCIAL SERVICE					
		Indians						Muhdus	Hindus	Sikhs			
		Europeans											
			Muhdus	Hindus	Sikhs	Others	Total	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Muhdus		Hindus		Sikhs				Muhdus		Hindus		Sikhs			
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.	Others	Total	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.	Others	Total

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1970. **Malik Firoz Khan Noon** : Will the Government be pleased to lay on the table a statement in the following form concerning the departments which are not under the Hon'ble Members or Ministers giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Year on 1st January of	ALL-INDIA SERVICE.						PROVINCIAL SERVICE.					
		Europeans.	Indians.					Muhdms.		Hindus.		Sikhs.	
			Muhdms.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.							SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE OF RS. 100 AND BELOW.						
Muhdms.		Hindus.		Sikhs.		Total.	Muhdms.		Hindus.		Sikhs.		Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.	

Mr. H. D. Craik : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1971. **Sardar Tara Singh :** Will the Hon'ble the Finance Member be pleased to lay on the table a statement in the following form relating to his departments giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Year on 1st January of.	ALL INDIA SERVICE.						PROVINCIAL SERVICE.							
		Europeans.	Indians.					Mahdus.		Hindus.		Sikhs.		Others.	Total.
			Mahdus.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		
	1921														
	1922														
	1923														
	1924														
	1925														

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Mahdus.		Hindus.		Sikhs.		Others.	Total.	Mahdus.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1972. **Sardar Tara Singh** : Will the Hon'ble Revenue Member be pleased to lay on the table a statement in the following form relating to his departments giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Year on 1st January of	ALL-INDIA SERVICE.						PROVINCIAL SERVICE.							
		Euro peans.	Indians.					Muhdms.		Hindus.		Sikhs.		Others.	Total
			Muhdms.	Hindus.	Sikhs.	Others.	Total	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		
	1921														
	1922														
	1923														
	1924														
	1925														

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW							
Muhdms.		Hindus.		Sikhs.		Others.	Total.	Muhdms.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1973. **Sardar Tara Singh :** Will the Hon'ble Minister for Education be pleased to lay on the table a statement in the following form relating to the departments under his Ministry, giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 :

Department	Year on 1st January of	All-INDIA SERVICE						PROVINCIAL SERVICE					
		Europeans	Indians					Muhals		Hindus		Sikhs	
			Muhals	Hindus	Sikhs	Others	Total	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Muhals		Hindus		Sikhs		Others	Total	Muhals		Hindus		Sikhs		Others	Total
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1974. **Sardar Tara Singh :** Will the Hon'ble Minister for Agriculture be pleased to lay on the table a statement in the following form relating to the departments under his Ministry, giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925 ?

Department.	Year on 1st January of	ALL INDIA SERVICE.						PROVINCIAL SERVICE.					
		Europeans.	Indians.					Muhdms.		Hindus.		Sikhs.	
			Muhdms.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Muhdms.		Hindus.		Sikhs.		Others.	Total.	Muhdms.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

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

PARTICULARS OF ESTABLISHMENTS IN THE VARIOUS DEPARTMENTS UNDER GOVERNMENT.

1975. **Sardar Tara Singh**: Will the Government be pleased to lay on the table a statement in the following form concerning the departments which are not under the Hon'ble Members or Ministers giving the number of officers on the 1st of January of the years 1921, 1922, 1923, 1924 and 1925?

Department.	Year on 1st January of	ALL INDIA SERVICE						PROVINCIAL SERVICE					
		Indians.						Mahdars.	Hindus.	Sikhs.			
		Europeans.	Mahdars.	Hindus.	Sikhs.	Others.	Total.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.
	1921												
	1922												
	1923												
	1924												
	1925												

SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ABOVE RS. 100.								SUBORDINATE SERVICE INCLUDING CLERICAL SERVICE ON RS. 100 AND BELOW.							
Mahdars.		Hindus.		Sikhs.		Others.	Total.	Mahdars.		Hindus.		Sikhs.		Others.	Total.
Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.		

Mr. H. D. Gault: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LEAPC

DIVERSION OF THE CHANNEL (KHAD CHAKKI) NEAR PATHANKOT.

1976. Chaudhri Ram Singh : (a) Is Government aware that the Madhopure Canal Department has diverted the channel (Khad Chakki) near Pathankot, District Gurdaspur, to villages Damtal, Sirt, Mohli and Chhanni of Nurpur Tahsil in the Kangra District ?

(b) Is it a fact that the canal department had given an assurance to the owners of the land coming under this channel in those villages that the channel would not be widened, and that if it was widened the owners of the land would be adequately compensated ?

(c) Will Government kindly state how much land of the above villages has come under and has been washed away by this channel and how much compensation has been paid to the owners up till now ? If the Government has stopped paying any such compensation, why ?

(d) Has the Government already considered the advisability of making it a rule that land be given in exchange to the owners of the land which may be washed away by this channel in future ? If not, does it propose to do so now ?

(e) Is it a fact that in 1912 when compensation was paid to the owners of lands, they were given an assurance that every effort would be made by the Government to safeguard their lands and a bund was accordingly constructed by the canal department to safeguard the lands of the zamindars ? Is it also a fact that this bund has now been destroyed ? If so, what action has been taken by Government to repair it ?

(f) Is it a fact that no compensation was paid to the owners of the lands for the damage caused by the destruction of the above 'bund' and for the earth used by the canal department for the repairs of this 'bund' ?

(g) Is it a fact that in 1908 the Deputy Commissioner, Kangra, had issued orders to the effect that no canal contractor should make use of the stone or earth from the zamindars' lands without giving them adequate compensation ? If so, will Government kindly state whether these orders are being carried out ? If not, why not ?

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

GOVERNMENT OFFICIALS IN THE EXECUTIVE AND POLICE DEPARTMENT AT BHIWANI.

1977. Rana Firoz-ud-Din Khan : Is it a fact that all the Government officials in the executive and police departments at Bhiwani belong to the Hindu community ? If so, does the Government propose to consider the desirability of transferring some of them elsewhere and posting officials of some other community in their place ?

Mr. H. D. Craik : The facts are not as stated in the question. The Tahsildar and Naib-Tahsildar are Hindus. Of the two Sub-Inspectors of Police, one is a Hindu and one a Mohammadan. The Deputy Superintendent and Circle Inspector of Police and the majority of the lower ranks of that Department are Mohammadans.

The second part of the question does not arise.

GRANT OF JAGIRS IN THE AMBALA DIVISION.

1978. **Rana Firoz-ud-Din Khan :** (a) Will the Government please lay on the table a statement showing the persons in various districts of the Ambala Division who during the last three years were granted jagir or land by the local Government as a reward for their political services ?

(b) Will the Government also please state whether it is a fact :—

(i) that the Deputy Commissioner of Rohtak strongly recommended certain persons of his district for the grant of jagir or land for political services during the last three years; and

(ii) that their cases were not forwarded to the local Government by the Commissioner, Ambala Division ?

(c) If the answers to the above are in the affirmative, will the Government please give reasons for the Commissioner's withholding the recommendations ?

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

WATER SUPPLY AT DAJAL.

1979. **Shaikh Faiz Muhammad :** (a) Is Government aware that the condition of the drinking water supply at Dajal in the Dera Ghazi Khan District is not only precarious but also insanitary ?

(b) Is it a fact that the Dajal Municipal Committee has not got the necessary funds to improve the water supply ?

(c) Has the Government got prepared any scheme for improved water supply for Dajal Town ? If so, will it be pleased to lay on the table a statement showing the estimated cost of the scheme ?

(d) If the answer to the first part of (c) is in the affirmative, will the Government please say how it is proposed to finance the scheme ?

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

(b) Yes.

(c) The Sanitary Engineer to Government at the request of the municipal committee of Dajal, drew up in 1921 a rough project of a scheme estimated to cost Rs. 82,765. The municipal committee decided however not to adopt the scheme but to sink a tube well. The Sanitary Board at the request of the committee agreed to pay half the cost of the preliminary trial boring, but the committee refunded the money as it was unable to meet its share of the cost.

(d) The committee has not submitted any other proposals for the consideration of the Sanitary Board, but the Board is prepared to give liberal assistance to any approved project for increasing the water supply of this town.

EDUCATION OF AGRICULTURISTS IN THE D. G. KHAN DISTRICT.

1980. **Shaikh Faiz Muhammad** : (a) Will the Government kindly lay on the table a statement giving the following particulars regarding the Government High Schools in the Dera Ghazi Khan District :—

- (i) total number of students in each high school ;
 - (ii) number of agriculturists among them ;
 - (iii) number of non-agriculturists among them ;
 - (iv) amount of tuition fee realized in case of (ii) above ?
- (b) Is Government aware that backwardness of agriculturists in education in this district is due mainly to poverty ?
- (c) If so, does the Government propose to consider the desirability of totally exempting the sons of agriculturists from payment of tuition fee in the secondary department of all the Government schools in the district ?

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

PROVINCIALISATION OF BOARD INDUSTRIAL SCHOOLS.

1981. **Shaikh Faiz Muhammad** : (a) Will Government kindly state if it is intended to provincialize a number of Board Industrial Schools in the near future ?

(b) If the answer to (a) is in the affirmative, does the Government propose to consider the claims of the Dera Ghazi Khan Municipal Board Industrial School in this matter ?

The Honourable Rai Sahib Chaudhari Ohhotu Ram : (a) Yes.

(b) Yes.

TANNERY WORKSHOP AT SHAHDARA.

1982. **Chaudhri Afzal Haq** : (i) Will the Government be pleased to state if it is a fact—

- (a) that Government started a tannery workshop at Shahdara ;
- (b) that the Managing Director appointed the subordinate staff on three months' probation ;
- (c) that the Managing Director after the expiry of 3 months recorded to the effect that all the probationers had been working satisfactorily ;
- (d) that after a week or two after this recording, some of the subordinates received notice that they would be discharged after ten days ; and
- (e) that some subordinates left the service because they did not get their pay regularly ?

(ii) If the answers to the above are in the affirmative, will the Government be pleased to state what steps they are going to take to see that such things do not recur in the Shahdara Tannery ?

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

DEATH OF CATTLE IN ILAQA BAIT.

1983. Chaudhri Afzal Haq : (a) Is it a fact that nowadays cattle are dying in large numbers in ilaqa Beit, Tahsil Dasuha, District Hoshiarpur ?

(b) If so, will the Government be pleased to state what steps they are taking to remedy this state of affairs in that ilaqa ?

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

ISLAMIA HIGH SCHOOL, DASUHA.

1984. Chaudhri Afzal Haq : (i) Will the Government be pleased to state—

(a) if it is a fact that no building grant is given to the Islamia High School, Dasuha, District Hoshiarpur ;

(b) if it is a fact that the Islamia High School, Dasuha, has not been admitted to the grant-in-aid list in spite of the repeated applications of the school committee ;

(c) if it is a fact that this school belongs to a community which is backward in education in the province ; and

(d) if it is a fact that this school is the only Muslim school in the whole division which is supported by the rural Muhammadans ?

(ii) If the answers to (i) be in the affirmative, will the Government be pleased to state why this school has not been given the building grant or the grant-in-aid ?

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

(b) The school is aided up to the middle department, the question of aid to the high department is under consideration.

(c) Yes.

(d) No.

(ii) Does not arise.

COMPULSORY INOCULATION IN THE GURGAON DISTRICT.

1985. Rana Firoz-ud-Din Khan : (a) Is it a fact that a system of compulsory inoculation is prevailing in the Gurgaon District, and zaildars, sufaidposhes and lambardars, are compelled to sign agreements to get themselves and their relatives inoculated ?

(b) If so, what steps does Government propose to take to stop this compulsion ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

BUILDING OF A SARAI AT SADAR GURGAON.

1986. Rana Firoz-ud-Din Khan : (a) Is it a fact that it is proposed to build a sarai at Sadar Gurgaon to be called Brayne Sarai in memory of Mr. Brayne, the Deputy Commissioner ?

(b) Is it a fact that tahsildars and other officials are collecting funds for the building, and that three pice per rupee of the land revenue is

[Rana Firoz-ud-Din Khan.]

being realised from the zamindars against their will for this purpose by the Government officials ?

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

APPROPRIATION BY GOVERNMENT OF CERTAIN AREA IN VILLAGE WALI MOHAMMADPUR.

1987. Rana Firoz-ud-Din Khan : Is it a fact that an area in village Wali Mohammadpur in Gurgaon District was appropriated by Government without the consent of all the proprietors of the village in order to settle the population of another village Fotusnagar which was washed away by floods ? If so, under what authority did the Government so appropriate the area ?

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

DISPENSARIES AT HASANPUR AND DHARUJAR.

1988. Rana Firoz-ud-Din Khan : (a) Is it a fact that the dispensaries at Hasanpur and Dharuwar in the Gurgaon District are not being maintained by the District Board and the people have themselves to bear the expenses of the dispensaries ?

(b) If so, does the Government propose to take any steps to relieve the people of this burden and order the District Board to maintain these dispensaries ? If not, why not ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. The people have only supplied buildings for the dispensaries.

(b) Does not arise.

TAZIA PROCESSION IN VILLAGE GARHI HARCHARN.

1989. Rana Firoz-ud-Din Khan : (a) Will the Government please state if it is a fact—

(i) that during the last Muharram, *Tazias* were not allowed to pass through the usual route by the district authorities in the village Garhi Harcharn, Gurgaon District; and

(ii) consequently that *Tazias* were not taken out in procession as a protest and were buried after having been kept for over a fortnight ?

(b) If the answer to (a) above is in the affirmative, will the Government please state what steps it proposes to take this year to ensure that the religious susceptibilities of the Muslim community are respected ?

The Honourable Sir John Maynard : (i) No.

(ii) A dispute arose over the wish of the Muslims to adopt a route objectionable to the Hindus. A committee of arbitration was appointed to go into the matter, and finally the *tazias* followed a route which had been followed in previous years.

(iii) The route followed last year will be open to the *tazias* this year.

APPOINTMENTS IN THE DEPARTMENT OF INDUSTRIES.

1990. Khan Muhammad Abdullah Khan : (a) Is it a fact that executive, ministerial and menial appointments in the Department of Industries, Punjab, are monopolised by the Hindus ? Will the Government kindly lay a statement showing the number of employees in that department according to the different communities, their names, their educational qualifications, date of first joining the Government service as given in their service books, their present grade and pay ?

(b) Is it a fact that vacancies in that department are advertised only in Hindu papers ? If so, what arrangements are made to inform the Muslim communities of the vacancies ?

(c) Is it a fact that the second advertisement regarding the post of Boiler Inspectors recently created was sent to the *Tribune*, but not to the *Muslim Outlook* ? If so, why ?

(d) Is it a fact that the advertisements regarding commencement of the next session of the Government Dyeing School, Shahdara, appeared in the *Tribune*, but not in the *Muslim Outlook* ? If so, what arrangements were made to bring this fact to the notice of the Muslims, especially dyers, majority of whom are Muslims ?

(e) Will the Government kindly lay a statement on the table showing the names of papers with the number of advertisements sent to each of them by that department during the last two years ?

(f) Is it a fact that in the Industries Department, Hindus possessing lower educational qualifications are holding responsible clerical posts, while Muslims possessing higher educational qualifications and having a longer period of service at their credit have not been appointed to those posts ?

(g) Is it a fact—

(i) that all the four Boiler Inspectors are non-Muslims ;

(ii) that the age limit fixed for entering the Government service generally is 25 years ;

(iii) that the age limit was fixed at 30 in respect of the candidates for the posts of the Boiler Inspector recently created ? If so, why ? Will the Government kindly lay a statement on the table showing the names of the officials in the Industries Department with their present designations who joined Government service at the age of over 25 years ?

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

HEADMASTER, GOVERNMENT RAILWAY TECHNICAL SCHOOL, LAHORE.

1991. Khan Muhammad Abdullah Khan : Is it a fact that the Headmaster, Government Railway Technical School, Lahore, (to which no Government Boarding House is attached) has been provided with quarters free of rent and free of electric charges ? If so, under what circumstances are rent and electric charges for lights and fans not recovered from him ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The provision of free quarters, but not of a free supply of electricity, for the Head-

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master of the Government Railway Technical School at Lahore, has been sanctioned, on account of the long hours observed which make it advisable for the Headmaster to reside on the premises.

SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR OF INDUSTRIES.

1992. Khan Muhammad Abdullah Khan : Is it a fact that the grade of pay of the Superintendent of the office of the Director of Industries is Rs. 300—400, while that of the Superintendents of the offices of the Director of Agriculture, Director of Land Records, and the Registrar of Co-operative Societies is Rs. 250—360 ? If so, what are the reasons for this difference ? Does the Government propose to consider the advisability of fixing a uniform grade for the Superintendents of all those offices ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The grades of pay of the Superintendents of the offices referred to are :—

	Rs.
Superintendent, Director of Industries' office ..	300—20—400
Superintendent, Director of Agriculture's office	300—20—400
Superintendent, Director of Land Records' office	250—10—350
Superintendent, Registrar, Co-operative Societies' office ..	200—10—300

It is impracticable to fix a uniform grade of pay for Superintendents in the different offices under Government, as the responsibility attaching to the different posts, as also the volume of work, varies.

LYALLPUR MUNICIPAL COMMITTEE.

1993. Lala Bodh Raj : (a) With reference to the reply to question No. 1456* asked on the 5th March 1925, will the Government please state if the draft rules regarding the qualifications of members of the Lyallpur Municipality have since been adopted by the Government ? If not, will the Government please state the reasons for the delay ?

(b) Will the Government please state if any proposals for the constitution of wards of the above committee have since been received by Government ? If not, what are the reasons for the delay ?

(c) Will the Government please state the reasons for the delay in the election of new members for the said committee ?

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

Lala Bodh Raj : Will the Government please state why the answer is not yet ready ?

The Honourable Mian Sir Fazl-i-Husain : As the Honourable Member must have realised, the question involves enquiry from local officers and that has to take time.

VACANCY IN THE LYALLPUR MUNICIPAL COMMITTEE.

1994. Lala Bodh Raj : With reference to the reply to question No. 1457† asked on the 5th March last, will the Government please state how long the seat of Khwaja Abdul Rahman Ghazi in the Lyallpur Municipal Committee has been vacant ?

*Page 273 ante.

†Page 276 ante.

The Honourable Mian Sir Fazl-i-Hussain : The information required by the Hon'ble Member is contained in the reply to the question to which he refers.

TREATMENT OF HAKIM ABDUL JALIL OF PESHAWAR.

1995. Lala Bodh Raj : (a) With reference to the reply to question No. 1869* asked on the 7th May 1925 will the Government please state if any action was taken on the report of the enquiry committee? If so, what was the action taken?

(b) Will the Government please state if the result of the enquiry was communicated to the authorities of the Central Jail, Multan?

The Honourable Sir John Maynard : (a) No action was taken.

(b) No.

Lala Bodh Raj : Will the Government please state why no action was taken?

The Honourable Sir John Maynard : No action was considered necessary.

Lala Bodh Raj : Will the Government please state why the enquiry committee was appointed?

The Honourable Sir John Maynard : In order to ascertain facts.

ALLEGED ILL-TREATMENT OF AKALI PRISONERS IN THE CENTRAL JAIL, MULTAN.

1996. Lala Bodh Raj : Will the Government please state if any *Press communiqués* were issued by the Government concerning the alleged ill-treatment of Akali prisoners in the Central Jail, Multan? If so, will the Government please lay them on the table?

The Honourable Sir John Maynard : *Communiqués* of the 19th May 1923 and the 21st May 1923 are laid on the table.

PRESS COMMUNIQUE.

Repeated complaints have been made in the Press with regard to the treatment of Akali prisoners in the Central and District Jails at Multan. In consequence of these complaints Government ordered a magisterial inquiry by a Magistrate of the 1st class whose report has now been received. His conclusions are as follows :—

"The facts discussed above as regards both Jails show clearly that the cause of the complaint is that the Jail authorities after waiting patiently have made their arrangements to get proper tasks done by the Akalis and this the Akalis resent. Their defiant attitude disclosed from the statements of the prisoners shows that they believed themselves to be above Jail rules. I noticed that about 15 seers of corn was the usual task in grinding allotted to healthy and robust Akalis in the camp chakkis. In the beginning the Superintendent, Central Jail allotted nearly double the number of Akalis for the well-pump labour, but after the strike he reduced it to the ordinary number usually allotted for this task. According to Jail rules Akalis under sentences of rigorous imprisonment are liable to Jail labour in the same way as the ordinary convicts, yet in spite of this the Jail authorities treated the Akalis leniently until their defiant attitude could not be brooked any longer. The facts show definitely that the visit of the Inspector-General, Prisons, has nothing to do with any treatment of Akalis."

His conclusions are endorsed by the Deputy Commissioner and by the Commissioner and are fully accepted by Government. The Deputy Commissioner has made independent inquiries from Sikh residents of Multan and their statements support the conclusion that the allegations of ill-treatment are based solely on the legitimate steps taken to compel recalcitrant prisoners to perform the tasks prescribed in the Jail Manual. The only unusual punishment inflicted was that cold water was sometimes poured on the heads of violent prisoners and instructions have been issued to prevent any further infliction of this unauthorised punishment. But the stories of ducking prisoners in cisterns are, according to the Magistrate's report, disproved by the fact that the cisterns are not deep enough for men to be ducked in them.

[Hon. Sir John Maynard.]

97 prisoners in the Central Jail and 8 in the District Jail were released on furnishing a promise of good behaviour; and some of these men appear to have invented stories of maltreatment in order to justify their acceptance of conditional release. It is significant that the majority of the apologies were made by prisoners in the Central Jail where fewer punishments were imposed because the tasks were being fully performed, whereas in the District Jail the prisoners, who had been transferred from the Montgomery Jail, consistently refused to complete their tasks and consequently were subjected to stricter treatment. If the apologies had been extorted by severe treatment, the larger number might have been expected to come from the District Jail. A Sikh contractor has informed the Deputy Commissioner of a case which occurred on the 15th April when two Akalis were released in his presence from the Central Jail and told him that they had been well treated. The same evening they appeared at a public meeting in Multan, apparently after they had been approached by other Akalis, and told tales of horrible ill-treatment. The stories of prisoners having their thumb-impressions affixed on apology forms after being beaten to unconsciousness are clearly disproved by the fact that they supplied the names of their fathers and their correct addresses, particulars which were unknown to the jail authorities.

Attested.

I. SALT,

Junior Assistant Secretary to Government, Punjab.

Smsb ;

The 19th May 1923.

PRESS COMMUNIQUE.

With reference to the communication of the Shiromani Gurdwara Parbandhak Committee which appeared in the "Khalsa Advocate" of the 27th April 1923 and possibly in other papers the following report is published for general information:

"Ladar Singh, the son of Punjab Singh, Village Buri, Thana Khumrawala, District Lyallpur, was first confined in the Attock Jail and was received in the Multan Central Jail on 25th February 1923. He was admitted to hospital on 2nd March 1923 for chronic malarial cachexia. On 24th March he asked to be released on signing the usual promise to be of good behaviour. He was very weak and still in hospital. The Superintendent, therefore, sent another released Akali, one Hazara Singh, with him to his village. He was despatched in a tonga from the jail to the railway station and was given Rs. 2 for subsistence allowance in addition to a railway pass to Sangla."

The story of his having been mercilessly belaboured in jail until he became senseless is absolutely false.

Attested.

I. SALT,

Junior Assistant Secretary to Government, Punjab.

Smsb ;

The 21st May 1923.

UNAUTHORISED PUNISHMENTS IN THE CENTRAL JAIL, MULTAN.

1997. Lala Bodh Raj: Will the Government please state if any special instructions were issued to the authorities of the Central Jail, Multan, asking them to refrain from inflicting any unauthorised punishment in future as referred to in *Press communiqué*, dated the 19th May 1923?

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

Professor Buchi Ram Sahni : Will Government please take the necessary action to see that answers to questions are ready in time ?

Mr. President : That is not a supplementary question.

REVISION OF SCALE OF PAY AND PENSION RULES

1999. Lala Bodh Raj : Will the Government please state whether in consequence of the revision of the scales of pay of the Government officials in or about the year 1921, any changes were made in the rules for the grant of pension ?

If so, will the Government please state the changes so made ?

The Honourable Sir John Maynard : Certain changes were made in the pension rules in November 1919 in consequence of the recommendations of the Royal Commission on the Public Services in India and these are embodied in article 474-A of the Civil Service Regulations. It is understood that the reference to the revision of the scales of pay of Government officials in or about the year 1921 is to the revisions which took place as a result of the recommendations of the Commission named above. No change of principle has occurred in the pension rules beyond that referred to above by reason of the revisions of pay which took place in 1920 and 1921.

ROAD CROSSING THE GHAGGAR RIVER NEAR MUBARIKPUR

1999. Rai Sahib Lala Ganga Ram : (i) (a) Is it a fact that a separate *Kachcha* road has been constructed by Government temporarily to cross the Ghaggar river near Mubarikpur, District Ambala, exclusively for the use of motor cars ?

(b) If so, will the Government be pleased to state the amount of expenditure spent on it during the year 1924-25 ?

(ii) (a) Is the Government aware that the road constructed for other kinds of traffic is totally in a neglected condition ?

(b) If so, does the Government propose to repair it and maintain it in good condition ? If not, what arrangements does it propose to make for facilitating the other kinds of traffic ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (i) (a) Yes, as has been the practice for several years.

(b) The amount expended during 1924-25 exclusively on the motor track was 1,579.

(ii) (a) To keep a track, subject to the constant wear and tear of heavy cart traffic, across a sandy river bed up to the standard of a track used by light traffic only would cost a considerable sum of money. The method employed in maintaining the present track has been in vogue for many years and during 1924-25 a sum of 2,741 was spent on the upkeep of this track in renewing the temporary surfacing of grass and palm branches.

(ii) (b) Does not arise.

PURCHASE BY THE PUBLIC WORKS DEPARTMENT, AMBALA OF BUILDING MATERIALS FROM DELHI.

2000. Rai Sahib Lala Ganga Ram : (a) Is it a fact that the Public Works Department, Ambala Division, purchases building materials for its requirements from Delhi at a very high rate as compared with the rates prevailing at Chandigarh, Ambala District ?

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

The Honourable Rai Sahib Chaudhri Ohhotu Ram : If the honourable member will specify the particular materials he has in mind, their relative prices in Delhi and Chandigarh will be investigated, and if as a result of this investigation it is found that these materials can be purchased at more favourable rates at Chandigarh Government will be only too glad to purchase them from Chandigarh provided they are of equally good quality.

OVERSEERS AND SUB-OVERSEERS TRANSFERRED FROM THE AMBALA DIVISION.

2001. Rai Sahib Lala Ganga Ram : (a) Will the Government please lay on the table a list of the subordinates, i.e., overseers and sub-overseers transferred from the Ambala Division during the period from January 1924 to May 1925 ?

(b) Will the Government please state the number of road inspectors dismissed during the above period in the said division as well as the reasons for their dismissal ?

The Honourable Rai Sahib Chaudhri Ohhotu Ram : (a) The number of Overseers and Sub-Overseers transferred from the Ambala Provincial Division during the period January 1924 to May 1925 is

Overseers	..	2
Sub-Overseers	..	..

(b) Ten Road Inspectors were dismissed in the Ambala Provincial Division during the period January 1924 to May 1925 for the following reasons:—

For repeated bad work	..	..	7
For making false measurements	..	..	2
For being medically unfit	..	..	1

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

2002. Chaudhri Afzal Haq : (a) Is Government aware of the fact that the Bombay and Delhi Governments have very recently decided to give Government advertisements to all newspapers irrespective of their political creed ?

(b) Will the Government be pleased to say whether they have similarly decided to give advertisements to newspapers in the province irrespective of their political creed ?

The Honourable Sir John Maynard : (a) No.

(b) Political creed is not the consideration which determines the giving of advertisements.

Chaudhri Afzal Haq : Is it not a fact that the Daily "Zamindar" and the "Bande Matram" do not get Government advertisements on that account?

The Honourable Sir John Maynard : I think it is very probable that they do not.

Chaudhri Afzal Haq : And the reason for that?

The Honourable Sir John Maynard : Certain newspapers which have signalised themselves by being particularly virulent in their attacks on Government are excepted.

Chaudhri Afzal Haq : In the light of the statement will Government be prepared to again give the answer?

The Honourable Sir John Maynard : No, Sir.

GOVERNMENT INDUSTRIAL SCHOOLS.

2003. Chaudhri Afzal Haq : (a) Will the Government be pleased to state the total number of Government Industrial Schools and the description of the industry which is taught in each of the schools?

(b) Is it a fact that all Government weaving schools in the province have proved a failure? If so, why?

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

INDEBTEDNESS OF THE MUSLIM ZAMINDARS.

2004. Chaudhri Afzal Haq : (a) Is it a fact that the average debt of a Muslim zamindar in the Hoshiarpur and Ludhiana districts is 23 times the land revenue he pays annually?

(b) If so, has the Government ascertained the reasons for this great indebtedness on the part of the Muslims? If so, what are they?

(c) What steps has the Government taken to relieve the Muslims of their indebtedness?

(d) Is Government aware that Khan Gulam Ahmad Khan, E.A.C., while in Hoshiarpur 20 years ago formed zamindar committees in all important towns to stop extravagance on the part of the zamindars at marriage and death ceremonies; and that these committees did much useful work by way of preventing the indebtedness of the zamindars?

(e) Is it also a fact that these committees did not receive any sympathy or support from Government?

(f) Does the Government propose to consider the desirability of renewing these societies for the benefit of the zamindars?

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

INSPECTION STAFF OF THE CO-OPERATIVE DEPARTMENT.

2005. Chaudhri Afzal Haq : (a) Is it the practice of the Co-operative Department to appoint Sikh, Hindu and Muhammadan inspecting staff in proportion to the number of their respective communal societies ?

(b) If so, will the Government be pleased to state the number of Muslim and non-Muslim credit societies and the corresponding number of Muslims and non-Muslim Deputy Registrars ?

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

INDEBTEDNESS OF MUHAMMADANS IN THE PROVINCE.

2006. Chaudhri Afzal Haq : (a) Is it a fact that the estimated debt of the Muhammadan community in this province is more than 60 crores of rupees ?

(b) If so, will the Government be pleased to state what special steps they are taking to save the Muslim community from this enormous debt ?

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

MEASURES FOR THE PREVENTION OF CORRUPTION.

2007. Chaudhri Afzal Haq : With reference to the Hon'ble the Finance Member's undertaking of the 17th March last, in connection with the debate on a nominal cut of Re. 1 in the demand for the police grant, that he would take into consideration the various suggestions made in the course of the debate for the prevention of corruption, will the Government be pleased to state whether it has since taken up the consideration of the suggestions ?

The Honourable Sir John Maynard : Yes. The various suggestions made in the course of the debate are under consideration, and it is proposed to assemble a committee of officials and non-officials to advise Government.

SALE OF LANDS BY MUHAMMADAN ZAMINDARS.

2008. Chaudhri Afzal Haq : (a) Will the Government be pleased to state if it is a fact that large tracts of land have been sold by the Muhammadan zamindars of the province to the zamindars of other communities ?

(b) Will the Government be pleased to lay on the table a statement showing the area of lands that have been sold by the Muslim zamindars to other communities and *vice versa* ?

(c) If Government has not got such statistics at present, is it prepared to prepare them now ?

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

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

2009. Chaudhri Afzal Haq : Will the Government be pleased to state how much sum was paid to different newspapers in the province by way of cost of Government advertisements by the civil and criminal courts of the Amritsar, Lahore, Hoshiarpur and Ludhiana districts in the year 1924 ?

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

KARTARPUR MUNICIPALITY.

2010. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (i) the total population of Hindus and Muhammadans respectively in the Kartarpur Municipality, District Jullundur ;
- (ii) the number of Hindu and Muhammadan voters in the municipality ;
- (iii) the number of Hindu and Muhammadan elected members of the municipality ; and
- (iv) the number of Hindu and Muhammadan nominated members of the municipality ?

The Honourable Mian Sir Fazl-i-Husain :

(i) Hindus and others	5,180
Muslims	3,332
(ii) Hindus and others	1,686
Muslims	619
(iii) Hindus	6
Muslims	Nil.
(iv) Hindus	3
Muslims	Nil.

Chaudhri Afzal Haq : Will Government please state why no Muhammedans were nominated ?

The Honourable Mian Sir Fazl-i-Husain : That is a matter which needs notice.

FERRY TOLL IN THE KANGRA DISTRICT.

2011. Chaudhri Ram Singh : Will the Government please say whether the ferry toll has been increased throughout the Punjab or only in the Kangra district ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The maximum rates prescribed by Government have been increased throughout the Punjab.

Chaudhri Ram Singh : Is it the same all over the Punjab ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The maximum is the same.

CULTIVATORS' STRIKE IN THE PALAMPUR AND KANGRA TAHSILS, KANGRA DISTRICT.

2012. Chaudhri Ram Singh : (a) Is Government aware that Ghirth cultivators of several villages in the Palampur and Kangra Tahsils of the

[Chaudhri Ram Singh.]

Kangra district have struck work and refused to till the lands of their owners ?

(b) If so, has the Government considered the advisability of exempting these owners of lands from payment of land revenue as long as the lands continue to remain uncultivated ? If so, with what result, and if not, does it propose to do so now ?

(c) Has the Government considered the advisability of allowing the criminal tribes to cultivate these lands on behalf of the landowners ? If not, will they do so now ?

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

ALLEGATIONS AGAINST THE SUB-INSPECTOR OF POLICE AT PATTOKI, LAHORE DISTRICT.

2013. Rai Sahib Lala Ganga Ram : (a) Is it a fact that various representations were made to the D. I. G. of Police, the Deputy Commissioner, Lahore and to Government by telegram or otherwise by the Sanatan Dharam Sewa Samiti and others containing certain allegations against the present Sub-Inspector of Police at Pattoki, District Lahore ?

(b) If so, what action was taken on those representations ? If any enquiry was made, will the Government please say by whom the enquiry was made and with what result ?

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

SALE PRICE OF COUNTRY SPIRIT IN THE PUNJAB.

2014. Lala Nihal Chand Sikri : (a) Is it a fact that the Punjab Government has fixed the rate of country spirit to be sold by the distilleries in the Punjab at over two rupees per gallon ?

(b) Is it also a fact that Unao Sugar Works and Distillery offered to supply at Rs. 1-4-0 f. o. r. Lahore ?

(c) If so, will the Government please explain why the lower price quoted by the Unao Sugar Works and Distillery has not been accepted ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) No. The maximum price fixed at present is Rs. 2.

(b) There is no record of such offer having been received by Government.

(c) Does not arise.

Captain Dhan Raj Bhasin : Will Government accept if a lower rate is offered now ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : When the offer is made, it will be considered.

Captain Dhan Raj Bhasin : Will Government be pleased to extend its cordial relations with other distilleries also ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : No.

Captain Dhan Raj Bhasin : Will Government give reasons for not doing so ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Because the historical connection is lacking.

SALE OF RUM, GIN, ETC., IN THE PUNJAB.

2015. Lala Nihal Chand Sikri : (a) Is it a fact that of the distilleries in the U. P. only Rosa Distillery is allowed to sell rum, gin and rectified spirit in the Punjab while other distilleries are not so allowed?

(b) If the answer to (a) is in the affirmative, will the Government please explain the reason for the preferential treatment?

The Honourable Rai Sahib Chaudhri Ohhotu Ram : (a) Yes.

(b) The reason is purely historical, being based on the long-standing relations of the Rosa Distillery with this Province.

GRANT-IN-AID TO COLLEGES, ETC.

2016. Chaudhri Duli Chand : (a) Will Government kindly lay on the table the rules regarding grant-in-aid to colleges and J. A. V. and S. A. V. schools in the Punjab? Will Government be also pleased to lay on the table a statement in the following form giving particulars relating to aided colleges in the Punjab?

Name of aided college.	Denomination to which it belongs.	Number of students.	Name of Classes affiliated.	Amount of present grant-in-aid.	Remarks if any.

The Honourable Mian Sir Fazl-i-Hussain : There are no such rules, but lump grants have been given to certain colleges and the J. A. V. classes attached to them. Particulars asked for, subject to modifications are laid on the table.

Serial No.	Name of aided colleges.	Denomination to which it belongs.	Number of students.	Name of classes affiliated.	Amount of present grant-in-aid.	Remarks.
1	Forman Christian College, Lahore.	Christians	823	M. A. standard.	20,000	
2	Islamic College, Lahore	Muhammedans.	635	Do.	50,000	
3	Khalsa College, Amritsar.	Sikhs	513	Do.	50,000	
4	Sanatan Dharma College, Lahore.	Hindus	303	Do.	12,000	
5	Gordon College, Rawalpindi.	Christians	182	B. A. standard.	12,000	
6	Murray College Sialkot	Do.	236	Do.	8,000	
7	Kinnaird College, Lahore.	Do.	38	Do.	4,800 plus Rs. 100 for J. A. V. classes.	

EMPLOYMENT OF HINDU JATS IN GOVERNMENT SERVICE.

2017. Chaudhri Duli Chand : (a) Will Government be pleased to lay on the table all the circulars regarding the increased employment of Hindu Jats in Government service ?

(b) Has Government received complaints that these circulars are not being strictly followed by all the Government departments ?

(c) If so, what steps does Government propose to take to enforce the strict observance of these circulars ?

Mr. E. D. Craik : (a) Copies of Punjab Government Circular letters Nos. 1489-H. (Genl., and 16669-H. (Genl., dated 8th November 1915 and 31st May 1922, respectively are laid on the table.

(b) No.

(c) Does not arise.

CLERKS IN THE CIVIL SURGEONS' OFFICES, PUNJAB.

2018. Chaudhri Duli Chand : (a) Is it a fact that clerks on the establishment of district offices who previous to the revision of 1919 were in the Deputy Commissioners' offices as local fund Moharrirs, district board Moharrirs or municipal Moharrirs and were paid from local funds have been allowed to count their service in that capacity previous to 1919 towards the increment in the lowest grade, i.e., 30-14-60-2-70 and 40-2-80-2-90 ?

(b) If so, does Government propose to issue similar orders in respect of the clerks of the Civil Surgeons' offices in the Punjab who were also paid by the local bodies up to 1916 when their services were provincialised ? Does Government also propose to allow such clerks of the Civil Surgeons' offices to count their services before 1916 towards increment in the two lower grades of 30-14-60-2-70 and 40-2-80-2-90 ? If not, will it kindly state the reasons ?

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

(b) Is under consideration.

ELECTIONS TO THE HISSAR DISTRICT BOARD.

2019. Chaudhri Sahib Dad Khan : (a) Is it a fact that the Deputy Commissioner, Hissar, held an enquiry into the case relating to the tampering with the nomination paper of a candidate in connection with the recent elections to the Hissar District Board ?

(b) Is it also a fact that during the enquiry, the Deputy Commissioner found many irregularities in the election of members to the District Board ?

(c) Will the Government please lay on the table the report of the Deputy Commissioner on the subject and also any resolution passed by the District Board on the subject ?

(d) Will the Government please say what action it proposes to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

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

FAILURE OF CERTAIN CLASSES OF PROSECUTIONS IN THE HISSAR DISTRICT.

2020. Chaudhri Sahib Dad Khan : (a) Has the attention of Government been drawn to the fact that no prosecution against Hindus for murdering the Muhammadans has been successful in the Hissar District during the past ten years ?

(b) If so, has the Government enquired into the causes of such failures ? If so, what are those causes and what remedial measures has it taken in this respect ?

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

CERTIFICATE OF BIRTHS AND DEATHS.

2021. Chaudhri Sahib Dad Khan : (a) Will the Government be pleased to state whether its attention has been drawn to the fact that much difficulty is experienced by the public in getting certificates of birth or death from the office of the Civil Surgeon, Hissar ?

(b) If so, what action has the Government taken to remedy this state of things ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

AMALGAMATION OF THE REVENUE AND CANAL DEPARTMENTS.

2022. Chaudhri Sahib Dad Khan : (a) Is it a fact that owing to the amalgamation of the Revenue and Canal Departments there is a general complaint of the short supply of canal water in the Hissar district ?

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

COMPLAINTS AGAINST KARTAR SINGH, SUB-INSPECTOR OF DALWALI, SIRSA TAHSIL.

2023. Chaudhri Sahib Dad Khan : (a) Is it a fact that certain complaints have been made to Government or to its subordinates against Kartar Singh, Sub-Inspector of Dalwali, Sirsa Tehsil ?

(b) If so, when were these complaints made and what is being done with them ?

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

1 QUALIFICATIONS OF PUNCHES UNDER THE VILLAGE PANCHAYAT ACT.

2024. Chaudhri Sahib Dad Khan : (a) Is it a fact that in the village of Balyali, Hansi Tahsil, there are educated people and people holding ranks such as Honorary Lieutenant, Risaldar and Subedar Major who cannot serve in the Panchayats because they do not possess the requisite qualification, namely the payment of a land revenue of Rs. 15 or more prescribed for punches under the Village Panchayat Act ?

(b) If so, does the Government propose to revise the rules relating to the qualifications of members of Panchayats so as to admit of people referred to in (a) above being eligible to serve in panchayats ?

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

LANDS ALLOTTED FOR VARIOUS PURPOSES IN THE VARIOUS CANALS IN THE PUNJAB.

2025. Lala Mohan Lal : Will the Government be pleased to lay on the table of the Council a statement containing the following information, and where possible by communities (*viz.*, Hindus, Sikhs, Mussalmans and Christians), in regard to each of the canal colonies, *viz.*, Upper Bari Doab, Lower Bari Doab, Upper Chenab, Upper Jhelum, and Lower Jhelum :—

(a) the total area allotted from the opening of these canals up to date :—

(i) Cavalry Abadkar Ghoripals, (ii) Abadkar Ghoripals, (iii) Cavalry Safedposh Ghoripals, (iv) Private stud farm grantees, (v) Infantry grantees, (vi) Safedposh Ghoripals, (vii) Civil grantees, (viii) Janglee grantees, (ix) depressed classes, (x) Police reward grants, (xi) recruiting grants, (xii) miscellaneous grantees, (xiii) Army Remount, (xiv) Regimental Stud farms, (xv) Seed farms, (xvi) Proprietary grants, (xvii) Towns, (xviii) Landed gentry grants, (xix) American cotton growing grants ;

(b) the total area allotted for sale by auction and actually sold by Government from the opening of each of these canals up to date ;

(c) the total area allotted for irrigated forests up to date ;

(d) the total area of land reserved for pasture purposes up to date ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : The information asked for is not available.

SUBORDINATE EDUCATIONAL SERVICE.

2026. Lala Mohan Lal : (a) Will the Government be pleased to state if it is a fact that the Hon'ble Minister for Education early in 1921 issued to the Director of Public Instruction, Punjab, for his guidance, some instructions in which principles were laid down for filling up vacancies in the five different grades of the Punjab Subordinate Educational Service ?

(b) If so, will the Government be pleased to lay a copy of those instructions on the table of this Council ?

The Honourable Mian Sir Fazl-i-Husain : Not to his recollection, but if the Hon'ble Member gives more details he will try to search for them.

Lala Mohan Lal : I wanted the reply in yes or no. The Education Department must have issued a circular.

The Honourable Mian Sir Fazl-i-Husain : No circular was issued. This was not the question.

PUNITIVE POLICE TAX IN KOT FATOOHI.

2027. Captain Dhan Raj Bhasin : (a) Will the Government be pleased to state if it is a fact that lamboardars and other persons appointed for the collection of the punitive police tax in Kot Fatoohi, Hoshiarpur district, realised from certain persons greater amount than that entered against them in the punitive police tax list ?

(b) Is it also a fact that the collectors of the tax realised the tax from certain persons whose names did not appear in the list ?

(c) If the answers to (a) and (b) are in the affirmative, will the Government please say whether they were so authorised to collect the tax ?

(d) If the reply to (c) is in the negative, what action has the Government taken against its servants concerned ?

(e) Will the Government please say whether the excess tax referred to in (a) and (b) were deposited in the Government treasury ? If not, what action does the Government propose to take in the matter ?

(f) Does the Government propose to refund to the persons concerned the excess tax collected from them ?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready. Sir, there have been several of my questions to which I have not given any answers. I should like to explain to the House that this is due to the fact that in a great many cases a considerable amount of statistical information was asked which took time to collect.

EMBEZZLEMENT OF GOVERNMENT MONEY AT WARIAM CANAL.

2028. Captain Dhan Raj Bhasin : (a) Is it a fact that a case of embezzlement of Government money at Wariam Canal, District Jhang, was brought to the notice of the Superintendent of Police, Jhang, in 1920 ?

(b) Is it also a fact that the same case of embezzlement was again brought to the notice of the Superintendent of Police, Jhang, in the beginning of 1925 ?

(c) Is it also a fact that several reminders have been sent to the Superintendent of Police, Jhang, in this connection ?

[Capt. Dhan Raj Bhasin.]

(d) If the replies to clauses (a), (b) and (c) be in the affirmative, will the Government be pleased to state if any action has been taken in the matter so far?

(e) If reply to clause (d) be in the negative, will the Government kindly state its reasons for not doing so?

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

FINANCES OF THE GURGAON DISTRICT BOARD.

2029. Rana Firoz-ud-Din Khan: (a) Is the Government aware that there is a large deficit in the budget of the Gurgaon District Board? If so, has the Government ascertained the causes thereof? If so, what are the causes of the deficit?

(b) What action has the Government taken to get the deficit reduced?

The Honourable Mian Sir Fazl-i-Husain: (a) (i) No.

(a) (ii) and (iii) and (b) Do not arise.

PURCHASE OF SEED GRAINS BY THE GURGAON DISTRICT BOARD.

2030. Rana Firoz-ud-Din Khan: (a) Is it a fact that a sum of Rs. 50,000 was granted by the Gurgaon District Board to the Agricultural Assistant for the purchase of seed grain?

(b) Was the sanction of the Commissioner obtained for this grant?

(c) Is it a fact that accounts were not called for till after a long period, and that no accounts exist in respect of a portion of this sum?

(d) If so, what steps does Government propose to take to prevent such unauthorised expenditure in future?

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

" RAJA " PLOUGHS IN THE GURGAON DISTRICT.

2031. Rana Firoz-ud-Din Khan: (a) Will the Government please state how many " Raja " ploughs were purchased in the Gurgaon district during the last three years?

(b) What is the price of a " Raja " plough?

(c) Is it a fact that the peasants of the Gurgaon district are heavily in debt and cannot afford to buy such a costly plough?

(d) Is it a fact that it was under official pressure that the cultivators were compelled to purchase the " Raja " plough?

(e) If so, does the Government propose to take effective steps to stop this practice?

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

DEMOLITION OF MOSQUES IN THE GURGAON DISTRICT.

2032. Rana Firoz-ud-Din Khan : (a) Is the Government aware that the mosques at Boborakalan, Ghorī, Pirthala and Sadar Gurgaon, in the Gurgaon District, were forcibly demolished wholly or in part during the last three years by the Non-Muslims ?

(b) What action, if any, was taken by the district authorities to protect the places of worship ?

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

DEPUTY COMMISSIONER, HOSHIARPUR.

2033. Lala Bodh Raj : (a) Will the Government be pleased to state if it is a fact that the Deputy Commissioner, Hoshiarpur, does not hold his court for several days together, and whenever he holds his court, he holds it in his own bungalow, or in the District Board Hall or in a tent specially pitched for the purpose ?

If the reply to the above question be in the affirmative, will the Government be pleased to state if he is permitted to hold his court as stated above ?

(b) Will the Government be pleased to state the number of revenue appeals pending in the court of the Deputy Commissioner, Hoshiarpur, and the duration for which they have been pending ?

(c) (i) Will the Government be pleased to state if it is a fact that the Deputy Commissioner, Hoshiarpur, has recently been lying ill at his house and doing no work, and has not obtained the necessary leave from the Government ?

(ii) Will the Government be pleased to state if it is prepared to enquire as to how many days in the months of February, March and April, the Deputy Commissioner has worked in the office ?

(d) (i) Will the Government be pleased to state if it is a fact that the Deputy Commissioner, Hoshiarpur, has been given an extension of service for six months ?

(ii) If the reply to the above be in the affirmative, will the Government be pleased to state the grounds on which this extension has been granted ?

Mr. H. D. Craik : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

KANHYA LAL, WARDER, CENTRAL JAIL, MULTAN.

2034. **Lala Bodh Raj :** (a) Is it a fact that one Kanhya Lal, warder, Central Jail, Multan having embraced Sikhism began to wear *kirpan* as enjoined by his religion ?

(b) Is it a fact that he sent an intimation of the above fact in writing to the jail authorities and the District Magistrate, and also offered to resign his service in case he could not be kept because of his becoming an Akali ?

(c) Is it a fact that he was ready to go on duty with *kirpan*, and while entering the jail gate he was stopped and his *kirpan* taken off from him by force without his consent ?

(d) Is it also a fact that a case of smuggling arms into the jail was then started against him which was later on withdrawn ?

(e) Is it a fact that after the withdrawal of the case a charge sheet has been served on him by the Superintendent asking him to explain why he was taking *kirpan* inside the jail and why he refused to go on duty without *kirpan* on ?

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

UNDER-TRIAL PRISONERS AND HAND-CUFFS.

2035. **Lala Bodh Raj :** (a) Is it a fact that the under-trial prisoners while attending the courts at the time their cases are being conducted are not freed from hand-cuffs and other restraints of the police ?

(b) Is it a fact that instructions have been issued to the subordinate courts to get the hand-cuffs of the under-trial prisoners removed while they are in court and within its jurisdiction ?

The Honourable Sir John Maynard : (a) Only the prisoners mentioned in Police Rules 26-24, are handcuffed while on the way to Court. Under Police Rules 27-9 (2) the handcuffs are not removed in Court, unless the presiding officer so directs.

(b) The issue of instructions to subordinate courts is at the discretion of the High Court, not of Government.

Lala Bodh Raj : Is Government aware of the fact that instructions referred to in part (b) of my question have been issued by the High Court to the Subordinate Courts ?

The Honourable Sir John Maynard : No, Sir. I am not aware of the fact.

THE SIKH GURDWARAS BILL.

Sardar Tara Singh [Ferozapore (Sikh), Rural]: Sir, I beg to move—

“That the Sikh Gurdwaras Bill as reported by the Select Committee be taken into consideration.”

At the time of the presentation of the report of the Select Committee on 20th May 1925 on the floor of this House, I purposely refrained from discussing the changes that were made in the Bill and I did so for some reasons though I know that I had to my great regret disappointed the honourable members of the House and the respected audience in the visitors' gallery, who naturally expected me to say something on that occasion. Before I proceed with the brief description of the changes that have been effected in the Bill, you, will excuse me Sir, if I discharge another more important duty which is long since due from me. I must

11 A.M. take up this first opportunity to congratulate the members of the Select Committee for the good will, cordiality and expedition which they have brought to bear on their deliberations of such an historic and momentous piece of legislation. Fully representative of all shades of opinion as this committee was, they approached this Bill with a full sense of responsibility and handled it like practical statesmen and thrashed it thoroughly from different standpoints without any prejudice. The members have fully responded to my appeal made at Lahore at the time of the introduction of this measure and have regardless of their comforts and convenience finished their labours in time. My sincere and hearty thanks are due to all of them and especially to Kanwar Dalip Singh and Mr. Beazley. Both Kanwar Dalip Singh, the legal luminary of the Lahore Bar, and Mr. Beazley, the talented author, have rendered a special and valuable assistance in this cause. The intelligent and tactful way in which the proceedings were conducted by Mian Sir Fazl-i-Husain, the President, is also to a great extent responsible for this success.

Before I give expression to my opinion on the changes made it is only proper that I should give a brief but intelligible description of them. Sir, the honourable members of the House are aware that the Bill, roughly speaking, deals with four most important subjects, namely, (1) what places of worship are Sikh gurdwaras and how they are to be declared as such and brought under the new control; (2) what property belongs to these gurdwaras and how that question is to be decided; (3) how are the persons adversely affected by this change in the management to be compensated for; (4) how the places of worship declared to be Sikh gurdwaras are to be managed and by whom. I will take up the first point and draw your attention towards the changes that have been made in this connection in the original Bill which provided three methods by which a

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place of worship could be declared a Sikh gurdwara. Originally 232 gurdwaras about which no doubt existed as to their being Sikh gurdwaras were entered in Schedule I, and they were to be notified as such immediately on the office-holder or any Sikh having interest forwarding a list of properties which he claimed to belong to the gurdwara within 90 days of the commencement of the Act. In the case of places of worship not specified in Schedule I, any fifty or more Sikh worshippers of certain qualifications laid in clause 7 could petition the Government for its declaration as a Sikh gurdwara. No petition could, however, be entertained about institutions specified in Schedule II unless the majority of its worshippers had signed it. On the Government issuing notice of such petition any office-holder or ten or more worshippers might within 90 days of notice forward their objection to such place being a Sikh gurdwara, and in such a case of dispute the question was to be referred for decision to an impartial tribunal which shall declare it a Sikh gurdwara if it fulfilled any of the five conditions laid down in clause 16. On such a favourable finding by the tribunal and similar decision on appeal by the High Court and in case of no objection having been made the Government was required to issue a notification declaring it to be a Sikh gurdwara. The third method by which the third part of the Act could be made applicable was by the institution of a suit with the consent of the Deputy Commissioner in an ordinary court. This method could be resorted to only on the expiry of one year from the commencement of the Act. The Bill as amended by the Select Committee does not make any change in the general principles of these three methods. As regards the first method, the only change is in the number of gurdwaras of Schedule I. Seventeen original gurdwaras having been excluded, 29 more have been added. All the disputed items were thoroughly discussed in the Select Committee. The district officers were asked to make exhaustive enquiries after consulting the local people and submit detailed report about them. The district officers took great pains and forwarded comprehensive reports after a sifting enquiry. To them was added the judicial and historical material that was made available by the members. An important change has been made in the second method. No petition for the declaration as a Sikh gurdwara of an institution specified in Schedule II can now be entertained by Government for its decision by the tribunal, whether the majority of its worshippers sign the petition or not. Schedule II has been reduced. Out of a total of 224 in the original Bill, 95 have been omitted and three have been added on the suggestion of Sikh members. This comparatively greater reduction is due to the fact that on account of the non-publication of the Bill before 25th April several officers did not understand the object of Schedule II and forwarded the list of all Panchayati dharmshalas in their district. On further investigation in the light of the knowledge gained by the publication of the Bill they revised their reports and nearly all those gurdwaras have been excluded from Schedule II, as were so recommended by them. Another change that has been made with regard to the second method is that the number of persons who could raise objection against a place of worship being a Sikh gurdwara (under clause 8) has been raised from 10 to 20, and the same qualification as to age and residence will now be required of them as are applicable to the 50 Sikh worshippers under clause 7. The third method has undergone no change.

This brings me to the second part of the question of property. As regards the methods by which it was to be decided what property belonged to a gurdwara, the original Bill provided for a list of properties claimed on behalf of a

gurdwara to be published by Government and allowed any person within 90 days of such publication to claim for himself any property included in such a list. In case of such dispute the matter was to be referred to the impartial tribunal for decision, and if the person putting such objection was a past or present office-holder of the gurdwara, the Bill provided that there would be a presumption in favour of the gurdwara, on proof of certain facts, for example, an entry in settlement record in favour of the gurdwara even though in subsequent records the entry might have been in favour of the individual. On deciding such claims the tribunal was empowered to enforce its decision and transfer possession of the disputed property to the gurdwara concerned. The Select Committee has made several important changes in this part. In the first place provision has been made for the entry in the lists of property claimed for a gurdwara of the names of persons in possession thereof or those legal or natural guardians to the best of the knowledge of the petitioner and the Government is now required to send individual notices to all these persons so named. The interests of third parties have in this way been amply safeguarded. The amended Bill provides for more than one list of properties claimed on behalf of a gurdwara to be forwarded to the Government. This protects the interests of the gurdwara because under the original Bill any evil-minded person might have put in a defective list and thus debarred the claims to a greater portion of a gurdwara's legitimate properties. Again the original Bill made no provision for transferring possession to a gurdwara of the property the claims to which on behalf of the gurdwara have not been objected to. The adverse possessor had only to sit silent at home and the gurdwara would have been forced to resort to ordinary court to obtain possession. In the amended Bill, Government is required to publish a notification of all properties claimed for a gurdwara and not objected to, and the local committee may afterwards sue for possession on a five-rupee court-fee, and that notification will be a conclusive proof that the gurdwara's claim to the properties are not contested. In addition to these changes a further presumption in favour of a gurdwara has been created under clause 18 in case of the devolution of the succession to the right, title or interest in question from an office-holder to his successor in office as such on more than one successive occasion. Original clause 27 has been redrafted and its intention made clear. This amendment safeguards the interest of the beneficiaries under the trust. The tribunal on being moved will allocate the funds and pass its management either to the gurdwara or the present trustee to whomsoever the major portion of the income accruing from the trust is allocated by its order. Clause 80 of the original Bill has also been made clear and improved upon. The present office-holder and his *chela* will not be entitled to plead minority or insanity as a ground of ignorance. They must seek their remedy within the time prescribed in the Bill. This limitation will not of course apply to the third party who is naturally not expected to know what is happening with his property. The Mahant will have a direct knowledge of everything.

I feel I am getting fairly long, but I hope to be excused as the importance of the subject so demands it. Sir, I now reach the third part regarding compensation. As regards the payment of compensation to persons adversely affected by the change in the system of management the original Bill provided for compensation to the past or present hereditary office-holders or their *chela*, if any, appointed before 1st December 1924. The amended Bill makes provision for compensation to those also who would ordinarily have succeeded as *chela* by hereditary right. Having

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finished the first three parts I come to the fourth. No changes of principles have been made in this part, which relate to the management of the Sikh gurdwaras but I must make mention of certain important changes of detail. The most important of them is the acceptance or recognition of female franchise and the consequent omission of sub-clause 2 of the original clause 49, and sub-clause 2 of the original clause 93. The second most important change relates to the management of Sri Akal Takht at Amritsar and Sri Kesgarh at Anandpur. Originally these were to remain under the management of special committees under clause 85 for all the gurdwaras at Amritsar and Anandpur, respectively. In the Bill as amended the Board itself in general meeting is made the committee of management of these two Takhts. The only other changes worth mentioning are the co-optation of two members residents of Kapurthala State by the committee of management for the notified Sikh gurdwaras at Anandpur and the gurdwaras connected therewith, the provision of three instead of two members by the electors of Lahore District on the Committee of Lahore gurdwaras and of two members instead of one to be co-opted to represent residents of North-West Frontier Province, on the Committee of Panja Sahib and other gurdwaras at Hassan Abdal. I refrain from mentioning here other slight changes and additions lest I should be found guilty of wearying the House. Of course many improvements have been made in the drafting and in the arrangement of the clauses of the Bill. Definitions of "Presumptive successor" and "Treasury" have been added, while those of the "Office-holder" and "Minister" have been redrafted. Notes on clauses have been correspondingly amended.

Before I resume my seat I would be excused for making a few remarks on the report. The report of the Select Committee like the original Bill is of a compromising nature. Full efforts have been made therein to satisfy all the interested parties. The Bill was therefore thoroughly discussed in all its aspects. No interest was ignored or remained unrepresented. No doubt Mahants have been deprived of certain vested interests which they had so long usurped in defiance of the wishes of the community and against the commands of the Sikh religion, but they should have no ground to complain when a liberal provision for their compensation has been made and that too has been further extended to their hereditary successor. On the other hand the whole Sikh community has been clamorously pressing for certain important and genuine amendments which relate to the internal management and do not touch the third parties. I regret very much that the Committee has not been able to accept most of them. I admit that the first and second parts of the Bill have been sufficiently improved in the Select Committee, in the interest of all concerned, but I believe that there is yet enough scope for improving the third part. The Central Board should be adequately armed to discharge the responsibilities that have been placed on its shoulders. They should have the power to accord approval to the budget of the Local Committees and settle schemes of administration in cases of dispute. Especially for the first few years the Local Committees will be new bodies having little training and experience to work efficiently. I am still confident that this House will find its way to accept any suggestion that might be made hereafter. I request the Government members to bury down their suspicions if any and help in its improvement. Similar is my appeal to the non-official members of this House. I realize and am thankful that the attitude of the Government and its members has ever since the commencement of the negotiations been one of active sympathy and I trust that they will be a

bit liberal towards the close of our huge labours. I need not at this stage draw the attention of the House towards the minutes of dissent made by Raja Narendra Nath and Dr. Gokul Chand for I am sure that they realize the gravity of the situation and the justness of the community's demands and will not press them further.

Mr. President : The question is—

"That the Sikh Gurdwaras Bill as reported by the Select Committee be taken into consideration."

Dr. Gokul Chand, Narang [North-west towns (Non-Muhammadan), Urban]: Sir, as I was one of the two members of the Select Committee who are described as having appended a note of dissent, I think it my duty to say a few words in connection with the motion which has just been moved by the honourable member Sardar Tara Singh. Sir, as you and the honourable members of this House will remember when the motion was made in this House for the Bill being referred to a Select Committee, I got up and extended my hearty welcome to the proposal. I gave then my reasons for doing so, and I need not reiterate them except only by making a passing reference to them. I submit that the Bill lays down a principle as to which there cannot be and could never be any difference of opinion, namely, that all religious places should be controlled by the members of the community to which those religious places belong, and in so far as this Bill is fundamentally based upon that principle, I, like some friends of mine, extended it my hearty welcome. Moreover, we all have been feeling the keenness of the situation which was created by the Gurdwara reform movement in the province. We were all conscious that that was a position which was neither to the liking of the Sikhs themselves nor to the liking of the Government and which involved indirectly other communities also into complications and trouble and the whole province into unnecessary and avoidable expense. I am therefore doubly glad that this measure has been brought forward, and I trust that it would not only vindicate the principle to which I referred first but would also put an end to the situation which nobody liked.

I may also submit that from the very inception of the idea of the Gurdwara Bill, the Hindu community with very few exceptions, exceptions consisting of interested people, has been in entire sympathy and has accorded its full support to the Gurdwara Bill. Not only the leaders of the Hindu community but the whole Hindu press with one or two exceptions had been heartily supporting the gurdwara reform movement and welcomed the proposal of the introduction of the Gurdwara Bill. I had the privilege of presiding at the Hindu Conference for one session held in the month of May at Amritsar, and in my humble presidential address I made the whole position clear in spite of the importunate entreaties of persons interested in the gurdwaras, that the only solution of their difficulties lay in negotiating with the Sikhs and not in negotiating with the Hindus or with the Government or with any other party or community. I advised them there and advised everybody who individually approached me in connection with this Bill that the only solution of their problem and their difficulties was that they should send their representatives to the leaders of the Sikhs and lay their case before them and get a solution from them if possible. It was not possible for anybody else to solve their problems or their difficulties. Without a single exception that is the advice I have been giving them. I have been

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promising them that I would do all that is possible for me to lay their side of the case before the Select Committee and also before the Sikh members outside the Select Committee, but I left them under no delusion that the only possible hope of any success from their point of view was their convincing the Sikh members of the justness of their claims, and they could not possibly expect any adequate and effective help from any other party.

In the Select Committee which I attended for a few days, I did all that was possible for a man of my capacity and laid the case of those persons before the Select Committee. I did not mince matters. I spoke out as frankly and freely as I could, and I am thankful to the Chairman of the Select Committee and the members of the Select Committee that they did not put any curb on me and did not in any way discourage me from laying their case before them whether they could agree with me or not, that being a different question altogether. I have nothing but appreciation and gratitude for the President and members of the Select Committee for the treatment they accorded to me and the courtesy with which they heard me. Even there however, there was not a word said which could in any way be interpreted as opposition to the Bill, and I am glad that Sardar Tara Singh in an interview which he gave to the press, appreciated that fact, and although he referred to the strong appeals that were made in the Select Committee, he did acknowledge that there was no attempt or desire or inclination in any way to wreck the Bill or to throw any obstacles in the way of its successful passage either in the select committee or in the Council.

After I attended the select committee for a few days, other engagements and other distractions made me almost forget that there was any such measure as the Sikh Gurdwara Bill before the Select Committee, when suddenly on the 11th of June I received a packet from the Secretary of the Transferred Departments enclosing the report of the Select Committee with a letter saying that I had to send it back so that it might reach Simla positively on the 13th. I had 48 hours to go through the Select Committee's report, to post it and to see that it reached the hands of the Honourable Secretary of the Transferred Departments on the 13th. I did all that was possible. I had also to write a note, and I did write that note, which is appended to the Select Committee's report with one important alteration for which the Secretary of the Transferred Departments or some one in his office or probably the learned Government Advocate was responsible. I had omitted three or four words which created some confusion as I had spoken of Schedule I-A and Schedule I-B, and it was possibly not understood by the gentleman in charge of the Bill who substituted some other sentence in its place in order to make it convey sense. I do not blame them, I am only mentioning this fact. What is important for the purposes of the present proposal is that even in that note I did not intend to show any dissent and when I signed the Select Committee's report I merely wrote "subject to my note." I did not describe it, so far as I can remember, as a note of dissent, as I never intended it to be a note of dissent, and as the note itself shows it was only a note embodying certain suggestions "primarily meant for the Sikh members themselves", because from the very beginning my view has been that no appeal should be made to Government so far as the Udasis or other persons affected by the proposed Bill are concerned, nor should the appeal be made to any other party in this Council whether the Hindu party or the Muhamadan party, but to the Sikhs alone, and if the Sikhs can see their way to accept any of

those suggestions then probably they would embody them in the Bill, so that even when I wrote that note I made it absolutely clear that the note was intended primarily for the Sikh members. Towards the end of that note I made an appeal to my Sikh friends that in this, their hour of victory, their hour of triumph in which we all rejoice, they should not forget themselves and should treat the whole thing in a liberal and generous spirit. As I said it was better that some places which really belonged to the Sikhs might be left out than that any place which should not be included might be taken in, adopting the well-known maxim followed by criminal courts that it is better that guilty persons may escape than that any innocent person should be convicted.

I also prepared some amendments, and it may be news to some of the honourable members of this House that before I sent these amendments to the Secretary of the Legislative Council I sent them to the Shiromani Gurdwara Prabandhak Committee through an office-bearer of the Committee itself, and I gave him a message that those were suggestions that I wanted the Shiromani Gurdwara Prabandhak Committee to consider and tell me whether any of them appealed to it, although I must say I did not receive any reply, to that message of mine until I reached Simla. I have no doubt that the amendments were considered, as I find from conversations with some of my Sikh friends, that they were considered. Whether they were approved or not, that is a different question. That would, however, show the spirit in which the Hindu members of this Council had been dealing with this Bill. Sir, I would remind the House that at the time when I got up the first day when the proposal for referring the Bill to the Select Committee was made, I said that we all welcomed it and that if there was any difference of opinion, if there was any dispute, we would sit down like brothers and settle them, and the world will know that these words were carried out to the letter. Thus so far as the Hindu party in which I include the Swarajist party as well as the non-Swarajist party, not that it has no independent existence of its own, though it so happens, whether fortunately or unfortunately, that the present members of the Swarajist party are all Hindus, and therefore they cannot shut their eyes, and cannot ignore the interests of the community to which they belong—still they have an independent entity, I would say that all the Hindu members, whether the members of the Swaraj party or not, are all at one in so far as the support of this Bill is concerned. (Hear, hear).

The important things that struck me as requiring reconsideration in this Bill were the definition of a Sikh and the declaration which a Sikh in disputed cases has to make, and I made the suggestion in the hope that in future there might be no complications, and as religion is always progressive, and Sikhism particularly is very progressive, it would leave ample room for those who may not see eye to eye with those who are the authors of the present Bill, at this time and therefore they should not in any way be placed under a disadvantage. The second point on which I had made a suggestion was that clause 3 should not be made conclusive in its character, as there was a complaint that very little time had been given for the consideration of the Bill and as *prima facie* clause 3 appeared to be one-sided and to be passing decrees as it were *ex-parte* against persons who had not had full particulars to state their cases, I made a suggestion that Schedule I might be cut into two parts, part I-A and part I-B, part I-A possessing a conclusive character and part I-B only possessing a presumptive character, that is those gurdwaras which were placed or which were to be placed in Schedule I-B should be deemed to be Sikh gurdwaras unless the contrary was proved. The reason why I made

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the suggestion was that to me the provisions of that clause seemed to be rather over-sweeping but when I found that it was considered an essential element of the Bill that the provisions of clause 16 lay down the criteria for the determination whether a place is or is not a Sikh gurdwara, then I did not think it proper to insist upon it. I was also particular to define the word *patit* as I considered this would be fraught with difficulties in the future, because, as I have said in my note of dissent, I have known one party calling the other party an apostate and being condemned as such in return by another party which is perhaps more orthodox and conservative in belief. That was the reason why this suggestion was made.

Another point which struck as very important to my honourable friend Raja Narendra Nath and myself was with respect to the Samadhs and on that point I am glad to state here that some sort of understanding is likely. Some understanding might be arrived at which might allay the fears of those who are directly interested in these Samadhs which are sacred to them.

Then, Sir, there are certain people who have to be satisfied and whose objections have to be considered with respect to this Bill. Unfortunately they are not represented by anyone here and therefore it is necessary for me to make a few remarks with respect to the position taken up by them. It is stated that the Bill is an extraordinary measure. It aims at doing by an Act of legislation something that the courts ought to have done in judicial proceedings. The reply to them is this, that it is a most extraordinary measure no doubt but the circumstances that, it has been called upon to meet are still more extraordinary. I am not aware that in any country any religious community felt so keenly about its holy places and made such sacrifices for their preservation and protection. The people who wanted this Bill certainly *prima facie* deserved good consideration in return, and those who object to the Bill on the grounds of its sweeping character must find solace in the fact that those who have got it have paid and paid very heavily for it. More than this, it is not necessary to say to them on this point. There is no doubt that, one particular community, namely, the community of the Udasis, has been hard hit by this and their fate is almost the same or as a result of this Bill would almost be the same as was the fate of the monks and nuns in the reign of Henry VIII. Students of history know that in 1536 a Bill was passed by the then Parliament, of whatever sort it was, that all monasteries with a yearly income not exceeding £200 should be abolished, and the result was that they were abolished. The Parliament seemed to hesitate but the King sent for some of them and said: You must either pass this Bill or I must have the heads of some of you. Fortunately we are free from that threat now and what they gave unwillingly we are giving willingly and with good grace. In 1539 as you may know, Sir, another bill was passed with respect to bigger monasteries and it was said in the preamble that out of the goodness of their own hearts, willingly and most gladly and most loyally the abbots and monks and nuns of all these monasteries had agreed to surrender their monasteries to His Majesty the King. Whatever the reality was in that loyalty or willingness or the absence of any undue influence, coercion or duress we are not concerned with, but the fact remains that in 1539 all the monasteries in England were dissolved and their property passed to the nation.

There is this difference here that there is no force brought to bear upon the members of this Council, and it is a community moved by the religious

sentiment that is asking for a special legislation for the protection of its gurdwaras ; and the members of the Council, the members of the Hindu party who are the only persons who could possibly be affected by this Bill are willingly co-operating with them and are giving them what they want in full measure.

One thing more I want to say to those who are directly affected and who will now be divested of the interests which were vested in them for centuries and who will now be turned out of their houses and gurdwaras which they have been occupying for a number of centuries. I will tell them that if there is anybody in the first place to blame for this, it is some of them. Far be it from me to say that all the Udasis—I want to make this absolutely clear—far be it from me to say that all the Udasis are bad. In fact, I know that some of them are very good and possess very excellent character. Some of them are very learned and some of them are deeply religious. But in this world it is not only for our own actions that we suffer, but also for the actions of our neighbours sometimes and for the sins committed by others. There is no doubt that some of them, their number may be very small, did not discharge the great duty imposed upon them as trustees of the sacred places which were put in their charge and some of them have actually betrayed those trusts and have not conducted themselves as the heads of religious institutions ought to conduct themselves. That started the movement and once the flood comes it does not spare anybody on the ground, that it was X, Y or Z who had committed this offence or it was A or B that was in the first place responsible for bringing down this flood. They are all swept away. Still I think they need not be despondent. They ought to know that if they are turned out they will have compensation. Definite provision has been made in the Bill for compensation to them, and as Sardar Tara Singh has pointed out, even in some cases to the *chelas* who expect to succeed them. They should derive consolation from the English History. When in 1556 the minor monasteries were abolished the nuns were turned out with nothing but a gown, the only personal property they were allowed to take from their gurdwaras was one gown. I think the Udasis will be much better off under this Bill than the monks and nuns were under the Act of 1536, passed by the British Parliament in those days. Further I submit, Sir, and I say it particularly to my Sikh brothers, that a good deal depends upon how the law is administered, and even now it is in their hands, when they get what they want, to administer the law that they have got, in such a way as to remove the bitterness that might be caused by the ill-advised administration of this measure. It is still in their power to place those of the Udasis who are divested of their rights, in charge of some of the gurdwaras, whom they may consider deserving to be placed in charge of religious institutions. There are many of them, as I submitted, who really deserve respect at the hands of the Hindu and the Sikh communities, and I am sure that when this Act, after it is passed, is administered this will not be ignored. The Udasis, I regret to say, have never risen to the occasion and if judgment has gone against them by default they have partly to thank themselves. For the last three or four years a Bill like this has been in the air and yet they failed to organise themselves and as the Honourable the Chief Secretary was pleased to remark on the first day when this Bill was introduced, the weaker must go to the wall. (Hear, hear.) There is no sin greater in this world than weakness, especially in matters political and even social, although it may not do credit to the Chief Secretary of a Government to say in an open session of the House that the weaker must go to the wall . . . (A voice : That was sarcastic).

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Whether it was sarcastic or semi-humorous, it cannot do credit to a representative of the Government.

Mr. H. D. Craik : I said ' the minority '.

Dr. Gokul Chand Narang : Are you sure ?

Mr. H. D. Craik : Yes.

Dr. Gokul Chand Narang : Very well, even then it does not make any material difference. I shall not quarrel over it, though I still maintain that it does not do credit to a representative of the Government which is expected to dispense justice between the minority and the majority. I am sure some occasion will arise when this dictum will have to be reconsidered and the interests of the minorities will have to be protected, and this confession of weakness, although it may be immaterial on this occasion, will be really not very honourable for the representative of Government to make when the interests of other minorities on different occasions are under consideration. I am not very much concerned about it at present, but there is the dictum laid down by a representative of the Government and if there is any consolation in it, let the Udasis take some consolation from it.

Owing to utter lack of organisation on the part of the Udasis and the utter slackness on their part, they have been forced under this special legislation to part with their properties which they have enjoyed for years. They should also remember that the properties that they have been in possession of till now were properties not belonging to them, they were only trustees, of some of the trusts, of one community, or another, Hindus or Sikhs, and sooner or later they were bound to be dispossessed of them, because the days are gone when any religious place or institution can be allowed to remain under the control of an individual uncontrolled by the community to which that religious institution may belong. (Hear, hear.)

Then again, Sir, they should take consolation from the fact that the Sikhs are not strangers. They are the flesh of their flesh and the bone of their bone, and whatever arrangements for the control and management of these institutions may be made, the interests of the Hindu community (to which the Udasis claim to belong as much as to the Sikhs) will not be at stake. The interests of the main body of Hindus will not suffer, and the places of worship claimed by Sikhs will be quite safe in their hands, because whatever may be said they are still our brothers and it does not matter whether the management is in the hands of one brother or in the hands of another. It would be quite a different situation if these properties were to pass out of the hands of the Sikhs and pass into the hands of a party which is not interested in the welfare of the Sikhs themselves or in the welfare of the Hindus as such. I have also this assurance that whatever these places of worship may be, all Hindus to whatever sect they may belong will have absolutely free admission and entrance and there will be no difficulty placed in the way of their either reading the *Granth Sahib* or joining in the worship which is conducted in those places.

A slip has just been placed in my hand saying that those who have been divested of their vested interests and who under a provision of this Bill have for the time being been placed in a safer position should also take a warning

that the time may come when they may have also to come before the community and yield up what is placed in their charge as trustees to the control of the community; and I am sure, Sir, when a similar measure is brought forward by any other community represented in this House, the Sikhs will extend their hearty co-operation to that community and will facilitate the passage of that measure just as the passage of this Bill has been facilitated by the members of the other communities represented in this House.

One thing more, Sir, before I sit down and that is this, that at present there may be some resentment in the minds of the Udasis, there may be some disappointment in the minds of their supporters and of themselves. Still it should be understood that even if this Bill were more stringent, the respect and reverence in which the main body of Hindus whether of this province or other provinces of India hold the Sikh Gurus from Guru Nanak to Guru Gobind Singh, that respect and reverence will not suffer in the slightest degree. The Sikh Gurus and their scriptures will continue to be held in the same respect and reverence as they have been held for the last three or four centuries. This Bill will not make the slightest difference in the attitude of the Hindus towards the Gurus themselves. If there was any dispute or contention, it was a sort of domestic dispute or contention and beyond that it could never go. So far as the rights of individuals in individual places are concerned, I hope, Sir, that that part of the Bill will not be taken up to-day; and it is very likely that some satisfactory solution with respect to the rights of individuals in individual cases also will be arrived at which will satisfy as far as possible the claims of interested persons. Therefore, they need not despair even on that ground. Lastly, I would just say one word to my Sikh friends and sit down, and that is this: I congratulate them on their victory, I congratulate them on getting a successful treaty from the Government (because I look upon this Bill almost as a treaty) and I am sure both parties will sincerely and in right earnest stick to the provisions of the treaty and neither will try by direct means or indirect means to undo in practice what they have got in the provisions of the Bill. I also hope and expect that now that the Sikhs have set their house in order, they will march into the wider field of national activities and will bring to bear upon all national activities the same spirit of sacrifice and devotion as they have brought to bear upon their own religious affairs. I hope they will join all the national movements in this country and give those national movements the prestige which is now theirs on account of the success that they have gained in this movement and will make those movements also as successful as they have made their own. (Cheers.)

The Honourable Sir John Maynard (Finance Member): Sir, it had not been my intention to speak at this stage of the proceedings at all, but my honourable friend opposite has made an observation to which it is necessary that I should give a reply. He quoted certain words which he imagined to have been used by the Chief Secretary to the Punjab Government and he has inferred from that that it is not the intention of this Government to see that the rights of the minorities and of the weak are protected. Sir, I desire to make it plain at once that this is not the attitude of the Government and that it was not the attitude as may be inferred from what the Chief Secretary actually said. By quoting certain isolated words from the sentence which was uttered by the Chief Secretary, my honourable friend opposite has made a misinterpretation of the actual sentiments of the Chief Secretary and of the principles

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[Hon. Sir John Maynard.]

on which this Government acts. I will read, Sir, the actual words used by the Chief Secretary. In the course of his explanation of the principles on which this Bill had been drafted, not a Government Bill, let it be observed, but a Bill proceeding from a private member with the full support and assistance of the Government, principles which the Government had been willing to endorse or accept—this is what the Chief Secretary said:—

“The first of these principles is that the temples of any religion are the property of the adherents of that religion, and that the ministers of those temples are not the owners but are only trustees.”

That, Sir, is the first principle which my honourable friend the Chief Secretary enunciated and that is the principle which the Government and all others will be certainly ready to accept.

The second principle that the Chief Secretary stated was this:—

“In a matter of this kind in which the feelings of the whole of a community are deeply stirred, the will of the majority must in the end prevail, no matter at what cost of interference with vested rights or with prescriptive rights to property. There is probably no one in this House who is more loath than myself to disturb vested interest or the rights in property, but I recognise that in this instance we are up against a situation where nothing else is possible and where, to put it bluntly, the minority must go to the wall.”

By quoting only the last few words, my honourable friend opposite has misinterpreted the attitude of the Chief Secretary and of the Government. This Bill abounds in proofs of the desire of the framers and of the Government which is behind the framers to support and defend the interests of the minority. Let me make it plain at once that I could not have reconciled it with my conscience if this principle had not been fully observed and fully carried out in the Bill. Let me remind the House that the Bill incorporates many safeguards which are evidence of the intention to see that the rights of the minorities are defended. In the first place as between the Sikhs and outsiders we have a certain machinery which guarantees that the matter in dispute will be considered in a judicial spirit by a body whose impartiality is above all question. The question whether certain shrines are to be added to that list which we believe, after careful investigation, to represent the reasonable minimum of shrines to which the Act should apply, depends upon the decision of an absolutely impartial tribunal and the decisions of that tribunal are subject to appeal to the highest and most respected tribunal in the province, that is the High Court. There are adequate provisions for considering the compensation to those who may be deprived of the management of that which has hitherto been called their property, but which under the principles which we now recognise is to be rather the property of the whole of the religious community, whose servants only these particular ministers are held to be.

Apart from this, let me remind the House that the principle of the management of the shrines under the new system which this Bill introduces is a system which depends upon the will of an elected body, elected by the

community which is interested in the shrines. Not only does the Bill provide that every adult Sikh is entitled to vote for the bodies which are to manage the shrines, but in order that the will of a too powerful majority may not be too completely dominant in settling questions which are at stake, the Bill provides for the management of local shrines by local committees, committees also elected by the will of the local majority and naturally in sympathy with those ancient managers of the shrines who have not forfeited respect and good will by neglecting their religious duties. If it were necessary to show yet further to what extent the interest of the minorities has been present in the minds of those who have framed and of those who have endorsed and supported this Bill, I would point out that the clause which arranges for the making of bye-laws regarding the constitution of the electorate especially protects the Sahijdhari Sikhs against exclusion by too intolerant or too impatiently orthodox majority. I will not attempt to go into further details in regard to this Bill in order to justify the particular point which I have made as regards the attitude of the Government and of the framers of the Bill. But I will again, and with the greatest emphasis at my command, repudiate the suggestion that the Government or the framers of this Bill are unmindful of the rights of the minorities or the weak or that they have not every intention of defending the minority and defending the weak against encroachment on the part of majorities.

Sardar Narain Singh [Rawalpindi Division and Gujranwala (Sikh) Rural] (Urdu) : Sir, the trouble and anxieties that have been agitating the minds of the Sikhs and the Government and in which our Hindu and Muhammadan brothers had their share, are well known to the honourable members of this House and the public outside. The reason of all this, in my opinion, is that the just demands of the Sikh community were either misunderstood or perhaps because there was no time to calmly consider this important question or a mistake was made in diagnosing the real cause. It is gratifying that the struggle which lasted for the last five years is at an end and at last and better relations and healthy atmosphere have been created. Sir, we are thankful for the sympathy and hearty welcome with which this Bill has been received and from that we can conclude that there will be no difficulty in the passage of this piece of legislation. The speeches made just now leave no room for doubt that the time is not far off when the misunderstanding existing between the different communities will be removed and the atmosphere which is at present surcharged with doubts and suspicions will be cleared.

I will next refer briefly to the circumstances which have caused so much trouble during these last five years. I know and I admit that every community loves its sacred places, but to the Sikhs the gurdwaras are their very lives. Without these gurdwaras, the Sikhs are as good as dead bodies. During the last several years the gurdwaras of the Sikhs were reduced to a sorrowful state of affairs beyond description. There have been done many disgraceful things within the four walls of the sacred places and to illustrate that point, I would, with the permission of the President, read a few lines from the Ludhiana Gazetteer, 1888-89, Chapter III-C, page 72, which runs as follows :—

“ A great feature in the Jat villages of the uplands is the dharmasala, an institution partly religious, partly charitable, in charge of an ascetic or Sadh of the Udaï or of some other order. This is endowed with a grant of land, either out of the village common, or from some private individual. It is the

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duty of the Sadh to spend all that he gets from the land or by begging in feeding the poor, keeping the langar or alms-house going. Where, as in most cases, the occupant is an Udasi, he or one of his disciples (*chelas*) also reads the Granth or Sikh scriptures. In the larger institutions of this sort the Sadh and his *chelas* make up a college, the former being called the Gurm or father of the *chelas* and the Mahant of the institution. The *chelas* collect money and sometimes set up in other villages similar institutions affiliated to the original one. In former times the reputation of these dharmshalas was very great, and few villages were without one; but their treatment in our times has resulted in the closing of most of the old ones. The grants of land were of course intended for the support of the institution; and under Sikh rule if a Sadh misbehaved he was at once turned out. But at the regular settlement the incumbent was in every case returned as owner of the land, which was at the same time exempted from revenue for the period of settlement. The result of this has been that the Sadh has in most cases taken a wife, closed the dharmshala to the public, and he or his children are now mere landed proprietors, with a very comfortable house built at the public expense. In some cases the Sadh has not actually married, but taken to evil courses; and the people are powerless to prevent his misappropriating the receipts. Mr. Walker quotes instances in which a dharmshala of great repute has thus been ruined by a proigate Sadh, who retained the land and house; and the villagers have actually had to create another endowment and build a new dharmshala. There was a very famous alms-house at Jassowal with endowments which amounted to several hundred acres, most of them unfortunately held revenue free in perpetuity; and this has now fallen into the hands of a worthless character, and is closed to the public."

This quotation makes it more than clear what was the state of affairs prevailing in those days and I think it unnecessary to dilate on this point any longer.

It is well known to all that individual efforts to reform the gurdwaras began to be made long ago and not a few of the Sikhs sought the help of the courts to remedy the state of affairs, but their efforts ended in failure and the technicalities of the law then obtaining stood in the way of any reform being effected. Then came the Narankaris and Namdharis to the field and struggled hard to bring about reforms, but they too had to give way before the obstinate nature of the circumstances. They were followed by a body of Sikhs known as Khalsa Diwan, Lahore, but that body also had to leave the field soon, giving its charge to the Chief Khalsa Diwan, Amritsar. This latter body did much to awaken the Sikhs from their lethargic attitude but with regard to the reform of the gurdwaras their efforts too met the same fate. Oft and again many peaceful and constitutional methods were used to bring about the much-needed reforms. Memorials were submitted, representations were made and as usual the help of the courts was sought. Much of energy, money and time were expended, but no satisfactory results were achieved. When the Sikhs found that the law of the land would not or could not help them in their legitimate desires they grew impatient of the wickedness of the Mahants and their *chelas* and naturally they resorted to the use of moral force. I may, in passing, tell the House that it has never entered the minds of the Sikh community that they want back the Punjab or that they were ever desirous of breaking the law. But this much I cannot refrain from saying that the law which ignores the united voice of the community for which it is meant is no law at all. A law that allows

such excesses to the Mahants is a standing disgrace both to the people and the Government and the sooner it is repealed with good grace the better for all concerned. I thank God that matters have now taken a turn for the better. The Mahants and their *chelas* will no longer be allowed to use the gurdwaras as dancing halls and no prostitutes will be allowed to frequent the sacred places. The offerings of the pilgrims will no longer go to feed the wicked women. The *bungas* which had been converted into brothels by the Mahants will now be free from all wickedness.

I think it will not be out of place to make a brief mention of the valuable and meritorious services rendered by the Sikhs to the Government. Whenever the Government stood in need of their help, they shed their blood like anything. They sacrificed all they had and always placed themselves at the disposal of their benign Government. But what did they get in return? The framers of the law being foreigners never cared for and paid no regard to the just religious demands of the Sikh community. This brought about discontent amongst the Sikhs in general and to bring about reforms they held a big Diwan at Amritsar in which a committee of 175 selected Sikhs (including 35 Government nominees) was formed which was given the name of Shiromani Gurdwara Parbandhak Committee. Then followed the reign of terrorism and from 1921 onward, the Sikhs suffered innumerable hardships. In January 1921, the Mahants at Sri Tarn Taran received the Sikh reformers with swords and bombs. It was followed by the well known massacre of the Sikhs at Nankana Sahib in which 130 non-violent, peace-loving Sikhs were burnt alive. The Sikhs then gave proof of their earnestness for religious reforms when they willingly offered themselves for arrest at Guru-ka-Bagh and many of them were subjected to very inhumane and cruel treatment. The whole difficulty was that the Government thought that the movement was a political one, while the Sikhs were only after religious reform and that was evidenced by the fact that almost all the true Sikhs joined the movement. It appears that after the Nankana tragedy, the Government realised that the Sikhs were engaged in a religious movement and accordingly handed over the charge of that gurdwara to the Sikhs. But the Government did not yet completely rid themselves of their suspicions, because soon after that many arrests were made and Sardar Sundar Singh, Ramgarhia, was ordered to hand over the keys of Sri Darbar Sahib. Thereupon the selected leaders like Sardar Bhabak Singh and Sardar Mehtab Singh raised their voice and objected to the keys being taken over by the Government. This made the Government feel once more that the demands of the Sikh community were just and accordingly the keys were handed back to the Sikhs for the second time. But all of a sudden, the Government took to wholesale repression in 1922 and nearly 1,700 Sikhs were arrested within a week or so. About 6,000 Sikhs were arrested in Guru-ka-Bagh, out of which 1,063 were beaten senseless. At this time Sir Ganga Ram intervened and through his pleadings the situation was calmed temporarily. But the Sikhs had still many troubles in store. At the Railway Station of Panja Sahib (Hasan Abdal) many devoted Sikhs were crushed under the train out of their love to serve the starving Akali prisoners with food. At Bhai Pheru 6,018 Akalis have given definite proof of the Sikh religious sentiment by voluntarily going into the prisons. On another occasion the Sikhs were stopped from proceeding to Gurdwara Gangsar. The situation there was aggravated when the Maharaja of Nabha was dethroned. But the Sikhs were after religious reforms and no power on earth could crush their zeal and enthusiasm. They began to proceed to that gurdwara in groups of 25, taking a pledge of

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perfect non-violence at Sri Akal Takht. Then Government once again misunderstood the attitude of the Sikhs and thought that they were bent upon taking possession of the Nabha State. The consequence was that wholesale arrests began to be made and the affairs became all the more complicated. To provide further proof of their earnestness about the gurdwara reforms, the Shiromani Gurdwara Prabandhak Committee began to send *jathas* to Sri Gangsar, each consisting of 500 Sikhs. The firing upon the first Shahidi Jatha and the cruelties done to the subsequent *jathas* are too well known to everybody to require any details from me.

The Honourable Sir John Maynard : I rise to a point of order, Sir. The honourable member is discussing matters which took place outside the Punjab, within a Native State and it is not open to any member of the Government to state the actual facts in regard to these matters. I, therefore, submit that if it is not out of order at least it is not desirable to enter into these matters.

Mr. President : I should like the honourable member to eschew all matters relating to any place outside the Punjab.

Sardar Narain Singh (continued in Urdu) : Sir, by referring to this matter I meant to show that the Sikhs fought hard to attain the object in view, that is, religious reform. Then in October 1923, the representative bodies of the Sikhs, the Shiromani Gurdwara Prabandhak Committee and the Akali Dal, were declared to be unlawful assemblies. We have over and over again made it clear that our demands are purely religious and are quite genuine.

I take this opportunity also to assure the Government and other sister communities that we do not aim at taking back the Punjab. This was made clear by Sardar Mehtab Singh in his Simla speech in a public meeting in 1922. In that speech he remarked that we were not anxious to have Sikh Raj, but we would like to have political freedom along with our sister communities.

After the tragedy at Nankana Sahib, about 30,000 Sikhs have been sent to jail ; more than 2,000 have been sentenced under Criminal Law Amendment Act ; 431 have been martyred ; about 54 editors of various papers punished, and lakhs of rupees realised as fines. The Government in the heat of the moment did not spare even those who had fought so many battles and the pensions and jagirs of many of the retired military men were confiscated. The Sikhs were debarred from entering certain departments, but all this failed to discourage them. They were after truth and truth must triumph in the long run. I feel happy to find that now the atmosphere has been cleared and our just and rightful demands have been recognised. This is mostly due to the capability and statesmanship of our present Government. The gulf that was widened by the efforts of some selfish people, is now being bridged over. I must make a brief mention of the fact that in spite of trying circumstances and uncalled for provocations, the Shiromani Gurdwara Prabandhak Committee remained perfectly non-violent and did not allow its followers to go beyond bounds in any way. I feel grateful to all who have welcomed the Bill which is the result of the labours of Messrs. Emerson and Puckle and five Sikh members of the Council at their fourth attempt. There is much room for improvements

in the Bill, and they will be carried out in due course of time. The Sikh members would not like to press the matter further at this stage as they are aware that the fundamental principle of their demands has been accepted in the Bill. Before I resume my seat, Sir, I would like to reply in brief to the observations made by Dr. Gokul Chand. He said that certain persons had been adversely affected by the measure. I may tell him that we do not like at all to injure anybody, nor do we like to take possession of what belongs to others. But we do claim what is our own and we must have it. As to worshipping in the gurdwaras, I can assure my Hindu brothers that the doors of the gurdwaras are always open to them who might like to worship in them. With regard to Samadhs I leave it to Sardar Tara Singh to give the assurance.

With these words I support the motion.

Mir Maqbool Mahmood [Amritsar (Muhammadan), Rural] : Sir, I beg to associate myself with the expression of gratitude for the Select Committee on their report, and I am particularly happy to-day because of the spirit of Dr. Gokul Chand.

Sir, coming to the matter under discussion, I find that the Select Committee report, as has been explained by Sardar Tara Singh, has some special features which must commend themselves to this House. To begin with, as has been rightly remarked, this Bill brings us within sight of the solution of a great and difficult problem, and in doing so, it does not compromise any of the big principles involved. It recognises on the one hand, that the *mahant* is not the master but a custodian of gurdwara and its attached property. He must account for its administration to the community to which it belongs. It also declares that no person howsoever undesirable is to be deprived of the rights he enjoys unless it be by the use of legal machinery. I submit, Sir, that the combination of these two principles in one piece of legislation and one acceptable to all parties concerned is indeed a matter of triumph and congratulation. But, Sir, to my mind there is yet a greater claim which this report has on the support and appreciation of this House and it is this, that the report accepts the principle of universal adult suffrage. More than that, the committee did not wait for the future Sikh Pankhursts and Lawrences to smash the windows of our Legislative Chamber. It has enfranchised them as well. I believe that this bold move is pregnant with future useful, healthy and chastening potentialities. While I welcome it, I feel that it is our duty to request the future Sikh voters as also the Sikh leaders that we look up to them that by the exercise of the responsibility which they are now getting, they will give us an irrefutable argument in support of the extension of the principle of adult suffrage to the Councils as well. Reference has been made in very eloquent and very feeling terms by my honourable friend Sardar Narain Singh to the sacrifices which the Sikhs have made. It is unfortunate, Sir, that the foundations of all religious reform everywhere have been laid on the bones and blood of martyrs. It is sad, but it is history. It was so in Belgium with the Clericals, it was so in Spain with the Wahirs, it was so in Persia with the Bahais, it has been so in Turkey with the Mujahads and it has been so with the Sikhs here. And whatever differences we may have had with some of their methods, none of us can help admiring the great sacrifices which they have made and the spirit with which they have made such sacrifices. In one matter their sacrifice is unique.

[Mir Maqbool Mahmood.]

Others elsewhere have suffered for their own religions and their own cause. Our friends, the Sikhs, have paved the way for all of us and I hope that before long we will read the history of a Muslim Shrines Bill and a Hindu Shrines Bill opening with a chapter on 'all honour to Sikh martyrs.' And when that history comes to be written, no historian can afford to ignore the part played by the Government in this controversy. They had a very clear but an unpleasant duty to perform and did not shirk even in the face of unpopularity. Moreover they have all along given expression to their anxiety for an honourable settlement, honourable to all parties concerned, and in this connection by their attitude in the Select Committee and by the famous Ambala speech of the Governor they have given proof of constructive statesmanship which all of us appreciate and should admire. I do not think it is necessary at this stage to go into some of the details about the definitions and other matters raised by certain members to-day. We will take them up in due course, if they do come at all. I feel it is my duty to assure my Sikh friends and those whom they represent that to-day in their supreme hour of victory, the Musalmans of this province and I can also say of other provinces share in the joy and the happiness of our brother community. I can assure them not only in this Council Chamber but outside it, wherever they need the support of the Musalmans in the development of their religious shrines, they will not find it lacking.

One word more and I have done. I know that we have not yet settled this whole problem and as has been remarked by my honourable friend Sardar Tara Singh and others much still remains to be achieved. But I am an optimist and I am confident that the same atmosphere which prevailed in the Select Committee will also prevail in this Council Chamber and I almost visualise the day—it may be accomplished in a couple of days or possibly a single day—when the Gurdwara Bill will become an Act and when the Government and the Sikhs will be on speaking terms, and once that is achieved what issue is there too great for the combination of two such friends to settle among themselves? With these few words, I beg to support the motion.

Sardar Bahadur Sardar Jowahir Singh (Non-official, nominated) : Sir, the question of Gurdwara reform had been agitating the minds of the Sikhs for a good long time and things had come to such a pass as to affect the political conditions of the Province, causing much concern and anxiety during the past few years. But all is well that ends well, and by the grace of Akal Purukh the solution to this most difficult and portentous question is at last within sight.

While considering the Bill we should bear two things in mind—firstly that the management of the Sikh gurdwaras be ungrudgingly yet lawfully placed in the hands of the Panth, and secondly, that in doing so we do not encroach upon the rights of others. Unanimous agreement of divergent interests in such cases is almost an impossibility; however, we have only to aim at a reasonable and just line of action and I have no hesitation in saying that the present Bill satisfies the above-mentioned criteria and will be acceptable to an overwhelming majority and hailed by all concerned as the solution of a long and painful conflict.

It has indeed been an arduous task for the framers of the Bill and they deserve the thanks of the whole nation. Before I resume my seat I cannot help expressing that the ship of this province generally, and of the

Sikh nation particularly, has been safely piloted by His Excellency Sir Malcolm Hailey to its haven through troubled waters and a heavy storm. And for this His Excellency is entitled to our most grateful thanks. I have no doubt that his illustrious name will remain luminously engraved in the annals of the province and the hearts of the Sikhs. And the passing of the Bill will satisfy an important section of His Majesty's loyal subjects and further cement the happy relations which have been the proud record of a brave and honest nation on the one hand, and a just and magnanimous Government on the other. With these few remarks I beg to support the motion before the House.

Malik Firoz Khan, Noon [Shahpur (East Muhammadan), Rural] Sir, the Bill as it has emerged from the Select Committee presents to us five important changes that it has undergone. The first of these changes is in Schedule I, the second is in Schedule II, the third one is in section 85 of the Gurdwara Bill and the fourth one is a slight alteration in the constituencies and the fifth and the most important one is the grant of female suffrage. As far as the last change is concerned, I think it has been appropriately referred to by my honourable friend opposite (Mir Maghbool Mahmood) and I shall not dwell upon it again. I do feel that we owe a duty to the Council to explain the changes that we have carried out in Schedules I and II. I had the honour of acting on that Select Committee and I think we must explain to the House as to why a large number of gurdwaras have been added to Schedule I and another large number of gurdwaras have been taken away from Schedule II. If you will permit me, Sir, I will explain in a few words the difference between the two Schedules. I find from my conversations with intelligent and highly educated gentlemen outside the Council that the public do not realise the difference that there is between the two Schedules. Schedule I means this, that if you put a gurdwara into Schedule I, as far as the disputes connected with that gurdwara are concerned, they come to an end and that gurdwara is shorn of all litigation, of all civil decrees and of all pending litigation and it is handed over to the Sikh community and nobody can contest the ownership of that gurdwara. That is the effect of putting a gurdwara into Schedule I. As far as the property connected with that particular gurdwara mentioned in Schedule I is concerned that will of course come before the tribunal whether there is anybody to contest the ownership of that property or not. So, Sir, it will be clear that if a gurdwara is put in Schedule I, it means that nobody can claim it and it goes over to the Sikh community. Therefore if any additions have to be made in the number of gurdwaras that are mentioned in schedule I, they must be made after full and careful consideration and if there are very cogent reasons in favour of their inclusion in Schedule I, they can be included. It will be noticed from the Select Committee Report that we have added no less than 29 gurdwaras to Schedule I and 17 have been taken away from Schedule I, with the result that the position is that where there were originally 232 gurdwaras in Schedule I, there are now 244 gurdwaras. As far as these 29 new additions are concerned, perhaps in the ordinary course you will feel surprised at the action of the Select Committee in including them in Schedule I. By including them in Schedule I, we are sitting as a sort of Privy Council and adjudicating upon the civil rights of people who are not there to represent themselves. But you will notice, Sir, that in all these cases where new gurdwaras have been added to Schedule I, we received reports from the Deputy Commissioners of the particular districts where these gurdwaras are situate; we thoroughly

[Malik Firoz Khan, Noon.]

considered these reports and it is only after a careful and thorough examination that we included them in Schedule I. That is one thing.

Secondly, there were a large number of Hindu members present in the Select Committee who could, if they wanted, have defended any particular gurdwara. If they willingly agreed to its inclusion in Schedule I, it means that there is nothing to be said against its inclusion and therefore we can with clear conscience easily put these gurdwaras into Schedule I.

With regard to Schedule II, the result of putting a gurdwara into Schedule II is this. It is to use an ordinary term, out of all bounds for the Sikh community. That is to say, if a gurdwara is put into Schedule II, the Sikh community cannot claim it except under section 38 of the Gurdwara Bill. Section 38 is to the effect that after the expiry of one year from the commencement of this Act any two or more Sikhs after getting the permission of the Deputy Commissioner can go to an ordinary civil court and file a suit under section 92 of the Civil Procedure Code, which is the ordinary law at present in existence. That means to say that by putting a gurdwara into Schedule II you more or less protect it against the strong arm, against its being taken away by the Sikh community. Therefore there have been several attempts on the part of Mahants to have their gurdwaras put into Schedule II. As far as this Schedule II is concerned, originally in this Schedule, there were 224 gurdwaras and out of these 224 gurdwaras, we have taken away 105 and added 3. Therefore it will be seen that we have made a very large omission from Schedule II, that is to say, out of 224 gurdwaras, we have taken away with a single stroke of the pen 105 gurdwaras and have thrown them open to litigation before a tribunal. There again the only people who were competent to speak on behalf of the Mahants were the Hindu members of the Select Committee and as has been pointed out by my honourable friend, Dr. Gokul Chand, Narang, he and his colleagues have received the best consideration at the hands of the Select Committee. I am glad to say that the spirit of give and take that prevailed there enabled us to arrive on practically all questions at an unanimous conclusion. The result, as the House will observe, is that the Select Committee has taken away these 105 Gurdwaras from Schedule II because the persons who were competent to speak on these gurdwaras and who ought to have supported their retention in that Schedule were more or less unanimous with the rest of the committee as far as their exclusion was concerned. I am saying this merely to show the good-will and the spirit that prevailed in the Select Committee between the various members that were sitting on that body and deliberating on this Act.

Now, Sir, that is as far as the Schedules are concerned. You will pardon me here if I make a little reference to the minority community that my learned friend Dr. Gokul Chand has referred to which is being adversely affected by this Bill. As far as the Mahants are concerned, in my opinion and I think the House will agree with me, they are not a minority at all. They are really servants of the Sikh community. They are a priestly order present there in order to administer to the religious needs of the Sikh community and if the Sikhs do not want them they have no right to impose themselves on the Sikh community. Even under the ordinary law the succession of the Mahants is governed by particular customs but ordinarily the main principles of succession are, first

that the successor must be nominated by the Mahant and secondly, that he must be acceptable to the congregation. Now this acceptance by the congregation is an essential condition to an appointment of a Mahant. That is the ordinary law and if we are now giving the Sikh community the power to choose their Mahant, we are doing nothing extraordinary. We are doing no more than what is their just right under the ordinary law. Therefore, Sir, you will see that if this priestly order who are in charge of the gurdwaras are going to be removed, there is nothing extraordinary being done. My learned friend Sardar Narain Singh has already given reasons why this most undeserving class should go, and I do not want to repeat them now.

Then as regards the number of the Udasis. The number of Sikhs in the Province is nearly 31 lakhs, while Udasis are just a few hundreds. I do not know the exact number . . .

Professor Ruchi Ram, Sahni : About 2,000.

Dr. Gokul Chand, Narang : 2,600.

Malik Firoz Khan, Noon : What is this number compared to 31 lakhs? You will see that Udasis as a class of servants have no right to be called a minority or a minor sect of the Sikhs. They are a negligible quantity . . .

Mr. H. D. Craik : They are not Sikhs at all.

Malik Firoz Khan, Noon : Then you will see that if there is anybody who should have spoken to represent the Udasis, it is the honourable members who are kith and kin of the Udasis. If the Udasis are anything, they are Hindus, and if the Hindu members do not support them, why should they expect Government to support them? Therefore you cannot blame the Chief Secretary when he says that the minority must go to the wall. You are pleased and we are pleased . . . (A voice : "We are all pleased").

Dr. Gokul Chand, Narang : Was it necessary for the honourable member to get up as an advocate of the Chief Secretary after the explanation given by the Honourable Finance Member?

Malik Firoz Khan, Noon : That is my choice.

Dr. Gokul Chand, Narang : You will have your reward.

Malik Firoz Khan, Noon : My learned friend Dr. Gokul Chand has mentioned certain acts of the British nation by which they did away with the monasteries, and while so doing he referred to Henry VIII asking the monks and nuns to give up the monasteries or else they would be beheaded.

Dr. Gokul Chand, Narang : No, no! He did not say that to the monks but to members of the Parliament. He said : "You must pass the Bill or I shall have the heads of some of you."

Malik Firoz Khan, Noon : He must have the heads or he must have the Bill. Therefore I just want to find out as to what sort of feeling it is that moves the honourable Doctor opposite to willingly agree and sign the execution order of these Mahants whom he wanted Government to protect . . .

Dr. Gokul Chand, Narang : Does my learned friend want the execution of some of the members of this House? There is no question of the execution of monks or mahants here.

Malik Firoz Khan, Noon : I will put it in another way.

Mr. President : The honourable member must come to the point.

Malik Firoz Khan, Noon : I had already come to the point, but the point did not suit the Doctor. Therefore I think I will not carry on the discussion any longer, and I hope that everybody will welcome this measure and I hope that the measure will restore the peace and order which our province so badly needs.

Sardar Jodh Singh : 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 question is—

“That the Sikh Gurdwaras Bill as reported by the Select Committee be taken into consideration.”

The motion was carried.

Mr. President : We shall now take up the discussion of the Bill clause by clause. Clause 2.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban] : Sir, the whole position has already been explained by my friend Dr. Gokul Chand, Narang as to how the Hindu Members, Swarajists and non-Swarajists have felt as regards this Bill and the spirit in which this Bill. . .

(Shouts of : You cannot make a speech without moving your amendment.)

Mr. President : Will the honourable member move his amendment first.

Lala Bodh Raj : Sir, because I find the members of the House have not got the patience to listen to the reasons I was going to give for not moving my amendment, I shall simply say I am not going to move the amendment.*

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, I move the amendment standing in my name which runs as follows :—

“In clause 2, sub-clause (10) the following proviso shall be added :—‘provided that it shall not include any temple or place sacred to any Hindu god, goddess, saint, or martyr nor any Samadh.’”

Sir, I do not want to make any speech. I expect some expression of opinion on this point by the mover of the Bill, Sardar Tara Singh. If he gives me an adequate undertaking that the spirit of this amendment is accepted by him and by his colleagues and that no attempt will ever be made to include within a Sikh Gurdwara any temple or place sacred to any Hindu god, goddess, saint, or martyr nor any Samadh, I shall not press it.

Mr. President : Clause under consideration, amendment moved—

“In clause 2, sub-clause (10) the following proviso shall be added :—‘provided that it shall not include any temple or place sacred to any Hindu god, goddess, saint or martyr nor any Samadh.’”

The question is that that amendment be made.

* In clause 2, sub-clause (9), the following words shall be omitted : that I believe in the Guru Granth Sahib ; that I believe in the Ten Gurus and that I have no other religion.

Sardar Jodh Singh [(Sikh), Urban]: Sir, deeds are better than words and I would refer my honourable friend Dr. Gokul Chand to Schedule I. He will see that in that Schedule wherever we found that there was a temple in close vicinity to or in the compound of any Sikh Gurdwara we have made not only an attempt, to exclude it but have actually excluded it. I think I am not giving out any secrets of the Select Committee when I say that when it was brought to the notice of the members that the Gurdwara Diwan Khana at Lahore contained in a corner a shrine of Lali Devi, the Sikh members at once asked the Hindu members to make a partition and separate the two temples at once and it was done. If the honourable mover of the amendment knows of any other temple in any of those gurdwaras that have come into Schedule I he has only to bring it to the notice of the Sikh members and the needful will at once be done, but there is no use inserting a general clause where no such temple exists. As for the gurdwaras that are to come under the Board on application a competent court will sit to decide whether the institution that is coming under the control of the Central Board is a Sikh temple or not and I do not expect that a Judge of the High Court and the other highly qualified members of that tribunal will ever commit the mistake of handing over a Hindu temple to the Sikh management. Therefore on the score of temples my Hindu friends need have no fear that the Sikhs will ever take possession of them or will attempt to bring them under their own control.

As for the Samadhs that is quite a different matter. I wonder why our Hindu friends should be particularly anxious for them. They are the Samadhs of the Mahants and not of Hindu martyrs, or gods or goddesses. They were the Mahants in charge of the Sikh Gurdwaras, and I think it is the duty of those who will be in charge of gurdwaras now to see that the resting places of those who held charge of them previously are duly preserved. My friend Sardar Tara Singh will give an undertaking in the precise terms which the Sikhs are at this stage prepared to give. With these few words I will just ask Dr. Gokul Chand after that undertaking to withdraw his amendment.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhamadan), Rural]: Sir, I only want to say a word. Sardar Jodh Singh has made mention about the temples and Samadhs, but he has made no mention as to how they are going to use the places consecrated to Hindu gods. I have known that in Amritsar several places sacred to Hindu gods have been demolished. It is said that the Hindus who wish to worship these particular places will do so with the permission given to them by the Sikhs who are in charge of these gurdwaras, but knowing as I do that there was a great deal of agitation in Amritsar when certain places sacred to the Hindu gods and goddesses, were demolished, I would like to know whether Sardar Jodh Singh is prepared to give an assurance that they will keep these places intact and not desecrate them, or demolish them.

As regards the Samadhs of martyrs and Mahants I know that a good many of them were, in the excitement of the moment, demolished in some places (A voice: question) for example in Nankana Sahib. There are certain places where there are such Samadhs. I therefore wish to bring these two points to the notice of Sardar Tara Singh, so that a definite undertaking be given to satisfy the feelings of Hindu worshippers.

Sardar Tara Singh [Ferozepore (Sikh), Rural]: Sir, I would confine myself to assuring the Hindu brethren so far as the Samadhs of Mahants in the gurdwaras are concerned. I on behalf of the Sikh members of this

[Sardar Tara Singh.]

Council who fully represent the Sikh community give this assurance, to the Hindu members that no desecration of any Samadh will be permitted and no Samadh will be allowed to fall into disrepair. I think this will satisfy my Hindu brethren.

Dr. Gokul Chand, Narang : In view of this undertaking and the speech of Sardar Jodh Singh, I beg leave to withdraw the amendment.

The amendment was by leave withdrawn.

Mr. President : The question is—

“That clause 2 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 3 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 4 stand part of the Bill.”

The motion was carried.

Mr. President : Clause 5.

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

“That in clause 5 (1) ‘or for any other institution’ may be added after the words ‘for himself.’”

Mr. President : Clause under consideration, amendment moved—

“That in clause 5 (1) ‘or for any other institution’ may be added after the word ‘for himself.’”

The question is that that amendment be made.

Sardar Tara Singh : Sir, I hope the honourable member will be satisfied if I propose that the words ‘for himself’ be omitted. This omission fulfils the purpose for which he has moved the amendment.

Dr. Gokul Chand, Narang : Sir, sub-clause (4) of clause (5) reads as follows:—

“Any person may forward within ninety days from the date of the publication by notification of the consolidated list under the provisions of sub-section (2) of section 3, a petition claiming *for himself* a right, title or interest in any property included in such consolidated list except a right, title or interest in the gurdwara itself.”

Now, what I submitted was that the words “or for any other institution” may be added after the words “for himself.” Sardar Tara Singh says that the words “for himself” may be omitted, and in his opinion it will serve the purpose. My object in adding the words I propose is this: A person may not have any private interest in a certain property and yet he may think that some other institution has a claim to the title or interest in that property. Simply because he has no personal interest in the property he should not be debarred from setting the law in motion for the determination of the rights over that property. I think the removal of these two words alone, namely “for himself” will not fulfil that object. In this spirit I would appeal to the House to accept the amendment or to define the word “person” to include an institution. I think the object of my amendment is accepted, so far as I understand, by the member in charge of the Bill.

Mr. J. G. Beazley (Secretary, Transferred Departments): Sir, the insertion of the words "for himself" was suggested by the Legislative Department of the Government of India with the idea that without these words it was left open for a person to make a claim for himself or for anybody else or for any institution, and it was suggested that it was desirable that a person making a claim should be himself interested and a person not interested should not be allowed to make a claim. If that view was correct the omission of the words "for himself" would now restore the position to what it was in the original Bill, that is, a person will be able to forward a petition claiming for himself or for anybody else or for any institution whether he is himself interested or not. For this reason, when notice of this amendment was given, the matter was considered and the Government Advocate agreed that the object would be attained more simply by the omission of the words "for himself", whereas the words suggested by the mover of this amendment would if inserted lend themselves to some misinterpretation: moreover, the amendment in itself was not considered to be very good grammar, because the expression "a person for himself or for any other institution" implies that a person is also an institution.

Dr. Gokul Chand, Narang: Sir, may I be permitted just to explain my point. If there is any grammatical defect, I am not very much put down by it. But as a matter of fact I do not think there is any such defect. I think my amendment has not been clearly understood by Mr. Beazley. When I say "a person claiming for himself or for an institution" there is no violation of grammar. (A voice: The words of the amendment are "or for any other institution"). Then I must admit there is a grammatical mistake. I must thank you for correcting me, but let me submit, Sir, that if we add the words "for himself or any institution"

Mir Maqbool Mahmood: Sir, is the honourable member allowed to make another speech?

Mr. President: He is only explaining his point.

Dr. Gokul Chand, Narang: Sir, this is a suggestion which may be accepted. If the object of my amendment is accepted I do not see any reason why the language should not be made clear by putting in so many words. The suggestion that the insertion of the words "for himself" came really from the Government of India does not make any difference, because the point of view I put forward did not suggest itself to them.

The Honourable Mian Sir Fazl-i-Husain (Minister for Education): Sir, having consulted the law officers of Government, I have decided that the advice given by them is the one which can be better accepted for the purpose, that is to say, to omit the words "for himself".

Mian Muhammad Shah Nawaz: Does that satisfy the honourable mover of the amendment?

Dr. Gokul Chand, Narang: If the Government Advocate really thinks that it includes any institution, then I accept it; but unfortunately in the court the discussions in the Select Committee or in the Council are not allowed to be quoted.

Mr. President: Do I understand the honourable member to withdraw the amendment?

Dr. Gokul Chand, Narang : If the Government Advocate says that the omission of the expression "for himself" would mean that a person can lay a claim on his own behalf as well as on behalf of an institution then I have no objection to withdraw.

Kanwar Dalip Singh (Government Advocate) : I think the purpose which the honourable member has in view is served by the omission of the words "for himself." In fact it will make the position wider and a person may claim not only for himself but also on behalf of another person or an institution. That is the interpretation I put on the omission of the words. But as to whether that would be the interpretation that would be put by the tribunal, I cannot undertake to guarantee.

Dr. Gokul Chand Narang : In view of this remark by the Government Advocate I beg leave to withdraw my amendment in favour of the amendment that has been suggested.

The amendment was by leave withdrawn.

Sardar Tara Singh : Sir, I beg to move

"That in clause 5, sub-clause (1), line 9, the words 'for himself' be omitted."

The motion was carried.

Mr. President : The question is :—

"That clause 5 as amended stand part of the Bill."

The motion was carried.

Mr. President : The question is :—

"That clause 6 stand part of the Bill."

The motion was carried.

The Council then adjourned for an hour for lunch till 2-30 P.M.

The Council re-assembled after lunch at 2-30 of the Clock, Mr. President in the Chair.

Mr. President : The question is :—

"That clause 7 stand part of the Bill."

The motion was carried.

Mr. President : The question is :—

"That clause 8 stand part of the Bill."

The motion was carried.

Mr. President : The question is :—

"That clause 9 stand part of the Bill."

The motion was carried.

Mr. President : Clause 10.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move :—

"That in clause 10, sub-clause (1), line 9, the words 'for himself' be omitted between the words 'a petition claiming' and the words 'a right.'"

The motion was carried.

Mr. President : The question is :—

"That clause 10 as amended stand part of the Bill."

The motion was carried.

Mr. President : The question is:—

"That clause 11 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 12 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 13 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 14 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 15 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 16 stand part of the Bill."

The motion was carried.

Mr. President : Clause 17.

Sardar Jodh Singh [(Sikh) Urban] : Sir, I beg to move—

"That in clause 17, for the word 'provision' the word 'provisions' should be substituted and the words, brackets and figure 'or in sub-section (3)' should be omitted."

This is merely a drafting amendment, and I do not think any speech is necessary.

Mr. President : Clause under consideration, amendment moved—

"In clause 17, for the word 'provision' the word 'provisions' should be substituted and the words, brackets and figure 'or in sub-section (3)' should be omitted."

The question is that that amendment be made.

The motion was carried.

Mr. President : The question is—

"That clause 17 as amended stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 18 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

“ That clause 19 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 20 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 21 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 22 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 23 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 24 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 25 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 26 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 27 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 28 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 29 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 30 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

" That clause 31 stand part of the Bill."

The motion was carried.

Mr. President : The question is :—

" That clause 32 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 33 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 34 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 35 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 36 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 37 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 38 stand part of the Bill. "

The motion was carried.

Mr. President : Clause 39.

Sardar Jodh Singh [(Sikh) Urban] : Sir, I beg to move :—

" That in clause 39 for the word " Act " at the end of the clause the word " Part " should be substituted. "

The motion was carried.

Mr. President : The question is :—

" That clause 39 as amended stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 40 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 41 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 42 stand part of the Bill "

The motion was carried.

Mr. President : The question is :—

" That clause 43 stand part of the Bill. "

The motion was carried.

Mr. President : The question is :—

" That clause 44 stand part of the Bill. "

The motion was carried.

Mr. President : Clause 45.

Sardar Buta Singh [Multan Division and Sheikhpura (Sikh) Rural] : Sir, I beg to move :—

"That in clause 45, sub-clause (1) after article (v) add article (vi): '(vi) is not an Amrit Dhari Sikh.'"

(Urdu) : As regards this amendment I would simply say a few words : I submit that the principle embodied in my amendment has always been acted upon by the Sikh community in respect of its gurdwaras. Even in the case of elections of the members of Shiromani Gurdwara Prabandhak Committee one has to answer one question, that is, to fulfil one condition. Without being an Amrit Dhari nobody can become a member of the said Committee. If you look at the history of the Sikh community you would easily find that the management of the gurdwaras (with the exception of troublous times) had always been in the hands of Amrit Dharis. Every one of the Sikhs is well aware of the fact that a non-Amrit Dhari cannot even enter Sri Akal Takht and Sri Kes Garh. I think that only those members should be elected who are Amrit Dharis. With these words I commend this amendment to the House for acceptance.

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

" In clause 45, sub-clause (1) after article (v) add article (vi): '(vi) is not an Amrit Dhari Sikh' "

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain (Minister for Education) : Sir, clause 45 specifies those persons who are not eligible for acting on the Board, as a matter of fact who are not eligible for being elected to be members of the Central Board, and they constitute at present five classes: persons of unsound mind, insolvents, *patits* and those who are either Mahants of particular Gurdwaras or paid servants of the managing com-

mittees. It is sought to add to this list another condition of ineligibility, that is, that the man is not an Amrit Dhari. I am afraid that is an amendment which personally I cannot agree to at all inasmuch as it renders ineligible a large number of Sikhs who are possibly as good Sikhs as others. But as it is a matter which rests entirely with the Sikhs, I am prepared to go so far as to say that if we are in possession of the considered opinion of the Sikh community on the point at a time when they are not very much overpowered by emotion that considered opinion of the Sikh community must weigh with me a great deal irrespective of what my personal views on the subject may be. Therefore I would offer to my Sikh colleagues of the Legislative Council this suggestion that if the Central Board by a majority of three-fourths of its members passes a resolution not less than two years after the first Board comes into office, to the effect which I shall proceed to detail, then the Government would agree to sanction such a rule. The resolution is to be in the following terms: "No Keshdhari Sikh who is not an Amrit Dhari Sikh shall be eligible as a candidate for membership of the Central Board, special committees of management or local committees of management." This suggestion that I am making implies two conditions, first, that the majority on the Central Board should be a very big majority and, secondly, that the calm atmosphere, which it is hoped soon will be reached, has remained calm for sometime. If such a resolution is passed, it will indeed carry very great weight, and I will be bound to fulfil the promise that I am making now. I also understand that it is possible for some people to imagine that if once Government begins to add this disqualification it will proceed to add other disqualifications; so I want to make it clear, Sir, that since the power of prescribing additional qualifications of membership is given to the Board subject to the sanction of the local Government under the provisions of clause 132 of the present Bill Government will not allow the power to be used to add any other disqualification than the one just alluded to. I believe the suggestion I am making is under the circumstances the best that can be done in the case of this thorny question, and I trust the Sikh members will realise that this is what Government can do to meet their wishes.

Sardar Buta Singh: Sir, in view of the assurance given by the Honourable Minister in charge of this department I beg leave to withdraw this amendment.

The amendment was by leave withdrawn.

Mr. President: The question is—

"That clause 45 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 46 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 47 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 48 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

“That clause 49 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 50 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 51 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 52 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 53 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 54 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 55 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 56 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 57 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 58 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 59 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 65 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

"That clause 61 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 62 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 63 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 64 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 65 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 66 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 67 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 68 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 69 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 70 stand part of the Bill."

The motion was carried.

Mr. President : Clause 71.

Sardar Jodh Singh [Sikh, Urban] : Sir, I beg to move—

"That in clause 71, sub-clause (2), for the figure '4' the figure '1' be substituted."

The motion was carried.

Mr. President : The question is—

“That clause 71, as amended, stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 72 stand part of the Bill.”

The motion was carried.

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Mr. President : The question is—

“That clause 73 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 74 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 75 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 76 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 77 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 78 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 79 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 80 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 81 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“That clause 82 stand part of the Bill.”

The motion was carried.

Mr. President: The question is—

"That clause 82 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 84 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 85 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 86 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 87 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 88 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 89 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 90 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 91 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 92 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 93 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 94 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

“ That clause 95 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 96 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 97 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 98 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 99 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 100 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 101 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 102 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 103 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 104 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 105 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 106 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

"That clause 107 stand part of the Bill."

The motion was carried.

Mr. President : Clause 108.

Sardar Buta Singh [Multan Division and Sheikhpura (Sikh), Rural] (Urdu) : Sir, I beg to move—

"That for sub-clause (3) of clause 108, the following sub-clauses shall be substituted :—

- ' (3) The General Board Fund shall be applied solely to the payment of expenses lawfully incurred by the Board in the exercise of its powers under the provisions of this Act and the discharge of obligations legally incurred provided that if after paying such expenses and discharging such obligations any surplus sum remains, such surplus sum, up to the amount of three thousand rupees in any year may be spent by the Board on any religious, charitable or educational purpose that it may deem fit.
- ' (4) No part of the General Board Fund shall be expended upon the administration of any trust fund described in section 111 or section 112 or upon the object of any such trust fund except in so far as such expenditure may be permissible under the provisions of sub-section (3)."

As regards the amendment, I submit that this also should be accepted on the same principles as we have followed hitherto. Hence I request the Council to accept this limit of Rs. 3,000 for the Board to spend the surplus amount on religious and charitable purposes.

Mr. President. Clause under consideration, amendment moved—

"That for sub-clause (3) of clause 108, the following sub-clauses shall be substituted :—

- ' (3) The General Board Fund shall be applied solely to the payment of expenses lawfully incurred by the Board in the exercise of its powers under the provisions of this Act and the discharge of obligations legally incurred, provided that if after paying such expenses and discharging such obligations any surplus sum remains, such surplus sum up to the amount of three thousand rupees in any year may be spent by the Board on any religious, charitable or educational purpose that it may deem fit.
- ' (4) No part of the General Board Fund shall be expended upon the administration of any trust fund described in section 111 or section 112 or upon the object of any such trust fund except in so far as such expenditure may be permissible under the provisions of sub-section (3)."

The question is that that amendment be made.

The motion was carried.

Mr. President : The question is :—

"That clause 108, as amended, stand part of the Bill."

The motion was carried.

Mr. President : The question is —

"That clause 109 stand part of the Bill."

The motion was carried.

Mr. President : The question is —

"That clause 110 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 111 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 112 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 113 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 114 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 115 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 116 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 117 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 118 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 119 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 120 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 121 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 122 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 123 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 124 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 125 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 126 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 127 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 128 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 129 stand part of the Bill."

The motion was carried.

Mr. President : Clause 130.

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

"That in clause 130, sub-clause (c), after the words 'may itself' the words 'set aside or' be inserted."

The motion was carried.

Mr. President : The question is—

"That clause 130, as amended, stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 131 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 132 stand part of the Bill."

The motion was carried.

Mr. President : Clause 133.

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

“ That in clause 133 the word ‘ incumbents ’ be omitted.”

The motion was carried.

Mr. President : The question is—

“ That clause 133, as amended, stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 134 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 135 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 136 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 137 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 138 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 139 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 140 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 141 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 142 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 143 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 144 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 145 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 146 stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 147 stand part of the Bill.”

The motion was carried.

Sardar Buta Singh [Multan Division and Sheikhpura (Sikh), Rural] : Sir, I beg to move—

“ That after clause 147, the following new clause be added :—

‘ 148. The language of the Commission shall be Punjabi and the script used for all applications and petitions to, and for the records of the Commission shall be Gurmukhi, provided that the Commission may allow any other language or script to be used for such applications or petitions or for its records for any purpose that it may deem fit.’ ”

Sir, I would not deliver a long speech with regard to this amendment. We are the inhabitants of the Punjab and the Punjabi is our mother-tongue. The records concerning our gurdwaras are also kept in Punjabi. The petitions of the Sikhs sent to the Chief Khalsa Diwan are generally written in the Punjabi language. Moreover, whatever I am suggesting would not be observed as a matter of strict rule, but on the other hand the Commission, according to the terms of the proposed clause, would be given the discretion of using any language they like. Hence I hope the Council would accept this amendment.

Mr. President : Bill under consideration, amendment moved—

“ That after clause 147, the following new clause be added :—

‘ 148. The language of the Commission shall be Punjabi and the script used for all applications and petitions to and for the records of the Commission shall be Gurmukhi, provided that the Commission may allow any other language or script to be used for such applications or petitions or for its records for any purpose that it may deem fit.’ ”

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, before this amendment is put to the House, I wish to say a few words. Are we to suppose that the members of the Commission will at all times speak in Punjabi? Are we to infer that the proceedings of the Commission will be recorded in Punjabi? This point should be explained. I wish to know whether Punjabi is to be the spoken as well as the written language of the judges of the Commission. Are the judgments of the Commission to be in Punjabi? Are the quotations which are to be made from the Civil Procedure Code to be in Punjabi? I think it is a very great hardship all at once to spring this question of language on the Council.

[Shaikh Muhammad Sadiq.]

This is not a question of "Ashti" or "Atshi" as one gentleman said. Why does my honourable friend want to throw this bombshell of language on the Council all at once? Surely this is a fine way of raising a very important question in a non-controversial subject like this Bill.

Pandit Nanak Chand: Is it non-controversial?

Shaikh Muhammad Sadiq: Of course it is non-controversial. All along we have been getting through the work in a most friendly spirit. Now this question of language is started all at once. What will the Sikhs think if they are compelled to speak always Urdu in their gurdwaras? There is no use of forcing the people to do a particular thing. There are many lawyers and petition-writers who do not know Punjabi at all. I do not want to be taken as opposing this amendment in any spirit of malice, but I appeal to my honourable friend, the mover of the amendment, to explain first of all, so that I will be able to speak on this matter later on after getting to know the idea underlying the amendment of the honourable member. What does my honourable friend mean by saying the language of the Commission should be Punjabi?

Chaudhri Afzal Haq: Has this amendment been circulated to the members of this House?

Sardar Jodh Singh: If the honourable member will look up the list of amendments circulated to him, he will find this amendment there. It is amendment No. 87.

Shaikh Muhammad Sadiq: But amendment No. 87 in the list is quite different from the one moved by the honourable member Sardar Buta Singh.

Mian Muhammad Shah Nawaz: I rise to a point of order. I understand that the honourable member Sardar Buta Singh has moved an amendment to the effect that a new clause 148 be added. All that the amendment No. 87 in the list says is:—

"At the end of 147, add the following new clause:—

"The Court language of the Judicial Commission established under this Act shall be Punjabi in Gurmukhi script."

Now, Sir, the amendment moved just now adds a proviso to that clause. No such amendment with the proviso has been circulated to the members. My submission is that it is not right that he should be permitted to move this amendment without its being circulated to the House.

Sardar Buta Singh: Whether this particular amendment has been circulated to the members or not, it is for the office to say.

The Honourable Sir John Maynard (Finance Member): May I make the position clear? The amendment that was circulated to everybody is an amendment which made Punjabi the court language for the purpose of the Commission's proceedings. A subsequent amendment to that amendment provides practically to this effect: that in case the court of the Commission should subsequently find it very inconvenient for any particular purpose to make Punjabi in Gurmukhi characters the court language then it would be at liberty to adopt any other language. That is to say, the amendment to the amendment makes the original amendment less

drastic. Instead of requiring the Commission to adhere to Punjabi as the Court language whatever the difficulties and inconveniences may be, it enables the Commission to go back to another language if these difficulties or inconveniences are great. Therefore the amendment to the amendment is something which makes the original amendment something less drastic and less likely to cause permanent inconvenience.

Mian Muhammad Shah Nawaz : We have not yet received notice of the present amendment.

Mr. President : That is much too technical a point of order. If the main thing is put forward in time and is before the Council, any enabling clause that is sought to be added afterwards to make the original amendment less drastic as pointed out by the Honourable the Finance Member would not be such a point of order which would lead me to exclude that from consideration. I will therefore allow the amendment to be discussed.

Shaikh Muhammad Sadiq : In a way this amendment makes the original amendment less drastic. My honourable friend has introduced this amendment very cleverly. This amendment, if accepted virtually, means that no European or any other person who can either read or write Punjabi in Gurmukhi characters, will be appointed a Judge of that Judicial Commission.

Sardar Jodh Singh : The Judicial Commission will solely consist of the Sikhs.

Shaikh Muhammad Sadiq : If anybody else is appointed, then it means that he will not be able to take proceedings in any other language. Since an English Judge is not likely to know Punjabi in Gurmukhi characters, it means he will not know what his Munshi is writing. He will know nothing about the whole case since it is insisted that the proceedings should be in Punjabi. I am not putting this proposition forward in a fighting spirit. What I want is a spirit of conciliation to continue in this Chamber until this Bill is passed. By proposing this amendment, the honourable member is raising a very important question. There has already been great controversy in the Punjab between the Hindus, the Muhammadans and the Sikhs about the question of the adoption of the Punjabi language. I cannot understand what the object is in introducing this controversial topic at the present moment. If anybody wants to give his application before the Judicial Commission in Punjabi, nothing will prevent the Commission from receiving that application. What is the use of adding this amendment to the Bill? If to-day we fight about the language, to-morrow it may be that we may be fighting over some other thing. If my honourable friends want the same spirit of good-will and sympathy as prevailed in the Select Committee and in this Council Chamber till now to continue, then why bring in this troublesome amendment and thus blow the friendship to pieces in a moment.

Dr. Gokul Chand, Narang : Is it so troublesome?

Shaikh Muhammad Sadiq : Yes, Sir, it is troublesome. I am not in the habit of uttering platitudes like my honourable friend Dr. Narang. To-day he exhibits one spirit in giving notice of amendments and he has shown quite another spirit in withdrawing these amendments. If at all I have learnt any lesson from my honourable friend Dr. Narang, it is this that

[Shaikh Muhammad Sadiq.]

discretion is not only the better but the best part of valour. I am not going to mince matters. I want to put this bluntly and plainly before my Sikh friends. If my Sikh friends want to introduce this question of Punjabi *versus* Urdu, then they had better do it on some other occasion. This is a very important question. The Muhammadans have been supporting the Sikhs all along in the various stages of the Bill. Now all at once the honourable member wants to introduce in a corner of the last section this amendment. We never expected this amendment to come before this House. It was never discussed before in the meetings of the Select Committee. It is very unjust to spring this amendment upon the House when all clauses in the Bill have been assented to by the House. It will be very inconvenient to accept this amendment. I warn the House that it will bring a lot of trouble, and that it will be the forerunner of a lot of trouble in the Punjab. Moreover, in the list of amendments that was circulated to the House, it was sought to put this as an amendment to clause 147. Now it is attempted to introduce this as a new clause, namely, clause 148. I cannot for one moment understand all this. These are, I know, technicalities. Is this the spirit that the honourable members should exhibit after the whole Bill has almost gone through the various stages? Does it prove that we are moving in the right spirit? Did ever any Muhammadan lay claim to any Gurdwara land, although it was given by Muslims? They have been keeping quiet. It has been said that it was not the concern of the Muhammadans of the Punjab. No doubt the question of Gurdwaras is not one that concerns the Muhammadans, but the Muhammadans are interested in a general way in the administration of the country as much as the Hindus and the Sikhs. There will be Muhammadan lawyers and Muhammadan judges who may not know a bit of Punjabi in Gurmukhi characters. Is it just on the part of my Sikh friends to debar by a stroke of the pen the Muhammadan lawyers and the Muhammadan judges from having any connection with the Judicial Commission that is to be set up under the Act? In that case there will be no European judge at all. After all what is the Gurmukhi of the Punjab? What is the kind of Punjabi that is sought to be enforced on the Commission? Is it the Punjabi that was used a hundred years ago? What is the kind of Punjabi that is to be introduced? Is it the Punjabi of the Multan District? Is it to be that of the Hoshiarpur District? Or again is it to be that of the beautiful valley of Kulu? If you are going to introduce Punjabi, pray tell me what is the kind of Punjabi that you are going to introduce? I think my friend must make it plain as to what is the kind of language that he is introducing? I would once again appeal to my honourable friend not to start this controversial subject at this moment. We have already passed the major portion of the Bill in the most amicable manner and I request my honourable friend not to mar the peaceful atmosphere by this controversial amendment.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, I rise just to correct a little mistake which my friend in his enthusiasm has made. Perhaps he has not kept in his mind the fact that the Commission will consist chiefly (a voice, solely; another voice, essentially) solely of Sikhs and as such there will be no difficulty. I do not wish to say anything more on the subject.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan) Rural]: Sir, I do desire to discuss this amendment dispassionately and I am

in right earnest when I am making this speech. The matter was put before the Select Committee and thoroughly discussed and we came to the conclusion that the clause in question was absolutely undesirable. None of the members of the Select Committee thought it fit and just to move this amendment but another gentleman who was not a member of the Select Committee has moved it in the interest of the Sikh community probably. But it is not a question which really concerns the Sikhs, it concerns Government and judicial administration as well. It concerns the Mussalmans, it concerns every one in this province. Now, Sir, the Court language of the province has been Urdu so far. The court languages of Maharaja Ranjit Singh were Persian and Urdu. All the *munasils* relating to all the gurdwaras were issued in Persian and not in Gurmukhi. In the times of Sikhs nobody talked of Gurmukhi and now after a century some of the Sikhs have put forward the proposal of making Punjabi (Gurmukhi), as the language of the Judicial Commission. The Government will be responsible for the constitution of this Commission. Then you must remember that in some cases there will be appeals from the decisions of Judicial Commission to the High Court. I admit that members of the Judicial Commission will be Sikhs but two of them will be lawyers of ten years' standing; the third probably a retired District Judge. The proceedings before them can be conducted either in Urdu or English. Sir, who is to understand Gurmukhi? Who is to make speeches in Gurmukhi? Is there a Muhammadan lawyer or Hindu lawyer who knows Gurmukhi? I would ask the honourable mover not to agitate an issue which concerns the whole province. I am surprised that Government is not taking it quite seriously. It is really a very serious matter indeed which concerns the entire fabric of judicial administration and the Judges of the High Court—(A voice, have it translated). The Judges do not know Gurmukhi. The translation will involve further expense and why burden the whole province with extra expense.

Pandit Nanak Chand: Urdu is also translated there.

Mian Muhammad Shah Nawaz: But lawyers do understand Urdu. The Judges do understand it. I know that some of the Judges can read it. They know what it is, but Gurmukhi will not be understood by the Judges. Sir, it is a very serious matter and it can not be treated lightly. The Mussalmans have been fighting for Urdu for the last two decades. They are not likely to give way without a struggle which may lead to disastrous consequences. The Government should consider the matter seriously. The members of the Select Committee were unanimous and they were clearly of opinion that this clause should not be inserted in this Bill. All of a sudden there is a change of front on the part of the Government and the Sikh members. Nobody ever imagined that this amendment will be moved. Is this the way we are treating the unanimous decision of the Select Committee which was fully represented by the Government, by the Sikhs and other communities. Indeed there were only four Mussalmans on the Select Committee out of a total number of nineteen. It was then decided that the question involved in the clause was a controversial one and should be dropped and was dropped accordingly. I appeal to the Sikh members not to agitate this point. In moving this clause they are agitating a new issue which I think in the interest of all communities concerned, in the interests of the Sikhs and in the interests of the province should not be agitated. We have gone through this Bill quite amicably. The Mussalmans even now have shown active sympathy to the Sikhs and given tremendous help and

[Mian Muhammad Shah Nawaz.]

are ready to help them in every way, but for God's sake do not agitate this point because it will arouse feelings and may estrange good relations. If the Sikhs will press this clause, the Council will consider the Schedules I and II on their own merits and not on the basis of agreement arrived at between all parties.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural]: Sir, the first reply that I would make to Mr. Shah Nawaz's argument with regard to the High Court is that even now all the records before the High Court are translated in English.

Malik Firoz Khan, Noon : No, not in revision.

Pandit Nanak Chand : This would be a first appeal to the High Court and so far as the first appeals are concerned, all the records are translated in English, and therefore I do not see any difficulty with regard to the language in which the cases shall be presented to the High Court. This argument is therefore futile and has no force. In the second place, my learned friend has not seen, that this Judicial Commission is really to consist of three Sikh members who are to decide matters which exclusively concern the Sikhs and the third parties are not concerned. Now it is an open fact known to everybody that the language of the Sikhs is Punjabi and the script which they employ for that language is Gurmukhi. Therefore is it any ground that Gurmukhi should not be the language in all these judicial commissions simply because Urdu is the Court language? Therefore it is really a matter which would facilitate the witnesses in giving their evidence and the gentlemen who will decide these cases to have all the evidence heard and recorded in the language in which they always express their ideas. The third point is that really Punjabi is the language of the province and there is absolutely no reason why in this matter at least Punjabi should not come to its own again. My friend has forgotten the discussion which took place in the Council Chamber sometime ago and I submit that so far as the Court language is concerned opinion is divided whether it should be Punjabi or whether it should be Urdu. I entirely fail to see that in a matter which does not concern the Muhammadans or which does not concern any other community such fuss should be made over such a small matter. Then, Sir, the threats of breach of friendship should not be held out. They do not come with good grace from any community and therefore if the honourable members have been friendly to the Sikhs so long there is absolutely no reason why they should not be friendly to them a little more.

Then, Sir, with regard to one matter which was touched by my learned friend Shaikh Muhammad Sadiq with regard to Dr. Gokul Chand Narang's position, I have to state this that whatever he did to-day was the deliberate decision of the Hindu party as a whole. The Hindu and Sikh members met and decided not to move their amendments and if there was any difference with regard to the individual cases, that is with regard to cases included in Schedule I, that was to be decided by a joint committee appointed by the Hindus and the Sikhs sitting together and therefore we have nominated three members from our side and three members from the Sikh side, to take the evidence and to decide whether any particular Gurdwara or temple is to be excluded or included in Schedule No. 1. Therefore I wish to make it clear that whatever Dr. Gokul Chand has done with regard to this matter

he has done so in obedience to the wishes and the decisions of the Hindu party. Of course these friendly hits Dr. Gokul Chand and Shaikh Muhammad Sadiq can exchange between themselves, but so far as the party is concerned, we have decided that we are not going to move any amendments and the Sikhs have decided that they will not move any amendments and that whatever has to be done will be decided by mutual consent and good will.

Shaikh Muhammad Sadiq : What has this to do with the amendment?

Pandit Nanak Chand : My learned friend started the discussion with regard to Dr. Gokul Chand's position and when a reply is given to him he complains that no reply should be given to him. I say Dr. Gokul Chand is bound by the decision of his party, but my learned friend only represents himself because he does not belong to any party.

Mian Abdul Aziz : He has no party feelings.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, the question Punjabi *versus* Urdu has already been fully discussed in the Council. Therefore it is not necessary for me to dilate upon the same points that have already been put before the Council in this connection. Here I would simply submit that when this question was put before the Select Committee they flatly refused to consider it. There was a good number of Sikh members in the Select Committee and they conscientiously considered the whole situation and decided that this question should not be considered. Now one of the Sikh members of this House comes forward and moves this amendment. It cannot be said that it is being done without the knowledge and connivance of other Sikh members of the House. I would inquire of the Sikh members whether this motion is the first reward to Muhammadans for all their help rendered in the passage of the Sikh Gurdwara Bill.

The next point which annoys me most is this that the Government, which is supported by the Muhammadan members in season and out of season, is perfectly silent at this moment when this question of vital importance is being discussed in the Council. Is this the reward to Muhammadans for their friendship and sincerity? Do not think that this question is not an important one. As the Urdu couplet

مشق کا جنازہ ہے ذرا دیر سے نکال

(It is the bier of a lover let it be carried in state)

goes we would leave no stone unturned in opposing this motion. This silence of the Government clearly shows that we have been duped by it. It is better that we should help ourselves for no nation can prosper if it does not stand on its own legs.

Sardar Gurbakhsh Singh : I rise to a point of order. My friend is digressing from the question before the Council. He is practically delivering a lecture on Hindu-Muslim relations and the Muslim relations with the Government. That is hardly the question before the House. My friend is losing his patience and treating on questions which are not under discussion.

Mr. President : A point of order does not require a speech.

S. Gurbakhash Singh : I only wished to point out that the honourable member is going beyond the question under discussion, namely the Punjabi language.

Mr. President : Will the honourable member confine himself to the subject under discussion ?

Chaudhri Afzal Haq (continued in Urdu) : Sir, I think I am justified in remarking that the Government has embarked on quite a new policy and I think it my duty to disclose all risks and dangers that are likely to ensue from it. Sir, If you do not like me to do this I would obey your orders. I see that the Government is quite prepared at this time to accept this amendment. I would warn the Government and the Muslim members of the House to be very careful for they would be going astray if they accept the amendment under discussion. If the Government would not hear our advice the only means to make it feel the bitterness of our situation is to non-co-operate with it. I am glad that the present situation has arisen because the Muhammadan members of the House who are always in earnest to support the Government would realise the futility of their expectations. We do oppose the Government and would oppose it so long as it disregards our wishes. It is now high time that the Muhammadan members of the House should realise their position and boldly safeguard their interests and rights.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban] (Urdu) : Sir, every honourable member of the House is professing to be a friend of the Sikhs to-day. An understanding has been arrived at and we are asked to stick to it. But I am really astonished to see why our Muhammadan friends are uselessly quarrelling on a point which does not concern them at all. The Gurdwara Bill is primarily the concern of the Sikhs. It does also concern the Hindus to some extent. Of course the Muhammadan members are helping in this legislation in the discharge of their duty as members of the Council. Now we have to see how the Bill affects them. Apparently there is no harm if the language adopted by the Commission be Punjabi or Gurmukhi. An objection has been taken that by this arrangement only the Sikh and Hindu lawyers would be able to conduct proceedings before the Commission and the Muhammadan pleaders would not be engaged as they would not be able to understand these languages. There is no force in their argument as we find that in civil courts the Muhammadan pleaders do appear and plead cases based on Hindu Law. It is often seen that the account books produced in the civil courts are written in "Landas" and "Hindi" and the Muhammadan pleaders can very well understand them. When they can conduct such civil cases in the law courts constituted as they are, there is no reason to complain that they would not be able to understand the proceedings of the Commission if they appear in Punjabi. Moreover, it has been urged that the Judges of the High Court would not be able to understand the Punjabi and Gurmukhi. As regards this, I would submit that these languages can be translated into English just as Urdu is rendered into English in the High Court. I may also here mention the case of the United Provinces where the court languages are both Urdu and Hindi and in Behar the court language is Hindi. In both these provinces there is the Muhammadan population and the work of administration is being smoothly carried on. I cannot understand why Gurmukhi or Punjabi should not be recognised as important a language as Urdu is considered to be. It is absolutely no concern of the Muhammadans to object to any provision

of the Bill as they are not being affected at all by it. The Hindus can very well raise any reasonable objection which can be deemed to affect their interests. This demand of the Sikhs that the proceedings before the Commission should be conducted in Punjabi is very reasonable and just. But if the Muhammadans are likely to suffer in any way, they can rightfully complain of it. They know full well that the Bill is only the concern of the Sikhs and the Hindus. They cannot be justified when they place any hindrance in the passage of the Bill. In the end I would urge that the amendment should be considered on its own merits and the deliberation which have been so peacefully carried on hitherto should be carried to a successful end.

Mian Abdul Aziz [Lahore City (Muhammadan), Urban] (Urdu) : Sir, I am really sorry that only at its final stage so much of unpleasantness has been created and opposition offered especially so when we are all pleased to find the rest of the Bill having been passed quite smoothly and without any controversy having been raised on any point. The Bill is really an important one and very extensive in its effect and we should have tried to avoid moving any amendment which might look unpalatable to an important section of the House. I will now proceed to show how the present amendment was unnecessary, and that without it the Sikhs could do.

The amendment moved has been shown to be a proviso to clause 147 of the Bill. Now those who will care to look at that clause will at once find out that the amendment can have no connection whatsoever with the clause referred to.....

Lala Bodh Raj : The amendment is merely to add a new clause.

Mian Abdul Aziz : I am very glad my friend has kindly given me the information that this is a new clause as if I could not understand that much.

(Continued in Urdu) : Even admitting what Lala Bodh Raj would have me believe, I do not see any reason why this amendment should have been moved at all at a time when the last clause of the Bill had been considered and passed. It would have been advisable if this amendment had not been moved, and if it had been moved at all, it should not have been pressed like that when it had been known that the Muhammadan members could not possibly agree to it.

It has been suggested by some of my Hindu friends that the Muhammadans should keep silent as they are not concerned in the Bill in any way. Do they mean to say that we should go on hearing and we should say nothing. So long as we are here in the Council we cannot be compelled to keep silent. We must express our opinions on such important matters, and especially so when we are deeply interested in this amendment. So far as I can see the suggestion has been made in order that the Hindu community might silently gain the object it has in view and for which it has unsuccessfully fought on several occasions before. That we do not like to stand in the way of the Sikhs in the hour of their victory we have made it sufficiently clear but you cannot expect us to give in when our interests are at stake and the other party is not gaining anything.

It is an open secret that Punjabi is not a standard language and it is an unsettled language too. It is different in different parts of the province. I ask of my Sikh brothers, will it be impossible for the Commission to carry

[Mian Abdul Aziz.]

on its work if it does not conduct its proceedings in the Punjabi language? I think it can do without that language. The court language at present in vogue can very well serve the purpose. Why then should our Sikh brothers press this amendment? I think they will be ill-advised if they incur the displeasure of their Muhammadan friends for nothing. It has been contended over and over again that the Muhammadans have no concern. I think the Hindus and the Government likewise are not affected. Let them therefore, keep neutral and allow us to decide the question between ourselves, that is Muhammadans and Sikhs.

It would have been better if this controversial question of Urdu *versus* Punjabi had not been raised. We had already had much of it. The attitude of the Government too in this connection is inexplicable. I really wonder why Government should give its support to this amendment when it was thrown out in the Select Committee. I might say here that we have no objection if the Commission privately arranges to have its proceedings conducted in Punjabi or Gurmukhi, but to ask for a definite provision to be made in the Bill is something to which we cannot persuade ourselves to agree. As already remarked by Mian Muhammad Shah Nawaz, the documents on which depended the success of this Bill are all in Urdu or Persian language. I do not see any reason why the Urdu language should now be given up at once. I do not think it will now, after such a long time, defile and profane the Sikh religion. If our Sikhs are determined to press this motion, I am sure it will lead to very serious consequences and as remarked, some may become ready to oppose the Schedules. I have very carefully pondered over the question, but I do not see any reason why any change in the court language should be brought about. If it is intended that Sikhs should be employed in the High Court in greater numbers where the proceedings of the lower courts are translated into English, we have no objection to that but this is not the proper way to achieve that end. Every Sikh gentleman can write, read and speak in Urdu. The Honourable Member for Revenue, who is one of the leading Sikhs, often makes speeches in Urdu and likewise there are other Sikh members who can talk in Urdu quite well.

Before I finish my speech, I again request my Sikh friends to pause and consider this question. They are not going to gain anything even if the amendment is passed, but all the same they will thereby displease their Muhammadan friends. If any member of the Commission happens to be unacquainted with the Urdu language, he can have the help of the Munshi and what is more, we will not object to the adoption of Punjabi language if at any time necessity arises for its adoption; but to press the amendment at this stage is inadvisable and I would, therefore, ask my friend, the mover, to withdraw his amendment.

The Honourable Mian Sir Fazl-i-Husain [Minister for Education] (Urdu): Sir, I have very carefully listened to the speeches made during the last one hour or so in regard to the amendment under consideration and I may say that they both amused and pained me, because I knew that so much time and labour was being wasted over a matter which was not of any importance. In so short a time expression has been given to so many ideas. Some of the honourable members have said that the Government seems to have changed its policy in regard to the court language. Others have remarked that this amendment has been moved so that it might be passed without being noticed.

Chaudhri Afzal Haq : That is quite so.

The Honourable Mian Sir Fazl-i-Husain (Urdu) : If that is the honourable member's impression, I must say that that is the result of his hastiness. I must say again that this question of language is not an important question. The Commission has already powers to conduct its proceedings in any language in which it may determine to do so. The question before us is quite an unimportant one and that is why the Government did not care to consider it in the Select Committee and the Sikh members too did not insist upon the introduction of the Punjabi language in that Committee. I really wonder why so much importance has been attached to it. I may repeat it once more that this is a matter which should not detain us long.

Addressing myself to the Sikh members I might say that even if this amendment is passed, it will not add to the powers the Commission has already got. It is, therefore, no use pressing this amendment. I have ascertained from the Government Advocate also that the Commission can adopt any language to conduct its proceedings without this amendment. It would, therefore, be much better if my Sikh friend withdraws his amendment because he will thereby help to compose the differences that have arisen and especially so when the Sikhs will not be losers in any way.

Mian Abdul Aziz : On a point of order, Sir. The Honourable Minister says that he has got the opinion of the learned Government Advocate. Of course if that opinion is final, I bow to it. But I find Sections 70 and 77 should be read together

Mr. President : Order, order. In view of what the Honourable Minister said at the end of his speech, when he suggested for the consideration of the Sikh members, that they may not, under the circumstances, press the amendment, I do not think we need go into the point which Mian Abdul Aziz wants to raise at this stage.

Sardar Jodh Singh (Sikh, Urban) : Sir, it is very unfortunate that an innocent amendment, as has been explained just now by the Honourable Minister for Education, should have been made the occasion of so much sentiment and rhetoric in this Council. Honourable members have not only expressed their own opinions but have also held out threats and have said that this is a fine reward for the friendship which has been displayed by such and such a community. I did not want to say these words, Sir, but I am obliged to say on the floor of this House that if we are obliged to anybody for this Bill it is to Government and to Government alone. (Mian Abdul Aziz : We admit that.) Had other communities helped us during these four years, Sir, all the sufferings that we have undergone would not have come to our share. If other communities, and specially the majority community, have helped us now they have helped us because they wanted to help Government. Even then we would have felt obliged to them as I said in my letter to the *Trilune* the other day, because we were not going to analyse the motives, but, Sir, we have been accused of insincerity. It has been said to us. We have been helping you and now you are playing false to us. Sir, of such helpers Shaikh Saadi says :—

'Haqqa kikh ba akubat-i-dozakh barabar ast

Raftan bapai n ardid hamsaya dar bahisi.'

(Verily, it is worse than the worst tortures of hell to go to paradise with the help of one's neighbours.)

[Sardar Jodh Singh.]

If this is the attitude of the gentlemen who are helping us, then on behalf of the Sikhs I am prepared to sacrifice even this Bill, rather than to submit to such threats. They ought to have waited and seen the result and seen how the Sikhs were grateful to them who helped them in times of difficulty. To claim a reward for the friendship or help on the floor of the House before the Bill becomes an Act, I think is *Tajil* and I would not say anything further. Sir, I say again that this amendment is very suitable. Why has the High Court been brought in here? The members have read the Bill and they know that only in two cases an appeal lies to the High Court against the decision of the Commission. I am not a lawyer myself, but my lawyer friends have assured me and I also have often seen that whenever cases come to the High Court files are translated and printed in English. I do not see, then, wherein the question of language comes in the way of the High Court.

Then, again, Sir, the accounts of all Gurdwaras about which cases are likely to come before the Commission.

Mr. President: The time for the sitting of the Council is up. If the honourable member has much more to say, I think he had better continue his speech to-morrow.

Sardar Jodh Singh: Sir, I should like to continue my speech to-morrow.

The Council then adjourned till 10-30 a.m. on Tuesday, the 7th July 1925.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 7th July 1925.

THE Council met at the Legislative Assembly Chamber Simla, at 10-30 of the clock. Mr. President in the Chair.

THE SIKH GURDWARAS BILL.

Mr. President: The Council will resume discussion on the Sikh Gurdwaras Bill.

Sardar Jodh Singh (Sikh, Urban): Sir, I am glad that all of us had a night's sleep over yesterday's unpleasant incident that marred the harmony of our discussions in this hall and I hope we are in a much calmer mood to discuss dispassionately the question before us. Sir, in the speeches that were delivered on the floor of this House yesterday accusations of bad faith and ungratefulness were hurled at us. I am really sorry that I have to reply to them, but those speeches will become a permanent record. If we are to accept them as such—they have not been withdrawn up to this time—and if we are to accept those accusations without giving a reply to them, the record will go to posterity and the people will think that we were really such. This movement began five years back. At the very beginning just after the Nankana massacre a solution was proposed by the Government; but unfortunately our honourable friend Raja Narendra Nath could not see eye to eye with us and that solution failed. After that as the movement progressed, the Hindu members of this House appeared to have realised their mistake and their attitude changed into that of sympathy. When Sir Fazl-i-Husain's Bill was proposed—I know that it was explained on the floor of this House that it was done with the consent of the Sikh members—when the Bill came before the Council, the Sikh members found that it was not acceptable to the community which they represented. On that occasion it was with the votes of the Muhammadan community that the Bill was passed against our wishes. Since that time whenever Akali matters were brought before this Council, we have been receiving help from the majority of the Hindus and a few of our Musalman friends though I was sorry to find yesterday that those very Musalman friends of ours opposed this mild proposal in the most bitter terms. With the passing of Sir Fazl-i-Husain's Bill another chapter began and that as everybody knows is the Birdwood negotiations. I am not going to divulge anything concerning those negotiations, but I know every bit of them. Unfortunately those negotiations too ended in failure. After that the great Hindu Leader, Pandit Madan Mohan Malaviya actively interested himself in the solution of the Gurdwara trouble (Hear, hear). He wanted to produce a Bill with the consent of all the people interested in it. He had not yet succeeded when our consultations with the Government began and let it be said to his credit that when he learnt of these negotiations he at once said that his object was merely to see that the dispute between the Government and the Sikhs was settled and

[Sardar Jodh Singh.]

that therefore he would not proceed any further with his scheme and that he would go out of the way now. During the present negotiations there were two parties in the Council whom we ever consulted. There was the Ministerialist party which consisted of a majority of Muhammadans and some Hindus who of course were with the Government and the other party consisted of the majority of the Hindus who called themselves "Swarajists" and Hindu party, but for my purpose I will call them Hindu party alone. Sir, I do not think that the Government, during these negotiations had any occasion to accuse us of bad faith. Whatever was agreed to with the Government, even at the risk of unpopularity the Sikh members stuck to it. They fought not only in the press but on the platform to support what they had said. As for the Hindu members, before this Bill had come they had given us an understanding that they would support it. When this Bill came, the whole Council welcomed it, but in the Select Committee some of the Hindu members adopted an attitude which was puzzling to us. But, Sir, let it be said to their credit, that when they had haggled as much as they possibly could, and when the time came for actual settlement they withdrew all opposition. Everybody knows what happened on the floor of the House yesterday. We heartily appreciate that attitude of theirs, because though we do not recognise the claims of the Hindus as such to any share in the management of any of the Sikh gurdwaras, yet they could with some show of reason have adopted an obstructive attitude. Sir, as for the Muhammadans, we were in consultation with their leader all the time. Sir Fazl-i-Husain was in charge of the Bill and he on the floor of this House told us yesterday that this amendment was moved with his full consent. Besides this amendment there were many more amendments.....

Mian Muhammad Shah Nawaz : When was the consent given ?

Sardar Jodh Singh : There were many more amendments besides this which from the point of view of religion were much more important, but we had made an agreement with the Government that we would not move those amendments to which they would not agree, because we did not want to create scenes in this House. Sir, for that omission of ours, for that agreement of ours, we will have yet to answer to our community. But we did not move those amendments, and we stuck to what we said. Yesterday all of a sudden when we had moved this amendment with the full consent of the Honourable Mian Sir Fazl-i-Husain.....

Mian Muhammad Shah Nawaz : When was the consent given ?
(Voices : Order, order.) At any rate that consent was not given on the floor of this House.

Sardar Jodh Singh : All of a sudden we were accused of bad faith. I do not know in what it consisted. As for the charge of ungratefulness, I already remarked yesterday that we deeply appreciate the efforts of the party that really helped us in the solution and that party is the Government in the first instance. I cannot understand why we should be accused of ungratefulness. I would reserve my further remarks on this point for a later occasion ; but I hasten to say at once that we deeply appreciate the attitude which the Hindu members have adopted since yesterday.

And, Sir, I hasten to thank the other party also though the Muhammadans had no interest in the matter of gurdwaras (A voice : Absolutely wrong.) Sir, they never laid any claim to any interest in any of our gurdwaras so far as my knowledge goes, but, Sir, I did not think that they would adopt an

attitude of obstruction and for not doing that we are thankful to them. (A voice: It is not at all obstruction, but as a matter of fact help). Now, Sir, there were certain insinuations yesterday which I want to contradict. It was insinuated that the Hindus instigated the Sikh members to move this amendment. Before this House I state with full authority that no Hindu member had seen the amendment when we sent it, and even when we had sent it we did not know whether we were going to move it or not because at that time we had not the consent of the Minister in charge. The Hindu members only knew of the amendment when it was actually moved or a few hours before that. Therefore, Sir, that charge is absolutely false.

I will now briefly review the arguments that have been advanced against the merits of the case. Some members said that Punjabi consisted of so many dialects and therefore it was not a language. I do not know what terms to use for them except that perhaps they are in colossal ignorance of the science of language. There is not a spoken language on the face of the earth which does not consist of dialects. Speak to any Tommy and you will find that he does not speak the King's English but he speaks the dialect of his own county. Those who are proud of Urdu perhaps have yet to learn that the Urdu spoken in villages round Delhi is quite different from the language spoken in and about Lucknow, and there is as much difference between the dialects of the two localities as you will find between northern Punjabi and southern Punjabi. Sir, the fact is, that whatever they may say to the contrary, the Muhammadans, the Hindus and the Sikhs all speak Punjabi (Hear, hear).....

Professor Ruchi Ram, Sahni : And nothing else.

Maulvi Mazhar Ali, Azhar : But you are speaking English (laughter).

Dr. Gokul Chand, Narang : He means at home.

Sardar Jodh Singh : Sir, whatever obstructions my Muhammadan zealots may offer during my speech, I know at least of one Muhammadan gentleman in this House (A voice: he is not here), I am sorry he is not here, but if here I am sure he would have supported me out of his love for Hir Waris Shah. Sir, there are scores of papers that are being run in Punjabi and there are thousands of books published in Punjabi every year. To say in the face of these facts that Punjabi is not a language is to show one's ignorance. But, Sir, if even after these facts have been presented to them and if having eyes they do not see and having ears they do not hear, I have no other argument to convince them. As regards the actual proposal, how innocent it is! And the gentleman who began to oppose it was ignorant of the proposal itself. He said that Muhammadan Judges would be appointed to the Commission and that English Judges would be appointed to the Commission. The honourable member evidently had not studied the Bill ...

Shaikh Muhammad Sadiq : Because there was going to be a compromise, it was not necessary even to read it.

Sardar Jodh Singh : The Commission will consist solely of Sikhs. And the cases that will come before that Commission, who will be parties to them? Local committees and the Central Board, and here and there a dissatisfied Mahant. In most cases, except in two cases to be more precise, no appeal lies against the decision of this panchayat and the beauty of the thing is that the amendment itself proposed that the Commission could use

[Sardar Jodh Singh.]

Punjabi or any other language as it deemed necessary. Even if I take it for granted that the learned Judges of the High Court are great Urdu scholars, that they can understand Urdu, but not Punjabi, even if I take that for granted, the provision was that in cases which are to go to the High Court in appeal they could adopt Urdu as the Court language if they so desired. I am not a lawyer, Sir, but I have seen files with my own eyes that have been printed before they were sent to the High Court. The same could be done in this case. So much for the merits of the case. Some of my friends have smelt rats in the proposal and they say this is the thin end of the wedge. I can assure them that the Sikhs are not used to stabbing in the dark (A voice: openly they do). Yes, in the open they will say anything and do anything. Punjabi as an alternative court language has been the demand of the Sikhs not since the inception of the Gurdwara Bill, but since, I think, the inception of the Sikh Educational Conference. Ever since then they have been clamouring for the use of their mother tongue in courts. It is not a new demand, and they will continue to make that demand until it is satisfied. They do not want to thrust Punjabi upon others for others born in the Punjab speaking Punjabi still think that it is not their mother tongue. The Sikhs have no business to thrust it upon them. What they want is that they should be allowed to use their mother tongue and in this case especially, I appeal to the Muhammadan members to note, when the whole thing concerns the Sikhs and the Sikhs alone. What earthly objection can they have to that? Sir, I do not want to prolong my speech. I do not want to answer the ugly language that has been used and the threats that have been held out. We are content with our fate. We are a minority and if we have to submit to the fate of a minority, we will submit to it like men.

We are sorry, Sir, that the amendment has put Mian Sir Fazl-i-Husain in a fix. We are very grateful to him because since the change of the attitude of Government he has worked as a willing instrument for the Gurdwara Bill. He brought to bear his keenness, his acumen and his industry and his ability to make the thing a really good Gurdwara Bill as far as it was possible for him to do consistent with the policy of Government. I am sorry that he has been put in a fix because some of his own supporters appear to have revolted against him in this particular respect and if the Government members find that they cannot support us because by supporting us they will lose the breath of their nostrils, as it was put by a gentleman in his yesterday's speech, I will not—though I will feel very sorry for them—entertain any feelings of bitterness against Government. (A voice: very kind of you). Because Government and Sikhs in spite of the present estrangement have been friends for a long time. Even when friends quarrel they wish each other happiness, and, Sir, even if Government thinks it necessary to go into the lobby against us to conserve their life breath I wish them a long life. (A voice: what has that to do with life?) But, Sir, on account of the speeches that were delivered yesterday, I hesitate to use the prefix of 'happy' to it.

11 A. M.

Mir Maqbool Mahmood [Amritsar (Muhammadan), Rural]: Sir, angels are proverbially jealous, and we see the cordial spirit in which we discussed the Gurdwara Bill yesterday disturbed. A misunderstanding was created in which certain things were said which had better not been said. But luckily night intervened and the cooler atmosphere of Simla helped to

dispel that misunderstanding. I want to make a few observations on the matter now under discussion. To begin with, let me make it clear, Sir, to my Sikh friends that we Musalmans do not grudge the right of the Sikhs or of any other community to fight and stand for the language which they cherish just as we fight and stand for the language we cherish. But what we resent and what we feel my Sikh friends will agree that we can rightly resent is that such controversial matters should not be approached through the backdoor and in an atmosphere which may look suspicious. Unfortunately it was this atmosphere of suspicion which was responsible for what happened yesterday. As it is, a whisper came from outside the Council Chamber, from a certain responsible Sikh member, I speak subject to correction, that he had secured the consent of the Government in moving that particular amendment. Well, Sir, the Musalman members who happened to be in the Select Committee along with the Government and the other members of the Select Committee discussed this question and came to a particular decision. (A voice: Unanimous). In view of that decision they said that the Sikh members moved the amendment without their consent. If the Sikh members had got the consent of the Government for moving this amendment it was only the minimum of courtesy that they should have secured the similar consent of the Musalman members also. That omission naturally upset some of the Musalman members, particularly when at the previous discussion this question was not touched at all. This omission to consult the Muhammadan members may not be due to any deliberate desire on the part of my Sikh friends, but that is a circumstance which may reasonably lead to a suspicion particularly in the present unfortunate atmosphere of the province. Not only that. There is a ministerial party of Musalmans here. The Government knows that the Musalmans are sensitive on this language question which is a very vital one for them and if the Government gave its consent to this amendment without consulting the Muhammadans the probable inference is that they relied on the support from some other quarters. The Musalmans feel a resentment in this affair and justifiably too, and this omission on the part of the Government to consult them is unfortunate, and when I use the word 'unfortunate' I am surprised at my own moderation.

This may be a cause of misunderstanding, but I will be false to myself and to my party's tradition if I do not say that all these misunderstandings do not justify the language used by some friends on this side. I want to declare on behalf of those of my friends who agree with me that however strongly we feel on the language problem, the threats used were unnecessary.

Mian Muhammad Shah Nawaz: Threats were never used. What I said was that the Schedules would be considered on their own merits.

Mir Maqbool Mahmood: I am glad for my learned friend's interruption. Some others also said that the first Schedule will go out. (A voice: No). I am glad that my learned friend did not mean what he said, and did not want to give the threat which he gave.

Mian Muhammad Shah Nawaz: I never used threats. I only explained that we will consider the Schedules on their own merits, because some Musalmans are connected with the gurdwaras.

Mir Maqbool Mahmood: Sir, such threats, if they were threats at all, would appear to be childish even on the lips of a hysteric school-girl (Hear, hear) and when they are made in the Council Chamber, I can only say that they were made in a moment of excitement. But, Sir, when I have said this, I regret that Sardar Jodh Singh is not present here now, because I would like to address him on one matter. He also made certain suggestions which to say the least are neither fair to his party nor to himself. (Hear, hear.) To begin with unfortunately he quoted from the Great Sadi, he said that he would prefer going to hell rather than go to heaven with the friendship and support of his friends. I submit that if I were a Sikh, I would feel far happier over a Bill or piece of legislation which I secure with the intelligent support of all sections of the House rather than for one which is got through the opposition of the intelligent section of the House and merely by force of political circumstances. I would therefore appeal to my Sikh friends to feel proud of this Bill not because it is carried by mere votes, but because of the support which they are getting and which they are entitled to get from the intelligent section of all parties. To-day, Sir, in his speech Sardar Jodh Singh has taken a new line. Yesterday he finished his speech in a different tone, to-day it is a different tone. Yesterday he congratulated certain friends of his in this House, of a certain community for the great support which had been given him in the matter of this Bill. I do not grudge that. I congratulate them on the wisdom and the spirit which they displayed yesterday. But what has happened? If certain Hindu friends have returned the property of certain gurdwaras which belonged to the Sikhs, and if the return of such property can be called gift, then gift has got a different meaning in the vocabulary of Sardar Jodh Singh and myself. (Hear, hear.) It has been stated that the Musalmans have given no help in the settlement of the gurdwaras. It pains me, Sir, to enter into such a controversy, but I fear I would fail in the discharge of my duty if I do not make this clear. I should like to know what would have been the attitude of the so-called pseudo-supporters of the Bill if the Muhammadans had not been here to vote for the Bill or had declared that they were neutral in this matter. (Hear, hear.) I appeal to my friends on all sides not to abuse this particular question into a matter of communal jugglery. The matter concerns all of us and I would appeal to my Sikh friends not to trifle over this matter.

Now, Sir, I come to the amendment which has been moved. Here you find that the question is one of very great and vital importance. The life of the Commission is short and the amendment only says that it should be open to the Commission to permit any language they want and if they do not permit that, the language should be Punjabi and the script Gurmukhi. Personally I do not see any reason for opposing this amendment, but what I would appeal to my Sikh friends is this: the amendment as it reads connotes that if a person wants to put in an application in Urdu or English he cannot do so unless he secures the permission of the Commission beforehand. Imagine the case of a man who does not know Gurmukhi and he puts in a petition. So long as the application is not in Gurmukhi it is not in order because he has not secured the permission of the Commission. So long as that permission is not taken he cannot submit any application in Urdu or English. If it was only said that the Commission wanted to record the proceedings in Punjabi it should be possible to do so, and I hope to that proposition no Musalman would object whatever other differences he may have. Therefore I would suggest what our chief difficulty is: some Musalmans, because of the unfortunate circumstances in

which the question has been approached, fear that this suggestion may mean an implied change of policy in the matter of languages. If the Government makes it clear that they do not intend that this matter should be taken up as a matter of change of policy on the part of the Government in the matter of languages in courts and that they propose to stick to the normal policy which they have pursued hitherto, I hope we will have no objection to our Sikh friends coming forward with the amendment on the lines suggested by me. Before I finish, I would appeal to my Sikh friends not to take what was said by some members yesterday in the light in which they have taken. We are not fighting for the language but it is for principle. We want to approach this question of language in the same spirit in which we have approached the Bill. With these remarks I appeal to Government and also to the Sikh friends to make the position clear so that all differences may disappear and the amendment may be carried through.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan) Urban] (Urdu): Sir, I feel really sorry to see the excitement and spirit in which the amendment under discussion has been debated upon since yesterday afternoon. It has been said that the Muhammadans and Hindus have given full support to the Gurdwara Bill and thus have rendered good help to the Sikhs. It is absolutely wrong. The truth is that the Sikhs have helped the Muhammadans and the Hindus in so far as getting this principle established once for all that the management of all places of religious worship belonging to different communities should be placed in their own hands. In this sense the Muhammadans and the Hindus are indebted to the Sikhs for their having achieved this end after making a great sacrifice. Sir, I go a step further and say that it is for the general benefit of the whole of India and specially of the Punjab that the Bill be passed into Law. I again repeat the same that the Muhammadans and the Hindus have done nothing but supported the principle and in doing that they have performed nothing more than their duty. I am glad to see the attitude of my Hindu friends shown in connection with the passage of this Bill. They have shown their wisdom and statesmanship. Taking it for granted that the Muhammadans have rendered help to the Sikhs even in that case it is not becoming of a Musalman to long for a reward for his help. It was not the intention of any one of us to call upon the Sikhs to reward us for any help we have rendered to the Sikhs in connection with this Bill. The Muhammadans did not expect that a controversial question such as the Punjabi *versus* Urdu would be brought in. This question has been discussed for years. Outside the Punjab the question was Hindi *versus* Urdu but in the Punjab when the opponents of Urdu saw that Hindi could not stand against Urdu they tried to put Punjabi against Urdu. Sir, it is the duty of every Indian Muslim to defend Urdu language, for, the progress of Musalman community in my opinion depends upon the progress of this language. When this question was already thrown out in the Select Committee I could not see any reason why this has been brought in again all of a sudden. It was but natural that the Muhammadans accused the Sikhs of bad faith and insincerity. Whatever was said yesterday was said through excitement which was due to this amendment which was already thrown out unanimously in the Select Committee. When after moving this amendment it was stated that the amendment was moved with the consent of the Government it was but natural that the Muhammadans should think that the Government was going to effect a change of policy with reference to court language and

[Rana Firoz-ud-Khan.]

that it was the first instalment of its kind. The Muhammadans rightly thought that the Government was going to strike a deadly blow on Urdu language. Consequently they expressed their feelings of sorrow and grief. These were the reasons why the Muhammadans gave frank expression to what they really felt. Really it looks foolish that a person who has shown some kindness to another should ask for some reward for that kindness from that other person. By doing so he would simply degrade himself in the eyes of others.

The Sikhs should thank the Government for this Bill. I am really at a loss to understand why such a Bill was not given to the Sikhs long ago so that they might have escaped such hardships and sufferings which they have been undergoing hitherto. Well we are not to judge the actions of the Government. It has, according to the Persian proverb :—

امور مملکت خردش خسروان داند

done what seemed proper and politic to it. Anyhow the Government is quite free to do anything it likes.

Sir, one point more and I have done. It was not becoming of Sardar Jodh Singh to praise his own community and pass ironical remarks in respect of other communities. The Sikhs ought to be grateful for the help that is given to them in connection with the passage of this Bill.

As to the amendment under discussion, I would submit that it has absolutely no bearing on the Bill. It is quite superfluous. Had it not been moved at all, it would have made no difference in the subject matter of the Bill. In spite of all this we are quite prepared to support the Bill to the last. It was a friendly complaint we made yesterday against the Sikh members of the House. It was only with a view to safeguard our own interests that we opposed the amendment under discussion. This motion was not a new thing. The Sikh members of the House knew what happened in the Council session held in May in respect of this question.

In short, this was a mutual misunderstanding, which created the excitement of the last day. If the Sikh members of the Council had any intention of moving such an amendment, they might have done so by saying that it would make no change in the Punjab Courts Act and the court language will not be affected in any way thereby. There is still time; the Sikh members of the House should clear their position and do what I have mentioned above. Now I would like to hear what the Government and the Sikh members say on the points raised by me and then I and my other friends would be able to decide what attitude we should adopt in this matter.

The Honourable Sir John Maynard (Finance Member) : Sir, yesterday afternoon one of those remarkable squalls which occasionally disturb the tranquility of this House startled us by descending on our mast. It scattered all the plans of all the navigators who had hoped that they had found out how to carry through this measure in a manner which would command the confidence of all parties alike in the House. I feel that I myself have some responsibility for that unfortunate squall which in this surprising manner scattered our papers, scattered our feelings and to some extent appears also to have scattered our wits (Laughter). Since I feel for myself some degree of responsibility for that unfortunate incident and for all that has followed it, I think the best plan which I can follow is to place before the House in full confidence a full statement of all the circumstances which

led up to the producing of this amendment and to all that lay behind it and to ask the House and to make a personal appeal to them to assist me in getting out of this difficulty in which we find ourselves involved and to co-operate together for the purpose of finding a peaceful solution and to complete that admirable work which yesterday afternoon seemed so very nearly to have been completed. Sir, the manner in which the question of this particular amendment arose was this: a very large number of amendments had been tabulated by both sides in regard to this Bill. It was felt that if all of them were discussed very unfortunate consequences in the exacerbation of feeling would necessarily arise. An attempt was therefore made by the Government, and by me as part of it, to reduce these amendments to a comparatively narrow limit. Then I and my colleagues undertook to see precisely how matters stood on balance after a large number of these amendments had been eliminated. It appeared to me that, upon balance, my friends the Sikhs were perhaps losing something by the ultimate settlement of the amendments. In these circumstances, I looked about to find some simple method of conciliating sentiments and hit upon what appeared to be a perfectly innocent and harmless expedient. It seemed to me that if a concession were made as to the language to be used by the Judicial Commission, a body which was to consist entirely of Sikhs, it could not possibly be interpreted as in any way compromising the general policy of the Government in regard to the language of the courts and the language of the official generally, no harm could possibly be done. My friends, the Sikhs, having gained this small point, a perfectly innocent point, would feel that they had been to some extent successful on balance in the adjustment of the amendments. Owing to that misapprehension, which I now fully recognise to have been a misapprehension, it was agreed by the Government that this amendment in the form in which it was put before the House should be put by them. I ought to admit that with my experience in the University and elsewhere, I ought to have realised that it was possible that any reference to the question of language would arouse feelings, but as I have said it did not occur to me that, in dealing with a single isolated institution such as this, the Judicial Commission, and one consisting solely of Sikhs, feelings of suspicion could be aroused by the proposal which was intended to be put. Now I know that I was wrong. The speeches which have taken place yesterday afternoon and also to-day have convinced me in a painful manner that I was mistaken and I wish to make a personal appeal to the House to bring this unfortunate discussion to a conclusion and to co-operate together in a kindly spirit such as we achieved during the earlier stages of the discussion.

If there remains in the mind of anybody any suspicion that there is any intention on the part of the Government to make any change in its policy in regard to the language of the courts and the language of officialdom generally, I give my pledge that there is no intention of that sort (Hear, hear). When this proposal was put forward, nobody unfortunately realised that any such suspicion could arise, but if there is anybody in whose mind such a suspicion still exists I give them my solemn assurance that there is absolutely no such intention. There is no intention of changing or attempting to change or inserting the thin end of the wedge or doing any of those terrible other things which have occurred to some; there is no such intention in regard to the language. This was an isolated proposal made as a means of restoring the balance by making what was believed to be a harmless concession to Sikh sentiments.

Khan Bahadur Chaudhri Shahab-ud-Din [Sialkot (Muhammadan), Rural] : Sir, may I ask one question ? The Honourable Minister for Education declared yesterday, after consulting the Government Advocate, that even without such an amendment it was open to the Judicial Commission to have its proceedings in Gurmukhi or in Punjabi or, as a matter of fact in any language. If that statement is worth anything, may I ask then why the Sikhs are insisting upon that amendment being made a part of the Act. That is a thing which undoubtedly makes a good many people suspicious. Therefore I request the Honourable the Finance Member to remove my doubt on that point. If the Judicial Commission cannot adopt Gurmukhi as a language for its proceedings without a statutory recognition by this Council, I would be the first man to give my support to any such amendment, but if they can do without it, I do not think it is necessary to make other people suspicious.

Mian Muhammad Shah Nawaz : Has the Government consulted 26—
Bombay ?

The Honourable **Mian Sir Fazl-i-Husain** (Minister for Education) : Sir, in order to settle this dispute and to bring this discussion as to the addition of clause 148 to an end, I have consulted the honourable member in charge of the Bill, Sardar Tara Singh, some of his colleagues and my colleagues as well, and it is that matter that I wish with your permission to place before the Council as a solution of the difficulty that has unfortunately arisen. I have, like the Honourable Sir John Maynard, to admit that I am personally responsible to a very large extent for all the trouble that has arisen in connection with this clause. It is absolutely true that this provision was discussed in the Select Committee and was negatived and it was not pressed by the Sikh members, they having realised that all the members of the Select Committee were not for it. It is also perfectly true that when the party met and amendments were considered this was not one of the amendments either discussed or approved of, but as Sir John Maynard has explained we felt that in the matter of two or three institutions which were brought into Schedule I by the mistake of some members of the Select Committee who afterwards realised that they had made a mistake, the Schedule after it left the Council would not be so good from the Sikh point of view as it was when it left the Select Committee. In our desire to make the Bill as good as possible from the Sikh point of view we felt that something which would not create any breach of the principles of the Bill might be conceded with a view to make it all right from the Sikh point of view. In that spirit we approached all the amendments and we found that here was an amendment which from the sentimental point of view appealed to the Sikhs but from the lawyer's point of view was really no concession at all. The Judicial Commission was not a court under the Punjab Courts Act. Therefore it was open to this Judicial Commission to transact its business in any language it liked. By putting that provision in the Bill we were perhaps taking a small space of paper used for the Bill but were really not doing any more, and as that little space would satisfy the Sikh sentiment I naturally thought that a little superfluity was in that case justified. Taking that view of the matter it never occurred to me, and that was my mistake, that some suspicions might be entertained by certain friends of mine. That was the mistake I made. Had I explained the position to them and discussed the matter with them, I have not the slightest doubt

that this difficulty would not have arisen. It was my failure to talk this matter over with my friends that led to this trouble. Now, Sir, when the trouble arose and feelings were aroused, both sides became, if I may venture to say so, somewhat unreasonable. I might have thought that my Sikh friends seeing that there was so much opposition would have realised that this was a provision which gave them nothing substantial; that it only put in black and white what as a matter of fact they already possessed under the provisions of the Bill; they might have thought that if the Muhammadan members are so very sentimental about it, we may let it go. They might have done this but for the feelings aroused. On the other hand, those who took serious objection to the provision, Sir, might have felt that after all it gives the Sikhs no more than what they actually possess and they should have seen no harm in letting the Sikhs have the provision. But their feelings were aroused and when feelings are aroused anything that looks like a reason is good enough to rely upon. Under the circumstances I make amends for my shortcoming in not taking all my friends into confidence because there was no time to do so before this provision was sprung upon the Council. Sir John Maynard has made it quite clear that so far as Government is concerned, the question of changing the policy with reference to language not only has not been decided upon, but it has not been considered, and the policy of Government to-day is what it was last year or five years ago or ten years ago before the Reforms Scheme came in. There has been absolutely no change in it and the consideration of any change is not on the programme. I am prepared to make the same statement on behalf of the Transferred Government. Having cleared the ground, Sir, now in order to satisfy the dignity of the party pressing the proposal and also the party opposing the proposal, I beg to submit that the following ought to meet with the approval of everybody: "The language of the Commission shall be such as the Commission may from time to time determine." I tried to put in my finger in it but on the whole I think Government's finger is not always believed to be a very clean one (laughter).

Mian Abdul Aziz : A confession (laughter).

The Honourable Mian Sir Fazl-i-Husain : I did not say that it was not clean, I only said that it was believed not to be clean. I trust, Sir, that this will meet all sentiments, and that we shall end as we began and as we continued throughout the progress of this Bill.

Mian Muhammad Shah Nawaz : Sir, no reply has been given to the question asked by Chaudhri Shahab-ud-Din.

The Honourable Mian Sir Fazl-i-Husain : I have definitely answered that question. I definitely stated that I have ascertained from the Government Advocate that the Commission as constituted by this Bill is not a court that falls within the provisions of the Punjab Courts Act and as such can determine its own language.

Mian Muhammad Shah Nawaz : Where is the necessity then of inserting this clause in the Bill?

The Honourable Mian Sir Fazl-i-Husain : I have explained that there is no necessity at all, but it is being put in in order to meet the Sikh sentiment.

Mr. President : Before we proceed any further, I would ask the honourable mover of the amendment whether he would adopt the suggestion.

Sardar Buta Singh : Yes, Sir, I am prepared to adopt the suggestion.

Mr. President : Will you then withdraw your amendment before you move the new one.

Sardar Buta Singh [Multan Division and Sheikhupura (Sikh), Rural] (Urdu) : Sir, the Honourable Mian Sir Fazl-i-Husain has suggested an amendment in lieu of my amendment with a view that the friendly relations existing between the two communities might continue. Anyhow I hold the same opinion that it is our private matter to speak or use any language we like. We speak Punjabi in our homes and I do not think it proper that we should be interfered with in this way. Keeping in view the amendment suggested by the Honourable Mian Sir Fazl-i-Husain, I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Sardar Buta Singh : Sir, I beg to move—

“ That the following new clause be added after clause 147 :—

‘ 148. The language of the Commission shall be such as the Commission may from time to time determine. ’

Mr. President : The question is—

“ That the following new clause be added after clause 147—

‘ 148. The language of the Commission shall be such as the Commission may from time to time determine. ’

Khan Bahadur Chaudhri Shahab-ud-Din [Sialkot (Mubammadan), Rural] (Urdu) : Sir, a few months ago the question Punjabi *versus* Urdu was fully discussed in this very Council. I expressed my opinion then and there. To-day also I have a mind to go into the matter for the second time. Punjabi is the only language for the Punjab.

Mr. President : Order, order. In the amendment moved there is no question of Punjabi or any other language. It simply suggests that the Commission can take any language it likes. So any reference to Punjabi is irrelevant.

Khan Bahadur Chaudhri Shahab-ud-Din : I obey your ruling, Sir, but ‘ any language ’ includes Punjabi (Cries of ‘ order order ’). I want a ruling from the Chair. I do not think the members on this side have a right to give a ruling.

Mr. President : Order, order. The honourable member had the ruling from the Chair that any discussion about any particular language would be out of order. The only question before the House is that the Commission be given the option to use any language it likes.

Khan Bahadur Chaudhri Shahab-ud-Din : Sir, ‘ any language ’ does include a number of languages. I yet submit respectfully that any language may mean possibly Greek or Latin

(Cries of “ order, order ”).

Mr. President : This amounts to trying to discuss the ruling given by the Chair. If the honourable member has got anything to say for or against the amendment, he may do so.

Khan Bahadur Chaudhri Shahab-ud-Din: Then I shall submit to your ruling and sit down.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu): Sir, I am glad that an understanding has been arrived at.

Sir, it has been said that I made out threats yesterday. This is quite incorrect. My opinion is the same as I had expressed in the Select Committee. As there was some understanding on the point, I simply said that the Schedules I and II will be considered on their respective merits and not on the basis of an agreement arrived at between all parties. I even withdraw those words.

Malik Firoz Khan Noon: Sir, I move—

“That the question be now put.”

Mr. President: The question is—

“That the question be now put.”

The motion was carried.

Mr. President: The question is—

“That the following new clause be added after clause 147:—

“148. The language of the Commission shall be such as the Commission may from time to time determine.”

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain (Minister for Education):

Sir, may I seek your permission to say one word as to clause 42, sub-clause (1), which deals with the name of the Central Board. My Sikh friends here have told me that there is some misapprehension in the minds of a certain section of the Sikh public outside the Council to the effect that if under clause 42, sub-clause (1), the Central Board decides that the name of the Board shall be “The Shiromani Gurdwara Prabandhak Committee” the Government in the Ministry of Education may not accept it. In order to dissipate all suspicions of that nature, I wish to make it quite clear that the object of Government is to bring all gurdwaras within the provisions of this Bill so far as those provisions admit. Therefore, if all gurdwaras and shrines under the management of the Shiromani Gurdwara Prabandhak Committee are brought under the operation of the Bill, when it is enacted, with as little delay as possible by filing lists of properties of gurdwaras in Schedule I and filing applications for those not in Schedule I as soon as possible after the passing of this Bill, and if after the election of the first Central Board and before its first general meeting the Shiromani gurdwara Prabandhak Committee voluntarily dissolves and hands over all funds to the Central Board and transfers the management of all the gurdwaras and shrines to local committees if such committees are then formed or, in cases where no local committees have been formed, hand over the temporary management to the Central Board pending the formation of local committees then there will be no justification for the Ministry of Education to hesitate to recognise the name as decided upon in accordance with the provisions of law by the Central Board. I trust this assurance will dissipate all suspicions if any existed in the public mind (hear, hear).

Mr. President: We now come to Schedule I. I should like to know at this stage if any of the amendments connected with this Schedule, which are before me, are going to be moved. Because, on that will depend the decision as to the procedure to be adopted in regard to this Schedule. If the movers

[Mr. President.]

of the amendments are not going to move the amendments we may directly take up the question 'that Schedule I stand part of the Bill'. Otherwise the Council will have to go into the various items in the Schedule, about which amendments are proposed.

Malik Firoz Khan Noon : Sir, I am moving the amendment which stands in my name and which I understand is more or less accepted by the House.

Sardar Jodh Singh : I am also moving the amendments which stand in my name.

Mr. President : I understand that all amendments are not being moved, but there are some of a non-controversial nature that are to be moved. The procedure I propose to adopt is, therefore, to take the items by districts. In Schedule I, items 1 to 25 relate to Lahore District. Is there any amendment with reference to any of these items?

Khan Bahadur Chaudhri Fazi Ali [Gujrat East (Muhammadian), Urban] (Urdu) : Yes, Sir, item 8. Sir I beg to move—

"That in Schedule I, omit item No. 8."

In moving this amendment it is not my object to place any hindrance in the way of the passage of the Gurdwara Bill. But on the other hand, it is my object that there should remain no possible defect in the Bill, specially when the interests of other communities are involved. I have come to know that there is a mosque situated in or near (gurdwara) No. 8. This mosque is in the possession of the Sikhs. A mosque cannot be a gurdwara and *vice versa*. The item No. 8 includes this mosque also, and as the Bill is going to be passed into law, I fear that if no objection is taken to this inclusion at this time, it would be useless to do so afterwards. I hope that the Sikhs, who just like us believe in the unity of God, would not like to deprive the Muhammadans of the use of this mosque for which it was built. If this matter is not decided amicably now, there is a danger of riots being committed in consequence thereof. This mosque is in a very bad condition and the Sikhs cannot have it repaired. Therefore it is advisable that the mosque may be handed over to the Muhammadans lest the peace should be broken.

12 noon.

(At this stage the honourable member was asked to close his speech and he accordingly resumed his seat.)

Mr. President : Schedule under consideration, amendment moved :

"That in Schedule I, omit item No. 8."

The question is that that amendment be made.

Sardar Jodh Singh (Sikh, Urban) : Sir I am afraid that my honourable friend is wrongly informed. Gurdwara No. 8 Shahid Ganj Bhai Mani Singh does not contain any mosque. It is situated elsewhere inside the Sheranwala gate behind the back of the Fort and therefore no such question arises. But in another item, that is item No. 7, there is a gurdwara named Shahid Ganj Bhai Taru Singh. I have got here before me a detailed plan of the whole gurdwara. On one side of the Landa Bazar road is situated the gurdwara with its compound and several shops and is named Shahid Ganj Bhai Taru Singh. On the other side of the road, there are two other gurdwaras, one is called the Gurdwara Singh Sabha and the other Shahid Ganj Singhian,

with both of which we have no connection for the purposes of this discussion. Because when an application is made to bring them under Part III of this Bill, a competent and an impartial tribunal will decide the case, and I do not think they will commit the mistake of giving to the Sikhs what is not their due. I may also inform the House that about the place in dispute already a case had been fought by the Muhammadans against the Sikhs and a judgment of the highest court of that time exists now in favour of the Sikhs. I may also inform my Muhammadan friends that under the Act it is the building of the gurdwara itself that is immune from any attack, but if there is any property attached to the gurdwara, any body may come and sue for a right to it. Therefore whatever the position was before the passage of this Bill that remains the same now.

Khan Bahadur Chaudhri Fazl Ali : Sir, I beg leave to withdraw the amendment.

The amendment was by leave withdrawn.

Sardar Dhira Singh [Lahore (Sikh) Rural] : Sir, I beg to move :

"That in Schedule I, item 17, column 6, for the words 'revenue estate of Chahai' the words 'revenue estate of Chahai and Kurbath' be substituted."

The motion was carried.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] : Sir, I beg to move :

"That in Schedule I, item No. 92, Khui and Kothi Lalaaji in Eminabad, District Gujranwala, be omitted and the subsequent items re-numbered."

The motion was carried.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban] : Sir, I beg to move :

"That in Schedule I, item No. 94 b, be omitted, and the subsequent items re-numbered."

The motion was carried.

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

"That Dera Sarupdas, Tahsil Pakpattan, District Montgomery, shown as No. 118 may be omitted from Schedule No. I and the subsequent items re-numbered."

The motion was carried.

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

"That Dharamsala in Hamboli, Tahsil Garhsbaskar, District Hoshiarpur, shown as No. 149 may be omitted from Schedule No. I and the subsequent items re-numbered."

The motion was carried.

Sardar Jodh Singh [Sikh, Urban] : Sir, I beg to move :

"That in Schedule I, item 166, in columns 3, 4 and 6, the following be inserted respectively : 'Samrala—Chaharpur—Police station area of Machhiwara.'"

The motion was carried.

Sardar Jodh Singh : Sir, I beg to move :

"That in Schedule I, in item 190, in the fifth column for the words 'Deva Singh' the words 'Prem Das,' be substituted."

The motion was carried.

Sardar Jodh Singh : Sir, I beg to move :

"That in Schedule I, after item 217, the following new item be added."

'Karnal, Thanesar, Bani Badarpur, Guru Tegh Bahadur, Tahsil of Thanesar' and the subsequent items re-numbered."

For the information of this House I may state that this amendment is really for supplying an omission. The Select Committee decided that the Gurdwara Bani Badarpur should be included in Schedule I, but owing to some mistake it was omitted. In moving this amendment I am really supplying an omission.

Dr. Gokul Chand, Narang : May I just ask, with your permission, Sir, whether there is any difference between amendment No. 218 and No. 217-A. One stands in the name of Sardar Buta Singh and the other in the name of Sardar Jodh Singh.

Sardar Jodh Singh : They are the same.

Dr. Gokul Chand, Narang : Sir, I wish through you to ask Sardar Jodh Singh whether he would not consider it more equitable that as this does not appear under Schedule I and the party interested has had no notice and has been under the impression obviously that this is not included in Schedule I, whether he would leave it out. I leave it to him. I am not going to discuss....

Sardar Jodh Singh : Notice was given to the party and the case was discussed fully in the Select Committee. In the revenue papers the gurdwara is given as Guru Tegh Bahadur...

Dr. Gokul Chand, Narang : Did anybody object ?

Sardar Jodh Singh : Nobody objected.

Mr. President : The question is--

"That in Schedule I, after item 217, the following new item shall be added :--

'Karnal, Thanesar, Bani Badarpur, Guru Tegh Bahadur, Tahsil of Thanesar' and the subsequent items re-numbered."

The motion was carried.

Sardar Gurbakhsh Singh [Ambala Division (Sikh), Rural] : Sir, I beg to move :--

"That in Schedule I, item 239, in the fourth column insert the words 'Bir Guru.'"

The motion was carried.

Sardar Gurbakhsh Singh : Sir, I beg to move :

"That in Schedule I, item 242, in the fifth column insert the words 'Zorawar Singh' after Khidrabad."

The motion was carried.

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

"That 'Bhai Khamu' at Maghiana, Tahsil and District Jhang, shown as No. 243 in Schedule I may be omitted, and the subsequent items re-numbered."

The motion was carried.

Sardar Jodh Singh: Sir, I beg to move—

"That in Schedule I at the end, the following new item, namely:—

"Multan—Multan—Multan City—Dharmas Bhai Dyal Ji—Municipal area of Multan and the tahsil of Kabiwala shall be added."

Sir, this is another omission.

The motion was carried.

Sardar Jodh Singh: Sir, there is another amendment to this Schedule which I do not want to formally move, because the gentleman who wanted to include in Schedule II the Gurdwara of Bhuman Shah told me this morning that he would not move his amendment. If that is so, I will not move my amendment.

Sayad Muhammad Husain: It is true. I am not moving my amendment. It is a mutual compromise.

Mr. President: The question is—

"That Schedule I, as amended, stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That Schedule II stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That Schedule III stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That Schedule IV stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That these be the preamble and the title to the Bill."

The motion was carried.

The Honourable Sir John Maynard: May I ask whether Section I has been put.

Mr. President: I said that "these be the preamble and the title to the Bill." Section I is the title of the Bill.

Sardar Tara Singh [Ferozpur (Sikh), Rural]: Sir, I beg to move—

"That the Sikh Gurdwaras Bill be passed."

[Sardar Tara Singh.]

Sir, I am really very happy this afternoon, though I was not so early in the morning. Wiser counsels have prevailed and the chapter of unpleasantness has been closed. I am, Sir, deeply grateful to each and every member of this Council for the kind help they have rendered me in the free passage rather in the free consideration of this Bill.

Sir, the whole Sikh community first of all places its trust in its father the God Almighty, and my humble prayer therefore is first of all due to Him that out of His graciousness and kind mercy we have been able to reach this final stage of this important measure. We launched our ship into the ocean having deep faith in God and in our honest and above-board actions. My next thanks are due, Sir, to the wide awake Governor, His Excellency Sir Malcolm Hailey, through whose policy of sympathetic attitude towards the solution of this problem and through whose incessant personal interest in this question for the last few months we have been able to travel so long with such significant success. Thirdly, Sir, I am also grateful to all the members of the Government, especially to the Honourable Minister for Education, Mian Sir Fazl-i-Husain, and his able Secretary, Mr. Beazley, and the legal luminary, Kanwar Dalip Singh. (Hear, hear). Sir, it would not be out of place if I tender my special thanks to my colleagues who have since November been working on the special committee and also on the select committee. Sardar Jodh Singh, Sardar Gurbakhsh Singh, Sardar Narain Singh, Sardar Mangal Singh and Sardar Mohindar Singh have all of them been taking equally great pains to solve this great and complicated problem. At this stage I should not forget to mention one most important name, that of the Chief Secretary, Mr. Craik. Everything has been done through his agency and wise guidance, and that of Sir John Maynard. It is through their help that we have steered the ship with great success. Now, Sir, it was remarked yesterday that it was a great victory on the part of the Sikhs. I appreciate the remark of the honourable gentleman who made it and it was really a victory of righteousness over unrighteousness. (Hear, hear and laughter) All faith in God gains force. I am also encouraged to say that our unflinching devotion and our sincere devotion to our honest cause have been to a great extent responsible for this success. We had never any idea of fighting any power, but if we fought it was a fight with the obstacle that stood in the way of our achieving the requirements of our movement. We had no idea of coming in conflict with Government. The fight with the Government was due probably to a misunderstanding due to the fact that the Sikhs were believed to have some ulterior motive behind their movement. Now, Sir, from the very beginning the reformers have been claiming both in the press and on the platform that they want nothing but the reformation of their gurdwaras and they have been saying to Government ever and anon that when the Government accepts the principle for which they are fighting they will be the first to accept such legislation. I know, Sir, that many responsible persons of the reforming party are feeling that the Bill as it stands has its own imperfections and shortcomings, but in spite of that Sir, I am really thankful to them that they have refuted the charge that was laid by interested persons against them and they have proved their *bona fides* that they are prepared to lend support to any legislation which meets most of their fundamental requirements. If any proof were needed, that has been given by these negotiations and by the permission accorded to me to move this fourth motion as well.

Sir, I again appeal to Government that the Sikhs have been sufficiently tried, and that in spite of their sufferings and grievances they have come to

lend support to a piece of legislation even after recognising that there are imperfections in it. I beseech the Government to bury all their apprehensions, to remove all their doubts, and now that the hand of friendship which was generously extended by Sir Malcolm Hailey, has been accepted by the Sikh community, the grip will not be loosened but kept as tight as ever. The relations between the Government and the Sikh community had, but for the last few years, been very cordial and friendly, and, Sir, I am absolutely hopeful, as I have come in contact, though only for a short time, with the highest authority in the Punjab, Sir Malcolm Hailey who, I believe, is a man who believes in the wholesale solution of any problem, that he will not belie the belief that I have expressed to-day. He will do all that lies in his power to terminate this long struggle that has been carried on for the purpose of the legislation which has been given to us to-day. When the bone of contention is removed, I see no reason why all our grievances which were akin to it should not also be removed. I am sure that His Excellency the Governor will really help us in that connection, because some members of the community were saying "when the Bill is imperfect and the other grievances are where they were before, it is rather unwise on your part to accept or to move this measure." But having trusted in the statesmanship of the Government, having had my faith in their good intentions, I have launched this measure and I am sanguine that they will strongly help in this connection any other cognate matters. The passing of this law is only the first stage and the working of it is the next most important stage. In order to strengthen the hands of men who are responsible for this measure, it is most desirable and absolutely necessary that the Government should do something which might create a healthy and pleasant atmosphere. I assure the Government that the persons who are in jail will be more helpful to the Government in the creation of that atmosphere. All apprehensions, if the Government had any against them, should be removed and the era should be started with a clean slate on both sides. Now, Sir, I appeal to the non-official members of this House to join with me in this desire that the Government in its own turn will give proof of the same *bona fides* which the Sikhs have given at this stage in spite of their genuine differences about this measure. With these few remarks, Sir, I beg to move that the Bill be passed.

Mr. President: The question is —

"That the Sikh Gurdwaras Bill be passed".

Diwan Bahadur Raja Narendra Nath [Punjab Landholders—General]: Sir, so far I have been a silent spectator of the proceedings of the Council which I have watched with interest. I have been interested from the very beginning in the question of Gurdwara reform. I am one of those persons who wrote the minute of dissent, but I refrained from bringing forward any amendment either to the Bill or to the Schedule. I wish to explain this apparent incongruity or inconsistency. I had certain reasons for adopting this course. In the first place I was present in the Select Committee meeting throughout its sittings, although absent for the first two days when only the principles were discussed. I thought that we had effected such changes as it was possible to effect either in the Bill or in the Schedule and no further changes were possible.

Secondly, you will observe, Sir, that in my minute of dissent I advocated the cause of the Sikh minorities. I advocated the cause of the conservative Sikhs and the advanced Sikhs. I waited to see if any Sikh gentleman would propose amendments on the lines on which I made suggestions in my note. The personnel of the Council

[D. B. Raja Narendra Nath.]

is wider than the personnel of the Select Committee. There are more Sikh members on the Council than there were on the Select Committee. But no Sikh gentleman adopted any one of my suggestions. I therefore thought it unnecessary to bring forward any amendments. Moreover, I was afraid I would be made the target of a sarcastic proverb to which reference was made about two years ago in this Council by my honourable friend the Minister for Education. That proverb is that a lady who professes greater affection for a child than its own mother is a fraud and a cheat (Hear, hear).

There were clear indications that every member was inclined to look at the Bill from the communal point of view as to how it affected his own community. There were my suggestions about the Samadhs which I thought would appeal to my Muhammadan friends, but they also kept silent on the point. In the present transitional stage of the province, we find that communalism is rampant. Communalism is also to be found in the politics of other provinces, but there it works as an under-current, whilst in the Punjab it comes on the surface. I was therefore compelled to look at the Bill from a communal point of view from the stand point of the Hindu community. The attitude of the Hindu community has been very eloquently described by my honourable friend Dr. Gokul Chand, Narang. With the sympathetic spirit of his speech, I am in full agreement. But it cannot be denied that there is a section of the Hindus who though in a minority, think that we should have adopted and should now adopt an attitude different from that which we have done. In order to convince those gentlemen and in order to see that none of the Hindu members of the Council go back from the decision which has been arrived at and to which reference has been made by Dr. Gokul Chand, Narang, I should like to say a few words. The movement of the separation of the Sikhs and of their being recognised as a separate community from the Hindus has been going on for several years past in this province. I must confess that the movement has been looked upon with slight disfavour by the Hindus; but there is the fact well established and well recognised that the Sikhs now do form a separate community. By assenting to this Bill and by bringing about the passage of the Bill, we do not in any way alter the existing facts. We do not I think even accentuate that separation. Our country is divided into communities. There are parent communities and there are also groups of men forming smaller communities sprung up from the bigger community. The British Empire is divided into the mother country and the colonies. To resist the demand for separation of groups of men whatever be their origin is not the best way of winning them over or of reconciling them. We have to learn a lesson from the history of the world in the political sphere, and there is an analogy between what is happening here now and what has happened in other countries in the sphere of politics. Only once in the history of the British Empire was the demand of a community for separation refused, and we in India ought to take a lesson from that episode or incident. It would be a mistake on our part to refuse to recognise the individuality of a community that insists upon its individuality being recognised. But, Sir, there are other and more important reasons for supporting the motion. I cannot shake off from my head the exigencies of the administration. It is hoped that at least in the future there will be rest and peace and all the unrest and discontent which prevailed and which is causing anxiety not only to the Sikhs but also to other communities will disappear when this Gurdwara Bill is passed and the Sikh question is solved once for all. Then there is the fact of the sacrifices made by the Sikh community to which

reference was made yesterday by my honourable friend Dr. Gokul Chand, Narang. The Bill is more or less based on the sacrifices that the Sikhs have made. When the Bill was discussed in the papers and by the public, it was suggested to us that the Sikhs had a legitimate claim only to such of the gurdwaras as were connected with the tenth Guru. We are fully aware of the enormous sacrifices made by the Sikhs in connection with gurdwaras that had not the least connection with the tenth Guru. For the Nankana Sahib many persons gave up their lives. Thousands went to jail in connection with other gurdwaras. It was therefore impossible to adopt the suggestion. The present definition may be too wide, but none of us was well acquainted with the history of each gurdwara so as to be able to frame a really just definition. Therefore so far as the wide, nature of the definition of the gurdwaras is concerned, I do not think we should raise any objection at the present stage. But there is a higher point of view which may be best expressed in a Urdu verse from Ghalib which I beg leave to quote with slight modifications to suit the occasion, and I hope it will appeal to you, Sir, more than any other person. The verse runs :—

گو ہم نہیں پر ہمسے ہی لکے ہوئے تو ہوں مندر سے کو دروازوں کو نسبت ہے دور کی

The spiritual truths contained in the Vedas and the Upanishads are of eternal value. Their superiority and their great value have been admitted by European scholars who have studied them. We find in the Gurm Granth Sahib a replica of these spiritual truths. The custodians of these truths who were twice-born races did not discharge their duties properly. They were jealous and exclusive so far as the propaganda work was concerned, and they did not perform their duties in a satisfactory manner. You are aware, Sir, that before Swami Dayanand Saraswati appeared on the scene, the recitation of the Gayatri mantra in the hearing of a Shudra was prohibited. He removed this prejudice and the Samaj founded by him is doing excellent work. Before Swami Dayanand Saraswati came, the ten Gurus beginning from Guru Nanak down to Guru Govind Singh had been doing the propaganda work revealing the truths contained in the Vedas. They have done that which we were unable to achieve in a satisfactory manner. I do not think there should be any jealousy on the part of the Hindus on this account. For after all time will show that in spite of the separation that is sought to be made; there is identity in the principles which underlie the religion of the Sikhs and of the Hindus. The present legislation marks a great epoch in the history of the province. It sets in motion forces of great potency which I hope the Sikhs will utilise to the best advantage, and they will use those forces with judgment and discretion. I wish them every success and I wish them God-speed. With these words I give my hearty support to the motion that the Bill be passed.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I rise to congratulate my Sikh friends in the event of their triumph. Really the Sikhs have won what they fought for. The achievement of their victory is due to their splendid organisation, the great tact and the great effort, and above all to their great self-sacrifice and sufferings which they have undergone during the past four or five years when the gurdwara reform movement was in progress. To-day they ought to be congratulated and very heartily upon the success which they have achieved by the united efforts of the Sikh community. The success is all the more great when we notice that the Hindus, the Muhammadans and the Government have all voted unanimously in favour of this measure. This is truly a well earned

[Sayad Muhammad Husain.]

reward for the sacrifices and labours which any community or any nation is prepared to make in a righteous cause. The Sikhs, by their act of self-sacrifice have not only done a service to themselves but also to other communities. They have set the ball of reform rolling. Their sacrifice will not only be crowned with success in the way of reforms in their own religious endowments, but the Hindus and the Muhammadans will take a lesson from them and will take a page from the Sikh history and will set about to reform their religious endowments as well.

Khan Bahadur Nawab Wuzaffar Khan : The Pirs should lead the way.

Sayad Muhammad Husain : The publicity officers also must take their due share in the work. The success of the Sikhs has considerably lightened the task of the other communities. The other communities have simply to follow in the footsteps of the Sikhs and have to make reforms in their own endowments. It is a pity that in this country no action was taken till now in the matter of reforming the religious institutions while in other countries like Egypt there are separate Ministers in the State who take the control of the endowments. While we are so backward still, our Sikh brethren have come forward and have given us a lead to follow. We very much sympathise with the Sikhs for the great sacrifices they have made in order to achieve this object, and we all hope that their sufferings are at an end. We further hope that the Government will extend a helping hand to the Sikh prisoners who have been rotting in the jails for a long time past and we hope they will be set at liberty forthwith even to-day. (Hear, hear). I think it is a great sin to keep the Sikhs in jail even for one minute after the passing of the Bill. Let us hope that the Honourable Sir John Maynard, the leader of the Government, will just now say here that all the Sikh prisoners are set at liberty. I hope that he will issue orders instantaneously for the release of all the prisoners.

Now, Sir, what is the lesson that we have to learn from the success of the Sikhs? If our leaders are sent away to jail or if they are removed from our midst, other people must be ready to take their place and lead the people to success. The pioneers of the Sikh movement like Sardar Mehtab

1 P.M.
Singh are in jail and minor members like our friend Sardar Tara Singh have taken their places.

Pandit Nanak Chand : But is he a minor?

Sayad Muhammad Husain : No doubt, he is a major, but he is a minor compared to my friend Sardar Mehtab Singh. There should be no scarcity of leaders. God forbid, if any of our leaders were to die, there should be other men to take their places.

The third thing we have to learn from the Sikh history is that no nation can make an advance without self-sacrifice. I have said it already, and I repeat it again that that is the only way to success. Those who cannot suffer cannot win. We must first learn to make sacrifices and then alone can we win. Let us hope that the passing of this Bill will put an end to all the troubles that are going on in the Province. Let us hope that we all will sink our communal differences and unite as brothers. Let us hope that Hindus, Muhammadans (A voice : and Christians as well and Europeans as well) will all try to serve India, to shed their blood for India and die for India. With these words I resume my seat.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] : Sir, after the very able and learned speech which has been just delivered by the leader of our community, Raja Narendra Nath, I have very little to add except to offer my heartiest congratulations to the Sikh community on the success they have achieved and on the fulfilment of their cherished desires. The Gurdwara Bill is now an Act (A voice : not yet) and it will be a complete Act after the assent of the Governor and the Governor-General. Sir, I congratulate Sardar Tara Singh for the very able manner in which he has steered this Bill through this House. I also congratulate his Sikh colleagues who deserve the congratulations of my community on the very polite and courteous manner in which they have steered this Bill in this House. Sir, the names of these Sikh members of the Punjab Legislative Council will ever remain memorable in the history of the Punjab, as the names of those who have given a great turn to the Sikh history. I wish them success in their new undertakings. It has been said by some of my colleagues that the Sikhs have won a great victory; we only hope that in their hour of triumph they will treat those concerned with kindness. I submit, Sir, that this victory will be a true victory only when they have succeeded in carrying out the Act successfully. At present I feel that they have been put to a great trial. Let us hope that they will come out successful.

Some say that the Bill tramples over the rights of other communities. I cannot entirely agree with them, but at the same time I do express the hope that the Hindu temples which are sacred to the memory of Hindu gods and saints, and the samadhis of the ancestors of those whose energies have built up the rich gurdwaras which under the Act will be handed over to the Sikhs, will be kept in tact, and that in an hour of excitement my friends the Sikhs will not give room for even the slightest unpleasantness to those concerned. I am sure that the undertaking given by Sardar Tara Singh will be sufficient, and that due regard will be shown to these matters. Sir, I am very grateful to the Sikh community because it has become so wide under the new definition of a "Sikh" that I am inclined to call myself a Sikh from to-morrow. (A voice : why not from to-day ?) It is not an Act yet. The new definition is such which is very convenient to other communities to call themselves Sikhs and let me again wish the Sikhs every success in extending their religion.

One word about the Mahants who will be chiefly affected by the operations of this Bill. They have been definitely accepting this definition of a "Sikh" for a long time. Though they say that they belong to some other religion their principal religion is Sikhism. Their mode of worship has been the same as dictated by the ten Gurus and they have been chanting the sacred hymns of Guru Granth Sahib in their gurdwaras. Now that the day of reckoning has come, they must reap what they themselves have sown by following the Sikh mode of worship, their customs and manners, and they must now faithfully co-operate with them to make this Act a success.

Now something as regards the Schedule. As to Schedule I, my conscience has many a time told me in the Select Committee and even afterwards that some gurdwaras have been put there without a full investigation. People have begun to say that in Schedule I some favour is shown to the Sikh community. Well, whatever the case may be, it is now done, and there is no alternative but to keep quiet and accept the situation. All the hope that we can give out to the Mahants is that if they are hard hit by the Act, we

[R. B. Lala Sewak Ram.]

Hindus will give them every kind of assistance and represent their case to the Sikh community. Sir, it is said by a great judge that the trouble of a plaintiff begins when he gets a decree. I feel that the troubles of the Sikh community will now arise after they have got the Act. I hope they will get over their troubles and make this Bill a success.

We Hindus want the Sikhs to remain a contented community and in their contentment we expect our best reward. Pleading on behalf of the Mahants, I say to the Sikhs :—

سرپرده بقر دایه خویش را—تر دایه حساب و کم ر بیش را

Sapardam ba to māya-i-khesh rā,

tu dani hisab i-kam-o-besh rā.

Sardar Gurbakhsh Singh [Ambala Division, (Sikh) Rural] : Sir, some of our overkind friends have to-day been pleased to call this moment as a moment of triumph and victory for us. I, however, confess that I do not see eye to eye with them, and in this view of mine all of my colleagues and, as a matter of fact, the entire Khalsa Panth agrees that this moment is not at all seen from any point of view whatsoever, as a time of victory or triumph for us. At best, this moment is a moment of prostration and prayer for us before that Almighty Father through whose grace, mercy and kindness we are seeing to-day our great sacrifices being recognised in the way that it has pleased the earthly Government to recognize them. This moment viewed from another point is also a moment for our hearts going out in prayer before the Almighty, because this movement, which was initiated solely for the gurdwara reform and without any other ulterior object as it has all along been alleged by interested people has also been instrumental in reviving the whole Sikh religion. It has enlivened the old traditions, and added another brilliant chapter to the Sikh history. Looking from the point of view of our relationship with Government, this again is not a moment of triumph for us because after all where is the triumph in friends meeting again after a long and tardy estrangement (Hear, hear). On the other hand, at a time like this old memories come back and old associations are revived and they get closer to each other more than ever. It is really the will of the Almighty that after some four or five years of painful separation, friends again see the chance of meeting each other with open hearts. (Hear, hear.) As a rule, sufferings and sacrifices in a righteous cause never go unrewarded, and it is these sacrifices, which it has been our privilege and good luck to make at the altar of religion that seem to bear fruit to-day. These sacrifices will undoubtedly be written in letters of gold, in the history of the Sikhs, but even then this day, which seems to have achieved this success might at its best be called a memorable day. We, all of us, Hindus, Muhammadans, Sikhs, Christians and others who have had the good luck of taking part in these deliberations, which might prove to be the end of this long struggle, may justifiably feel proud of this privilege. Our friends call this, a moment of victory, but how can it be so termed so long as that venerable old gentleman, that founder of this great movement, that leader of leaders, that uncrowned king of the Sikhs, who has now for the past two years been confined in a cell and wearing no clothes, except a Kachara, I mean Sardar Kharak Singh, who has been deliberately instrumental in wrecking his own health in this sacred cause, does not return to our midst to see his noble sacrifices bearing fruit. (Hear, hear). We are praying to Sat Guru that he may come out of jail and see

what we, his humble followers, have been trying to do for the cause that was held sacred by him. When he comes out and puts his seal of approbation to this little work that we have been able to achieve through the help of our friends here, I and my friends will certainly feel a little bit relieved, but till that moment we are just as heavy of heart as ever, and we do not and cannot feel a bit of happiness or joy that our friends think we do and can. After that, Sir, so long as Sardar Bahadur Sardar Mehtab Singh and his other honourable and worthy colleagues are there, undergoing their trial, that prolonged trial which has been going on for the past two years at a tremendous cost to public money how can we share the rejoicings of our friends here? We are waiting and waiting impatiently and anxiously for the moment when we may see the Sardar Bahadur and his worthy co-workers come out and give us their blessings to show that we have been successful in doing a little bit towards the cause which they championed. In short, Sir, so long as all our leaders and workers in this sublime cause are within the four walls of the prisons, we really do not feel any sigh of relief and we only thank our friends who think otherwise. We, as a matter of fact, do not feel like that.

In this connection, Sir, I think I owe a duty to thank that august and most revered body which through its able organisation and lead has been able to steer safe the ship of this movement through such stormy and turbulent waters, I mean the Shiromani Gurdwara Prabandhak Committee. We the members of this Council could not have and would not have achieved anything which we think we are achieving now to-day, had it not been for the worthy and able lead and the marvellous organisation that we have been experiencing throughout the last four or five years at the hands of this mighty institution. I bow before that body which has been so very well conducting this entire movement, and once more thank it most heartily. Who does not know, Sir, the noble spirit of sacrifice which permeated the heart of every man who had the honour of working on that body for even the shortest time whatsoever? I had the privilege of being a member of that body for a very short period and I feel proud of those days when I worked on it.

[A voice: You left it when it became unlawful (laughter)] No. I was made to leave it.

After that I also feel that I must prostrate before the Shiromani Akali Dal whose sacrifices are too well-known to require any repetition here. Fearing not the coming tortures and troubles of jail life and undaunted by the beatings and bullets in store for them, they always advanced to their marches with a brave heart and a bold outlook. No body who ever had the good luck of seeing these pilgrim bands take their oath of non-violence before the Akal Takht and march on with bands playing and banners flying throughout the country and preach the mission of the Great Gurus will have anything for them but admiration. They have proved the successful feasibility of non-violence, and set an example before the world, and added a unique chapter to the history of the world. Had it not been for the members of the Shiromani Akali Dal and the Akalis who came out in thousands on its bidding, we could never have fought the issue out and brought up this Bill or effect any reform in our gurdwaras. Therefore, Sir, we really do feel that we owe very grateful thanks to them and we are much obliged to the sacrifices they have been making in this noble cause.

It is admitted that this document as it now emerges from the Council and hopes to become an Act does not fully and thoroughly meet the wishes of the Kha'sa Panth and its representative body the Shiromani Gurdwara Prabandhak Committee, but I wish to avail myself of this opportunity to

[Sardar Gurbakhsh Singh.]

assure them with all the force at our command, that all of us who had the privilege of working this Bill out from the very beginning and had the honour of sitting on the draft sub-committee and the select committee and I of course refer to Sardars Narain Singh, Jodh Singh, Mangal Singh, Tara Singh and my humble self, that all of us left no stone unturned in impressing upon the Government the views of the Panth and securing their amendments but to our great disappointment and despair we could not succeed in making the Government agree with us and we therefore owe an apology to the Panth in the matter. After all, most of the fundamental requirements of the gurdwara reform have been satisfied by this Bill and I would therefore refer this document to them with a request to give it a chance in practice, provided the calm atmosphere which is necessary for its working is created. If all their amendments have not been carried out they should have the satisfaction that at least two of their most important ones have been accepted through the help of Government, *viz.*, the female franchise and the management of Takhts by the Central Board itself. I wish also to refer this Bill to the entire Khalsa Panth and request them to give it a fair trial and then see what defects there are in it. After that we can, through the help of our Hindu and Muhammadan friends who have been all along helping us and through the support of the Government, get necessary amendments made from time to time till it finally adopts a shape which may be faultless.

While speaking on this point, I think I will be failing in my duty, Sir, if I do not thank the Government for the very kind help they have been giving us in drafting this Bill from the very beginning and particularly Messrs. Puckle and Emerson who took the greatest part in our deliberations and spent the longest time with us. For their attitude in the preliminary discussion of this Bill we are in duty bound to thank them. We all of us appreciate their attitude during our meetings and discussions of this most difficult and intricate affair. It is through their labours alone that this Bill is going to be put on the Statute Book and all credit is due to them.

I now wish to bring to the notice of the Government that while we appreciate its support in getting this Bill through, we do not consider this alone as the final solution of our troubles. This is certainly a great and major problem solved but the whole trouble will be set at rest, only when all the factors required to create the necessary atmosphere as incorporated in that famous resolution of the Shiromani Gurdwara Prabandhak Committee which approved the main principles of the then proposed gurdwara legislation are satisfied, namely, the unconditional release of Sikh prisoners and withdrawal of pending trials, freeing of *Kirpan* from all restrictions under law, removal of all restrictions on the pilgrims to Jaito, releasing of all prisoners in connection with Jaito pilgrimage, the withdrawal of the notifications under the Criminal Law Amendment Act, the withdrawal of the punitive police posts and the restoration of the lambardars, sufedposhes, etc., to their original positions. These are our demands and I wish to repeat them with all the force at our command. The calm atmosphere which is necessary for the working of this Bill will never be created until and unless these requirements are met with. We have nothing to complain about the sacrifices that we made and it is farthest from my mind to strike any jarring note, as this is not the time to rake up old sores, but I wish to say that experience should always make one wiser and therefore request the Government to take some lessons to heart out of this agitation of the Sikhs.

Mr. President : Order, order. If the honourable member is likely to take a long time to finish his speech we may now adjourn and he may renew his speech after lunch.

Sardar Gurbakhsh Singh : I will take only five minutes.

Mr. President : The Council may adjourn now.

[The Council then adjourned till 2-30 p. m.]

The Council reassembled after lunch at 2-30 of the clock, Mr. President in the Chair.]

Sardar Gurbakhsh Singh (continued) : Sir, at the time when the House adjourned for lunch interval I was repeating a few of the items contained in the resolution of the Shiromani Gurdwara Prabandhak Committee regarding the acceptance of this Bill, when, I heard an honourable friend opposite saying that these things are now the various proposed planks in the future agitation of the Sikhs. It is a pity that my honourable friend has quite misunderstood me and that he either knowingly or unknowingly uttered a sentence which is farthest from our minds (Hear, hear). As I said in the very beginning of my speech this is the moment when old friends meet together and everybody knows, Sir, that it is customary to repeat each other's grievances and to give vent to each other's feelings when they have a chance of meeting together after a long separation. These several items which I through you, Sir, place before the Government are not at all and are not meant to be and will not be meant as further planks for continuing the Sikh agitation. With this Bill the present agitation or the gurdwara reform movement certainly ceases and it is not meant that these things will in any way be made responsible for continuing this agitation any further. But I must say that these are certainly a few of our grievances which are up till now unredressed and which we hope very strongly will be redressed in the very near future. We expect that our old friends, the Government, will firmly grasp our hands of friendship as we have tried to do, which as chance would have it was extended to us in this very House by the then Hon'ble Home Mem'or of the Government of India, Sir Malcolm Hailey, now His Excellency the Governor of the Punjab. We have tried to grasp his hand offered here by extending our hand from Lahore to Simla. That in itself will show how serious and sincere we are to regain our lost relationship and confidence with the Government.

I hope the grasp will be a firm one and that all questions will be solved amicably and in the best way possible so as to be satisfactory to all parties concerned. As I have already said it is furthest from my mind at this time to strike any discordant note and I do not want to rake up old memories. But I wish to make a little submission through you, Sir, to the Government. We have willingly made great sacrifices for this noble cause ; we were courageous and we were not cowed down by any threats. At present I will just drop a hint for the consideration of the Government and it is this. While the Government may be discharging its duties for the maintenance of peace and order, certainly it is not necessary to wound the religious susceptibilities of persons who from their firm religious convictions are out to see their gurdwaras or other endowments being reformed. As I already submitted, the Sikhs do not mind the sacrifices they have made. For, after all, in all countries different religious movements are bound to rise and Government will certainly have many more chances of meeting other

[Sardar Gurbakhsh Singh.]

troubled days. It is quite possible that one community or another or it may be that the entire Indian nation as a whole may one day rise with a view to reform their particular religious institutions but then certainly it would not be necessary for the Government in discharging their duties pertaining to the maintenance of peace and order to wound the religious susceptibilities of persons who might be involved in furthering this movement and who might be tackled by the responsible officers of the Government on that account. It was only on this point that I wanted to say a few words.

To repeat once more, it is not my intention to say anything against anybody, or any body of persons or against any institution who or which might have put obstacles in our way and who might have proved detrimental to our best interests. I however have to perform a duty of expressing our appreciations of all those who gave us any support and to thank every one irrespective of his having in some respects gone against us. Every good turn done to us in the days of our trouble and worries necessarily requires an expression of gratefulness on our part and it is from that point of view that I take this opportunity of thanking all the Sikh Sudhar Committees in so far as they supported us with regard to the gurdwara reform. I offer my thanks to those committees notwithstanding the fact that they have gone against us in some respects, either deliberately or otherwise.

After this I do not wish to take any further time of the Council except that I wish to congratulate and thank the whole House for this unique chance that has fallen to our lot in seeing this religious question settled at our hands. I extend my congratulations to all, officials and non-officials, Hindus and Muhammadans, Sikhs and Christians and all others who have the privilege and the honour of being members of this House at this momentous period. Certainly it is a very great honour to do a little bit of service to a community which was out to see its religious institutions reformed.

In conclusion, and with due deference I beg leave to thank the chair which has so very kindly conducted the proceedings of these two days with great patience and which has seen that the whole thing is done in a thoroughly harmonious spirit and in the most amicable manner.

With these words, Sir, I beg leave to resume my seat.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : Sir, the Gurdwara Bill is about to be passed and the Sikh community has got an extremely important measure of legislation which even Maharaja Ranjit Singh did not and could not give them. It is true that the Sikhs have helped themselves; they have undergone terrible sacrifices to achieve their object, but it cannot be denied that the present Bill is the result of the combined efforts of all the parties present in this Council. The present Bill is one in which the Sikh community will have for the first time in the history of their religion an accurately organized religious association. They will have a living permanent church with a governing body to be elected on the basis of universal Sikh franchise and clearly defined rules and regulations. Well, Sir, this is a very great achievement indeed and the Sikh community and the Government and the Hindus and the Muhammadans are to be congratulated upon it. But I beg leave to point out that their difficulties will begin only when the Act is put into force. They shall have to elect their best men on the Central Board. They shall have to appoint their best men on the local committees and parish ministers. They will have to guard

against jealousies *in'er se*; they will have to reconcile all the Sikh sects including the Udasis, Nirmalas, Namdharis, Sahijdharis and others. I appeal to the Sikh members to be kind and generous to their Udasi brethren, because they have been hit hard. I have always advised the Udasis that their welfare lies in their co-operation with the Amritdharis and that they must secure the goodwill of the future religious government which will mainly consist of the followers of Guru Govind Singh. They did not listen to me then. But I have no doubt that they will make the declaration under clause 2 of the Bill. Sir, I desire to express my opinion with regard to the Sikh gurdwara prisoners. I honestly think that the prosecution against the members of Shiromani Gurdwara Prabandhak Committee was most undesirable.

The Honourable Sir John Maynard : The case is *sub-judice*.

Mr. President : The point of order is well taken. The honourable member should not refer to cases which are *sub-judice*.

Mian Muhammad Shah Nawaz : What I beg leave to say is that the Sikh gurdwara prisoners whether they are in the judicial lock-up or whether they are in the prison should be released forthwith. The bone of contention has gone, the religious zeal of the Sikhs which was tuned to martyrdom has now subsided and it is no use now keeping these prisoners either in the prisons or in the judicial lock-up. I respectfully urge upon the Government the necessity of releasing these prisoners without delay. With regard to certain prisoners in the Nabha State, I desire to give a piece of advice to the Sikhs.....

The Honourable Sir John Maynard : That is a matter which concerns the relations between the Government of India and the Native State.

Mian Muhammad Shah Nawaz : I am perfectly aware that the Government of India is concerned in the matter. I am only giving a piece of advice to the Sikhs. If the Sikhs desire to have any favour from the Government of India they should stop sending *jathas* to Jaito.

The Sikhs should refrain from spreading any political propaganda in the Nabha State. I have no doubt that the State authorities will allow bands of Sikhs to go to Jaito if their object is simply to go to a place of worship. Suitable arrangements can be made for the accommodation of pilgrims if they take sufficient provisions with them. If the Sikhs will follow this advice, I have no doubt that all the non-violent gurdwara prisoners in Nabha will be released.

Sir, the mixing of religious sentiments with political ideas has been responsible for the present Sikh situation in Nabha. I do not wish to say any more on this subject. The Musalman members have supported the Sikhs for four reasons : Firstly, most of the Sikhs are agriculturists and so are the Musalmans. Secondly, the Musalmans and the Sikhs meet together in the bosom of that great man Guru Nanak Sahib. Thirdly, the Sikhs have suffered great sacrifices. Fourthly, this is a piece of legislation which will eminently suit all communities, the Muhammadans as well as the Hindus.

With these remarks I heartily welcome this measure and I wish the Sikh community every success and I assure my Sikh brethren that they will have the hearty co-operation of all the Muhammadans.

Professor Ruchi Ram, Sahni (Punjab University): Sir, I wish at this final stage to accord my most hearty support to the passage of the Bill. I am delighted to see that the Bill has been smoothly piloted through this Council. My delight is, perhaps, only a trifle less than the delight of my Sikh brethren. I hold a faith, Sir, which while extending its hand of fellowship and good will to all other faiths, is specially allied to the Sikh faith. I hold that faith most firmly, a faith in which I have lived the best part of my life and in which I hope to die. That being so, Sir, I am delighted that the great sacrifices and sufferings which the Sikhs have undergone in achieving their object of purifying their gurdwaras have borne fruit. They have gone through a brave, courageous and honourable fight and I congratulate them on the fact that their sacrifices and sufferings have not been in vain. The passage of this Bill, Sir, will bring in sight the closing of a most painful chapter in the history of the Sikhs and of the Province. During the last four or five years, the whole Province, and particularly the Sikh community, has been convulsed as the other community has been convulsed, and I am sincerely thankful that to-day they will see the end of their hardships and their labours. They will find that the sacrifices which they have made are going to be crowned with success. I wish particularly to congratulate the Sikh members of this Council and their supporters outside. I want also to associate in that note of congratulation the Government members who have helped them so whole-heartedly in bringing their labours to a successful issue. Sir, in this connection, I think I am voicing the feelings of the whole Council when I say that our present Governor has done an act of justice combined with statesmanship in tackling this problem of the gurdwaras so well and so successfully. While everyone else has worked so whole-heartedly, I want to mention the names of Mr. Emerson and Mr. Puckle. I know what the Sikhs owe to these two gentlemen. While I am congratulating everybody, I should also like to mention just one or two things with regard to the part which the Hindu community has played in regard to the Gurdwara Bill. Very early in the negotiations some of the Sikh members of this Council and a few Hindu members were invited to meet two representatives of Government, namely, Mr. Emerson and Mr. Puckle. It so happened that I was the only Hindu member who was able to be present on that occasion. I was asked what would be our attitude with regard to the provisions of the Gurdwara Bill. The main provisions of the legislation, which had been prepared in a rough outline, were placed before me. I said: Our attitude is simply this. We want this trouble to be got over; we want the differences between the Sikhs and the Government to be composed and we would do nothing that would stand in the way of those differences being composed; we would, if necessary, not say one word about any kind of legislation that might be proposed, and if we had anything to say, we would go to our Sikh brethren and ask them to listen to us and after they had heard us and understood our viewpoint, we would leave it entirely to them, and that even if nothing was done at that stage, even if they did not want to listen to us at that stage, we would still support them through thick and thin. I spoke on that occasion not only for myself but also for, at any rate, some of the other members of this Council who had been summoned. Before I went to that committee meeting I had had a talk with Raja Sahib and I was therefore able to tell the committee in reply to a question from Mr. Emerson that I was speaking not only for myself but also for such a representative member of the Hindu community as my honourable friend Raja Narendra Nath.

The proceedings of this Council as also of the select committee have shown that we have been as good as our word ; we have been true to the bond which we entered into. Sir, I am very pleased that this Bill will in a short time emerge from this Council ready for the assent of the proper authorities. I am sure the Sikh members will take up the new legislation and work it in the spirit in which they have approached it throughout the negotiations with the Government. Their troubles will begin, as my honourable friend Mian Shah Nawaz has just said.

The Honourable Mian Sir Fazl-i-Husain : Let us wait till they come.

Professor Ruchi Ram, Sahni : But it is well to warn them and warn ourselves. Fore-warned is fore-armed. They have to apply tact, good sense and patience and above all, they have to proceed slowly, courageously but, at the same time, with due regard to the claims of other communities and classes. Well, Sir, I think we are all aware that their task is not an easy one. There is a section of the community, small and, I hope, not very influential, but at any rate very, very articulate, a community which is pledged to go against those who are supporting and have hitherto supported this Bill. They have to show by the way they work this Bill, that they have got a piece of legislation which gives them a great deal more than they could have got without legislation. They have to show them that they have more power now to do good to their community and to purify their religion than they could have secured without legislation of this type. There is one thing more. It is due from Government also, I submit, that the hands of the Sikh leaders should be strengthened and their hands can best be strengthened by doing three things. First and foremost of these three things is the release of the Sikh prisoners. This will create an enthusiasm amongst the Sikhs from one end to the other which will drown any opposition or any feeling of antagonism that might be created against the working of this Bill. I wish to tell Government that it is not as a right that I make this claim. I am sure His Excellency the Governor will listen to an humble piece of advice and respond to an humble appeal and set free the Sikh prisoners as soon as this legislation receives his assent and the assent of His Excellency the Viceroy. As soon as this legislation becomes law, I am sure the Sikh prisoners will be released. While I speak of the Sikh prisoners, I associate in that class those who are at present undergoing trials. I know the case is under trial but we can appeal to His Excellency the Governor to set at liberty those or rather to withdraw the case against those, who are undergoing their trial at the present time.

The second thing which I would ask Government to do is this. I would ask them to remove the ban of outlawry from those who are supposed to have put themselves outside the bounds of law in the eyes of Government, again not as a matter of right but in order to create an atmosphere of calmness, so that the hands of the Sikhs may be strengthened, so that they may go forth and show to the recalcitrant members of their community that they have got proper leaders who can work the Bill in the way it ought to be worked. What would the working of the Bill mean, if men like Sardar Bahadur Sardar Mehtab Singh, Sardar Kharak Singh, Sardar Teja Singh and many of the other best men who have worked up the organisation of the Shiromani Gurdwara Prabandhak Committee and brought it to a condition in which their labours are bearing fruit this afternoon, what kind of working of the Bill can we expect if these leaders are not at the helm of affairs ? Therefore, Sir, I would appeal to Government to see to it that these men are set at

[Professor Ruchi Ram Sahni.]

liberty, and those that have had the ban of outlawry put upon them, to see that that ban, that stain is removed. In the third place, I would appeal to Government to put the seal of executive approval upon the pronouncement of the law courts in regard to the *kirpan*. The Sikhs are very sore on the *kirpan* question. The law courts, several of them, have declared the freedom of the *kirpan*. They have said that the *kirpan* is a religious emblem, and that, as a religious emblem, no restriction can be put to the size of it or the manner in which it should be worn. Therefore, Sir, I would say, let the executive order go forth and uphold the pronouncements of the courts of law in regard to the *kirpan*. These are the three things which Government might very well do, and, if they do these things, I am sure a new atmosphere will be created at once, a spirit of gratitude and thankfulness will be evoked in which it will be possible for the Sikhs to work this new piece of legislation in a manner which will take it to a successful issue, and the hand of fellowship which has been extended by the Sikhs to Government and by Government to the Sikhs, these hands of fellowship, and mutual good-will will grasp each other firmly and they will hold fast to each other. The Sikhs have done great things for Government and Government may depend upon it that they will be prepared to do great things for Government when the occasion requires; but Government should help them at this critical hour, not in the way of the acceptance or acknowledgment of a right, but in the same spirit in which I may say a greater wrong was righted. If some men who were accused and, as I believe, falsely accused, in the Martial Law days, if those men whose property had been confiscated, or ordered to be confiscated, if those men who had been charged with waging war against the Government, if such men could be set free in the name of clemency by a Proclamation of the King Emperor, what have the Sikhs done that they should not be released? If Government helps them at this stage in the spirit in which I am making this appeal, I am sure everything will be all right.

8 P.M.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, I am not going to strike a discordant note in this chorus of approbation, but there are certain things which require explanation and chiefly from me (laughter). I was unfortunately or fortunately the cause of the storm in the tea cup yesterday, and unfortunately certain words were said on both sides which might have remained unsaid. The cool atmosphere of Simla had no cooling effect and the words were also repeated again to-day for which I must answer because I am responsible to my constituency, to the city of Amritsar which is the centre of Sikhism and surely, I for one, would not be a man to injure their feelings in any way, because there is so much affinity between ourselves. My old professor for whom I have great respect mentioned of my colossal ignorance and my colossal mistake. (A voice: probably the professor had not taught the pupil well.) Now, Sir what has happened? I did not say that the Sikh community had no right to speak in Punjabi or read in Punjabi. What I wanted was that for the safety of the Punjab and in order that another controversy may not crop up in the Province I said that a new movement may not be started by the inauguration of the Gurdwara Bill which would have a very bad effect in the Punjab. It is for this reason that I for the sake of voiding another controversy, the magnitude of which if started we cannot understand at present, I stepped in at the 'wrong' moment on account of my colossal ignorance.

Now, Sir, my learned friend says that we must sink our differences and that we must bring all the communities together. I wish there had been a real Swaraj party for combining all the forces among us. But unfortunately no such link exists, none at all. (A voice: Why not join the party?) Is there any such party at all? (After a short pause.) There is no answer. No one says 'yes.' (A voice: There is a party.) There is only the carcass left. There is no real soul.

Dr. Gokul Chand, Narang: You had better put life into it.

Shaikh Muhammad Sadiq: But not in that body.

Dr. Gokul Chand, Narang: You are all dominated by communal instinct and never join the party.

Shaikh Muhammad Sadiq: If that were a worthy body I will join it.

Mr. President: Order, order. The honourable member should confine himself to the point at issue.

Shaikh Muhammad Sadiq: I most humbly apologise, Sir, for it. (A voice: All apologies to-day.) There is one thing, Sir, I want to say to the Sikhs. I want that the Sikh community may not run away with the idea that in this Bill the Muhammadans have simply helped on account of certain reasons. In yesterday's speech the leader of one community said and said intentionally that the Sikhs are "the flesh of their flesh and bones of their bones". He left the skin away, probably for the *sahukars*. I say, Sir that the Sikhs are the brethren, flesh of flesh, bone of bones and skin of skins of the Muhammadans also. There is no difference between the Sikhs and the Muhammadans. The majority of Sikhs are Jats, about 31 lakhs are Jats and about 30 lakhs of Muhammadans are also Jats. So the Muhammadans are really interested in the Sikhs as much as the Hindus. (A voice: So glad.)

Then again, Sir, it has been said again and again that the Muhammadans have no earthly reason to interfere in this affair. I differ. We, Muhammadans of the Punjab Council, are as much interested in the Sikhs as the Sikhs are interested in the Hindus and the Hindus in the Muhammadans. Muhammadans and Hindus are as much interested in the Sikhs as the Sikhs are interested in the Hindus and Muhammadans.

This is a new piece of legislation. This legislation is a new experiment in the History of India. It has not been tried in England. We are taking away the property from one person and handing it over to another. This is a piece of legislation for which there is no precedent (A voice: It is a wrong interpretation). I am glad to hear it is wrong. But that is my interpretation.

My learned friend went so far as to say that he would rather remain in hell than go to heaven with the help of others. But whether he likes or not, he is my professor and I will try my best to help him to go to heaven. It is my moral duty and I will be lacking in my duty and I will be guilty of criminal negligence if I do not help him to go to heaven even if he does not wish it. But this is not the question now. We, Hindus and Muhammadans, are equally interested in everything concerning the Sikhs. I am interested in them and so is every Musalman and we cannot afford to shut our eyes to the sacrifices my Sikh brethren have made. They have made sacrifices the parallel of which there is none in the world. First of all they have succeeded in non-violence while the whole of India

[Shaikh Muhammad Sadiq.]

has failed. I am not unmindful of the difficulty which the Government had to face. It was a delicate situation and I am sure the Government with all its faults did its best. I am sure if it had been any other Government (laughter)—do not laugh, I am not going to flatter Government—if it had been some other Government there would have been some amount of bloodshed. Other Governments have got agents to create mischief, but I am very glad in this case the Government has not acted in the way in which Russia, Germany or France would have acted.

I am not going to conclude my speech without mentioning about the Sikh prisoners. I do not want to press the Government now because the Government has got sense and know that when the bone of contention is removed the prisoners connected with the contention should be released, as soon as possible. Sir John Maynard has told you, Sir, that we cannot mention the forbidden word 'Jaito.' But Sir John cannot deny that these people who have been arrested in Jaito are the sons of the Punjab and just as a foreign Government makes a representation when its subjects are arrested, so the local Government must make a representation to the Government of India. The Punjab Government should make an appeal to the Government of India that these prisoners should be released who are really the subjects of the Punjab. We therefore ask him to forward our request to the Government of India to release the people who are in what may be called jails in Jaito which are managed by the Government of India. (A voice: 'Jané co'). My friend says 'Jané do.' I think he is most anxious to deliver his own prepared speech, but I cannot sit down without thanking my Sikh friends for the nice words they later on spoke. The words they previously spoke were not palatable to us, but I am sure all this trouble was not in any way intentional. It was not started with the idea of wounding the feelings of the Sikhs. It only came in the ordinary course and it was a kind of liveliness which was created by the members because the House was very dull.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), (Urban)]: Sir, I have had my share of speaking on this Bill and perhaps more than my share. Though my learned friend who has just sat down may accuse me of talking platitudes, I do not mind what he says and will take his remarks in good spirit and simply reply to him in the words of the well-known verse:—

"Badam gufti-o-khursandami fak Allah niko gufti
Jawab-i-talkh me zebad lab-i-la'at-i-shakar kha ra."

So far as the position of the Sikhs is concerned, I think they are in the happiest possible position in which any community can be. As I said at some other place in a much larger gathering everybody tries to trace his relationship with the strong and the prosperous and with the great. Now the Sikhs are in that happy and enviable position. They are strong, powerful, prosperous and successful, in fact triumphant at the present moment and everybody is anxious to offer them their best wishes and in fact to trace their relationship with them either directly or indirectly. I do not grudge anybody any such relationship or claims of friendship. In fact, I wish that, if possible, the Sikhs should become the rallying point of the various communities in this province, and should become, if I may say so, the connecting link between the Hindus and the Muhammadans and keep both in their places. That is the happy and privileged position that they occupy at the present moment and I congratulate them on their position being further strengthened by the

passing of this Bill. I do not think it necessary to go into the process of distributing congratulations to various sides as has already been done. I wish only to explain one or two points in connection with the attitude of the Hindus towards this Bill as I fear there is still some misapprehension, a sort of misunderstanding present in the mind of no less a personage than Professor Jodh Singh himself as I found from the words used by him in his speech both yesterday and to-day. I may remind him and I am sure he will easily recollect that the attitude of the Hindus towards the Gurdwara reform movement has been what it is to-day for several years past, in fact ever since the birth of this movement. In 1922 when the well-known Bill, properly described as Fazl-i-Husain's Bill was brought before this Council the Hindus and the Sikhs stood together like one man and opposed that Bill on the ground that the Sikhs did not like the Bill. They did not join either the Government or the Muhammadan members in this Council in thrusting the unwelcome measure down their throats, although the last Council was full of people whose loyalty to the Government and in fact in some cases their over-loyalty could not be doubted. Therefore if they went even against the Government in voting against that measure, it was out of the superior regard which they had for the Sikh community at that time. So that so far as that measure was concerned, it goes without saying that the attitude of the Hindus was nothing but sympathetic towards the wishes and needs of the Sikh community.

I know, Sir, that several occasions arose in this Council in which the Sikh question came up in one form or another, such as the continuance of the prosecution against some of them, and on all those occasions not only myself but several other Hindu members protested against the continuation of that harassing prosecution against the Sikhs. It is well known, Sir, that probably in 1924 a considerable part of the time of the Council was spent in discussing this prosecution question and the Hindu members strongly advised the Government to drop all the prosecutions against the Sikhs as they were not only ruinous in expenditure, but also in certain cases were bound to be infructuous.

Then, again, Sir, on certain occasions—I specially remember at least one occasion—the Honourable Sir John Maynard said that the Government was prepared to consider any measure in the form of a Gurdwara Bill which the Sikhs or the Hindus or both communities combined would like to bring before the Council. Taking that hint the Hindus and the Sikhs met together on several occasions and devised plans for meeting this desideratum. It is well known that in August 1924 an important meeting was held in Simla under the guidance of our worthy and esteemed leader, Pandit Madan Mohan Malaviya, in which the outlines of a Gurdwara Bill were considered. I also know from personal knowledge that in September 1924 the question was taken up by the Pandit in right earnest and he spent about one month in Lahore discussing the various provisions of the proposed Gurdwara Bill, of which copies were printed and circulated among those interested in the gurdwara reform movement. It cannot, therefore, be said that there was any time since the inception of the gurdwara reform movement when the Hindus were either indifferent or in any way unsympathetic towards it. Then, again, when this measure came up, we were summoned by Mr. Puckle and Mr. Emerson to take part in the deliberations, but unfortunately nobody, except Professor Ruchi Ram, Sahni, could avail of that invitation. There was no apathy

[Dr. Gokul Chand Narang]

shown by any of the Hindu members and Messrs. Puckle and Emerson knew that the Hindu members would be sympathetic in everything relating to the Sikh gurdwara reform movement, and that there would be no obstruction and not only no obstruction, but there would be every sort of help and support in the framing of an adequate measure of legislation.

Then, it is well known, Sir, that when this Bill was drafted the Hindu press, as I submitted yesterday welcomed it with one or two exceptions and the whole Hindu community extended its welcome except those who are personally affected by it. In the Select Committee there is no doubt that Raja Narendra Nath and I made some suggestions which by people who do not know the real state of affairs were considered to be in the nature of opposition. But those who knew all about the attitude of the Hindu community and also about our own attitude knew that we were only putting the case of those persons who were directly interested in the places which were likely to be affected by this Bill, and that there was absolutely no intention in the remotest degree of offering any opposition to this Bill.

Then, Sir, I shall not be divulging any secret when I say that as soon as I returned from Simla after taking part in the deliberations of the Select Committee for a few days, I called a meeting of some of the leading Hindus of Lahore at my house and laid the whole case before them. With one or two exceptions, all of them agreed that no opposition was to be offered to the Gurdwara Bill. I also consulted some other people who were in a position to give opinion and whose opinion counts for a great deal and they were also of the opinion that no opposition was to be offered. I may also make a further statement that it was proposed that a meeting of the Hindu members should be held at Simla on the 2nd of July to consider the question. A notice to this effect was issued to all the Hindu and the Sikh members with the object of meeting on that date and coming to a final decision with respect to the attitude which the Hindu members of the Council should take in regard to this Bill: so that definite directions could be given to them as to how they should conduct themselves in the Council Chamber. That meeting, however, could not be held because it was considered that many members would not attend, there being a long interval of time between the day on which the session was to open and the 2nd of July. The 2nd of July was chosen with this definite object, namely, that after coming to a final decision no amendments should be sent. As it was not convenient to hold the meeting on that day, it was decided by correspondence that as a precautionary measure some amendments might be sent, because some amendments might appeal even to the Sikhs, though only those were to be moved which met with the Sikhs' approval. A meeting was held on the 5th July at Simla and it was attended by a considerable number of Hindu members and without one discordant voice it was decided that no opposition was to be offered to the Bill. You are probably aware, Sir, that Lala Lajpat Rai, whose opinion counts for a great deal in such matters. . . .

Chaudhri Duli Chand : No.

Dr. Gokul Chand, Narang : Well, I shall make an amendment in my remarks, Lala Lajpat Rai whose opinion counts for a great deal with us has declared in his paper definitely that no opposition should be offered to the Bill though he made some suggestions for the consideration of the Sikhs. Towards the end of his article on the subject he said that even if none of the suggestions were accepted by the Sikhs, no opposition should be offered to the

Bill. He was himself present at the meeting held on the 5th July to which I have already referred when not the slightest difference of opinion was expressed in any quarter. It was decided that no opposition was to be offered to the Bill and if anything was to be achieved in the interests of those persons whose interests in the property were directly concerned it was to be achieved by negotiations. Two hours after the Hindu meeting was over, a combined meeting of the Hindus and the Sikhs was held and the amendments which were sent up to the Council were placed before the Sikhs and they were asked to say which should be moved and which should not be moved. I have got an original copy of these amendments here. Sardar Jodh Singh as the representative of the party said which amendments should be moved and which not. I read out the amendment and asked him. If he said no, I put down, no, against that amendment; if he said, yes, I put down, yes against that amendment. We thus acted according to his dictation. That is how the whole thing was decided so far as the clauses of the Bill were concerned. There remains the question of Schedules because it was the Schedules that really concerned vested interests of Udasis and others. It was decided that three representatives of the Hindu party and three representatives of the Sikh party in the Council should meet overnight and decide that question also. Accordingly yesterday when all the clauses were discussed and passed here, three Hindu members, and three Sikh members met at the place of the Sikhs where they discussed these Schedules again with the same heat and zeal and strength which is inevitable even in friendly discussions. We went on discussing up to 1 o'clock in the morning and ultimately we decided which amendments were to be moved with respect to the various items in the Schedule and which were not to be moved. To-day's proceedings showed the result of our last night's deliberation. This is the whole history so far as the Hindu attitude towards this Bill is concerned. I did not consider it necessary at all to refer to this history. I could have referred to it yesterday with the exception of the last item that we considered last night. I did not think it necessary because I did not think even for a moment that the Hindus should even in the remotest degree show it in the light of any *Ikhan* to the Sikhs, or show by their conduct or by words used in this Council that they had put the Sikhs under any sort of obligation. It was not at all a matter of obligation. It was absolutely a settlement of dispute among brothers in regard to domestic affairs. That is the light in which I took the whole thing and in no other light. The Sikhs know how we have settled the whole thing and the Hindus know how we have settled the whole thing. After having said this, I think it is necessary to say a few words in order to satisfy those who might be dissatisfied with the attitude adopted by us and with the policy on which we have acted. There is a small community among the Hindus who think that this Bill is a most extraordinary measure and as I submitted yesterday some of its provisions amounted to passing an *ex-parte* decree with respect to the property worth lakhs of rupees, property whose annual income was thousands and thousands of rupees, and this community thinks that the Hindu members ought to have done in this Council Chamber everything they possibly could in order to see that those clauses were not enacted into law.

I may say for their guidance and for their satisfaction that that would have been not only an utterly infructuous procedure, but it would have been an utterly foolish policy to adopt. It would have brought nothing to Hindu and it would not have been in the interests of Sikhs either, and therefore I am prepared to stand by the policy that I have, in consonance with the

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unanimous decision of the Hindu members of the Council and of the leading members of the Hindu community, adopted in connection with the Bill which is just going to be passed into an Act. The Udasis have been hit and they have been hit hard in certain cases. I would say again that they should take consolation in the fact that the Sikhs have paid very heavily for it and the best thing is now to take it in a spirit of resignation and take it in good grace. They should still look forward to such an administration of this measure as will work the least hardship on them. I do not want anything further to say to them beyond this that we did all that was possible for us in presenting their case to the Sikhs and that we did not like to take it to the bitter end because personally I did not like that the Hindu members of this Council should gain a single point against the Sikhs either with the help of the official members or with the help of the Muhammadan members, for I believe that the whole question of the Gurdwara Bill was a question primarily between the Sikhs and the Hindus. That was our policy and I again submit and affirm that that policy was the wisest that we could have adopted in the circumstances.

When I have said this, I must close by saying a few words to my Sikh friends. They have got this extraordinary measure. No one can deny that it is an extraordinary measure. It has placed tremendous powers in their hands and I am sure that they will use that power in the same way in which power was used by the Gurus themselves, for the help of the weak and for the removal of suffering, for the suppression of oppression and tyranny and for circumventing all designs to deprive the weak of their rights. That is the policy that the Gurus from Guru Nanak up to Guru Gobind Singh adopted. In fact the Hindus have been describing these Gurus as Avatars and quoting the well-known *shloka* of Bhagwad Gita in connection with the Gurus as in connection with Rama and Krishna. Whenever Dharma declines and Adharma predominates I reproduce myself for the protection of the righteous and the destruction of the wicked and re-establishment of Dharma, and it has been said that when the Hindus were in trouble these Gurus were sent in order to save them from the miserable condition in which they were. I am sure that my Sikh friends will keep this spirit in view and will walk in the footsteps of their Gurus and will use this power to the advantage not only of themselves but to the advantage of all the communities in this country. I congratulate them once more on the success that they have achieved. In the end I hope that this Bill when passed into an Act would be a warrant of release for Sikh prisoners and will enable my Sikh friends to see once more the beaming faces of their elders whom they cherish with such respect.

Khan Bahadur Nawab Muzaffar Khan [Director of Information Bureau, Punjab] (Urdu) : Sir. There is a well-known Persian proverb—*'Kasb-i-kamāl kun ke aziz-i-jahān shavī'*—which in my opinion is most appropriate on the present occasion. Since the Sikhs have done something brilliant and have thus endeared themselves to all, every body gives them his blessings. I also most heartily join in congratulating them on their splendid achievement. In this connection I am reminded of Columbus, the well-known discoverer of the New World. He remained poor throughout his life and died, a poor man. During his life time nobody took any notice of him. But his heroic discovery of the New World won for him such an unprecedented popularity and distinction that many years after his death many proud and historic families of Italy including Counts and Princes claimed him as one of their own blood. Similarly the

Sikhs to-day are being claimed by both the Muhammadans and the Hindus. The Muhammadans claimed them as their brothers by virtue of their being worshippers of one God, and as Dr. Gokul Chand, Narang, has just said, Hindus claim them as their own brothers in faith. Their position to-day is therefore really enviable and worthy of sincere congratulation. The sacrifices that the Sikhs have made in defence of the British Empire have borne fruit; and as a recognition thereof, the Government has given them what they worked for. I need say no more and I shall conclude my remarks with a well-known couplet which is as follows:—

"Che khush wakhte wa khurram rozgare

"Ke gave bar khurad az waste gave!"

"How auspicious the time and how happy the occasion
For a friend embraces a friend."

Sardar Jodh Singh [(Sikh), Urban]: Sir, I think I should begin my speech with the well-known saying: "All is well that ends well." Not only in connection with the storm in the tea cup that my worthy pupil sitting on the yonder bench raised yesterday.....

Mian Abdul Aziz: Do not call all of them your pupils.

Sardar Jodh Singh: Sir, I am sorry that when the ball was set rolling by a pupil of mine according to the old college practice, I was also caught into the current and might have said certain words which ought not to have been said. I am sincerely sorry for such words. Sir, I do not want to repeat what has been said before me. Really it is a moment of pride for all Sikhs to-day—for the Council members specially—because they were sent into this Council by the Shiromani Gurdwara Prabandhak Committee with the express object of finding the basis for drafting a Gurdwara Bill. I am glad, Sir, that with the co-operation of Government and of all parties in the Council that Bill was drafted and is now about to be passed into an Act. Sir, consultations have been going on with Government for months and I, who, before this Bill, was engaged in some other negotiations to find a solution, was always nervous because by experience I had found that always according to the old Urdu couplet:

"دو چار ہاتھ جب کہ لب ہام رہ گیا"

Do char hath jab keh lab-i-ham rah gaya.

We always failed when all of us thought that we were nearing success. But to-day we are witnessing the ultimate stage of our efforts. Some people have started theories in the press that besides the Bill many other things were discussed and settled during these negotiations. To give a quietus to all such rumours I say, Sir, that these consultations were confined only to the Bill. All of us were first of all concerned with finding a basis of agreement for a suitable law because we found it utterly useless to make other requests to Government before some basis of agreement on this most important question was found. Now, Sir, the Bill is passed (A voice: not yet). It will be passed just now. It is almost passed. I think I could say after all that I have heard that it is passed. My friends, Hindus and Muhammadans in most respectful terms have conveyed to Government the wishes of the Sikhs and I am not going to dilate upon them. Sikhs have suffered, but suffering was part of the game. They suffered because they were engaged in a fight and when a fight is going on both parties try to hit

[Sardar Jodh Singh]

each other straight and hard and it is no sport to complain of those blows. But, Sir, when a basis of agreement has been found, when the fight is practically over, I think, that Government might be reminded of that famous story of Mansur and Maulana Shibli. Mansur was ordered to be stoned to death. People threw stones at him and he laughed, but when Maulana Shibli came and threw a flower at him he wept. When Maulana Shibli asked him why he wept he said that they did not know what they were doing, while the Maulana knew his secret. In the actual fight I say the stones do not matter much, but when once a reconciliation has been effected, friends complain of flowers also. Sir, I think that this suffering will prove a blessing in disguise. By their suffering the Sikhs, I think, have convinced Government that for their religious sentiments they can endure much. The struggle has taught a lesson to the Sikhs also, and that is that whatever else they may expect from Government, it will not tolerate a defiance of the law. Sir, we deliberately started that game. We were not really lawless, but we were declared unlawful. At least one gentleman sitting on one of the official benches will bear testimony to that fact that when lawlessness was started in his own particular city it was the Akalis who at once came forward to offer their aid to quell the riot. The Hon'ble Mr. Dunnett acknowledged that help and Government as a reward for that help released all the Guru-ka-Bagh prisoners.

So it appears the Sikh organisations though declared unlawful were not unlawful in the sense in which it is generally understood to be. They were out to defy a particular law and when that has been changed there is no motive left to set at defiance the law again. (Hear, hear). Of this fact Government may be assured. I may quote the Punjabi maxim—

"Hathi langh gaya punchh rah gai"

When the big business has been settled the rest is a matter of half-an-hour as was said by Sir Malcolm Hailey in his Sialkot speech. But I may tell the Government that we are anxiously waiting for that half-an-hour'. (Hear, hear). Sir, I need not dilate on that point any more. I may simply repeat the couplet of the Poet Laureate who said—

"Blessing on the falling out
That all the more endears."

If each side has learnt some lesson from this struggle I think it will prove a blessing in disguise. Whilst making speeches certain members Hindus and Muhammadans have offered a piece of advice to us. I heartily thank them for the same and I may assure them that the Sikhs will try to walk in the footsteps of their Gurus. Their Gurus were the peacemakers. Unfortunately they had to take the sword. But really they came to serve mankind through the message of love and peace. My friend, a new convert to our faith (Hear, hear and laughter) whom I request should be added to some new Schedule in the Gurdwara Bill is very anxious about Samadhs. Sir, I offer him a suggestion. He is a new convert. He has got a large amount of property. I will just request him to reserve a place for these Samadhs and take them there, if he so desires, so that all his anxiety may be allayed. Otherwise I see no cause for such anxiety after the promise that was given yesterday. I will repeat the promise that has already been given on the floor of this House, namely, that we will take all the possible care that we can of these Samadhs. Sir, I do not want to give the Mahants a parting kick as they say. Worthy or unworthy, they were the custodians of our temples for

such a long time and it will be our duty to see that they are not harshly treated. (Hear, hear). I may also here refer to the treatment that has already been meted out to those who willingly came under the sway of the Panthic movement. Sir, I need not take any more time of the House, but I have a special request to make to Sir John Maynard. He need not be afraid of any big appeal. That has already been made by my friend Pir Muhammad Husain. But I just want to draw his attention to the case of the second batch of the Shiromani Gurdwara Prabandhak Committee prisoners. By law, they ought not to be in prison. I know that the Government has made it clear that they will be released if they sent in a request. But, Sir, if law and justice demands that they should be released why should the Government wait for a request from them. If their compeers have been released by the High Court, I do not see why they also should not be released. I hope the Honourable Mr. Craik will not accuse me to-day at least of partiality because I was a prosecution witness in the case. I really feel that that much at least is due to us to-day from Sir John Maynard. This piece of justice is long overdue, but we did not open our lips because we wanted to settle the Bill first. I hope, Sir, this small request of mine will not go in vain. With these words I heartily support the passage of the Bill.

Pandit Nanak Chand: Sir, I move—

“That the question be now put.”

Mr. President: The question is—

“That the question be now put.”

The motion was carried.

Mr. President: The question is—

“That the Sikh Gurdwaras Bill be passed.”

The motion was carried.

Mr. President: I just want to add my congratulations to the House and to the Sikh members in particular on the smooth passage of the Bill barring the little incident which occurred yesterday.

ANNOUNCEMENT FROM THE CHAIR.

Mr. President: I have to inform the Council that His Excellency the Governor proposes to address the Council and for that purpose requires the attendance of the members in this Chamber on Thursday, the 8th July 1925, at 11 A. M. Members are requested to be in their seats at 10-45. Those who are entitled to wear uniform will appear in levee dress.

ADJOURNMENT OF THE COUNCIL.

Dr. Gokul Chand, Narang: Sir, may I request that the remaining business be taken up to-morrow? I believe the rest of the business will not take very long, probably it will take about half-an hour. (A voice: We can finish it to-day). I am told that there are some questions which have to be answered to-morrow, so that the Council has to meet to-morrow. If it is not meeting to-morrow, then I will certainly have the business finished now.

(A voice: Questions and supplementary demands may be taken up to-morrow.)

Mr. President: I think the matter rests entirely with the House, but I just want to put one thing before the House. If we proceed with the rest of the business and try to finish it before the time for adjournment comes and if only questions are left, I want to know whether the House wishes the questions to be put to-morrow or whether they can come up at the next sitting of the Council at Lahore.

The Honourable Mian Sir Fazl-i-Husain: We can postpone them for the Lahore sitting.

Dr. Gokul Chand, Narang: In that case we may try to finish the business to-day.

THE PUNJAB MOTOR VEHICLES TAXATION (AMENDMENT) BILL.

The Honourable Sir John Maynard (Finance Member): Sir, I beg to introduce the Punjab Motor Vehicles Taxation (Amendment) Bill. This Bill was published in the issue of the Gazette Extraordinary of the 15th June 1925. It is hardly necessary for me to say in introducing it that it gives effect to the promise made in March last that in consequence of the accession to the revenues of the Punjab, Government would make certain remissions of taxation. In this particular case, the remission of taxation is on motor vehicles used for trade and industry and for the purpose of transportation of passengers.

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

“That the Punjab Motor Vehicles Taxation (Amendment) Bill be taken into consideration.”

I have already explained the nature of this Bill. I will only say that the remission of taxation takes the form of halving the tax on vehicles which are used in the course of trade and industry up to the weight of two tons, while leaving the taxation of vehicles which are known as taximeters untouched. It reduces the tax by nearly one-half on passenger vehicles making long distance journeys up to a certain size of vehicles, that is, up to the size of vehicles which carry twenty passengers and no more. It is not considered desirable to alter the scale of taxation on taximeters plying in towns which are utilised not so much for the purpose of trade and industry as for the convenience of the well-to-do classes.

Mr. President: The question is—

“That the Punjab Motor Vehicles Taxation (Amendment) Bill be taken into consideration.”

The motion was carried.

Mr. President: The question is—

“That clause 2 stand part of the Bill.”

The motion was carried.

Mr. President: The question is—

“That clause 3 stand part of the Bill.”

The motion was carried.

Mr. President: The question is—

"That these be the preamble and the title to the Bill."

The motion was carried.

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

"That the Punjab Motor Vehicles Taxation (Amendment) Bill be passed."

The motion was carried.

THE PUNJAB VACCINATION LAW AMENDMENT BILL.

The Honourable Mian Sir Fazl-i-Husain (Minister for Education):

4 P.M. Sir, I beg to introduce the Punjab Vaccination Law Amendment Bill.

The Honourable Mian Sir Fazl-i-Husain: Sir, I beg to move—

"That the Punjab Vaccination Law Amendment Bill be taken into consideration."

This is a non-controversial measure. The object of the Bill is to enable the Government to apply the Vaccination Act of 1880 to Small Towns which have recently come into being.

Mr. President: The question is—

"That the Punjab Vaccination Law Amendment Bill be taken into consideration."

The motion was carried.

Mr. President: The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 3 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 4 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That these be the title and the preamble to the Bill."

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain: Sir, I beg to move—

"That the Punjab Vaccination Law Amendment Bill be passed."

The motion was carried.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY AND ADDITIONAL GRANTS.

EDUCATION (TRANSFERRED) GRANT.

The Honourable Mian Sir Fazl-i-Husain (Minister for Education): Sir, I beg to move—

"That a sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Education (Transferred)."

The motion was carried.

CIVIL WORKS (TRANSFERRED GRANT).

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Civil Works (Transferred)."

The motion was carried.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Civil Works (Transferred)."

The motion was carried.

IRRIGATION (CAPITAL) GRANT.

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

"That an additional sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Irrigation Capital."

The motion was carried.

ANSWERS TO CERTAIN UNANSWERED QUESTIONS LAID ON THE TABLE.

The Secretary : *Answers to certain Council questions which have been received from Government since the publication of the Council Debates of the 20th June 1925 are laid on the table for the information of members.

Mr. President : There will be no meeting to-morrow and the questions appearing on the list of business for to-morrow will be taken up when we meet again at Lahore. As has already been announced the members have to be in their seats at 10-45 A. M. on Thursday, the 9th July 1925.

The Council then adjourned *sine die*.

PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 9th July 1925.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR.

HIS EXCELLENCY THE GOVERNOR arrived in procession with the officers of the Council and his personal staff at 11 A. M. and took his seat on the throne.

His Excellency the Governor addressed the Council as follows :—

If I have somewhat prolonged your special session by requesting your attendance here to-day, I take at least this comfort, that the occasion is one of unusual interest, and that there are some here who must be looking forward to what I am to say on it with keen anticipation, if not with anxiety. You have just concluded your deliberations on a Bill which not only concerns vitally the interests of one of our great communities, but touches intimately the interests of others. It is far from my intention to discuss the provisions or to canvass the merits of a measure which has so recently been debated in your Legislature and has now secured its approval; but you must allow me to say this, that the spirit in which you have approached a matter fraught with such chances of contention establishes a tradition which is as creditable to the present reputation of the Punjab as it is full of promise for the future. Nor do I intend here to enter on the long history of the events which have culminated in the presentation of that Bill to the Legislature. This is not the occasion on which to stir up the smouldering ashes of past controversy or to recall events which seemed at one time to have set a large portion of the Sikh community in hostility to a Government with which it had so many ties of close friendship, honourable alike in peace and war. Those differences compelled the Punjab Government reluctantly but inevitably, to use its powers for the maintenance of order and for the defence of rights conferred by the existing law. They led large numbers of Sikhs into open opposition to that law and to action which subjected them to conviction by our criminal courts. With every desire to foster the new atmosphere in which we can hope now to envisage the future of this question, I could not conscientiously extend to all of that number the excuse, that they were actuated purely by a desire to right a religious disability, or to secure the better management of their religious institutions. Nevertheless, it is true that large numbers were impelled to these courses, mistaken and dangerous as we ourselves held them to be, by a sense of offense to their religion. We deplored that belief; we denied that there was anything in our law or the administration of justice which interfered with the freedom of religious worship; and we claimed that if there was anything which militated against the religious developments which Sikhs sought to secure, or against the attainment of a better management for their religious institutions, a remedy could be found in legislation. We believed that a statute could be framed which, while it would not unduly prejudice the rights of others, would meet any legitimate claim which reasonable and religious-minded men of the community could advance. If in the long and troubled chronicle of those events, much has to be recorded which has resulted in resentment of the action of Government, and much that we have had to deplore in the attitude of

some members of the community, yet history will at least render us this tribute, that we never ceased our efforts to secure and even to promote legislation of this nature. For there was, at the back of all this trouble, a difficulty of real substance, which only a change of law could rectify. The attention of the outside world has been concentrated so much on the externals of the conflict, that the actual problem which troubled those who were interested purely on the religious side has perhaps been obscured. There has in the latter half of this generation been a keen revival of Sikhism of the stricter type taught by the tenth Guru. I need not analyse the course of this revival or its causes, but the inevitable tendency of a movement of this nature, with its insistence on a more rigid ritual, is not only to quicken religious interest, but to emphasize the consciousness of difference between the Sikhs and Hindu community from which they sprang. Furthermore, it brought into conflict the Amritdhari Sikhs, who now constitute the great majority of the population, with the minorities which still claim to be within the fold, but retain the less rigid forms of worship which characterized the followers of the earlier Gurus. But the Amritdhari Sikh, with all his growing strength, and with a central organization ministering to his advance, found that many of the most revered and the best endowed shrines of Sikhism were in the hands of men who did not necessarily follow Amritdhari form; they have indeed lately, as a body, publicly denied that they are now or ever had been Sikhs. True, Sikhism was in the past under great obligations to the Udasis; they had been instrumental in building up the shrines and securing for them grants of land and money; in earlier days it was they who constituted the religious element in a militant community. But the position occupied to-day by the managers of these shrines, secured as it was by a hereditary tenure, was not an easy one for the preponderant majority of Sikhs to face; and it was clearly not one which our civil courts, with their regard for established possession and settled usage, could attempt to rectify. On another point of difficulty, our courts could operate. Many of the managers were men whose lives and whose services to the institutions were not open to reproach; but there were others of whom that was certainly not the case; and in this life the irritation bred by one open scandal will destroy obligations established by years of good work. With the scandals our courts could deal; but here again the procedure was far from rapid, and the result not always certain. It is not perhaps surprising that a demand should have arisen for the recognition of a purely communal management of Sikh institutions and for liberty to deal both with endowments and their managers unhampered by rights based on the usage of the past. Demands of this nature have constituted a common feature of religious development elsewhere in the world; and in one form or another, efforts have generally been made to meet them. Our attitude was never one of opposition to the principle itself; if we differed, it was in our contention that the change could not and should not be effected by direct action or by show of force; it could only be secured with the assent of the other communities which would be affected by the contemplated change of system, and could not be effective unless it was ratified by legislation.

Here then was the real problem. There were times when other issues seemed to obscure it; and we ourselves felt strongly that the religious difficulty was being pressed by some sections to all appearance for objects, and certainly in a manner, which could not conduce either to the advantage of the community itself or the ordered progress of the Punjab. Nevertheless, it remained for settlement; and if other issues existed, they could not be judged on their merits, nor handled in an even temper on either side until

the religious problem had been isolated. It is that problem which the Bill you have just considered is intended to solve. How far it meets the primary requirements of such a measure, the safeguarding of interests of other communities which claim their share in the use of shrines, the protection of minorities within the community itself, the compensation of persons whose connection with the management is terminated—these are questions which time must answer. It has already this in its favour; it is a Bill promoted by Sikhs themselves, and accepted in this House by other communities with a cordiality which has obviated the necessity of a single dividing vote. It is freighted with the hopes of Sikhs for their future tranquility and the religious security of their community; it is launched amid the fair auspices of good-will from others; but its success depends on the spirit and the temper in which Sikhs themselves approach the administration of its provisions. Hindus have long worshipped at many of the shrines with which it deals; some of those contain relics of Hindus who have ministered to their service in the past. Let a wide spirit of tolerance regulate the dealings of Sikhs with them. The Udasis have in the past deserved well of the Sikhs; let a discriminating liberality characterize relations with those members of the sect against whom no charge of mismanagement can be laid. The minorities among the Sikhs cherish their position in the community; they share its traditions and have contributed to its achievements; let the majority remember that rigidity in doctrine and exclusiveness in practice foster schism and disintegrate religions.

I have given my word of advice to the Sikhs; and you will reasonably ask, what share is Government prepared to take in endeavouring to secure the smooth and successful working of this measure? It has shown its good-will in the preparation of the Bill; it has given its support to the Council; is it ready to go no further? Appeals have been made to us to remove the sting and to obliterate the memory of the differences of the last few years by a general amnesty to all prisoners, and by the withdrawal of all pending prosecutions. It is admitted that we have throughout maintained the attitude that this measure must be considered on its merits as the legislative solution of a religious problem. We gave our support to the measure under no conditions, express or implied. But it can be pleaded against us, and on our own admission, that many of those now imprisoned have offended against the law with no felonious intent; at the best they are sufferers in the cause of religion; at the worst, they have yielded inadvisedly to the misdirection of others. It is urged, again, that so long as large numbers of the community are still held in prison, misunderstanding and rancour will persist; and the efforts of those who have been working for this settlement will be frustrated. Their task has not been easy, for they have met with much opposition from certain extreme sections; unless we now assist them, the very operation of the Bill itself may be imperilled.

The appeal is powerful; it is one which would carry force even were Government itself not anxious to work for that better understanding which we hoped that the Bill would help to foster. We have considered that appeal anxiously and with every sympathy; nor did it seem right to miss the earliest occasion of acquainting the Punjab Legislature with our decision. I must remind you that the Bill still has to obtain the assent of the Governor-General, and that certain of its clauses require validation by the Legislative Assembly. The Punjab Government is, however, prepared at once to take such steps as it feels to be possible without risk to the maintenance of order, or of a recurrence of those troubles which it is our object to compose. We

cannot agree to a general or unconditional amnesty; but we are prepared to liberate all those who will undertake to follow the procedure laid down by the Bill for the settlement of difficulties which may arise in connection with the possession of shrines and their future management, and to refrain from resort to other courses. We feel that those who cannot accept or give effect to a solution proposed by their own representatives in this Council, and supported here unanimously by all the representatives of other interests concerned, are not fit subjects for the clemency of the Crown; nor would their liberation conduce to the atmosphere of peace and mutual toleration which can alone make this measure successful in operation. But it is best that I should read to you the precise terms of our decision.

"The Punjab Government will release (or will withdraw from the prosecution of) any person (other than those persons who have been convicted of or are under trial for crimes of violence or incitement to such crimes) who has been convicted by the criminal courts, or is under trial in such courts, on charges arising out of the recent agitation in the Sikh community, or on charges involving offences against the Criminal Law (Amendment) Act.

"Provided that such release will be conditional on such persons signing and undertaking that they will obey the provisions of the Law recently enacted securing to the Sikh community the control and management of shrines and their endowments and will not seek by means of force, or show of force, or by criminal trespass to gain control or possession of any shrine or the property attached to it or its endowments.

"The Government will deal in a similar spirit with cases of forfeiture of land or pension.

"The notification of 12th October 1923, declaring certain bodies to be unlawful associations under the Criminal Law (Amendment) Act, will be withdrawn if and when the Central Board provided by the Bill is duly constituted."

That is the contribution which the Punjab Government brings to the furtherance of those aims which actuated this Council when it passed the Gurdwara Bill. But there is another outstanding problem, one intimately connected with the trouble which has agitated the Sikhs in the Punjab though its scene does not lie within our own borders; I mean that arising from the despatch of Jathas to Jaito. I am permitted to say that the Government of India, on their part, have not been less anxious than the Local Government to recognise the determination now evinced by the Sikh community to seek a constitutional solution of their religious difficulties. They desire to mark this occasion by a measure which while maintaining the authority which every Indian State must claim for itself, and which it is our duty to assert for a State under our charge, will nevertheless allow full freedom of access to those who desire to use the shrine at Jaito for legitimate purposes of worship. By the favour of His Excellency the Viceroy, I am allowed to read the following announcement which will appear in the next Gazette.

"The Administrator of Nabha will release Sikhs now detained in Nabha, or imprisoned there, after conviction by Criminal Courts (other than persons who have been convicted of or are under trial for crimes of violence or incitement to such crimes) in connection with charges arising out of the recent agitation regarding the Gangsar Gurdwara.

"The Administrator of Nabha will permit bands of pilgrims to proceed for religious worship to the Gangsar Gurdwara under the following rules :—

- (a) That they abstain from holding political Diwans or spreading political propaganda during their sojourn within the State boundaries.
- (b) That they confine themselves to the use of the Gurdwara itself and such reasonable space around it as may be set apart for their accommodation.
- (c) That they will be self-supporting during their visit, the village and Mandi of Jaito being excluded from the area set apart for their accommodation.
- (d) That any such band will arrive at Jaito by rail or by a road decided upon by the Administrator, and that suitable arrangements shall have been made to ensure that any such band of pilgrims will be unaccompanied by any Saugat or following.
- (e) That the date of the arrival of any such band at Jaito is communicated to the Administrator in order to enable him to make suitable arrangements in connection with the same."

These are the decisions of Government, framed with the single and sincere desire to contribute to the successful working of this measure, and in the earnest hope that this may be followed by the return of the Sikh community to the paths of settled order and to its old relations of trust and confidence in Government. And now it is for those who guide the opinions of the community, whether inside or outside this Council to make their choice and to shape their course. If they have ever felt that the cause of their religion was in any peril, they must now realize that with the assistance of this Legislature, they have secured a measure which enables them to dismiss that apprehension from their minds. For the rest, I counsel them to think with earnestness and with foresight on the future of their community. It cannot stand alone; its welfare and its progress are bound up with the development of the great Province of which it forms a part. For that development we need harmony and tranquillity, mutual trust not only between the community and Government, but between every section and class of the people. On that foundation alone can we rear the great edifice of the future. If they truly desire to establish the position of their own people, they will strive for that concord, realising that in the well-being of the whole lies their own prosperity and their own success. Their people have inherited great traditions from the past; they have great qualities no less valuable in the condition of to-day; let them contribute these not to any jealous or partisan ambition for their community alone, but to the tranquil, ordered and united progress of the whole of the people of the Punjab (Cheers).

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 30th November 1925.

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

OATH OF OFFICE.

The following members were sworn in :—

Mr. C. M. King, C.S.I., C.I.E., Official, Nominated.

Mr. C. A. Barron, C.S.I., C.I.E., C.V.O., Official, Nominated.

Mr. J. Coldstream, Official, Nominated.

Nawab Malik Sir Khuda Baksh Khan Tiwana, (Muhammadan)
Landholders.

REFERENCE TO THE DEATH OF QUEEN ALEXANDRA.

Deputy President: I think it will be the universal desire of this House to express, through its presiding officer, its sympathy with the King Emperor and the Royal House in the bereavement suffered by them in the death of Her Majesty Queen Alexandra. With the agreement of the House, therefore, I propose to send through the proper channel the following message as from this House :—

"The Legislative Council of the Punjab in presenting its humble duty to His Majesty the King Emperor desires to express its deep sorrow at the death of Her Majesty Queen Alexandra, and to convey its sincere sympathy with His Imperial Majesty and the Royal Family in their great loss."

I take it that it is the wish of the House that this action be taken.

The Council signified its assent.

QUESTIONS AND ANSWERS.

PROMOTION OF PATWARIS TO THE POST OF QANUNGOS.

2036. Chaudhri Afzal Haq : (a) With reference to the answer to question No. 1832,* put on the 6th May 1925, will the Government be pleased to state whether the list of candidates alluded to in the answer also includes those patwaris who have passed the Field Qanungo's examination before the age of 35.

(b) If the answer to this question is in the affirmative, will the Government be pleased to say whether they have considered the desirability of exempting those patwaris who have passed the Qanungo's examination before reaching this age limit from exclusion from the list?

[Chaudhri Afzal Haq.]

(c) Will the Government be pleased to state (i) the principle on which the patwaris are debarred from becoming Field Qanungos after the age of 35 ; and (ii) whether the subordinates in other departments are likewise debarred from getting higher grades after the age of 35 ; and, if not, why special restrictions are imposed in the case of patwaris ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) Yes, but the proposal is not practicable.

(c) (i) For the duties of a Field Qanungo, a young and active man is required. This is practically true of Settlement Qanungos ; and as Qanungos spend about 5 years in a settlement, they may under the present orders already reach the age of 40 before commencing their service as Mahal Qanungos. If the age limit were to be raised, there would inevitably be a loss in efficiency. (ii) The principles determining the promotion of patwaris to the rank of Qanungo are not the same as those governing promotion from one grade to another in other departments.

DIVERSION OF THE CHAKKI RIVER.

2037. Chaudhri Afzal Haq : (a) Is it a fact that the river Chakki which runs in the Gurdaspur District joins the river Beas near Tahsil Dasuha, District Hoshiarpur ?

(b) Is it a fact that before the Settlement of 1884, the Chakki was falling into the river Ravi, and that Government Engineers after making an artificial channel have diverted the flow of the Chakki into the river Beas ?

(c) Is it a fact that since then the Tahsil Dasuha is constantly flooded ?

(d) Is it a fact that the zamindars of Tahsil Dasuha have ever since the Settlement of 1884 been constantly complaining against the Chakki being diverted into the river Beas ?

(e) Will the Government be pleased to state if they ever considered the advisability of diverting the Chakki to its natural course so that it may fall again into the river Ravi ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) Only one branch of Chakki out of four fell into River Ravi and this was diverted to Beas to safeguard the Upper Bari Doab Canal.

(c) There is no evidence to show that diversion of this small channel has made any appreciable increase to the flood discharge of Beas River.

(d) No such complaints have been received by Government.

(e) No. It is not advisable to do so.

LIBEL SUITS AGAINST CERTAIN NEWSPAPERS.

2038. Chaudhri Afzal Haq : (a) Is it a fact—

(i) that in the days of non-co-operation certain Government officials instituted, with the aid of Government money and legal help, libel suits against certain newspapers in the Punjab ?

(ii) that in some cases the lower courts awarded only nominal decrees to vindicate the honour of the officials and in others they awarded substantial decrees ;

(iii) that some of the officials for whom only nominal decrees were awarded have appealed to the High Court for the enhancement of the decrees ?

(b) Have these appeals been instituted with the knowledge and consent of and at the expense of Government ?

(c) In the case of those officials who got substantial decrees, has the Government recovered from them the amount advanced for the conduct of the cases ? If not, why not ?

The Honourable Sir John Maynard :

(a) (i) Yes.

(ii) Yes.

(iii) In one case an appeal was preferred to the High Court.

(b) Yes.

(c) No money was advanced for the conduct of the cases, but the expenses were paid by Government. In case where damages are recovered, the costs incurred by Government are deducted from the amount recovered if the latter is sufficient.

HONORARY MAGISTRATES, SIRSA TAHSIL.

2039. Sardar Tara Singh : With reference to the answer to question No. 1387,* parts (b), (c) and (d), put by me on the 19th January 1925, will the Government please state—

(a) if there is any such proposal now ; and

(b) if so, what action it proposes to take thereon ?

The Honourable Sir John Maynard : (a) No such proposal has yet reached Government.

(b) Does not arise.

INDIAN EDUCATIONAL SERVICE.

2040. Captain Dhan Raj, Bhasin : (a) Is it a fact that with the abolition of the Indian Educational Service as recommended by the Lee-Commission, Government intends to organise the Punjab Superior Educational Service ?

(b) If the reply to clause (a) be in the affirmative, will the Government kindly state—

(i) when the scheme will be put into operation ;

(ii) what will be its prospects with regard to pay, annual increment, promotion and pension ; and

(iii) the minimum qualifications that will be considered necessary for recruitment to this service ?

[Captain Dhan Raj Bhasin.]

(c) Is it a fact that prior to the Lee Commission Report, 30 per cent. of the members of the Indian Educational Service were used to be recruited from the Provincial Educational Service?

(d) Does the Government propose that 30 per cent. of the Superior Educational Service will be recruited from the present Provincial Educational Service?

(e) If the reply to clause (d) be in the negative, will the Government kindly state its reasons for not doing so?

(f) What special prospects, if any, does the Government intend to provide for individuals with special European qualifications in the educational line?

Sir George Anderson : The matter is under consideration.

SCHOLARSHIPS FOR THE SONS OF MILITARY EMPLOYEES.

2041. Chaudhri Ram Singh : (a) Is it a fact that scholarships were awarded to the sons of military employees in the years 1922 to 1925?

(b) Is it also a fact that the sons of several of the military employees who were in the front during the great war have been deprived of such scholarships during the same period? If so, why?

Sir George Anderson :—

(a) Yes.

(b) Government is unaware of any case in which the scholarship granted to the son of a combatant who was eligible for a scholarship under the rules has been withheld.

SUBORDINATE EDUCATIONAL SERVICE.

2042. Diwan Bahadur Raja Narendra Nath : Will the Honourable Minister for Education kindly state whether it is a fact that shortly after his assumption of office as Minister in 1921 he issued to the Director of Public Instruction, Punjab, for his guidance, some instructions in which principles were laid down for filling up vacancies in the five different grades of the Punjab Subordinate Educational Service? If so, will he kindly lay a copy of those instructions on the table of this Council?

Sir George Anderson : Not to his recollection, but if the honourable member gives more details he will try to search for them.

Diwan Bahadur Raja Narendra Nath : With regard to the communal distribution of posts in various communities?

Sir George Anderson : I am afraid I am not able to give any further information than what I have already given.

PROVINCIALISATION OF M. B. HIGH SCHOOL, MUKTSAR.

2043. Chaudhri Najib-ud-Din Khan : Is it a fact that there is not even a single Government High School throughout the whole Muktsar Tahsil? If so, does the Government propose to consider the advisability

of provincialising the M. B. High School at Muktsar as early as possible and relieving the Municipal Committee, Muktsar, of the expenses thereof?

Sir George Anderson :—

(a) Yes.

(b) The claims of all such schools will be considered in the event of more schools being provincialised.

CHARGES FOR WATER SUPPLY TO MUNICIPAL WATERWORKS AT MUKTSAR.

2044. Chaudhri Najib-ud-Din Khan: (a) Is it a fact that the Canal Department charges for water supplied to tanks and diggirs in municipal towns at the rate of Re. 1 per 5,000 cubic feet?

(b) Is it a fact that canal water is supplied to waterworks at Sargodha at the same rate, i.e., at Re. 1 per 5,000 cubic feet, while water supplied to waterworks at Muktsar is charged at Re. 1 per 2,500 cubic feet?

(c) If so, does the Government propose to consider the advisability of charging water supplied to Muktsar waterworks at the rate of Re. 1 per 5,000 cubic feet?

The Honourable Sardar Bahadur Sardar Sondar Singh, Majithia :

(a) Yes.

(b) Rate charged for water supplied to Sargodha waterworks is Re. 1 per 5,000 of cubic feet. The rate to be charged to Muktsar is under consideration.

(c) Yes.

PROVINCIAL CIVIL SERVICE, JUDICIAL BRANCH.

2045. Rai Sahib Lala Ganga Ram: (a) Is it a fact that the cadre of Munsifs and the Judicial Branch of the Extra Assistant Commissioners were amalgamated some time back and made into one service as the Provincial Civil Service (Judicial Branch)?

(b) Is it a fact that some of the Munsifs were on the High Court List for recommendation to Government for the post of Extra Assistant Commissioner when the above amalgamation was carried out? If so, how many?

(c) Is it a fact that the question of recommendation of these Munsifs for Extra Assistant Commissionership was then dropped as no longer necessary?

(d) Will the Government be pleased to state whether any of these Munsifs who were then to be recommended for Extra Assistant Commissionership have now been invested with powers of a Sub-Judge, II class, equivalent to the old Junior Sub-Judges drawn from the Extra Assistant Commissioners and whether this investment of powers renders them entitled to all the rights and privileges which would have accrued to them had they been appointed as Extra Assistant Commissioners, and, if not, why not?

(e) Will the Government please state the existing grades of the Provincial Civil Service (Judicial Branch) showing the efficiency bars wherever

[R. S. Lala Ganga Ram.]

they occur, and state further whether the efficiency bars are the same for all members of the service or different, and, if different, the reasons for the difference?

(f) Is it a fact that for the Sub-Judges, II class, taken from the old Munsifs the first efficiency bar is at Rs. 390, whereas in the case of those taken from the Extra Assistant Commissioners it is at Rs. 510?

(g) Is it a fact that a certificate of fitness is necessary within the terms of clause 4 of paragraph 2 of the Punjab Government Resolution No. 21709, dated the 24th August 1921, for an officer in the service to cross a given bar of efficiency, and, if so, will the Government please state whether the investment of powers of II class Sub-Judge on an officer who was formerly a Munsif is considered tantamount to such certification, at least in the case of those Munsifs who were meant to be recommended for Extra Assistant Commissionership? If not, why not?

(h) Will the Government please state whether any of such Sub-Judges have arrived at the first efficiency bar of Rs. 390? If so, how many? Does the Government propose to remove the bar in their case and send instructions to the Accountant-General, Lahore, to issue salary slips accordingly?

Mr. H. D. Craik :

(a) Yes.

(b) Yes. Ten Munsifs.

(c) Yes.

(d) The answer to the first part of the question is in the affirmative. The answer to the latter part of the question is in the negative. The II class Sub-Judges, who were originally Munsifs, do not necessarily enjoy all the rights and the privileges, which would have accrued to them had they been appointed as Extra Assistant Commissioners, as they were not accepted by Government as candidates for Extra Assistant Commissionership.

(e) There are now no grades for the Punjab Civil Service. All the Judicial Officers are governed by the time-scale of pay. As regards efficiency bars reference is invited to Government Resolutions Nos. 19242 and 21709, dated the 1st April 1921, and 24th August 1921, respectively. The reasons for different bars are that Munsifs held non-gazetted appointments which were considered inferior to those of Extra Assistant Commissioners.

(f) The answer is in the affirmative.

(g) The answer to the first part of the question is in the affirmative. A Sub-Judge taken from the old Munsifs cadre cannot cross the efficiency bar at Rs. 390, unless he is considered fit by the Judges for appointment as Sub-Judge.

The answer to the latter part of the question is in the negative. The powers are given in the interests of work. The question of promotion depends upon the efficiency of an officer although the fact of his exercising higher powers is taken into consideration when the question of crossing the efficiency bar comes up.

(h) Seven officers have now arrived at the first efficiency bar at Rs. 390. The question of their passing that bar is under consideration of the Judges and orders will issue in due course to the Accountant-General, Punjab, but the removal of the efficiency bar for the service is not contemplated.

PROSECUTIONS UNDER SECTIONS 366, 307 AND 376, I. P. C.

2046. Chaudhri Afzal Haq : Will the Government be pleased to lay on the table—

- (a) (i) the number of men that have been sent up for trial by the Police since 1st April 1924, under sections 366 and 376, I. P. C., in the Hoshiarpur District;
- (ii) the number of men among them that have been convicted;
- (b) (i) the number of men that have been sent up for trial under section 307, I. P. C., since 1st April 1924; and
- (ii) the number of men among them that have been acquitted?

The Honourable Sir John Maynard : (a) (i) The number of men who have been sent up for trial by the Police since 1st April 1924 to 30th June 1925, under section 366, Indian Penal Code, in the Hoshiarpur District, is 106 and the number sent up for trial under section 376, Indian Penal Code, in that district is 16.

(ii) The number of men among them who have been convicted under Section 366, Indian Penal Code, is 31 and the number convicted under Section 376, Indian Penal Code, is 5.

(b) (i) The number of men that have been sent up for trial under Section 307, Indian Penal Code, since 1st April 1924 to 30th June 1925, is 24, and

(ii) The number of men among them who have been acquitted is 12.

FISHING IN BUDHA NALA.

2047. Chaudhri Afzal Haq : (a) Is it a fact that the bed of Budha Nala is owned by the zamindars of Bait circle, district Ludhiana?

(b) Is it a fact that Government has issued licenses to fishermen to catch fish from the Nala, but has prohibited the zamindars from catching fish in it?

(c) Is it a fact that Budha Nala has devastated most of the land in Bait circle and people are consequently suffering therefrom?

(d) Is Government aware that fish is the chief food of the zamindars of this ilaga?

(e) If so, will the Government be pleased to exempt Budha Nala from the operation of the Fisheries Act?

The Honourable Rai Sahib Chaudhri Chhotu Ram :

(a) Yes.

(b) Yes. Any person whether fisherman or zamindar, can fish in the Budha Nala provided he takes out a license. No person can fish without a license.

(c) Yes, to some extent, notably in Tahsils Ludhiana and Jagraon.

(d) No, but it is used by them when available.

(e) No, because it does not cause any hardship to the landowners and because the Budha Nala is a favourite spawning ground of fish of the Sutlej watershed and protection is necessary in the interests of the public food supply.

BRIDGES OVER THE BUDHA NALA.

2048. Chaudhri Afzal Haq : (a) Is it a fact that all the bridges over the Budha Nala are in a dilapidated condition and are impassable?

(b) Is it a fact that several persons were drowned near Khanpur Bahadurpur in Tahsil Ludhiana?

(c) Is it a fact that the people of Bait circle complained to the Deputy Commissioner, Ludhiana, as to the lack of proper bridges over Budha Nala?

(d) If so, will the Government be pleased to say what has been done to remove this complaint?

Mr. J. G. Beazley : (a) The bridge by which the Grand Trunk Road crosses the Budha Nala is in good condition. Government have no information about any other bridges there may be over this Nala.

(b), (c) & (d) Government have no information. If there are any other bridges, the District Board must be responsible for their maintenance and a copy of the honourable member's question and of this reply will be sent to the Board with a view to its taking any action it may consider necessary.

PUNITIVE POLICE AT JANDIALA.

2049. Sardar Partap Singh : (a) Is it a fact that the term of the punitive police post in Jandiala, District Jullundur, which was extended for six months, was to have expired on the 31st March 1925?

(b) Is it a fact that the Government has extended this term to a further period of six months?

(c) If the answer to (b) is in the affirmative, will the Government please say whether it is because the inhabitants of that place entertained the *shukdi jatha* there? If not, will the Government please give reasons for extending the period of imposition of the punitive police post for another six months?

(d) If the imposition of the punitive police post was extended because of the entertainment of the *shukdi jatha* by its inhabitants, will the Government be prepared to consider the advisability of removing the post at once?

(e) Is it a fact that the population of Jandiala, district Jullundur, is about 7,000 and the annual expenditure of the punitive post also Rs. 7,000?

(f) Will the Government please say on what basis this expenditure has been distributed on the inhabitants of the place?

(g) Is it a fact that the amount of tax imposed on certain persons of the place is equivalent to the average income per head per year of the population in this province?

The Honourable Sir John Maynard : (a) Yes. The date from which the period of the additional police post was extended was, however, the 8th and not the 31st of March 1925.

(b) Yes.

(c) The post was continued on account of the general lawlessness of the villagers, and not because of the entertainment by them of a *Shakidi Jatha*.

(d) This question does not arise.

(e) The population of the village is 5,492 and the estimated annual cost of the post is Rs. 6,470-10-0.

(f) The original "bachh" of the cost was made on the basis of makhns and misconduct. A fresh distribution is being made on the basis of means alone.

(g) The population of village Jandiala is 5,492, out of which 1,189 persons have been assessed at the rates given below :—

No. of persons.				Rate of tax per head per annum.		
				Rs. A. P.		
70	30	0 0
68	6	0 0
128	3	0 0
850	0	9 6
78	0	0 3
<hr/> 1,189						

PUNITIVE POLICE IN THE LAHORE DISTRICT.

2050. **Sardar Dhira Singh** : Will the Government be pleased to lay on the table a statement showing—

(a) the number of punitive police posts quartered in the various villages in the Lahore District in 1922 ;

(b) how many crimes were committed in the villages of Ghawind, Thana Barki and Makhi Khurd, Makhi Kalan in Valtoba police jurisdiction prior to the posting of the police, i.e., during the years 1919, 1920 and 1921 ;

(c) the number of crimes committed by the villagers of the above-named villages during the years 1922 to 1925 ;

(d) in how many villages of the Lahore District punitive police posts have been quartered during the years 1924 and 1925, respectively ; and

(e) the total amount of punitive police tax imposed on the various villages of the Lahore District in the years 1922, 1923 and 1924 ?

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

2051, 2052 & 2053 cancelled.

LAMBARDARS AND MUTATION FEES.

2054. Chaudhri Ram Singh : (a) Is it a fact that one-third of the mutation fees is taken by the patwaris and two-thirds by the Government, and that mutation fees are collected by the Lambardar, who is not paid *panjotra* ?

(b) If the reply is in the affirmative, does the Government propose to consider the advisability of paying *panjotra* to the lambardar out of the mutation fees ?

(c) If the Government is not prepared to pay any *panjotra* to the Lambardars, will it consider the advisability of the collection of mutation fees being entrusted to the patwaris who get one-third as their share of the fees ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Patwaris receive two-fifths of mutation fees. Fees are collected by the lambardar, who is not paid *panjotra* on them.

(b) No. The collection of mutation fees is one of the duties, in consideration of which the Lambardar receives 5 per cent. of the land revenue.

(c) No. The collection of mutation fees by Patwaris is likely to interfere with their proper duties.

DOGRA RAJPUTS AND THE SERVICES.

2055. Chaudhri Ram Singh : (a) Will the Government be pleased to state the number of Dogra Rajputs employed in the Punjab in the Imperial and Provincial Services in the following branches :—Civil Service, Forest Service, Police Service and the Education Service ?

(b) Is it a fact that during the Great War the Dogra Rajputs rendered valuable military service ?

(c) If so, does the Government propose to consider their special claim to higher appointments in view of their military services ?

Mr. H. D. Craik : (a) I presume that by Dogra Rajputs the honourable member means Hindu Rajputs of the Kangra and Hoshiarpur Districts. If so, the figures are as follows :—

		No. employed in Imperial Services.	No. employed in Provincial Services.
Civil Service ...	...	Nil	4*
Forest Service ...	...	Nil	1
Police Service ...	...	Nil	Nil
Education Service ...	...	Nil	Nil

* In addition, another Dogra Rajput of the Hoshiarpur District has just been accepted as a candidate for the post of Extra Assistant Commissioner.

(b) Yes.

(c) Government is always prepared to consider the claims of qualified candidates of this community.

Chaudhri Ram Singh : Among Dogra Rajputs I include the Hindu Rajputs of Gurdaspur and Sialkot districts.

Mr. H. D. Craik : I must ask for a notice of that question. I cannot answer it off hand.

COMMUNAL REPRESENTATION IN MUNICIPAL COMMITTEES AND NOTIFIED AREAS.

2056. Lala Mohan Lal : Will the Government please lay on the table a statement showing—

- (i) the total number of municipal committees and notified areas in the province where communal representation has been introduced, giving also—
 - (a) the total population of each of the municipality and notified area, with the number of Hindus, Muhammadans, Sikhs and Christians among them ;
 - (b) the total strength of each of the committees ;
 - (c) the number of members elected for each of the committees, with the number of Hindus, Muhammadans, Sikhs and Christians among them ;
 - (d) the number of members nominated for each of the committees, with the number of Hindus, Muhammadans, Sikhs and Christians among them ;
 - (e) the total voting strength of each of the above-mentioned communities in each of the committees ; and
- (ii) the names of municipal committees and notified areas in the province where communal representation has not been introduced, with the particulars asked for in parts (a) to (e) above.

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

INCREASE IN THE PAY OF JAMADARS AND CHAPRASIS.

2057. *Rai Bahadur Lala Sewak Ram : With reference to the answers to question No. 1503† and the supplementary question relating thereto, will the Government please say whether they have considered the desirability of giving effect to the resolution passed by the Council on the 11th January 1922 ? If so, with what result ?

The Honourable Sir John Maynard : (a) Yes.

(b) In view of the general fall in prices since the pay of Jamadars and Chaprasis was last fixed, Government does not think that any increase of pay is justified.

Sardar Gurbakhsh Singh : Is it a fact that the emoluments of officers in higher grades have been raised since the fall in prices ? If so, why was

* In the absence of Rai Bahadur Lala Sewak Ram his questions were put by Prof. R. Ruchi Ram, Sahni.

[Sardar Gurbakhsh Singh.]

not that factor taken into consideration when the question of increase of pay of Jamadars and Chaprasis was decided?

The Honourable Sir John Maynard: This question does not appear to arise out of the question regarding Chaprasis.

SUBORDINATE ENGINEERING SERVICE.

2058. †Rai Bahadur Lala Sewak Ram: With reference to the answers to questions 1114 (d)* and 1783 (c)† asked on the 21st November 1924 and 4th May 1925, respectively, will the Government please say whether the separation of the Engineering Service into Provincial and Subordinate has not hampered the prospects of men in the Subordinate Engineering Service? If the answer is in the affirmative, will the Government please say what steps it has taken or proposes to take to satisfy this service in the matter of prospects?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia: Reply to the first part of the question is in the negative. The point in the second part of the question, therefore, does not arise.

INTERMEDIATE COLLEGE AT DERA GHAZI KHAN.

2059. †Rai Bahadur Lala Sewak Ram: Has Government received a representation from the people of Dera Ghazi Khan for opening an Intermediate College there at an early date? If so, what steps has Government taken in the matter?

Sir George Anderson: No.

EXTENSION OF THE JACOBABAD-KASHMERE RAILWAY TO DERA GHAZI KHAN.

2060. †Rai Bahadur Lala Sewak Ram: Does Government contemplate moving the Railway Board for the extension of the Jacobabad-Kashmere Railway up to Dera Ghazi Khan, the head-quarters of the district?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The answer is in the negative.

COMMUNAL REPRESENTATION IN DISTRICT BOARDS.

2061. †Rai Bahadur Lala Sewak Ram: Will the Government please lay on the table a statement relating to district boards in the province, giving the following particulars:—

- (a) the total population of each district board according to the various communities;
- (b) the total amount of cesses paid by each community to each of the district boards; and
- (c) the total number of members of each district board according to the various communities, viz., Hindus, Muhammadans and Sikhs?

Mr. J. G. Beazley: A statement giving the information asked for by the honourable member in parts (a) and (c) of his question is laid upon the table. The information asked for in part (b) of the question is not available and could not be obtained without an excessive amount of labour.

* Vol. VII, page 612.

† Vol. VIII-A, page 933 ante.

‡ In the absence of Rai Bahadur Lala Sewak Ram his questions were put by Professor Ruchi Ram, Sahni.

STATEMENT.

No.	Name of District Boards.	POPULATION.			NUMBER OF MEMBERS ELECTED AND NOMINATED BY NAME.		
		Muslim.	Sikh.	Hindu and others.	Muslims.	Sikhs.	Hindus.
1	Hissar ...	181,571	42,956	487,620	11	...	27
2	Rohtak ...	91,854	482	604,291	5	...	34
3	Gurgaon ...	189,119	846	420,933	16	...	24
4	Karnal ...	235,618	12,280	580,818	11	3	26
5	Ambala* ...	157,388	95,165	311,122	9	†	27
6	Kangra ...	88,197	1,830	722,600	1	...	37
7	Hoshiarpur ...	279,450	132,210	495,326	13	13	18
8	Jullundur ...	305,427	199,923	202,347	15	21	8
9	Ludhiana ...	147,836	230,777	111,519	10	24	1
10	Ferozepore ...	437,463	221,788	251,580	14	22	7
11	Lahore ...	227,198	90,664	88,599	20	17	4
12	Amritsar ...	343,073	262,067	144,387	12	22	2
13	Gurdaspur ...	385,661	183,892	289,259	15	15	12
14	Sialkot ...	580,532	74,939	282,352	20	12	5
15	Gujranwala ...	387,162	45,027	99,782	21	10	4
16	Sheikhpura ...	357,797	85,253	110,623	19	7	4
17	Gujrat ...	670,340	47,105	50,609	35	2	2
18	Shekhpur ...	552,014	24,490	65,692	32	3	1
19	Jhelum ...	422,979	18,626	35,463	25	3	2
20	Bawalpindi ...	214,670	10,819	11,254	24	4	2
21	Attock ...	436,418	14,681	15,540	32	2	2
22	Mianwali ...	288,451	2,242	83,381	25	...	5
23	Montgomery ...	497,945	98,279	91,827	17	5	0
24	Lyallpur ...	515,122	146,063	177,868	27	11	8
25	Jhang ...	475,838	9,876	85,795	24	1	5
26	Multan ...	671,307	16,342	105,432	29	3	4
27	Muzaffargarh ...	482,184	4,530	57,697	24	...	6
28	Dera Ghazi Khan ...	395,109	670	32,557	28	...	8

* One nominated seat has not yet been filled up.

† Separate figures for Sikhs not available.

**LANDS ALLOTTED FOR VARIOUS PURPOSES IN THE VARIOUS CANALS IN THE
PUNJAB.**

2062. Diwan Bahadur Raja Narendra Nath : Will the Honourable the Revenue Member kindly lay on the table of this Council a statement containing the following information by communities (*viz.*, Hindus, Sikhs, Mussalmans and Christians) in regard to each of the canal colonies of (1) Chunion of the Upper Bari Doab, (2) Lower Bari Doab, (3) Upper Chenab, (4) Lower Chenab, (5) Upper Jhelum and (6) Lower Jhelum :—

(a) the total area allotted from the opening of these canals up to date to—

- (i) Cavalry Abadkar Ghoripals,
- (ii) Abadkar Ghoripals,
- (iii) Cavalry Safedposh Ghoripals,
- (iv) Safedposh Ghoripals,
- (v) Private stud farm grantees,
- (vi) Infantry grantees,
- (vii) Civil grantees,
- (viii) Jungle grantees,
- (ix) Depressed classes,
- (x) Police reward grants,
- (xi) Recruiting grants,
- (xii) Miscellaneous grantees,
- (xiii) Army Remount,
- (xiv) Regimental stud farms,
- (xv) Seed farms,
- (xvi) Proprietary grants,
- (xvii) Towns,
- (xviii) Landed-gentry grants,
- (xix) American cotton-growing grants ;

(b) the total area allotted for sale by auction and actually sold by Government from the opening of each of these canals up to date ;

(c) the total area of land allotted for irrigated forests up to date ; and

(d) the total area of land reserved for pasture purposes up to date.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The information asked for is not available.

Diwan Bahadur Raja Narendra Nath : Is it not available in the colony offices ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : If it were available it would have been supplied.

CIVIL DISPENSARY AT KALKA.

2063. Lala Mohan Lal : (a) Is it a fact that at present there is no separate full-timed medical officer for the Civil Dispensary in the town of Kalka, and that the Railway Assistant Surgeon comes to the Civil Dispensary only for two hours every day to attend to the out-door and in-door patients of Kalka ?

(b) Is it a fact that there had always been before a full-timed medical officer in charge of the Civil Dispensary, Kalka, and it is only recently that the town of Kalka has been denied the medical assistance of a full-timed doctor?

(c) Is it a fact that the Railway Assistant Surgeon is paid Rs. 100 a month as allowance for attending to the patients in the Civil Dispensary?

(d) Will the Government please say why a separate full-timed medical officer has not been appointed for the Dispensary?

(e) Is it a fact that the Small Town Committee of Kalka has repeatedly represented to the Deputy Commissioner of Ambala District to make a better and more satisfactory arrangement for the medical requirements of the town of Kalka than at present exists?

(f) Is it also a fact that a representation signed by about 400 men of Kalka has been presented to the Deputy Commissioner to the same effect?

(g) If so, does Government propose to appoint a full-timed medical officer to be in charge of the Civil Dispensary? If not, why not?

Mr. J. G. Beazley: (a) The Medical Officer, Kalka-Simla Railway, is in collateral charge of the Civil Dispensary at Kalka and visits it daily to see the in-door and out-door patients but the Sub-Assistant Surgeon attached to the Railway Dispensary lives at the Civil Dispensary and is always available for attendance in in-door cases.

(b) There was a whole-time Sub-Assistant Surgeon at the Civil Dispensary up to the middle of 1916 when he was withdrawn and the Medical Officer, Kalka-Simla Railway, placed in collateral charge.

(c) The Medical Officer, Kalka-Simla Railway, draws an allowance of 20 per cent. of his pay for additional charge of the Civil Dispensary.

(d) A separate whole-time Sub-Assistant Surgeon has not been attached to the Civil Dispensary because the present arrangements are not only more efficient but more economical and enable the public to obtain the services of a better qualified doctor.

(e) and (f) The Small Town Committee twice requested the Deputy Commissioner to arrange for the appointment of a separate Sub-Assistant Surgeon and representation signed by 106 inhabitants of Kalka was addressed to the President of the Town Committee, but after a full consideration of the facts and in consultation with the Sub-Divisional Officer, Rupar, and the members of the Town Committee on the spot and keeping in view the financial position of the Committee, the Inspector-General decided not to give effect to the Committee's proposal as no economy could be effected and the proposal did not appear more satisfactory to the public. The Committee was also of opinion that nothing could be done at any rate till its income was increased.

(g) In view of the reply to (e) and (f) the question does not arise.

GRANT OF GUN LICENSE.

2064. **Captain Dhan Raj, Bhasin:** (a) Is it a fact that the Secretary, Municipal Committee, Fazilka, was granted a gun license in 1921 when he was drawing about Rs. 60 per mensem and retains the same license even now when he draws less than Rs. 100?

[Captain Dhan Raj, Bhasin.]

(b) Is it a fact that Lala Hari Kishen Das, Municipal Commissioner, Fazilka, has quite recently been refused a gun license for reasons not communicated to him?

(c) Was the decision of the Deputy Commissioner against Lala Hari Kishen Das influenced by the latter being a reputed non-co-operator and president of the local Congress Committee?

(d) Will the Government be pleased to give reasons for giving the license to the Secretary of the Municipal Committee, Fazilka, and refusing it to Lala Hari Kishen Das, and also state whether the order of the Deputy Commissioner, Ferozepore, in the latter case is consistent with the Indian Arms Rules Committee Report of 1922?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) Yes.

(c) No.

(d) The Deputy Commissioner's order of refusal was based on the applicant's failure to furnish information regarding income-tax or land revenue paid by him. The applicant's remedy is by appeal under Indian Arms Rule No. 43 to the Commissioner.

Captain Dhan Raj, Bhasin : Was the applicant asked to furnish this information?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
Yes.

CATCHMENT AREA OF THE UHL STREAM.

2065. Professor Ruchi Ram, Sahni : (a) Is it a fact that the catchment area of the Uhl river up to the point of the Mandi Hydro-Electric scheme dam as ascertained from the published maps of the Survey of India Department, is a little over 140 square miles and not 250 square miles as given in the memorandum circulated by the Punjab Hydro-Electric Department?

(b) If the water discharge is dependent upon the extent of the catchment area, will the Government be pleased to consider the necessity of revising their estimates of water discharge for the Uhl stream?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) The catchment area of the Uhl river taken off the published maps of the Survey of India is 176 square miles. The figure of 250 quoted in the memorandum is a publication error and should read 150.

(b) The estimates of water discharge for power purposes are not based upon the catchment area but upon actual discharges measured. The figure of 150 was used for calculating maximum floods only.

ESTABLISHMENT IN THE CANAL OFFICES IN THE PUNJAB.

2066. Makhdumzada Sayad Muhammad Baza Shah, Gilani : (a) Will the Government please state the number of clerks in the Canal offices in the province and the number of Muslims and non-Muslims among them?

(b) Will the Government kindly state how many clerks were recruited for the Canal offices since 1921 and how many of them were Muhammadans?

(c) If the percentage of Muslim clerks to other clerks in the Canal offices is much below the percentage of Muslim population to other communities in the province, will the Government please say how it proposes to rectify the deficiency?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) 977; Muslims 321, non-Muslims 656.

(b) 467; Muhammadans 193.

(c) Appointments are made with due regard to the educational qualification of candidates, so it rests with the Muslims themselves to reach the standard of education required. Efforts are, however, being made to increase the representation provided suitable candidates are forthcoming.

2067 and 2068.—Cancelled.

SMALL TOWNS COMMITTEE AT SERAI SIDHU.

2069. Rai Bahadur Lala Sewak Ram : With reference to the answer to question No 2811†, asked on the 26th October 1923, will the Government please state whether further representations from the residents of Serai Sidhu in Multan district have been received by Government for not constituting a Small Towns Committee there? If so, what action has Government taken on those representations?

Mr. J. G. Beazley : A representation was received in March 1924 and was forwarded to the local officers with instructions to satisfy the residents of the town through official and non-official agency that the establishment of a Small Town would be for their benefit.

ARBITRATION SOCIETIES.

2070. Malik Firoz Khan, Noon : (a) Is it a fact that arbitration societies have been stopped by an order of the Minister for Agriculture?

(b) If so, will the Government kindly state the reasons why those societies were stopped?

(c) When were these societies stopped, and what steps have the Government taken to remove the difficulties, legal or otherwise, caused by the stopping of these societies?

(d) Do the Government intend to renew these societies? If so, when?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) and (b) The societies in question were stopped as certain of their bye-laws were found to be of questionable legality.

(c) and (d) The closure took place in 1922. Orders issued in June of this year to the Registrar of Co-operative Societies, for the revival of these societies.

* In the absence of Rai Bahadur Lala Sewak Ram this question was put by Professor Ruchi Ram, Sahni.

TRAINING OF TEACHERS.

2071. Malik Firoz Khan, Noon: Will the Government please say what steps are being taken to train adequate number of teachers that will be required when compulsory primary education is introduced widely in the province?

Sir George Anderson: The following figures will indicate that Government has been taking steps to train an adequate number of teachers in view of the extension of compulsion throughout the province:—

Class.				1921-22.	1922-23.	1923-24.
B.-T.	...	...	...	43	60	55
S. A.-V.	...	...	...	49	53	50
J. A.-V:—						
(i) Government	...	...	...	71	114	130
(ii) Other institutions	...	...	...	84	124	167
S. V.	...	...	...	326	327	383
J. V.:—						
(i) Government	...	...	...	1,204	1,500	1,438
(ii) Other institutions	...	...	...	22	24	22
(iii) Discharged soldiers' classes	...	...	...	46	60	82
Oriental teachers	...	...	...	40	39	40
Punjabi teachers	...	...	...	...	19	25
Physical Training Instructors	...	...	...	52	55	31
Drawing Masters	...	...	...	26	39	31
Total	...	...	...	1,963	2,414	2,454

In 1924-25 and 1925-26 a larger number of students have been trained.

2. It is intended to present a demand to the Council in March next for the training of an additional 200 vernacular students next year.

POVERTY AND INDEBTEDNESS IN THE MUZAFFARGARH AND GURGAON DISTRICTS.

2072. Malik Firoz Khan, Noon: Is it a fact that there is appalling poverty and indebtedness in the Muzaffargarh and Gurgaon districts? If

so, does the Government propose to take immediate measures to extend co-operative credit societies and primary education in the districts with a view to ameliorate the poverty and indebtedness there?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The available information does not show a marked degree of poverty in the Gurgaon district. The district has 4 Inspectors of Co-operative Societies and over 650 Societies; excellent progress is being made. Primary education is also being extended.

Poverty in many parts of the Muzaffargarh district is of a marked and distressing nature. There are 2 Co-operative Inspectors and 150 Societies, but Credit Societies advancing cash loans have not been successful. Grain societies are now being tried. Attempts are also being made to improve the character of the rural population by means of Co-operative Societies for arbitration and better living, and special attention is being given to this district by the Co-operative Department. Primary education will be encouraged so far as possible, but the education of the rural classes depends upon their willingness to be educated.

INDEBTEDNESS OF THE AGRICULTURAL POPULATION IN THE PUNJAB.

2073. Malik Firoz Khan, Noon : Is it a fact that the total indebtedness of the agricultural population in the Punjab is about ninety crores of rupees, and that in spite of the Co-operative movement in the Punjab, this indebtedness has increased by thirty crores during the last decade?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The attention of the honourable member is invited to the answer given to Council question No. 2006.*

WATER-LOGGING IN THE SIALKOT DISTRICT.

2074. Sardar Dhir Singh : (a) Is it a fact that along the main line of the Upper Chenab Canal generally and along its upper part especially in the Sialkot district, all the villagers are in great trouble on account of the water-logging there?

(b) Is it a fact that the inhabitants of the village Ghartal have made a representation to the Government on the subject?

(c) If so, has any action been taken thereon, and, if so, what?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Yes; but the action of the inhabitants in constructing dams in the Deg Nullah has also contributed to this condition. The construction of seepage drains has considerably diminished the evil. Vigorous action for the removal of dams in the natural drains and towards improving existing drains and excavating new ones is being taken and a further improvement is anticipated. But matters will still further improve if the people themselves will co-operate with the Canal authorities by not damming up natural drains.

(b) Yes.

(c) The representation has been sent to the Special Officer appointed to investigate and report on water-logging at Sambrial and neighbourhood. He is also investigating the case of Ghartal.

THEFT OF MARES OF PIYARI LAL OF SIRSA.

2075. Lala Sham Lal : (i) Will the Government be pleased to state whether it is a fact—

- (a) that some mares were stolen at night from the house of one Piyari Lal, Pleader, of Sirsa, some time ago and that the matter of this theft was duly reported to the Sirsa police thana ;
- (b) that the police entered into this investigation and suspected some Pachhadas (a tribe notorious for cattle-lifting) of the neighbouring villages to be the thieves ;
- (c) that one Yakinuddin Khan, K. S., a landlord pre-eminently of Pachhada villages, a friend and comrade of Lala Piyari Lal and a man of some influence with the local police, was taken into the investigation to help the police in the discovery of the stolen property ;
- (d) that the stolen mares were subsequently recovered and restored to the owner; but the culprits were never brought to court to be dealt with according to law, and that the police case was suppressed and treated as untraced ?

(ii) If the answers to questions (i) (a) to (d) be in the affirmative, will the Government be pleased to state what steps were taken to find out the thieves to be dealt with according to law ?

(iii) Is the Government aware that the matter of this theft from the heart of the town and its ultimate suppression has much emboldened the Pachhadas, as a result of which some cases of daring robbery have recently taken place, and that the town of Sirsa is rendered insecure surrounded as it is by Pachhada villages ?

The Honourable Sir John Maynard : (i) (a) Yes.

(b) No. Suspicion fell on Jat Sikhs.

(c) No.

(d) No. The owner himself produced the animals at the thana and reported that they had returned of their own accord.

(ii) The usual investigation and a further investigation by the Deputy Superintendent of Police.

(iii) No. Crime in Sirsa town is actually less than in previous years.

DEFAMATION CASE AGAINST "BANDEMATARAM".

2076. Diwan Bahadur Raja Narendra Nath : (a) Has the judgment given in the defamation case against *Bandemataram* been brought to the notice of Government ?

(b) If so, will Government be pleased to state whether Giddarkut and Kan parade are forms of punishment authorised by the Jail Manual ?

(c) If they are not, what steps does Government propose to take to stop the infliction in future of such punishments ?

The Honourable Sir John Maynard : (a) Yes.

(b) No.

(c) A warning has issued to all Superintendents of Jails against the use of unauthorised punishments in any form, and orders have issued that severe disciplinary action should be taken against any Jail official found

to have connived at any such unauthorised punishments and the facts immediately reported to Government. Commissioners and Deputy Commissioners have been directed to pay particular attention to this matter at their inspections and to report to Government any allegations made to them of the use of unauthorised punishments, taking steps also to have magisterial enquiries made into them.

RULES FRAMED UNDER CERTAIN PROVISIONS OF THE GOVERNMENT OF INDIA ACT.

2077. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to lay on the table of the House rules framed under the following provisions of the Government of India Act :—

Section 19 (a), section 33 (5), section 45-A (d), section 47 (3), proviso to section 63-B (2), proviso (a) to section 72-A (2).

The Honourable Sir John Maynard : Such information as is available will be found in the publication issued by the Government of India entitled "The Government of India Act with Rules and Notifications thereunder" which is obtainable in the Council Library.

SECRETARY, MUNICIPAL COMMITTEE, LAHORE.

2078. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state—

- (a) what circumstances have led to the severance of two able officers of the Indian Civil Service in succession from the office of the Secretary of the Municipal Committee of Lahore?
- (b) whether the Government has felt the necessity to enquire into the conditions under which the committee is working or to introduce some changes in the committee?
- (c) If so, what steps does Government propose to take to launch such an enquiry or to introduce the desired changes?

Mr. J. G. Beazley : (a) The reference is presumably to Messrs. Beckett and Waugh. The former resigned his appointment when he proceeded on leave out of India. The latter desired to be relieved of his duties as Secretary to the Lahore Municipal Committee, and Government accordingly recalled Mr. Waugh, as an officer of Government cannot be retained in Foreign Service against his wishes.

(b) As regards the first part of the question, Government have made certain enquiries in connection with the working of the committee, which are not yet complete. As regards the second part of the question, it is not understood what the honourable member means by "changes in the committee".

(c) Does not arise.

CONVICT SETTLEMENT AT HOLTA, TAHSIL PALAMPUR.

2079. Chaudhri Ram Singh : (i) Will the Government be pleased to state if it is a fact—

- (a) that certain members of the Canadian Mission in charge of the convict settlement at Holta, tahsil Palampur, district Kangra, have cut off the kesh (lock of hair left at the top of the head) of certain convicts with a view to convert them to Christianity;

[Chaudhri Ram Singh.]

(i) that these convicts are obliged to go to Church on Sundays ?

(ii) If the answers to the above be in the affirmative, will the Government be pleased to state whether they are prepared to issue instructions to the Canadian Mission to refrain from such practices ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) No.

(b) No.

(c) Does not arise.

GRAZING OF CATTLE IN THE JUNGLE CALLED "CHAK BAN DHAR."

2080. Chaudhri Ram Singh : (a) Will the Government be pleased to state if it is a fact that the zamindars of Manza Boh, Taluqa Raho, Tahsil and District Kangra, have been paying Rs. 30 as *bach*, and that in lieu of that they have been granted the right of grazing their cattle in the jungle called "Chak Ban Dhar" ? If so, will the Government be pleased to state whether an entry to the same effect is made in the revenue papers at the time of each settlement ?

(ii) Will the Government be pleased to state if it is a fact—

(a) that in the year 1921 the above-mentioned jungle caught fire or was set fire to by some unknown person ;

(b) that the scene of fire was at a distance of four miles from Manza Boh so that the zamindars came to know of the fire a little too late and even then they helped the authorities in putting down the fire ;

(c) that the Forest Department made a report to the effect that the inhabitants of Manza Boh did not help the forest authorities in putting down the fire ;

(d) that in the year 1920-21 the Government confiscated the *chaharam* of the zamindars amounting to about Rs. 6,500 ; and

(e) that the *chaharam* for the year 1922 amounting to Rs. 1,800 has been paid to the zamindars.

(iii) If the answers to the above are in the affirmative, will the Government be pleased to state whether they propose to refund the *chaharam* confiscated in 1920-21 ?

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

GRAZING OF SHEEP AND GOATS IN THE "CHAK BAN DHAR" FOREST.

2081. Chaudhri Ram Singh : (a) Will Government be pleased to state if it is a fact that a cattle tax has been levied on the grazing of sheep and goats in the Chak Ban Dhar forest, which is adjacent to Manza Boh, Taluqa Raho, Tahsil and District Kangra ? If so, what are the reasons for the same ?

(b) Is it also a fact (i) that the Forest Department is permitting the Gujars to graze their cattle in the said forest which is a source of trouble to zamindars and which sometimes leads to litigation; and (ii) that there is an agreement to the effect that the Gujars can graze their cattle with the permission of the zamindars and on paying eight annas per buffalo? If so, will Government be pleased to state whether this condition is being fulfilled or not? if not, why?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
(a) Yes. The tax in question is levied under the authority of paragraph 6 of Punjab Government notification No. 416, dated 14th August 1897. The Gaddis hold their grazing leases direct from Government—vide paragraph 36 of Mr. Anderson's Forest Settlement Report of the Kangra District.

(b) (i) Gujars are permitted to graze in accordance with Rule 7 of the Punjab Government notification above quoted. Government is not aware that this grazing is a source of trouble or litigation between the zamindars and the Gujars.

(ii) Under Rule 8 of the above quoted notification the zamindars of Mauza Boh have the right to allow Ban Gujars and others who are not right holders to graze cattle in the forests of that mauza on payment of grazing fees which are settled between the zamindars and the Gujars. This is a matter of mutual arrangement between the parties, and Government is not concerned in it.

VISIT OF LALA BODH RAJ, M.L.C., TO THE JAIL IN MULTAN.

2082. Captain Dhan Raj, Bhasin : (a) Is it a fact that Lala Bodh Raj, M.A., LL.B., Member, Jails Standing Committee of the Punjab Legislative Council, paid visits to the Multan District and Central Jails in the months of June, July and August 1925?

(b) If so, will the Government please lay on the table the reports of his inspection, if any?

(c) What action has the Government taken on these reports?

The Honourable Sir John Maynard : (a) Yes.

(b) A copy of the remarks made by the Non-Official Visitor and the comments of the Superintendent on them is laid on the table.

(c) None.

Remarks by the Superintendent.

Ban twisting in light labour.—About 70 per cent. Akali prisoners are employed on this light labour, remaining 30 per cent. are employed on hard labour as grinding, muni pounding and pumping well and are changed every fortnight.

Copy of the remarks made by Lala Bodh Raj, M.A., LL.B., M.L.C., and Non-official Visitor, in the Visitors' Book of the Multan District Jail on 30th June 1925.

To-day in company with Baba Narinder Singh, I paid a short visit to District Jail, Multan (8 A. M. to 9-30 A. M.) Some of the Jail officials were also with us. The Akali prisoners had the complaint that for more than a year they were given the hard labour of grinding, muni pounding or ban twisting or pumping well. Their labour was not being changed for any other light labour.

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No such complaint was ever made to me during my short stay here.

No. 727 has an old partial ankylosis of left elbow joint and No. 733 has malunited fracture of left ulna. Both of them are otherwise in good health.

In camp No. 1 where the Shiromani Gurdwara Parbandhak Committee prisoners are located the prisoners had the complaints of maltreatment, shoebeating and hair pulling and pulling of ears in the past in the time of ex-Darogha Khan Sahib Asmat Ali and M. Niamat Ullah Khan.

The prisoners Nos. 727 and 733 had the complaint that the labour of paper polishing and grinding had been taken from them which they could not do on account of their arms being defective or fractured, the latter fact being borne out by their history ticket.

The members of the Shiromani Gurdwara Parbandhak Committee, the prisoners had the complaint that beating was administered to them without any reason on the very first day of their arrival.

Copy of remarks made by Lala Bodh Rai, M.A. Non-official Visitor, in the Visitors' Book of the Multan District Jail on 28th July 1925.

I visited Multan District Jail to-day from 11-40 A. M. to 3-45 in the afternoon.

1. Their cases have already been referred to the District Magistrate.

1. About 7 or 8 undertrial prisoners are being detained for more than 3 months.

2. The undertrial prisoner does not make this statement and he, on oath, states that he did not give any such information to this visitor. His case was personally investigated by Major Puri and the result communicated to the Magistrate. I have investigated myself and come to the same conclusion as Major Puri, viz., that he has not been to any labour or threatened with flogging. He was kept in Quarantine 2 days on admission and one night again when there was overcrowding in undertrial ward.

2. Jlahi Bux, undertrial prisoner No. 567, stated before me to have been threatened with flogging and he was actually taken before the triangle. There he was asked to retract from the statement he had made in an application to the trying Court to the effect that he was confined in the solitary and asked to do labour. It was only after he had retracted from his statement and begged pardon of the Jail officials that he was made to go without being flogged.

3. This is without foundation. I have investigated from the representatives of the three Akali Camps and found that no pressure of any kind has been brought to bear upon them to sign the undertaking, nor has any one been called to the office for the said purpose. His Excellency's speech has been translated and explained to the Akalis, in their Camps.

3. I went to the Akali camps, there some of the prisoners had the complaint that they were called one by one into the office and pressure was being brought upon them that they should give the undertaking as required in the speech of His Excellency the Governor made on 9th July 1925, in the Punjab Legislative Council.

4. Chaddars have been sanctioned and will be supplied when received.

4. The prisoners have not been supplied the chaddars, which is the real necessity in this hot season.

5. The quantity is quite sufficient.

5. The oil supplied to them for their hair is only 1½ tola a week. This quantity is not sufficient and should be increased to at least 3 tolas. The prisoners want it to be increased to 5 tolas, at least.

6. Quite sufficient.

7. Sundar Singh, Prisoner, is noted in his warrant as Giani Sundar Singh, son of Dalu, caste Bawa, resident of Ghama, District Gurdaspur, and was sentenced to 2 years' rigorous imprisonment under section 17 (ii) 14 of 1908 on 29th March 1924 by Sardar Bahadur Hardyal Singh. He now states that his father's name and residence are wrongly written. He, however, does not deny to have been a member of the Shiromani Gurdwara Parbandhak Committee.

8. I do not concur. On the other hand, they bring forward even imaginary complaints, and if encouraged would have complaints against anybody and everybody. Their reasonable complaints are always removed. The 4 prisoners referred to are habitual criminals. Sardar has been punished 28 times and flogged on 17th July 1925 for causing injury to another convict, and has been in four jails where he always gave trouble. Abdul Ghani has been punished 26 times for breaking jail discipline and was ringleader in Lahore Jail riot. Was punished for stabbing and causing serious injury to a convict official on 16th August 1922 in the Central Jail, Multan. Bishan Singh punished 64 times was flogged on 4th May 1925 for abusing Head Warder and repeatedly short work. Shamas Din has been punished 11 times and is of defective mentality. Complaints of these are false.

9. Shamas-ud-Din was given a new uniform on 1st May 1925 and an other repaired one on 10th July 1925 and has good clothes.

10. The non-standard pattern was taken away in my presence and a repaired one given.

11. I do not know where this information comes from. We have a sufficient supply of clothing for the prisoners.

Remarks by Superintendent, Multan Central Jail.

This non-official visitor was told by me that the figures 293 was not correct. The actual number of sick was 124 on that day and he could have verified the number if he cared to do by counting in hospital. Juvenile convicts are kept in cells separately till they are transferred to Lahore Bors.

6. The daily supply of oil for the ration is not sufficient, it should also be increased.

7. There is one Sundar Singh, prisoner, son of Kesar Singh, of Rai Chak, Thana Dera Baba Nanak, of Gurdaspur District, who is suffering in this Jail and the history ticket of the prisoner gives a description of a prisoner of the same name, son of Dalu, of Ghama, of Batala, who ought to have been really arrested and sentenced. The real man is outside the Jail and a wrong person is suffering in his place.

8. The ordinary criminals were afraid of making a clean breast of theirs as they think that making complaints to visitors is inviting more troubles and some of them were prepared to make disclosures provided they could be given the assurance that they would be transferred. It was with great difficulty that I could elicit from some prisoners for instance, Shamas-ud-Din, Sardar, Abdul Ghani, Bishan Singh that beating was administered to them and other prisoners in an unauthorized manner by Lambardars and Warders with shoes, fists, sticks, etc. Before they could take the courage of speaking to me they requested me that I should also recommend them for transfer as they would be doomed when I leave the Jail precincts.

9. The history tickets of a large number of prisoners were not with them and I felt great difficulty in verifying the statements of prisoners. The history ticket of Shamas-ud-Din, prisoner, shows that he is not being supplied uniforms as required by rules.

10. Sardara's *kurti* was taken away from him and was given a worn-out and dirty one in its place.

11. I have been told that for want of supply of *kurtas* in the stores the prisoners cannot be supplied as many uniforms as provided by the rules.

Copy of remarks made by Lala Bodh Raj, M.A., LL.B., Member, Legislative Council, and Member, Jail Standing Committee, in the Minute Book of the Multan Central Jail, on 3rd July 1925.

I visited Multan Central Jail on 3rd July 1925, from 1-30 P.M. to 6 P.M. in company with Baba Narindar Singh, Non-official Visitor. Some of the Jail officials were with us. Before leaving the jail precincts I explained briefly to the Superintendent my remarks concerning the visit. The population of the

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tal Institution as it is not advisable to keep them amongst older convicts. The labour of convict Fateh Muhammad was changed on 3rd July 1925 to Naras and he was removed after completing his task in the cells in the evening. He was given medium labour.

Akalis who commit jail offences must be punished and those whose association with other prisoners is not desirable are kept separate. It is not quite clear what this visitor means by a sufficient number. Only very few prisoners were kept separate on 3rd July 1925, about half a dozen under paragraph 575, Jail Manual. There was no question of misunderstanding. I explained myself to these convicts what was required of them. They had been obeying orders before. It was a deliberate and wilful attempt on their part to upset jail discipline.

The Jailer Khan Sahib Chaudhry Asmat Ali is not only tactful but impartial. The remarks of the visitor about him are not only uncalled for, but savour of malice. It may be recalled that sometime back before the appointment of this visitor, as non-official visitor he (the visitor) was brought up before me for an irregularity in an interview which the Jailer declined to overlook in spite of repeated requests on the part of the visitor. I had to warn this visitor.

All prisoners are given History Tickets. Sometimes the tickets are required to make entries as regards remission, etc., and in these cases prisoners are required to get a receipt from the official who takes away their tickets. Many prisoners deliberately lose their tickets for which offence they are punished. The jail staff could have enlightened this visitor on any point he wished.

The copies of judgments are asked for immediately and appeals sent as soon these copies are received. The prisoners are informed immediately the result of their appeals is known.

Transportation prisoners are sent to Lahore Central Jail as soon as their papers are complete which sometimes take a very long time.

An appeal has been filed on behalf of the boy sentenced to whipping. I have recommended nothing of the sort. He will be medically examined if his sentence is confirmed on appeal, and if found fit will receive the whipping.

jail as shown on the notice board was 2,394, out of whom 293 were shown as sick in hospital. I am told that the number 293 included the convalescents as well. There were certain prisoners confined in the quarantine cells, although their quarantine period as shown on the tickets had already expired. On the History Tickets of one Fateh Muhammad, prisoner No 9482, the labour shown as Naras, but he was confined in the cell in spite of the fact that he was keeping indifferent health. There was a sufficient number of Akali prisoners who besides being subjected to other sorts of punishments had been kept in separate cells under paragraph 575 of the Jail Manual in connection with 'attention' question. I am told that the question of 'attention' was on account of certain misunderstanding which could be avoided by a little tact on the part of the Jailer. However, that question being now over the above prisoners can be safely removed out of the cells. The History Tickets of a sufficiently large number of prisoners were not in their possession. I was told that it was at the sweet will of the jail officials that the History Tickets are given to the prisoners or taken away from them. Some of the prisoners had not been given their History Tickets for days together. By this irregularity we were put to a great difficulty in order to verify the statements of prisoners. There were two simple term prisoners Pokhar Das and Nita Ram undergoing their sentences of one month each who wanted to lodge appeals from their sentences and who had applied for copies of their judgments. About 15 days of their sentences have expired and they have not been supplied the copies of judgments. There were some prisoners whose appeals had been preferred some two or three months back, but they had not been informed of the result of their appeals. Three prisoners, 8514, 8515, 8260, expressed their desire to be transferred from the ordinary jail as they had been sentenced to transportation some three years back. There was one boy of 10 or 11 years of age who had been given the sentence of whipping. This sentence in his case is a very hard one and I am told that the Superintendent has recommended that he should not be given the sentence of whipping. This question requires the urgent attention of the authorities.

Food.—Mixed bread is given to convicts as required by Jail Manual. Those requiring change on account of medical grounds are given change of diet.

The vegetables are of good quality and from the jail garden. They are not mostly leaves as alleged by this visitor. The Assistant Jailor informs me that the visitor was shown that heavier and solid portion were at the bottom and leaves on top of the bags, but evidently he preferred not to notice them.

Clothing.—Is sufficient and one pair should last six months if properly looked after. Some of these prisoners tear their clothing out of mischief or by carelessness. They are punished.

Labour.—Prisoners, including Akalis, are put on labour according to their health and keeping in view jail requirements. Long-term convicts are taught weaving, etc. Most of the Akalis are short-term convicts. They are put on graining, oil pressing, pumping well, gardening, ban twisting, tailoring, making tape, munj pounding, surkhi pounding, spinning and chick making, etc. Evidently this visitor did see these Akalis also doing medium and light forms of labour, but he has deliberately omitted to put these light and medium forms of labour in his remarks. Convicts fit for hard labour are as far as possible given hard labour to do. They do get change from one form of hard labour to another. There are two gangs working on the pump well. They work alternatively. They start at about 6-30 A.M. in the morning and leave at 6-30 P.M. in the evening. This means only six hours' work for one gang. They get the other six hours as rest. It is not understood how the visitor concludes that they don't get rest during the day.

Food.—There was a general complaint in this jail as well as in the District Jail that the prisoners in the hot weather of Mutran could not digest 'Missi Roti' supplied to them for 5 days in a week. The vegetables that were shown to us in the kitchen for the consumption of prisoners consisted mostly of leaves with a very short quantity of solid vegetables.

Clothing.—There was a general complaint that one pair of clothing could not last for six months as they had to be frequently washed in the summer season. The clothes of some of the prisoners were torn out and in a dilapidated condition. In my opinion a fresh supply of clothing should be made every four months. The Sikh prisoners in this jail as well as in the District Jail had the grievance that they were not being supplied 'Parnas' that would serve them at the time of changing their 'Kachheras' after taking bath. Some of the Mohammadan prisoners expressed their desire that they should be supplied 'Parnas' of sufficient length in order to say their prayers. The towel supplied in the jail could not serve the purpose. The supply of 'Parnas' requires the attention of the higher authorities.

Labour.—The Akalis had a grievance that the hardest form of labour, for instance, pumping well, oil pressing, munj pounding and concrete pounding was given to them for the last 4 or 5 months. The Jail authorities have not charged their labour of pumping well with the ordinary prisoners. There were Akali prisoners who had been doing grinding work in the cells for months together, or who had been under observation in the hospital for days together or who were under weight, were given the labour of pumping well, without any light or medium labour being given to them during the change. The labour at the pump well was being taken from 6 A.M. in the morning to 7-30 P.M. in the evening from the Akali prisoners and they were not allowed to take the usual rest from 12 noon to 2 P.M.

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Evidently he did not take the trouble to enquire properly, otherwise he would have been told that there were two gangs working. Akali prisoners are very fond of making false reports. If any prisoner is ill-treated and the case proved, the guilty person is punished by me. The Jailer does not bear testimony to the visitors' remarks.

Beating and abusing.—The Akalis are against C.O. Sundar Singh as he is a well-behaved prisoner and does not defy jail rules. No case of ill-treatment by him has been proved and no partiality is shown to him. If he commits an offence, he will get due punishment.

It is a deliberate lie to say that the Jailer abuses prisoners. I have never heard him abusing any prisoner and have so far received no complaints.

Boy prisoners.—The boy Akali prisoners are kept separate. Some of the older Akali prisoners tried to convert them into hardened criminals by instigating them to commit jail offences. They were punished.

Convict Gian Singh has corneal opacities in both eyes. It is an old complaint. He is not blind as alleged and is receiving proper treatment. The opacities are of long standing before he came to Jail. It is not necessary to transfer him to Shahpur Jail which is meant for Tubercular prisoners.

It is not possible for the Jail officials, specially Superintendent and Jailer, to say definitely where prisoners are or were without reference. There are about 2,500 convicts confined in the jail.

The visitor did put questions to the prisoners who were being released and the prisoners did answer them. The visitor wanted to cross-examine these prisoners with a view to put them to shame and molest them. This was objected to. No prisoners are lodged in cells for the purpose of making them sign the undertaking.

Convict Rawal Singh's statement that pressure is brought on him or any other prisoner to sign the undertaking is a deliberate lie. No false representation is made to the prisoners. Convict Rawal Singh in conjunction with others has brought pressure on convicts who wish to sign the undertaking. He and his friends outside are trying to show that the under-

Beating and abusing.—Several complaints of abusing and beating by the lambardars and sometimes under the eye of the Jailer himself were made to us. The name of Sundar Singh, convict official, requires special mention. He was one of the Akalis and having been made a convict official, has begun to following the footsteps of the lambardars with great zeal and earnestness in order to keep himself in the good books of the jail officials. I was also told that the Jailer had himself abused some of the prisoners.

Boy prisoners.—There were about 75 Akali boys under the age of 15 or 16 years. There were no arrangements for their education either religious or secular. They have not gone into the Jails in order to become hardened criminals. Every attempt should be made to keep them aloof from the association of any ordinary prisoners. There is one Gian Singh, Akali prisoner, who has almost turned blind while in Jail, as he says. He requires special treatment. He wants to be transferred to Shahpur Jail as he thinks that his eyes will be better treated there.

On receiving certain informations on 6th August 1925 at 5-30 p.m. from prisoners released from the Multan Central Jail that a few Sikh prisoners, who had complained to me on the occasion of my last visit of ill-treatment, were confined in the cells and treated harshly. I started for the jail immediately after that very day. On arrival I was told by the Jailer that it being 6-10 p.m. I could not visit the jail, but with the permission of the Superintendent, although it was just the time when the evening meals were to be distributed to the prisoners.

After a short while the Superintendent himself arrived and immediately after reached the District Magistrate with S. Lakh Singh and Thakar Shana Ram, non-official visitors. I joined them at the invitation of the District Magistrate. He had gone to the jail to release the prisoners willing to give the undertaking to submit to the provisions of the Gurdwara Act. We were all taken to

taking signed by prisoners is under pressure. This convict Rawel Singh requested a convict official to give him one or two blows so that he may be able to show that pressure was brought on him and he was ill-treated. The convict official reported the matter to me and I warned this convict.

These prisoners are kept under paragraph 474, Jail Manual, in the cells at night.

This visitor must come at proper hours and not after lock-up or delay lock-up by his stay inside the jail up to late hours.

There are deliberate lies and distortion of facts. I reminded this visitor that he was expected to do fair criticism—vide paragraph 55, Jail Manual. He replied he was not going to do that, but ran down jail administration. He admitted that he and his party were in communication with the ring leaders through the agency of subordinate jail officials. This is not only irregular but an offence punishable under the Prisons Act. There is no question of any leniency or harshness. The prisoners are subjected to the usual jail discipline and rules which they must follow. They are not supposed to have any spokesman in the jail. They must state specifically what kind of pressure is brought on them. Their real object in making these false statements is to frighten the jail officials and evade their punishments and avoid doing labour. As long as they are prisoners they must be made to conform to prison discipline and labour exacted from them.

All entries relating to labour, night confinement, &c., are made as soon as possible in the history tickets of prisoners. I am satisfied that no undue delay occurs in

the spot inside the jail where those prisoners were waiting. I enquired from the Superintendent as well as the Jailor if the prisoners had come from the Camp or from the cells. Both pleaded their ignorance. This evasive answer could not satisfy me and I wanted to put questions directly to the prisoners, when I was stopped by the Jailor that it was not a court but a jail. My impression that the prisoners had been lodged in the cells for the purpose of securing the undertaking was a little strengthened by the attitude of the Jailor, rather than removed. After the undertaking were given I communicated my information to the District Magistrate and told him the reason of my prompt visit to the jail. I made him a request to accompany me to cells which he acceded to.

The first prisoner in the cell, whom we came across was S. Rawel Singh and he related to us a few of the false representations which were being made to the Akali prisoners in the Camp in order to induce them to give the undertaking and told us distinctly that pressure was being brought to bear upon the Sikh prisoners for the purpose and some of them were being lodged in the cell. I examined his history ticket and found that he had been given the labour of grinding. I learnt further that he as well as some other Sikh prisoners who had been awarded the same labour instead of being sent back to the Camp after they had done their grinding work for the day, were being detained in the cell even at night hours. The explanation given by the Superintendent was that they were being detained in the cells simply because the cells could not be kept unoccupied. As we wanted to proceed further to other cells, we were told it had become too late and the Superintendent shall not be responsible for the escape of any prisoner, we therefore returned. Information that I have received was that all the leading Sikh prisoners who were considered by the jail authorities as spokesmen of the Akali in Jail are rotting in the cells with a view to bring an undue influence to bear upon them to give their assent to the undertaking or to give an idea to the rest of the Akalis that they had been released by giving an undertaking and this information of mine was somewhat confirmed by the statement of Rawel Singh, prisoner. I am sorry time being very short at my disposal, I could not ascertain the exact limits of this information. The District Magistrate was moved to adopt a sympathetic attitude towards these prisoners and he asked the Superintendent to deal with them a bit leniently.

I visited Multan Central Jail on 11th August 1925, from 7-30 A.M. to 11-45 A.M. The cells known as Sath Chakki were all, with the exception of two or three, full of

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making these entries. The remarks of the visitor are not fair criticism as required by the Jail Manual. No attempt is made to cancel any irregularity which when noticed by me is immediately set right. There are nearly three thousand prisoners in the jail and the clerical staff is overworked. Some of the prisoners make it a point of harassing the staff by cancelling their tickets for some time.

The allegation of boy prisoners that no entries were made in their tickets of night confinement in cell, etc., is false. I have seen the tickets of some of them and found that proper entries are made. The tickets were taken away by the Assistant Jailor on 11th August 1925 for bringing the prisoners before the Superintendent for prison offences. The visitor is jumping to the conclusion that the hands of the jail staff are not clean in my opinion wrong, again it is not fair criticism. Prisoners are allowed to bathe as soon as they finish their tasks and according to rules. The visitor's remarks about convict Ajai Singh are not only misleading but deliberately false. My note, dated 1st August 1924, says 'Don't put on grinding till hernia is reduced'. Again my remark, dated 4th June 1925, says 'He should be given sitting labour and if put on grinding 10 seers a day (left inguinal hernia reducible truss given)'. He has not thought fit to write all these remarks. In my opinion he is fit for grinding with the truss and this labour has not interfered with his health. This visitor is particularly interested in this convict and the irregularity mentioned in my No. 876, dated the 9th July 1925, was in connection with an interview of his and another prisoner. Convict Rattan Singh is fit for medium labour and is given medium labour. Only 10 seers a day while he was doing grinding in quarantine cell. He was not given 15 seers. History ticket of convict Kawai Singh was found to contain a list of other prisoners evidently with the intention of forming a conspiracy. It was required for investigation and this convict has been punished for spoiling his ticket and making a list of prisoners on it.

Tickets of prisoners whose release is due shortly are required in the office for calculating the date of release, hence the ticket of the convict named were in the office. No complaint of any ironical replies have been made to me by prisoners. Ghamanda Singh is not confined in the cell because he refused to sign the undertaking.

Akali prisoners. As I was examining the History Tickets of the prisoners, some of the prisoners stated to me that the entry of night confinement which did not appear in their tickets on the 6th instant when I last visited the jail had been made only two days before in order to set right or to cancel the irregularity which was pointed out by me on the 6th. There were a few other prisoners including 3 or 4 boy prisoners who stated to me that they were confined in the cells while there were no entry to that effect in their history tickets and that the tickets had been taken away from them by the Assistant Jailor a few minutes before I could approach them. Such a conduct on the part of the Assistant Jailor, whose name was told to me as Mr. Ahmad Na'az, convinced me that the hands of the jail staff were not clean. The Assistant Jailor had left the compound of the cells with the history tickets and I could not have the chance of examining them.

All these prisoners are not allowed to take their morning bath in spite of their repeated requests. In the History Tickets of Sardar Ajai Singh there appears a note that he should not be given the grinding work as he is suffering from hernia, yet he is doing this labour and is in the cell. One prisoner No. 345 Sardar Rattan Singh Azad, was given 12 seers of grinding when he was admitted into jail but now when he seems to be reduced in weight is required to do 15 seers of grinding. The History Ticket of Sardar Pabel Singh was taken away from him immediately after my visit on the 6th instant and had not been returned up till 11th August 1925. The history tickets of Sardar Sandagar Singh, prisoner No. 6865 and Sardar Mala Singh, No. 7743, have not been given to them for the last full 15 days. The prisoner had the complaint that if any one of them had to represent his trouble or difficulty to the jail staff the only ironical reply that is given to him is that he can go out of the jail after signing the undertaking and have his difficulty removed outside the jail.

Ghamanda Singh, who is one of these prisoners that were put up before the District Magistrate for release but refused to sign the undertaking has been confined in the cell from the moment he refused to sign the undertaking. Under the order of the Superintendent the outer doors of the cells are kept open while the inner doors of the cells are kept closed for the whole day. I would suggest that at intervals the inner doors

He was doing grinding work even before he refused to sign the undertaking.

From 27th July 1925 to 18th August 1925, prisoners are allowed to take exercise in the courtyard. I cannot see my way to follow this visitor's advice about allowing prisoners to sleep in the open. Convict Chander Sen's case is being referred to the District Magistrate for obtaining Government's order on the subject.

None of the Shromani Gurdwara Parbandhak Committee 2nd batch prisoners have complained to me about maltreatment by the Jailor and I do not believe that the Jailor Khan Sahib Chaudhri Asmat Ali will maltreat them. If any complaint is made to me it will have my immediate and careful attention. Orders are being issued to supply all prisoners with Chadars (sheets). These prisoners, convict Rawel Singh, Ajaib Singh, Trilok Singh and Waryam Singh, have not complained to me about any specific instance of ill-treatment or the Jailor being offended with them. Some of them on promising to behave and not take part in agitation against prison discipline have been removed from separate cell under paragraph 575, Punjab Jail Manual. The History Ticket was returned to convict Rawel Singh by me personally and he was punished for spoiling his History Ticket and organising a committee.

Owing to some prisoners doing bad work of grinding the coarse flour has to be reground. It is not understood by what process this visitor arrives at the conclusion that bread on baking gets burnt by doing so. All flour is passed through a sieve before being issued to the cooks. The visitor is not making a fair statement of facts about clothing. Torn clothing are either changed or repaired and if the prisoner is found to have intentionally torn the clothing he is punished. They are all given clothing according to scale.

should be kept open while the outer doors closed so that the prisoners may be able to come into the open space and breathe the free air. The prisoners without any risk can be allowed to sleep in open space outside the cells.

Mr. Chauder Sen, prisoner, Editor of 'Onward', Amritsar, was convicted under section 124-A for writing an article in connection with the jails tragedy. Now that the jails prisoners have been released the Government will see its way to release this prisoner as well and the jail authorities would recommend his case to the Government if they think it proper.

I visited Multan Central Jail on 31st August 1925 from 1 P.M. to 5.15 P.M. The Akali prisoners confined in the Multan District Jail had been transferred to Central Jail where they were accommodated in several barracks. The Shromani Gurdwara Parbandhak Committee prisoners were being confined in the separate cells. A sufficient number of these prisoners had the apprehension that they will not be properly treated by the Jailor as they had been making several complaints against him while they were in the District Jail. I expect that the Superintendent shall see that they are properly treated. The blankets supplied to Shromani Gurdwara Parbandhak Committee prisoners were simply worn out and rotten. I was informed by these prisoners that after my last visit to the District Jail they were supplied cotton Chadars but it is not known why the prisoners are not being supplied Chadars in this Jail. Sardar Rabel Singh, Sardar Ajaib Singh, Sardar Trilok Singh, Sardar Waryam Singh and a few others were being confined in the separate cells under paragraph 575 of the Jail Manual. On 11th August 1925 I could examine the History Tickets of some of them and I found that the entry of separate cells under paragraph 575, Jail Manual did not appear but now I find that such entries appear against dates previous to 11th August 1925 in their tickets. These prisoners complained to me that after I left the jail on 11th August 1925, the Jailor went round to them and was offended why these prisoners talk to me whenever I visit the jail. The History Ticket of Sardar Rabel Singh has not been returned to him since 6th August 1925. Along with wheat these prisoners were given the bran (ohhan) to grind. The rot of such flour gets burnt when baked. The complaint that they are not given facilities to take morning bath still continues.

In the cells as well as in the Camp I found on the persons of several prisoners that their clothes were dilapidated and worn out. At a time the prisoners are supplied one set of clothing and not two so that they may have the facility of changing clothes at intervals and keeping them clean. A large number of

The vegetables come from jail garden and are of good quality. There are no onions in stock now hence they cannot be supplied. There is a separate cook house for Akalis where Akali cooks are employed and where the food of other Hindu and Sikh convicts whose number is about 300 is also cooked. I do not propose to start 3 kitchens in this jail.

The statement of convict No. 7536 Indar Singh about maltreatment is false. He is a very mischievous prisoner. He has already two convictions for jail offences and is awaiting trial judicially again. It seems to me that he gets encouragement from outside to defy jail discipline and make false statements and bring false charges. I can only guess how this encouragement takes place as there can be no definite proof, the non-official visitors are allowed to talk to prisoners beyond the hearing of the jail officials, etc.

I regret that I cannot accept this visitor's advice in recommending prisoners for release to Government. If a prisoner wishes to petition for mercy he can apply to me.

prisoners had not got the towels that can be supplied to them under the rules.

Since the day the Akalis have not been allowed to bring the vegetables themselves from the garden the quality of vegetables supplied to them is bad. Onions were being supplied to the prisoners in the past, such supply has been stopped for the last few days. Now that the number of Akali prisoners in this jail has increased, there should be two separate *langars* (kitchens) for them.

One Indar Singh, prisoner No. 7536 was under observation in the Akali hospital on 11th August, 1925. I had a talk with him on that day on jail matters. He complained to me that on that account he was confined in the cell on 12th August 1925, and was maltreated.

One prisoner Pritam Singh No. 4666 is a youngman of 20 and has served more than 4 years of sentence. He was arrested in connection with Karachi Fatwa. Now that almost all the Fatwa prisoners have been released, his case should be recommended by the jail authorities to the Government for his release.

ARREST OF LALA BODH RAJ AND OTHERS IN CONNECTION WITH THE THEATRICAL PLAY "ZAKHMI PUNJAB".

2083. Captain Dhan Raj, Bhasin : (a) Is it a fact that Lala Bodh Raj, M.A., LL. B., Pleader, Multan, with ten others was taken into custody by the Deputy Commissioner without any warrants on the night of 23rd October 1921 or so in connection with a theatrical play of "Zakhmi Punjab"? If so, what was the offence with which they were charged?

(b) Is it a fact that the book "Zakhmi Punjab" is not a proscribed publication?

(c) Is it a fact that the Deputy Commissioner, without consulting the Commissioner or the Local Government, took the police and the military troops to arrest the persons referred to in (a) above?

(d) Is it a fact that after their arrest, proceedings under section 107, Criminal Procedure Code, were started against them and withdrawn a few days after?

(e) Is it a fact that the Public Prosecutor, Multan, reported that it was illegal to arrest eleven men and to keep them in the lock-up while they had committed no offence at all?

(f) If the reply to part (e) be in the affirmative, will the Government please state what action was taken against the Deputy Commissioner or the police officials who were responsible for the illegal arrest of the eleven men?

(g) Will the Government please lay on the table the report submitted by the Public Prosecutor on the subject to the Commissioner, Multan?

The Honourable Sir John Maynard: (a) Yes. Section 107 of the Criminal Procedure Code.

(b) No. It is proscribed.

(c) Yes.

(d) Yes.

(e) and (g) Government is not prepared to disclose the opinions of its subordinate officers.

(f) Does not arise.

Captain Dhan Raj, Bhasin: Is it a fact that the opinion of the Public Prosecutor affected the Deputy Commissioner and the police officers adversely?

The Honourable Sir John Maynard: I have already said that Government does not disclose the opinions of its subordinate officials.

Sardar Gurbakhsh Singh: Was any report made before the actual arrest was made?

The Honourable Sir John Maynard: By whom?

Sardar Gurbakhsh Singh: By any of the Government officers.

The Honourable Sir John Maynard: I am not in a position to say whether that was so or not.

Sardar Gurbakhsh Singh: With reference to the answer to part (b), was the book proscribed before the arrest of Lala Bodh Raj or after the arrest?

The Honourable Sir John Maynard: I should have notice of the question.

Sardar Gurbakhsh Singh: With reference to the answer to part (d), will the Government please state why the case was withdrawn.

The Honourable Sir John Maynard: It was considered injudicious to proceed with the case.

APPLICATION OF LALA BODH RAJ, M.L.C., FOR A LICENSE FOR A REVOLVER.

2084. Captain Dhan Raj, Bhasin: (a) Is it a fact that Lala Bodh Raj, M.A., LL.B., M.L.C., appealed to the Commissioner, Multan, from the order of the Deputy Commissioner, dated the 9th February 1925, refusing him the license for a revolver and that the Commissioner rejected the appeal?

(b) If so, will the Government please lay on the table the reasons assigned by the Deputy Commissioner and the Commissioner for refusing the license?

(c) Will the Government please also lay on the table the reasons stated by the applicant for the grant of the license?

(d) Is it also a fact that the Commissioner remarked in his order that the applicant is entitled to the arms license as a member of the Legislative Council?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: (a) Yes.

(b) The Deputy Commissioner considered that the necessity for a revolver was not established. He regarded revolvers as extremely dangerous

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weapons which should be in skilled hands only. The Commissioner held with the Deputy Commissioner that no real necessity for a revolver had been shown, and that appellant had not shown that his life is in danger, that he has to guard large sums of money, or that his profession and duties are such that they create enemies or dangerous ill-feeling against him.

(c) A copy of the grounds of appeal to the Commissioner is laid on the table.

(d) No. The Commissioner remarked that as a Member of the Legislative Council the appellant was entitled to an arms license, but not unless real necessity is shown to a licensee for a revolver. The Commissioner presumably referred to a gun license.

— GROUND OF APPEAL. —

1. The Lower Court erred in refusing a license for revolver against the spirit of Arms Rules and has not assigned any reason for refusal.

2. There can be no better case of real necessity than in the case of appellant. He requires the arm in the course of performance of his function as Councillor. To meet his constituents at Dera Ghazi Khan and Chiniot, etc., he has to pass through several miles of jungle even at night hours. Other details are given in his application to the Deputy Commissioner dated 9th February 1925.

3. The refusal of the license for revolver is bound to interfere with the discharge of his duties as a councillor. It is therefore prayed that the license for keeping revolver be granted to the appellant.

(Sd.) BODH RAJ, M.A., LL.B., M.L.C.,
Pleader, Multan, Appellant.

14th April 1925.

Chaudhri Duli Chand: With reference to the answer to part (b), is Government quite sure that licensed revolvers are always placed in skilled hands?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: No regular examination of people is held who apply to see whether they are able to use these weapons or not.

Chaudhri Duli Chand: In part (b) of the answer it is said that extremely dangerous weapons should be in skilled hands. I want to know whether Government is quite sure that licensed revolvers are in skilled hands in all cases.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: This question is argumentative.

Deputy President: Yes, it is.

— PROVINCIAL CIVIL SERVICE (JUDICIAL BRANCH). —

2085. Captain Dhan Raj, Bhasin: (a) Is it a fact that the cadre of Munsifs and the Judicial Branch of the Extra Assistant Commissioners were amalgamated into one service known as the Provincial Civil Service (Judicial Branch)?

(b) Will the Government please state the existing grades of the Provincial Civil Service (Judicial Branch), showing the efficiency bars wherever they occur? Are the efficiency bars the same for all the members of the service or different and if different, what are the reasons for this difference?

(c) Is it a fact that for the Sub-Judges, II Class, recruited from the old Munsifs, the first efficiency bar is at Rs. 390, although many of them are graduates of the University, whereas in the case of those taken from the Extra Assistant Commissioners, the bar is at Rs. 510, although many of them are mere matriculates?

(d) Is it a fact that some of the Munsifs were on the High Court list for recommendation to Government for the posts of Extra Assistant Commissioners when the amalgamation referred to in (a) was carried out? If so, how many?

(e) Will the Government please state whether any of those Munsifs who were then to be recommended for the Extra Assistant Commissionership have been invested with powers of a Sub-Judge, II Class, equivalent to old Junior Sub-Judges drawn from the Extra Assistant Commissioners? If so, will the Government please state if the investment of these powers entitles them under the rules to all the rights and privileges which would have accrued to them had they been appointed as Extra Assistant Commissioners? If not, why not?

Mr. H. D. Craik: The attention of the honourable member is invited to the answer given to Council question No. 2045.*

DISPOSAL OF LAND USED AS PLAY GROUND BY THE BOYS OF THE GOVERNMENT SCHOOL, MULTAN.

2086. Lala Bodh Raj: With reference to the reply to question No. 1649† asked on 23rd March 1925 (which was laid on the table in answer to question No. 1759‡ on the 4th May 1925), will the Government please state—

(a) if any decision has since been arrived at on the point referred to in part (b) of the question? If so, what is the decision arrived at?

(b) will the Government please lay on the table the report referred to in answer to parts (c) and (d) of the question, if it has since been received?

Sir George Anderson: (a) It has been decided to continue the Primary School under the control of the municipality and the land is still required for a playground.

(b) The area of the land is about 3 acres. The land was acquired in 1876. It will entail considerable work to trace the original papers dealing with the terms of acquisition and in view of the fact that the land is not to be sold it is unnecessary to undertake this labour. No petition has been made for the restoration of the land.

APPOINTMENT OF POLICE INSPECTORS IN THEIR HOME DISTRICTS.

2087. Lala Bodh Raj: (a) Is it a fact that it has been the practice of the Government not to appoint Police Sub-Inspectors in their home districts?

(b) If so, is it a fact that there has been deviation from the above practice in a few cases?

*Page 1811-12 ante.

†Vol. VIII-A, page 768.

‡Vol. VIII-A, pages 874-78.

[Lala Bodh Raj.]

(c) Is it a fact that some of the Police Sub-Inspectors attached to Multan belong to that district? If so, will the Government please state the reasons for not transferring them to some other districts?

(d) Will the Government please lay on the table the names of the Police Sub-Inspectors referred to in (c) above?

The Honourable Sir John Maynard: (a) Orders have recently been issued that Sub-Inspectors should not ordinarily be posted to their home districts.

(b) Yes.

(c) Yes. There are two, only, both of whom had been transferred to the district, a short time before the orders issued. An immediate re-transfer would have involved expense and hardship and, as both officers are in the Selection grade of Sub-Inspectors and bear unblemished characters, some delay has been held to be justified. Their cases are now under consideration.

(d) Government is not prepared to give the names of the officers concerned.

Lala Bodh Raj: Will the Government please state the reason why Government is not prepared to give the names of the officers concerned?

The Honourable Sir John Maynard: Because Government ordinarily object to communicating the names of its officers?

RAI BAHADUR SETH PRABH DAYAL, NON-OFFICIAL VISITOR, MULTAN CENTRAL JAIL.

2088. Lala Bodh Raj: With reference to the reply to parts (d) and (e) of question No. 1057* asked on the 20th November 1924, will the Government please state if the orders passed by the Inspector-General of Prisons on the note, dated 25th April 1925, made in the Minute Book of the Central Jail, Multan, were ever communicated to Rai Bahadur Seth Prabh Dayal?

(b) Is it a fact that the communication of such orders to the non-official visitors is obligatory under the rules?

(c) If the answer to (a) is in the negative and to (b) in the affirmative, what were the reasons for not complying with the provisions of the rule in this case?

The Honourable Sir John Maynard: (a) No.

(b) Yes.

(c) The order was not communicated by an oversight.

CANDIDATURE OF SHAIKH HASAM DIN, FOR THE AMRITSAR MUNICIPAL COMMITTEE.

2089. Lala Bodh Raj: With reference to the reply to part (b) of question No. 1880† asked on the 8th May 1925 that the case of Shaikh Hasam Din, B.A., will be sympathetically considered in a bye-election, will the Government please state if it intends to relax the rule that debarred him from standing as a candidate in the general election?

Mr. J. G. Beazley: The matter will be considered when the occasion arises.

* Vol. V.1, page 568.

† Vol. VIII-A, page 1125.

PROMOTION OF SUB-ASSISTANT SURGEONS AS ASSISTANT SURGEONS.

2090. Lala Bodh Raj : (a) Is it a fact that the Government of India in their letter No. 1046, dated the 23rd October 1914, empowered the local Governments to promote deserving sub-assistant surgeons to the rank of assistant surgeons with all the benefits of pay and prospects? If so, have the Punjab Government ever made use of this power; if so, how many sub-assistant surgeons have been promoted to the rank of assistant surgeon?

(b) Is it a fact that the Government imposed upon the sub-assistant surgeons in this province the condition that they should undergo a course of training for one year in the Medical College, Lahore, before they could be promoted to the rank of assistant surgeon? If so, will the Government please state how many sub-assistant surgeons have undergone such training and how many of the sub-assistant surgeons so qualified have been promoted to the rank of assistant surgeon? If no sub-assistant surgeon has been so promoted, will the Government please state the reasons?

(c) Is the Government aware that the Government of India in their letter No. 976 of 28rd September 1915 in reply to the Bombay Government's letter has nullified every condition whatsoever of training as a qualification for promotion and has emphasised meritorious service and skill in operation for 20 years as the essential condition for such promotion? If so, has the Government of this province considered the desirability of exempting the sub-assistant surgeons of merit and skill in operation from the prescribed course of training referred to in part (b)?

(d) Is it a fact that six posts in the cadre of assistant surgeons have been reserved by the Government for promotion from the rank of sub-assistant surgeons since October 1922? If so, how many of these posts have been given to sub-assistant surgeons? If the reply to the latter part be in the negative, will the Government please state the reasons?

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SUBSTITUTION OF SUB-ASSISTANT SURGEONS AT TAHSIL HEADQUARTERS BY ASSISTANT SURGEONS.

2091. Lala Bodh Raj : (a) Is it a fact that the Government contemplates substitution of sub-assistant surgeons at tahsil headquarters by assistant surgeons? If so, what are the reasons?

(b) If the reply to the first portion of part (a) be in the affirmative, does the Government propose to consider the desirability of placing the dispensaries at the tahsil headquarters in charge of such sub-assistant surgeons as have been promoted to the rank of assistant surgeons after having passed the M. S. M. F. examination or who have been promoted on account of their matured experience and skill in operations?

Mr. J. G. Beazley :

(a) In the scheme for the expansion of medical relief in the province it is under consideration to appoint assistant surgeons to the hospitals at tahsil headquarters with the object of improving the standard of medical relief by appointing better qualified men.

(b) Assistant surgeons will be eligible for the charge of the tahsil hospitals whether they are promoted sub-assistant surgeons or not.

PAY AND PROSPECTS OF SUB-ASSISTANT SURGEONS.

2092. Lala Bodh Raj : Will the Government please state what steps it has taken or proposes to take to ameliorate the condition, pay and prospects of the sub-assistant surgeons who have passed the M. S. M. F. examination of the Lahore Medical College?

Mr. J. G. Beazley : The matter is already under the consideration of the Government.

STREETS IN GUJRAT CITY.

2093. Lala Bodh Raj : Will the Government please lay on the table the information called for in question No. 1760 asked on the 4th May 1925, if it has since been received?

Mr. J. G. Beazley : The honourable member is presumably referring to part (d) of question No. 1133* to which no reply had been given when question No. 1760† was asked. A copy of the reply, which has since been communicated to the honourable member, is laid upon the table.

Answer to Question No. 1133 (d).

Mr. J. G. Beazley : The answer to the first part is in the affirmative and to the second part in the negative.

PROMOTION OF MUNSHIS IN THE CANAL DEPARTMENT AS ZILLADARS.

2094. Lala Bodh Raj : (a) Will the Government please state if any munshis in the Canal Department have been promoted to the rank of zilladar during the last 10 years? What is the average percentage of such promotions per year as compared with the total strength of munshis?

(b) Will the Government please state the number of zilladars recruited during the last five years from the department and of those recruited direct from outside?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

About 1 per cent. a year.

(b) 22 munshis, 11 outsiders and 14 from the Punjab Agricultural College.

MUNSHI ASSOCIATION, CANAL DEPARTMENT.

2095. Lala Bodh Raj : (a) Will the Government please state if the Association of Munshis of the Canal Department has been recognized by the Government?

*Vol. VII, pages 619-20.

†Vol. VIII-A, page 928.

(b) Is it a fact that the Association has submitted several memorials for redress of their grievances to the Government? If so, what action has the Government taken thereon?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) Yes. They are still under consideration and will, it is expected, be shortly disposed of.

MR. BRADY, DISTILLERY EXPERT, PUNJAB.

2096. Pandit Nanak Chand : (a) Will the Government be pleased to state when the present term of appointment of Mr. Brady, the Distillery Expert, Punjab, will expire?

(b) In view of the statement made on the floor of this House on the 12th March 1923 by the then Minister of Agriculture (*vide* Punjab Debates, Volume IV, page 124+) that it was proposed to remove the Distillery Expert after the expiry of his term of service, as the appointment was felt to be quite unnecessary, will the Government be pleased to state what action it has taken or proposes to take in this matter?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) 10th December 1925.

(b) Mr. Brady is on leave till the date mentioned above and will not return to duty.

CANAL DISPENSARIES.

2097. Mr. E. Maya Das : (a) Will Government be pleased to lay on the table a statement showing the canal dispensaries by districts and how many of these dispensaries are open to the public?

(b) Has the Government considered, and if not, does it propose to consider the advisability of throwing open all these dispensaries to the public?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) The required statement is placed on the table.

(b) The question of throwing these dispensaries open to the public is always considered favourably whenever any District Board expresses a desire to this effect and if the proposal is recommended by the Inspector-General of Civil Hospitals, Punjab, who meets the additional cost involved, out of his medical grant.

In case of dispensaries on construction work it is not possible to do so as the number of persons attended to by the medical officer in charge is so large that he could not reasonably be expected to find time to attend to the public.

[Hon'ble S. B. S. Sundar Singh, Majithia.]

Statement showing Canal Dispensaries by Districts in Punjab.

District.	Canal dispens- aries.	Whether open to Public or not.	Circle.	Division.	Remarks.
Karnal ...	Munak ...	Yes	Western Jumna Canal Circle.	Karnal.	
	Mundri ...	No	Ditto	Do.	
	Biojhol ...	No	Ditto	Delhi.	
Rohtak ...	Bainsi ...	Yes	Ditto	Rohtak.	
Hissar ...	Narnaud ...	Yes	Ditto	Do.	
	Saniana ...	Yes	Ditto	Hissar.	
	Sirsa ...	No	Ditto	Do.	
Ambala ...	Tajawala ...	Yes	Ditto	Dadapur.	
	Dadapur ...	Yes	Ditto	Do.	
	Rupar ...	No	Sirhind Canal Circle	Ludhiana.	
	Chamkaur ...	No	Ditto	Railway and Quarries.	
Simla ...	Nalagarh ...	No	Ditto	Ditto.	
Ludhiana ...	Doraha ...	No	Ditto	Ludhiana.	
	Jagraon (Akhara).	Yes	Ditto	Do.	
	Baikot (Dada- hur).	No	Ditto	Do.	
	Sahna ...	Yes	Ditto	Bhatinda.	
Patiala State	Lehal ...	No	Ditto	Patiala.	
Nabha State	Harigarh ...	No	Ditto	Do.	
Ferozepore...	Gobindgarh...	Yes	Ditto	Ferozepore.	
	Bhatinda ...	No	Ditto	Bhatinda.	
	Kahansing h- wala.	No	Bikaner Circle	Main line.	
	Left Bank Suleimauke.	No	2nd British Circle	Suleimauke.	
	Right Bank Suleimauke.	No	Ditto	Do.	Montgomery Dis- trict (Geogra- phically).
	Ferozepore Canal Colony.	No	1st British Circle	Weir.	
	Hansaoliwala	No	Ditto	Do.	
	Chagga Roran- wala.	No	Ditto	Eastern Divi- sion.	

Statement showing Canal Dispensaries by Districts in Punjab—contd.

District.	Canal Dispensaries.	Whether open to Public or not	Circle.	Division.	REMARKS.
Fa rik k o t State.	Dhnapal ...	No	Sirhind Canal Circle	Ferozapore ...	District Ferozapore.
Gurdaspur ...	Madhopur ...	Yes	Upper Bari Doab Circle.	1st.	
	Aliwal ...	Yes	Ditto ...	2nd.	
Amritsar ...	Baya ...	Yes	Ditto ...	4th.	Under Civil Surgeon, Ferozapore.
Lahore ...	Bedian ...	Yes	Ditto ...	3rd.	
	Nijabat ...	Yes	Ditto ...	Upper Sutlej Canals.	
	Balloki ...	Yes	Lower Bari Doab Canal Circle.	Balloki.	
	Hussainkhanwala.	No	1st British Circle ...	Dipalpur ...	
Multan ...	Rashida ...	Yes	Derajat Circle ...	Multan Canal.	
	Kator Paoon	No	Ditto ...	Lower Sutlej Canals.	
	Channun ...	Yes	Lower Bari Doab Canal Circle.	Montgomery.	
	Khanewal ...	No	Ditto ...	Khanewal.	
	Jehanian ...	Yes	Ditto ...	Do.	
	Mitru ...	No	2nd British Circle...	Western Bar.	
	Sechanwala	No	Ditto ...	Do.	
	Joya ...	No	3rd British Circle ...	Khadir.	
	Shergarh ...	No	Ditto ...	Malai Main Line.	
	Mianpur ...	No	Ditto ...	Chitwala.	
Muzaffargarh	Muzaffargarh	No	Derajat Circle ...	Muzaffargarh Canals.	
	Jatoi ...	No	Ditto ...	Ditto.	
Montgomery	Tibbi ...	No	3rd British Circle ...	Khadir.	
	Renala ...	Yes	Lower Bari Doab Canal Circle.	Balloki.	
	Gamber ...	Yes	Ditto ...	-	
	Montgomery	No	Ditto ...	Montgomery.	
	Naiwala ...	Yes	Ditto ...	Okara.	
	Chichawatni	Yes	Ditto ...	Montgomery.	

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PUNJAB LEGISLATIVE COUNCIL.

[30TH NOV. 1925.]

[Hon'ble S. B. S. Sundar Singh, Majithia.]

Statement showing Canal Dispensaries by Districts in Punjab—contd.

District.	Canal Dispensaries.	Whether open to Public or not.	Circle.	Division.	REMARKS.
Montgomery— <i>conold.</i>	Pakpattan ...	No	2nd British Circle ...	Pakpattan.	
	Jiwan Shah...	No	Ditto	Eastern Bar.	
	Sheikh Fazl...	No	Ditto	Ditto.	
Dera Ghazi Khan.	Rajapur ...	Yes	Derajat Circle ...	Dera Ghazi Khan Canals.	
Bahawalnagar.	Bolewala ...	No	1st Bahawalpur Circle.	Sadiqia ...	Under Civil Surgeon, Ferozepore.
Bikaner State	Orki ...	No	Bikaner Circle ...	Orki.	
Bahawalpur State.	Pallah ...	No	3rd British Circle ...	Islam.	
	Bahawalnagar	No	1st Bahawalpur Circle	Bahawalnagar	Under Civil Surgeon, Multan.
	Jalwala ...	No	Ditto ...	Sadiqia ...	Under Civil Surgeon, Ferozepore.
	Anandpur ...	No	Ditto	Ditto ...	Under Civil Surgeon, Multan.
	Dunga Bunga	No	Ditto ...	Ditto ...	Under Civil Surgeon, Ferozepore.
	Qaimpur ...	Yes	2nd Bahawalpur Circle.	Bahawalpur.	
	Bahawalpur...	No	Ditto ...	Ditto.	
Sheikhpura	Harpoki ...	Yes	Upper Chenab Canal Circle.	Gujranwala.	
	Marh ...	Yes	Ditto ...	Sheikhpura.	
	Mangtanwala	Yes	Ditto ...	Ditto.	
	Muridke ...	Yes	Ditto ...	Raya.	
	Chhirkana ...	Yes	Lower Chenab East Circle.	Upper Gugera.	
	Pacca Dalla...	Yes	Ditto	Ditto.	
	Mohlan ...	No	Ditto ...	Ditto.	
Gujranwala	Chianwali ...	No	Upper Chenab Canal Circle.	Gujranwala.	
	Nokhar ...	No	Ditto ...	Marala ...	To be shifted to Kailash, now at Gujranwala.
	Killa Ram Kaur.	No	Lower Chenab West Circle.	Hafizabad.	
	Nannana ...	No	Ditto ...	Ditto.	
	Khanki ...	Yes	Ditto ...	Khanki.	

Statement showing Canal Dispensaries by Districts in Punjab—conold.

District.	Canal Dispensaries.	Whether open to Public or not.	Circle.	Division.	REMARKS.
Lyallpur ...	Kanya ...	Yes	Lower Chenab East Circle.	Burals.	
	Bahlak ...	No	Ditto ...	Do.	
	Buchiana ...	No	Ditto ...	Lower Gagera.	
	Tarkhani ...	Yes	Ditto ...	Do.	
	Bhagat ...	Yes	Ditto ...	Do.	
	Kot Khudayar ...	Yes	Lower Chenab West Circle.	Lyallpur.	
	Gojra ...	No	Ditto ...	Jhang.	
Jhang ...	Lyallpur ...	No	Ditto ...	Lyallpur.	
	Wer ...	Yes	Ditto ...	Jhang.	
	Varyam ...	Yes	Ditto ...	Do.	
	Shahjiwana ...	Yes	Lower Jhelum Circle	Sargodha.	
Sialkot ...	Marala ...	Yes	Upper Chenab Canal Circle.	Marala.	
	Sirauwall ...	Yes	Ditto ...	Raya.	
	Rasul ...	Yes	Lower Jhelum Circle	Rasul.	
Gujrat ...	Wasu ...	Yes	Upper Jhelum Canal Circle.	Phalia.	
	Chakora ...	Yes	Ditto ..	Gujrat.	
	Busal ...	Yes	Ditto ...	Phalia.	
	Chananwala ...	No	Ditto ...	Jhelum.	
Jhelum ...	Rajar ...	Yes	Ditto ...	Do.	
	Kandiwala ...	Yes	Lower Jhelum Circle	Shahpur.	
Shahpur ...	Rodlanwala ...	Yes	Ditto ...	Do.	
	Wan ...	Yes	Ditto ...	Do.	
	Sultanpur ...	Yes	Ditto ...	Do.	
	Beriwala ...	Yes	Ditto ...	Do.	
	Mangla ...	No	Upper Jhelum Canal Circle.	Jhelum.	
Jammu State	Mangla ...	No	Upper Jhelum Canal Circle.	Jhelum.	
Total No. ...	103	50 open to the Public. 53 not open to the Public.			

PERIOD OF DETENTION OF UNDER-TRIAL PRISONERS IN THE JUDICIAL
LOCK-UP.

2098. Lala Bodh Raj: (a) Is it a fact that the average period of detention of under-trial prisoners in the judicial lock-up in the province has been 32 days?

(b) Is it a fact that on 31st July 1925 there were some prisoners in the District Jail, Multan, who were awaiting their trial and had been detained in the lock-up for more than three months? If so, what was the number of such prisoners?

(c) Has there been any instance of a prisoner in District Jail, Multan, having been so detained for a period of six months or so?

The Honourable Sir John Maynard: (a) Yes.

(b) Yes. The number is not known. The periodical lists of unconvicted prisoners other than Sessions prisoners detained in jail more than 14 days are made up on Mondays. The 31st July was a Friday. If the honourable member desires, such information as the return of the Monday nearest to the 31st July affords will be obtained and supplied.

(c) Yes. One on the date mentioned.

EARNINGS OF PRISONERS.

2099. Lala Bodh Raj: Will the Government please state the number of cases in the province in which portion of the earnings were made available to the prisoners—

(i) in the year 1924, and

(ii) during the period of six months ending on 30th June 1925?

The Honourable Sir John Maynard:

(i) In 1924 369

(ii) During the first half year of 1925 376

ADMISSION INTO HOSPITAL OF PRISONERS OF THE CENTRAL AND
DISTRICT JAILS, MULTAN.

2100. Lala Bodh Raj: Will the Government please state—

(i) the number of prisoners in the Central Jail as well as the District Jail, Multan, that were admitted to the hospital in the year 1924, and

(ii) how many of them suffered from diseases of digestive organs?

The Honourable Sir John Maynard:

(i) 3,504 prisoners were admitted to Hospital in the Multan Central and 362 in the District Jail.

(ii) 673 and 63, respectively, in the Multan Central and District Jails suffered from diseases of the digestive system.

PRISONERS IN THE LOCK-UPS AT BHAKKAR AND KASUR AND THE COST OF THEIR MAINTENANCE.

2101. Lala Bodh Raj : (a) What is the daily average number of prisoners in the lock-ups in the year 1924 at Bhakkar and at Kasur ?

(b) What has been the expenditure per head per annum on such prisoners (i) on account of rations and (ii) on account of rations and other items ?

The Honourable Sir John Maynard : Honourable member is referred to columns 8 and 14 of statement No. XVIII appended to the Annual Jail Administration Report.

LOSS IN THE MONTGOMERY CENTRAL JAIL.

2102. Lala Bodh Raj : (a) Is it a fact that there was a loss of Rs. 84,544 in the Montgomery Central Jail in the year 1924 ?

(b) If so, what are the reasons for such a heavy loss ?

The Honourable Sir John Maynard : (a) No. Audit of the Manu-
factory accounts of the year 1924 has shown that there was actually a gross
profit of Rs. 10,312-15-4. There are mistakes in the figures given in State-
ment No. XII-A of the Annual Administration Report on Jails in the
Punjab.

(b) Does not arise.

**FALLING OFF IN THE CASH EARNINGS IN THE MONTGOMERY AND
MULTAN CENTRAL JAILS.**

2103. Lala Bodh Raj : (a) Is it a fact that there has been a
falling off in the cash earnings in the Montgomery and Multan Central Jails
in the year 1924 ?

(b) If so, what are the causes for such falling off ?

(c) Will the Government please state the outstandings due to the Central
Jail, Multan, on 1st January 1924 and on 1st January 1925 ?

The Honourable Sir John Maynard : As regards the Multan Central
Jail—

(a) Yes.

(b) Due to large stocks in hand and outstandings larger than in the
previous year.

			Rs.
(c) On 1st January 1924	...	...	4,680
On 1st January 1925	...	...	6,140

As regards the Montgomery Central Jail—

(a) Yes.

(b) Due to large stocks in hand and outstandings larger than in the
previous year.

INCREASE OF MALARIAL FEVER IN THE CENTRAL JAIL, MULTAN.

2104. Lala Bodh Raj : Is it a fact that the admissions to hospitals in the Central Jail, Multan, on account of malarial fever increased from 494 in 1923 to 1,824 in 1924? If so, what were the causes of such a heavy increase?

The Honourable Sir John Maynard : Yes.

The increase was due to the increase of the population in the jail, to which a Camp Jail for Akalis was added, and in which a large number of prisoners from malarial districts were confined.

LIBRARY IN THE CENTRAL AND DISTRICT JAILS, MULTAN.

2105. Lala Bodh Raj : (a) Is it a fact that in the year 1924 about 116 and 91 prisoners confined in the Central and District Jails, Multan, respectively, were such as were able to read and write?

(b) If so, will the Government please state if any arrangements were made for the provision of a library wherefrom the prisoners could have books to read at leisure hours?

(c) If the reply to part (b) be in the negative, will the Government please state whether it intends to make any arrangements for the provision of libraries of books in these two jails as well as in other important jails?

The Honourable Sir John Maynard : (a) Yes.

(b) No.

(c) Prisoners are allowed by rule to obtain approved books from private sources. Government approve of the suggestion to provide suitable literature in jails where a library can be accommodated and where literate prisoners are likely to be confined in appreciable numbers. Casual literate prisoners are normally transferred to Lahore Central Jail where there is a small library. The provision of books in other jails is being considered.

LITERATE PRISONERS IN THE CENTRAL AND DISTRICT JAILS, MULTAN.

2106. Lala Bodh Raj : (a) Will the Government please state the number of prisoners with the religion to which they belonged who were confined in the Central Jail as well as the District Jail, Multan, on 30th June 1925, who were able to read and write?

(b) How many of them were convicted for offences involving moral turpitude and how many were convicted for other offences?

The Honourable Sir John Maynard : (a) & (b) The information called for is not available.

CLOTHING AND BEDDING OF PRISONERS.

2107. Lala Bodh Raj : (a) Is it a fact that in the year 1924 the cost per head on account of clothing and bedding of prisoners in the Multan Central Jail was about Rs. 8-6-5, while in the Lahore Central Jail it was Rs. 12-8-6?

(b) If so, will the Government please state the reasons for the difference in the cost in the two jails ?

The Honourable Sir John Maynard : (a) Yes.

(b) The main reason of difference is that at the Multan Central Jail the stock of clothing which was purchased in the year 1922 for the Akali camp was fully used up during the year under reference.

PROVISION OF CHADDARS TO PRISONERS IN MULTAN JAILS.

2108. Lala Bodh Raj : (a) Is it a fact that in the Multan jails cotton *chaddars* have not been supplied to the prisoners in the hot season in spite of the instructions being issued to that effect ?

(b) Is it a fact that these two jails have been supplying such *chaddars* to other mufassal jails ?

(c) If the answers to (a) and (b) be in the affirmative, why were the *chaddars* not provided to the prisoners in these jails ?

The Honourable Sir John Maynard : (a) No. *chaddars* were supplied to all in the Central Jail, but not to all in the District Jail, because the manufacturing jail could not meet the full demand.

(b) No. Only the Multan Central Jail manufactures and supplies these *chaddars* to jails in the Province.

(c) Does not arise so far as Multan Central Jail is concerned and the reply regarding Multan District Jail has already been given at (a).

Lala Bodh Raj : When were these *chaddars* supplied to the Multan Jail ?

The Honourable Sir John Maynard : I should have notice of the question.

SUPPLY OF TOWELS TO AKALI PRISONERS.

2109. Lala Bodh Raj : With reference to the answer to question No. 1226,* asked on the 25th November 1924, will the Government please say if it is a fact that the Akali and other Sikh prisoners have represented their grievance to the Jail authorities and the non-official visitors in the matter of the length of towels supplied to them ? If so, what action has the Government taken to remove this inconvenience of the prisoners ?

The Honourable Sir John Maynard : Complaint has been made in the Multan Central Jail only. Government consider the existing provision sufficient.

Sardar Gurbakhsh Singh : Is the Government sure that such complaints do not exist at Campbellpore and Rawalpindi jails ?

The Honourable Sir John Maynard : I expect such complaints wherever there are Sikh prisoners. (Laughter.)

SOLITARY CONFINEMENT OF AKALI PRISONERS.

2110. Lala Bodh Raj : (a) Is it a fact that after 10th July 1925, the Akali prisoners in the Multan jails, who were required to do ordinary grinding labour, were kept confined in the separate cells even at night hours and were not allowed to go to their camps after they had done their labour ?

(b) Is it a fact that on the query of the District Magistrate, the reply given by the Jail authorities was that the Akalis were confined at night hours in the cells and not allowed to go to the camps, because the cells could not be kept empty ?

(c) Is it a fact that at the time these Akalis were confined in separate cells, there were ordinary prisoners who had to serve out their sentences of solitary cells awarded by the courts ?

The Honourable Sir John Maynard : The answer to each part of the question is in the negative.

DIET CHARGES IN MULTAN JAILS.

2111. Lala Bodh Raj : Is it a fact that the cost of dieting charges per head in the Multan jails has decreased from Rs. 55 in 1922 to Rs. 40 or Rs. 45 in 1924 ? If so, what are the reasons for the decrease in the dieting charges ?

The Honourable Sir John Maynard : Yes. The decrease is due to fall in the price of food-grains.

THE NUMBER OF PRISONERS IN THE CENTRAL AND THE DISTRICT JAILS, MULTAN.

2112. Lala Bodh Raj : Will the Government please state—

- (i) the number of prisoners confined in the Central Jail and the District Jail, Multan, on 1st June 1925 ;
- (ii) the number of prisoners that were admitted during the month of June 1925 ;
- (iii) the number of prisoners that were discharged during the same month ;
- (iv) the number of prisoners that had lost in weight after their admission into the jails and the number among them that were discharged ; and
- (v) the number of prisoners that had gained in weight after their admission and the number among them that were discharged and how long before their discharge those prisoners had begun to gain in weight ?

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

**CHALLANING OF LALA JAI KISHEN DAS, KIRPA RAM AND OTHERS
BY THE POLICE OF MULTAN.**

2113. Lala Bodh Raj : (a) Is it a fact that in the month of July 1925 the Police challaned Lala Jai Kishen Das, *ex-Municipal Commissioner* and present Manager, Peoples Bank of Northern India, Limited, Multan, and a few others under sections 295, 436 and 451 of the Indian Penal Code?

(b) Is it a fact that one Kirpa Ram, accused, who was the headman of Zaraf Daira, was lying sick when he was taken into custody by the Police?

(c) Is it a fact that Kirpa Ram died in Police custody, and that an inquest was held by the City Magistrate?

(d) Is it a fact that the medical officers who examined the body of the deceased stated that the death of Kirpa Ram had been precipitated by the Police taking him into custody?

(e) Will the Government please lay on the table the copy of the report of the Magistrate who held the inquest and of the statements made by the Civil Surgeon and the Sub-Assistant Surgeon before the said Magistrate?

(f) Will the Government be pleased to state what action has been taken against the Police officers concerned for precipitating the death of Kirpa Ram?

(g) Is it a fact that the case was withdrawn against all the accused on 7th August 1925?

(h) Is it a fact that the same case was previously investigated by the Police in the month of March 1925 and was found to be false?

(i) Is it a fact that the Magistrate had dismissed the complaint on 16th April 1925 on the report of the Police referred to in (h)? If so, will the Government please lay the finding of the Magistrate on the table?

(j) Is it a fact that the Police Sub-Inspector, who challaned the case in July 1925 after it had been once dismissed in April 1925, belongs to Multan?

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

TRAFFIC IN WOMEN.

2114. Lala Bodh Raj : (a) Is it a fact that traffic in women is daily increasing in the province and particularly in the southern districts?

(b) If so, what special efforts are being made to put a stop to such traffic?

The Honourable Sir John Maynard : (a) Government are not aware that this evil is increasing.

(b) The repression of the traffic constantly engages the attention of Government. That greater success has not been attained is due to the infrequency with which the aid of the Courts and the Police is invoked, and the absence of public condemnation of the practice of purchase. The adequacy of legislation has recently been examined, and little need for amplification has been found. The problem is to make existing legislation effective, and no efforts in that direction are being spared.

Chaudhri Duli Chand : Is the Government aware that the subordinate Police officers connive at traffic in women by getting illegal gratification from the offenders? Will the Government kindly institute an enquiry in the southern districts?

The Honourable Sir John Maynard : If any specific complaint is made that a particular Police officer has done so, the matter will be investigated.

Chaudhri Duli Chand : They do so generally.

The Honourable Sir John Maynard : On a general statement of that character, no investigation is practicable.

PRISONERS IN THE CENTRAL JAIL, MULTAN.

2115. Lala Bodh Raj : (a) Will the Government please state the number of prisoners—

(i) who were of the age of between 16 and 12 ;

(ii) who were of the age of 12 or under ;

who were confined in the Central Jail, Multan, on 1st January 1925 and on 30th June 1925?

(b) How many of the prisoners referred to in (a) were Akalis?

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

WIDENING OF A CERTAIN STREET IN THE GUJRAT MUNICIPALITY.

2116. Lala Bodh Raj : (a) In view of the reply to part (b) of question No. 1133,* asked on the 21st of November 1924, will the Government please state the reasons why the house of Lala Ganesh Das alone should be acquired for widening the street and not the houses of other persons in the same street?

(b) Will the Government please state the reasons why only a portion of the street is to be widened and not the whole of it?

(c) Will the Government please also state the reasons why the street in question alone has been selected for being widened and none of the other streets in the town that are still narrower?

Mr. J. G. Beazley : (a), (b) & (c) The reasons for acquiring the house of Lala Ganesh Das are given in the Municipal Committee's resolution No. 26, dated the 20th November 1923, a copy of which was laid upon the table, with the reply to question No. 769.†

CONFINEMENT OF UNDER-TRIAL PRISONERS IN THE MULTAN DISTRICT JAIL.

2117. Lala Bodh Raj : (a) Is it a fact that a separate ward or barrack is provided in the District Jail, Multan, for the accommodation of under-trial prisoners?

* Vol. VII, pages 618-20.

† Vol. VII, page 249.

(b) Is it a fact that under-trial prisoners on their new-admission are confined in separate cells? If so, what are the reasons for the same?

The Honourable Sir John Maynard: (a) Yes.

(b) Yes, they are kept in quarantine for a week as required by paragraph 478 of the Punjab Jail Manual.

NIGHT SCHOOLS IN THE MULTAN DIVISION.

2118. Lala Bodh Raj: (a) Will the Government please state how many night schools it is maintaining or intends to maintain this year in the several districts of the Multan Division under paragraph 7 of the Circular C. M. No. 6835-A., dated 8th June 1925, issued by the Government of the Punjab (Ministry of Education)?

(b) Will the Government please state in a tabular form, as given below, the additional grants awarded to the several district boards in the Multan Division under the circular referred to in (a)—

	Number.	Grant for the current year.	Grant for subsequent year.
1. Additional teachers ...			
2. Lower Middle Schools ...			
3. Full Middle Schools ...			
4. New Schools ...			
Total ...			

Sir George Anderson:

(a) The night schools are maintained by district boards and not by Government. The returns show the number of night schools on March 31st, 1925, as follows:—

(1) Montgomery ...	95
(2) Lyallpur ...	86
(3) Jhang ...	85
(4) Multan ...	37
(5) Muzaffargarh ...	15
(6) Dera Ghazi Khan ...	61

(b) The information required is laid on the table.

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PUNJAB LEGISLATIVE COUNCIL.

[30TH NOV. 1926.]

[Sir George Anderson.]

STATEMENT SHOWING GRANTS SANCTIONED TO DISTRICT BOARDS IN THE MULLTAN DIVISION UNDER G. M. No. 6865-A, DATED 6TH JUNE 1926.

No.	Name of the district.	ADDITIONAL TEACHERS.				LOWER MIDDLE SCHOOLS.				FULL MIDDLE SCHOOLS.				NEW PRIMARY SCHOOLS.				TOTAL.	
		No.	Grant for the current year.	Rs.	Grant for subsequent years.	No.	Grant for the current year.	Rs.	Grant for subsequent years.	No.	Grant for the current year.	Rs.	Grant for subsequent years.	No.	Grant for the current year.	Rs.	Grant for subsequent years.	Grant for the current year.	Grant for subsequent years.
1	Montgomery ...	31	5,560	7,440	...	...	...	...	...	2	3,600	4,800	...	15	6,157	8,250	20,490	15,367	20,490
2	Lyallpur ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
3	Jhang ...	35	6,300	8,400	1,000	2	750	1,000	...	2	3,600	4,800	...	25	10,312	13,750	27,950	20,962	27,950
4	Multan ...	62	11,160	14,380	4,500	9	3,375	4,500	...	...	...	...	...	25	10,312	13,750	33,130	24,847	33,130
5	Muzaffargarh ...	45	8,100	10,800	3,000	6	2,250	3,000	...	3	5,400	7,200	...	15	6,187	8,250	29,350	21,937	29,350
6	Dera Ghazi Khan	31	5,560	7,440	...	...	...	...	...	5	8,000	12,000	...	10	4,125	5,500	24,940	18,703	24,940

ALLEGATIONS OF CORRUPTION AGAINST THE PRESIDENT OF THE
BHIWANI MUNICIPALITY.

2119. Lala Bodh Raj : (a) Is it a fact that several complaints have been made to the Government against the President of Bhiwani municipality for corruption and mismanagement of municipal affairs ?

(b) Is it a fact that the Deputy Commissioner, Hissar, made an enquiry in the year 1923 into the several allegations against the said President ? If so, what was the result of that enquiry and what action was taken by the Government on the report submitted by the Deputy Commissioner ?

(c) Is it a fact that in December 1924 or thereabout inquiries were made by the police into the allegations of corruption against the said President ?

(d) Is it a fact that the police proposed to start criminal proceedings in Court against him ? If so, will the Government please lay on the table the above police report and the decision of the Government thereon ?

(e) Will the Government please state if it contemplates the issue of any Press Communiqué regarding the above allegations against the President, Municipal Committee, Bhiwani ?

• Mr. J. G. Beazley : (a) Yes.

(b) Yes, the cases were disposed of by the local officers and a report in each case was not forwarded to Government.

(c) Yes.

(d) Yes, but Government are not prepared to lay the police report on the table. A copy of Punjab Government letter No. 2942-S., dated 3rd September 1925, is however laid on the table.

(e) No.

Copy of a letter No. 2942-S., dated the 3rd September 1925, from the Secretary to Government, Punjab, Transferred Departments, to the Commissioner, Ambala Division.

SUBJECT :—Sanction for the prosecution under Section 161, Indian Penal Code, of Thakar Bhiwani Singh, President, Municipal Committee, Bhiwani.

With reference to the correspondence ending with your letter No. 143-C., dated the 21st of August 1925, on the subject noted above, I am directed to say that the Punjab Government (Ministry of Education) do not think that the two cases, in respect of which it is proposed to prosecute Thakar Bhiwani Singh, are based on reliable evidence, and are therefore unable to sanction his prosecution.

2. I am to observe that if there are any other cases strong enough to go to court, the persons concerned should be told that they have the option of bringing them forward, and that the question of according sanction will be duly considered in respect of them.

APPOINTMENT OF TEACHERS OF DISTRICT BOARD SCHOOLS.

2120. Lala Bodh Raj : (a) Will the Government please state on what principles the new appointments of teachers are made in the District Board Schools ?

[Lala Bodh Raj.]

(b) Is it not a fact that the teachers already in the service of the Board have a prior claim for a post carrying a higher salary over the new recruits possessing the same qualifications? If so, will the Government please state if departures can be made from the above principle and if so, in what cases?

(c) Will the Government please state the principle, if any, on which the designations of teachers in the District Board Schools are fixed?

(ii) (a) Is it a fact that Mr. Fazl Ilahi, an F.A., J.A.-V., was appointed to the post of second master in the D. B. A.-V. Middle School, Bhalwal, on or about the 16th June 1925 on Rs. 80 per mensem?

(b) Is it a fact that one Lala Triloke Nath, B.A., S.A.-V., who had joined the service of the District Board in May 1918 was then drawing Rs. 76 in the same school and that the said Mr. Fazl Ilahi was placed over him in supersession of his claims? If so, why?

(c) Will the Government please state what grade of pay has been sanctioned for the said Mr. Fazl Ilahi?

Sir George Anderson: (i) (a) Government does not impose rigid rules on local bodies in the making of educational appointments. It is therefore not possible to state the principles on which each and every local body makes such appointments.

(b) and (c) do not arise.

(ii) (a) Yes.

(b) No. L. Triloke Nath was promoted to be Second Master at Katha Sagral.

(c) Rs. 80 fixed pay.

Lala Bodh Raj: Will the Government please say when Lala Triloke Nath was promoted to be Second Master, whether it was before or after the appointment of Mr. Fazl Ilahi?

Sir George Anderson: I want notice of the question.

LICENCE FOR PROCESSION IN CONNECTION WITH DUSEHRA FESTIVAL IN BHAKKAR.

2121. Lala Bodh Raj: (a) Is it a fact that the Hindu public of Bhakkar has not been given the license for the last two years to carry the procession in connection with Dusehra festival along the route along which they had been carrying such procession for a good number of years?

(b) Is it a fact that the Superintendent of Police had promised the Hindu public of Bhakkar in 1923 that in 1924 they would be given the license for the old route? If so, what are the reasons for not carrying out the promise?

(c) Will the Government please state the names of persons who got the license for the celebration of Dusehra in the year 1924? Had any one of those licensees been convicted before for an offence involving moral turpitude?

Is it a fact that one of those licensees was a mere peon or process-server?

The Honourable Sir John Maynard: (a) No. The same route was specified in the licenses of 1921, 1922, 1923 and 1925. In consequence of dispute and doubt an alternative route was followed in 1924.

(b) No.

(c) The Government will not give names. The licensees, who were selected by the Hindu panchayat, beside a municipal commissioner and a pleader, included a man who had been convicted under section 302, Indian Penal Code, and a process-server.

RETIRED GOVERNMENT OFFICIALS AND FREE MEDICAL ATTENDANCE.

2122. Mr. H.W. Webb : (a) Will Government be pleased to say whether any rule exists which debar retired Government officials from receiving free medical attendance when necessary at their homes and free medicines from Government dispensaries ?

(b) If the answer to (a) is in the affirmative, will Government please say why Civil officials who were entitled to these privileges when in service should be deprived of them after retirement ? Is Government aware that this entails great hardship on a deserving body of public servants who have devoted the best years of their lives to the service of the State ?

(c) Will Government please say whether it is a fact that Military pensioners are allowed medical attendance and medicine *gratis* and if so, why there should be this invidious distinction between the two classes of retired public servants ?

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

THIKRI PAHRA.

2123. Sardar Partap Singh : Will Government please lay on the table a copy of the answer to question No. 410* put on the 24th March 1924 ?

The Honourable Sir John Maynard : A copy is laid on the table.

Answer to Question No. 410.

(a) *Thikri Pahra* has not so far been reintroduced in this district though inquiries in this connection are in progress.

(b) No committees have yet been organised in the villages.

(c) Needs no answer in view of the answer to (a) above.

Sardar Partap Singh : Does this answer refer to March 1924 or is it still in vogue ?

The Honourable Sir John Maynard : Even now.

PUNITIVE POLICE POST IN VILLAGE JANDIALA.

2124. Sardar Partap Singh : With reference to question No. 2049† *re* the imposition of a punitive police post in village Jandiala, district Jullundur, will Government please supply the following information as well :—

(a) Is it a fact that persons who have been most heavily taxed form a majority of those who are only alleged to be either Akalis or sympathisers of Akalis ?

* Volume VI, page 806.

† Pages 1314-15 *ante*.

[Sardar Partap Singh.]

- (b) Is it a fact that patwaris have been instructed to cess Akalis and their sympathisers to the utmost?
- (c) If the answers to (a) and (b) be in the affirmative, will Government please state the reasons for singling out the Akalis for such a treatment? If no sufficient reason exists, will Government please state the reasons for not returning to the Akalis and their sympathisers the tax so charged?
- (d) If the answers to (a) and (b) be in the negative, will Government please give a list of such persons, by name, who have been most heavily taxed stating the reasons for taxing them heavily? Will it also state the name of the officer responsible for the assessment of the taxes?
- (e) Is it a fact that the duration of the punitive post has been extended to a further period of one year?
- (f) If the answer to (e) be in the affirmative, will Government please state the reasons why this post has been retained when others have all been removed?

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

REMITTENT FEVER IN THE JULLUNDUR DISTRICT.

2125. Sardar Partap Singh: (a) Has the attention of the Government been drawn to the fact:—

- (1) that remittent fever is raging high in the Jullundur district since August?
- (2) that scores of patients are laid up in every village of the district?
- (3) that the *Government Gazette* reserved for Public Health Department contains no reference to the prevalence of this disease and thus given an impression that the countryside districts are free from epidemics?
- (b) If the answers to the above are in the affirmative, will Government please state why no report has been published in the *Gazette*?
- (c) Is it a fact that quinine or any other medicine for malaria is not obtainable in the villages for lack of which patients suffer for months together?
- (d) Has Government considered the advisability of taking steps to open depôts in villages where people may get or even purchase quinine or any other specific for the disease? If so, with what result?

Lieutenant-Colonel C. A. Gill: (a) (1) Malaria sometimes called Remittent Fever, prevailed in epidemic form in part of Jullundur District during August and September.

2. Much sickness prevailed in villages near the rivers and along the Bein Nullah.

3. Malaria is not a notifiable disease and hence it is not included in the list of infectious diseases notified in the *Punjab Gazette*.

(b) Does not arise.

(c) No. In view of the expected outbreak of malaria in this tract, the Director of Public Health urged the District Board to make special ar-

arrangements to distribute quinine in the affected tract. Government are informed that this advice was acted upon and that a vaccinator was posted in every thana of the district with ample supplies of quinine. An itinerating dispensary was also despatched to the affected tract. Large quantities of quinine were also distributed by the District Medical Officer of Health and his staff, by members of the District Board, Zaildars and school teachers.

(d) In view of the arrangements made by the District Board, Government are of opinion that additional depots for the distribution of quinine are not necessary.

EXAMINATION OF GIRL STUDENTS IN THE JULLUNDUR DISTRICT.

2126. **Sardar Partap Singh :** (a) Is it a fact that an officer of the Education Department examines annually the girl students of the IV class of girls' schools for promotion to the V class?

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

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

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

Sir George Anderson : (a) No. In every district the Headmistress of the school is responsible for promoting all the classes on or by the 31st March.

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

LAND REVENUE CHARGED ON BARANI LANDS.

2127. **Sardar Partap Singh :** (a) Is it not a fact that land revenue is not charged at *chaki* rate for 20 years or so on *barani* lands where wells have been sunk and that *barani* rate is charged even on the first crop on lands possessing wells which have insufficient supply of water, or are in a dilapidated condition?

(b) If the answer to (a) be in the affirmative, will Government please state the number of—

(i) new wells sunk in the Jullundur district after the last settlement;

(ii) lands in which wells have been sunk and which have been given full concession in land revenue according to the rules;

(iii) such lands as have not been granted such concession?

(c) If in any case this concession has not been given at all or has only been partially given to a zamindar, will Government please state the reasons for the same?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Land irrigated by a newly constructed well is exempted from the liability to an enhanced rate of land revenue due to the existence of the well. The

[Hon'ble S. B. S. Sundar Singh, Majithia.]

period of exemption depends upon the cost of the well, etc., and varies from 20 to 40 years. It is also a fact that remission of the portion of assessment due to the existence of a well which has fallen out of use is granted.

(b) (i) Four thousand and fifty-three new wells have been sunk and 52 dilapidated wells have been made fit for use.

(ii) The lands, for which the wells have been sunk, had been assessed at *barani* rates and will continue to pay at this rate until the next settlement. No question of exemption, therefore, yet arises.

(iii) Does not require reply in view of remarks in (ii) above.

(c) In no case was it necessary to refuse the concession, for reasons stated in (b) (i) above. All these questions were dealt with during the settlement.

CONSTITUTION OF PANCHAYATS IN THE VILLAGES OF THE LAHORE DISTRICT.

2128. Sardar Dhira Singh: Will the Government please state—

(a) in how many villages in the Lahore district, panchayats have actually been formed under the Punjab Village Panchayat Act and are now working; and

(b) why the panchayats have not been constituted in the rest of the villages in the district?

(c) Did the Government appoint any officer to form panchayats in the villages of the Lahore district and also to explain to the villagers how to act upon and avail of the Village Panchayat Act? Did he make any report? If so, will the Government lay the report on the table of the Council?

Mr. J. G. Beazley: (a) Twelve.

(b) Because on official enquiries the village communities did not ask or agree to having panchayats.

(c) No, but Government are anxious to do all that it is possible to popularise the panchayat system and the advice of the Standing Committee of the Council is already being sought as to the measures which should be taken to this end.

SILT CLEARANCE IN THE DISTRIBUTARIES AND MINORS OF THE UPPER BARI DOAB CANAL.

2129. Sardar Dhira Singh: (a) Is it a fact that silt from the distributaries and minors of the Upper Bari Doab Canal has to be removed by the cultivators?

(b) If so, is it a fact that the cultivators are not paid any remuneration for that work?

(c) Does the Government propose to make arrangements to get the minors and distributaries cleared of silt by paid labour?

(d) Is it a fact that the Canal Department does not hold itself responsible for clearing the minors and distributaries at regular intervals? If so, why?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: (a) and (b) Silt clearance of distributaries and minors, at their tails only, is occasionally necessary and this is always paid for whether done by culti-

vators or other coolies. No silt clearance of perennial channels is done in their head reaches.

(c) Does not arise.

(d) The Canal Department does not consider regular silt clearance of distributaries and minors necessary. The channels are so graded that they will not silt.

AMERICANS WHO ASSAULTED RAI SAHIB BASHESHWAR NATH AT MURREE.

2130. Chaudhri Afzal Haq : (a) Will the Government be pleased to state if it is a fact that the two Americans who were recently accused of beating Rai Sahib Basheshwar Nath at Murree Hills have sailed for America?

(b) If so, will the Government be pleased to state what steps they are taking to bring them back to India?

The Honourable Sir John Maynard : (a) Yes. (b) The offence is not extraditable. Consequently efforts to have the absconders detained by the Egyptian Government failed. The Government of India have been moved to take what diplomatic action is possible.

Chaudhri Afzal Haq : Will Government please say whether they have collected any information as to how they succeeded in getting their passports?

The Honourable Sir John Maynard : These were American citizens who did not require passports from the British Government. One of them obtained his passport from the American Consul at Bombay and the other obtained his *visa* as it is called from the Italian Consul at Bombay. The British Government had nothing whatever to do with the matter.

Malik Firoz Khan Noon : Will Government please state what was the amount of bail to which these people had entered and who were the sureties and whether the bail amount had been confiscated or not?

The Honourable Sir John Maynard : The total sum in each case was Rs. 2,000 and that amount has been realised.

Sardar Jodh Singh : What steps has Government taken to ensure that such events do not occur again?

The Honourable Sir John Maynard : I have already explained that passports were not granted by the British Government nor were the *visas* granted by the British Government, but whether the bail is or is not granted is a matter for the courts.

Lala Mohan Lal : Will the Government please issue instructions to the judicial officers not to enlarge the accused on bail in such cases?

The Honourable Sir John Maynard : I am afraid that would be a serious invasion of the rights of the judiciary by the executive.

Shaikh Muhammad Sadiq : If a foreigner commits a bailable offence and leaves the country, do the courts of this country have no jurisdiction over them? Does it mean that they can slip a way from this country after committing a bailable offence?

The Honourable Sir John Maynard : The courts have power to grant or not to grant bail in bailable offences and in certain circumstances.

[Hon'ble Sir John Maynard.]

if a non-bailable offence is committed. If bail is asked for, it is for the courts to see that necessary precautions are taken before granting the application.

Dr. Gokul Chand, Narang : Has Government taken any steps to rearrest these offenders?

The Honourable Sir John Maynard : The answer to that is contained in my former answer that the Government of India have been moved to take what diplomatic action is possible.

GRANT OF LANDS TO CHRISTIANS AND OTHER CONVERTS IN THE PROVINCE.

2131. Chaudhri Afzal Haq : (a) Is it a fact that Government has given several squares of land in Lyallpur Colony to Christian converts at the instance of Missionary societies?

(b) If so, will Government be pleased to state whether they likewise intend to give lands in the colonies to the converts to other religions also? If not, why not?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) In the Lyallpur Colony grants were made to certain Christian Societies in the interests of the depressed classes in the same way and with the same idea as grants were made to the Arya, Megh Udhar Sabha, the object being to assist the work carried out by the various missionary bodies, both Christian and Non-Christians in raising and improving the condition of the 'untouchables'.

(b) It is not proposed to give any such grants in the future to persons on the ground that they belong to depressed classes owing to the difficulty of finding an accurate definition in the Punjab of the term 'depressed classes' and to the fact that there is an ample opening for them as tenants with no barrier to their employment as such.

Chaudhri Afzal Haq : Are Government supervising the progress of the work and if so will they please lay on the table the report of the progress?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I should like to have notice.

Chaudhri Afzal Haq : Will Government be pleased to collect information as to the number of the "untouchables" converted to Christianity?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I am afraid that could not be done.

Lala Bodh Raj : Will Government please state whether the men to whom these grants have been made belong to the Hindu community or to the Christian community?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : As regards the Christians they belong to the Christian community. As regards the Meghs in charge of the Arya Megh Udhar Sabha, they belong to the Arya Samaj and they can very well tell whether they are Hindus or not.

Chaudhri Afzal Haq : Will Government please say whether they are considering the desirability of confiscating the grants already granted to these societies?

Deputy President : This is not a supplementary question.

EVACUATION OF VILLAGES IN ILAQA KANDI FOR ARTILLERY PRACTICE.

2132. Chaudhri Afzal Haq : (a) Is it a fact that the villagers of several villages in ilaqa Kandi, district Hoshiarpur are, in spite of repeated protests asked to vacate their homes for artillery practices being conducted in those villages? If so, will the Government be pleased to state what steps they are taking to put a stop to this practice?

(b) If no step has been taken, will the Government be pleased to state whether they mean to provide the villagers so made homeless with tents or temporary houses?

The Honourable Sir John Maynard : (a) No.

(b) Does not arise.

MUNICIPAL AND DISTRICT BOARDS WHERE ELECTIONS HAVE NOT TAKEN PLACE FOR THE LAST THREE YEARS OR MORE.

2133. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the name and number of those municipal and district boards where new elections have not taken place for the last three years or more; and

(b) the reasons for the delay in the elections in each case?

Mr. J. G. Beazley :

(a) The municipalities of Hansi, Bhiwani, Kartarpur, Jhang-cum-Maghiana and Lyallpur.

(b) The delay is due to certain difficulties which arose in connection with the revision of the electoral rules of these municipalities.

Lala Bodh Raj : Will Government please state why elections are being held according to the old rules if the new ones are still under contemplation?

Mr. J. G. Beazley : The new rules generally provide for a more liberal franchise and it was therefore thought desirable to wait for them to be introduced so as to enable the next elections to be held on the more liberal franchise.

APPEAL FOR ENHANCEMENT OF SENTENCE AWARDED TO TWO AMERICANS WHO ASSAULTED RAI SAHIB BASHESHWAR NATH AT MURREE.

2134. Chaudhri Afzal Haq : Will Government please state whether they propose to file an appeal for enhancement of the sentence of six months' imprisonment recently awarded to the two Americans who assaulted Rai Sahib Basheswar Nath at Murree?

The Honourable Sir John Maynard : No.

EXECUTIVE OFFICERS FOR BIG MUNICIPALITIES.

2135. Chaudhri Afzal Haq : (i) Will the Government be pleased to state—

(a) if it is a fact that the Government asked all the big municipal committees of the province to appoint an executive officer;

[Ch. Afzal Haq.]

(b) how many municipal committees have shown their willingness to appoint an executive officer ;

(c) the reasons which led the Government to make such a proposal ?

(d) Is it a fact that the prevalence of corrupt practices in municipal administration is the cause of this proposal ?

Mr. J. G. Beazley : (a) No.

(b) and () do not arise.

ASSAULT ON INDIANS BY EUROPEANS.

2136. Chaudhri Afzal Haq : (a) Will the Government be pleased to state if it is a fact that respectable Indians have time and again been assaulted by Europeans ?

(b) Will the Government be pleased to lay on the table a statement showing the number and names of those Indians who have been assaulted by Europeans in the Punjab during the last twenty years ?

(c) Is it a fact that no Indian has ever assaulted any European in the Punjab ?

(d) If so, will the Government be pleased to state what steps they propose to take to discourage Europeans from assaulting Indians ?

The Honourable Sir John Maynard : (a) Government is aware that such assaults have sometimes taken place.

(b) The compilation of a list for twenty years would involve inordinate labour.

(c) No.

(d) The scrupulous enforcement of the ordinary law of the land is sufficient.

MUNICIPALITIES WHERE ELECTIONS TAKE PLACE ONCE IN FIVE OR SIX YEARS.

2137. Chaudhri Afzal Haq : Will the Government be pleased to state the names of those municipal committees in the province where as a rule election takes place after five or six years ?

Mr. J. G. Beazley : There is no such committee.

CONFISCATION OF JAGIRS OF PERSONS WHO TOOK PART IN THE NON-CO-OPERATION MOVEMENT.

2138. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the names of those persons whose jagirs have been confiscated by the Government on account of their taking part in the non-co-operation movement ;

- (b) whether those persons ever committed violence ; and
- (c) whether the Government is considering the desirability of restoring the jagirs of those who did not commit any act of violence in connection with this movement ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Government is not prepared to give the names.

- (b) No, but the condition of good conduct and loyalty attached to these grants was violated.
- (c) No.

Chaudhri Afzal Haq : Will Government be pleased to say whether there are no conditions of loyalty attached to these grants ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : So far as I know the condition of loyalty is attached to every grant.

Sardar Gurbakhsh Singh : Will Government be pleased to state according to what parliamentary procedure it often refuses to supply information to the members of this House ?

Deputy President : That is not a supplementary question.

COMPULSORY MILITARY TRAINING OF BOYS IN SCHOOLS AND COLLEGES.

2139. Chaudhri Afzal Haq : Will the Government be pleased to state whether they are considering the desirability of introducing compulsory military drill and training of boys in the use of firearms in all schools and colleges ?

The Honourable Sir John Maynard : No.

COMPLAINT OF CHAUDHRI ISMAT ALI, JAILOR, MULTAN, AGAINST THE EDITOR OF *BABAR SHER*, AMRITSAR.

2140. Chaudhri Afzal Haq : (a) Will the Government be pleased to state—

- (a) whether Chaudhri Ismat Ali, jailor, Multan, lodged a complaint under section 500, Indian Penal Code, against the editor of *Babar Sher*, Amritsar, and, if so,
- (b) whether that complaint was lodged with the permission of the Government ?
- (ii) Is it a fact that the jailor does not now intend to continue the legal proceedings against the editor ?
- (iii) If the answer to part (a) (b) of the question is in the affirmative, will the Government be pleased to say whether they disapproved of the jailor's proceeding with the case after the complaint was lodged ? If so, why ?

The Honourable Sir John Maynard : (a) (a) Yes. (a) (b) Yes.

(ii) Yes.

(iii) No. The prosecution was delayed for more than a year by separate proceedings taken against the accused in Amritsar, and was finally dropped as he was there sentenced to a term of imprisonment.

APPRECIATION OF THE SERVICES OF KHAN BAHADUR SHAIKH ABDUL QADIR AS PRESIDENT OF THE COUNCIL.

Deputy President : It has been my privilege to preside over this Council in the absence of the President, Khan Bahadur Shaikh Abdul Qadir, who resigned his office in September last when he accepted the appointment of the Minister for Education. I am sure I am voicing the feelings of all of you when I say that during the short period that he had been in this chair as the first elected non-official President of this Council he won the esteem and confidence of all sections of the House; by his impartial conduct in the chair and his considerate treatment he had endeared himself to all of us. I am sure we shall miss him very much, but as he has decided to go back to the more lucrative profession of the Bar, we shall now have to elect another non-official President. As you are all aware the election of the President is coming on Thursday the 3rd of December. The nominations of candidates for the presidentship must reach the office of the Council by 12 noon on the 2nd December 1925.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, I associate myself with the remarks that you have made about Khan Bahadur Shaikh Abdul Qadir. We are all sorry to lose him. He did

3 P. M. prove an excellent President and I hope that in his substitute we shall find the same qualities which Shaikh Abdul Qadir showed. I hope he will come back to us in some capacity or other at some future date. (Hear, hear.)

Sardar Tara Singh [Ferozepore (Sikh) Rural] : Sir, I heartily associate myself with the feelings expressed by the chair and by Raja Narendra Nath. His treatment of us had been always cordial and absolutely and entirely satisfactory and encouraging to all of us who took part in the discussions in the Council.

Malik Firoz Khan Noon [Shahpur East (Muhammadan) Rural] : Sir, I heartily associate myself with what has been said by the Raja Sahib and Sardar Tara Singh in praise of our *ex-President*, Khan Bahadur Shaikh Abdul Qadir. He never gave us any occasion to complain of his partiality or anything of that sort. We shall certainly miss him very much when he is away from us.

The Honourable Sir John Maynard (Finance Member) : I also desire to associate myself, Sir, with what has been said by the chair and the subsequent speakers on the subject of our late President, the Honourable Khan Bahadur Shaikh Abdul Qadir.

Mr. E. Maya Das (Non-official, nominated) : Sir, I also associate myself with what has been said by the chair and by the other speakers.

The Council then adjourned till 2 P.M., on Thursday, the 3rd December 1925.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 3rd December 1925.

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

OATH OF OFFICE.

The following member was sworn in :—

Colonel C. R. Bakhle, Official, nominated.

QUESTIONS AND ANSWERS.

GRANT OF EXTENSION OF SERVICE TO I.C.S. AND P.C.S. OFFICERS.

2141. Chaudhri Afzal Haq : (i) Will the Government be pleased to state—

(a) the names and number of those Indian Civil Service men in the province who have been granted extension of service during the last five years ;

(b) the names and number of those Provincial Service men who have been likewise granted extension of service ?

(ii) Is the Government aware of the fact that great discontent is caused amongst the lower grade public servants by the grant of such extension of service ?

(iii) If the answer to (ii) is in the affirmative, does Government propose to stop the system of granting extension of service in future ?

Mr. H. D. Craik : (a) None.

(b) Within the last 5 years 32 officers of the Punjab Civil Service were granted extensions of service for administrative reasons. Of these, 7 were granted leave after the age of 55 under Fundamental Rule 86 which automatically carries with it an extension of service. Four had to be retained until the completion of the special duty on which they were engaged. Seventeen could not be retired on due date as it was not possible to make arrangements for their relief. The extensions in all these cases were for brief periods only. Only 4 officers have been given extensions in consideration of conspicuous services rendered to the administration.

Government is not prepared to give names.

(ii) and (iii) Government is generally averse to granting extensions and enforces the 55 years rule as rigidly as is compatible with the interests of the public service.

RELEASE OF SARDAR PRITAM SINGH.

2142. Chaudhri Afzal Haq : With reference to the assurance of Government to offer conditional release to the Akali prisoners convicted in connection with the Gurdwara movement, will the Government be pleased to state—

- (a) whether they have likewise offered the same condition to Sardar Pritam Singh, a boy of 18 years of age, who was sentenced to seven years' rigorous imprisonment at Jullundur; and if not,
- (b) whether they now propose to offer the same condition to the said Pritam Singh now undergoing imprisonment in Multan Central Jail?

The Honourable Sir John Maynard : The offer of clemency made by the Punjab Government does not apply to the convict mentioned in the question, whose offence had no connection with the recent agitation in the Sikh community. He has now been released.

 REPEAL OF ARMS ACT.

2143. Chaudhri Afzal Haq : (a) Will the Government be pleased to state whether they are aware of the fact that generally the dacoits of the provinces before committing dacoity in a village take great pains to know if any person in the village has got arms or not?

(b) Is it also aware of the fact that even notorious dacoits abandon their enterprise when they come to know that the villagers have got arms?

(c) If the answers to (a) and (b) are in the affirmative, will the Government be pleased to state whether it proposes to take steps to get the Arms Act repealed?

(d) If the Government has no information as to (a) and (b), will it be pleased to call for information from the district officers of police on the subject and lay it on the table?

The Honourable Sir John Maynard : (a) & (b) Government are aware of the protection afforded by the presence of arms in a village, but also are aware that dacoities are frequently committed in villages where licenses have been granted.

(c) No.

(d) No. The replies could only be matter of opinion.

 NUMBER OF LICENSES UNDER THE ARMS ACT.

2144. Chaudhri Afzal Haq : Will the Government be pleased to state the total number of licenses under the Arms Act issued in this province during the current year?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Returns prescribed are received in the end of the year. The one for the current year has not yet been received. The information asked for is therefore not yet available.

FORFEITURE OR PROSCRIPTION OF CERTAIN PAMPHLETS.

2145. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) the names and the number of copies each of those pamphlets which have been forfeited or proscribed by the Government in 1924 ;
- (b) whether any representation was made to the Government to cancel the order of forfeiture ; and if so
- (c) whether the Government has considered the objections raised against such forfeiture ?

The Honourable Sir John Maynard : (a) Thirty-two pamphlets were proscribed by the Punjab Government under section 99-A., Criminal Procedure Code, during the year 1924. Government has no information regarding the number of these pamphlets seized.

(b) No.

(c) Does not arise.

BRINGING BACK OF PUNJABI PRISONERS, IMPRISONED IN JAILS OF OTHER PROVINCES AND *Vice versa*.

2146. Chaudhri Afzal Haq : (a) Will the Government be pleased to state—

- (i) the names and the number of those Punjabi prisoners who have been sent to jails of other provinces, and are yet serving their terms of imprisonment outside the Punjab ;
- (ii) the names and number of those prisoners who belong to and were sentenced in other provinces, but are undergoing their term of imprisonment in this province ?

(b) Has the attention of Government been drawn to the proceedings of a mass meeting held in Lahore protesting against sending Punjabi prisoners outside the Punjab ;

(c) Does the Government propose to consider the desirability of bringing back all the Punjabi prisoners to this province and sending back to their respective provinces those who belong to other provinces ?

The Honourable Sir John Maynard : (a) The information asked for is not available but is being collected.

(b) No.

(c) No.

PATWARKHANAS.

2147. Chaudhri Ram Singh : (a) Will the Government please state if it is a fact that the Director of Land Records has issued instructions that only those patwarkhanas of the Kangra district be maintained at Government expense that are in a good condition, and that the materials of those in a dilapidated condition be sold in auction ?

(b) If so, will the Government please state the number of patwarkhanas in each tahsil in the Kangra district and also the number of those whose material is to be auctioned ?

[Ch. Ram Singh.]

(c) Is it a fact that Government sanctions no money for the repairs of old patwarkhanas and where it does, the amount so sanctioned is inadequate for the repairs to be effected ?

(d) What arrangements have been made for the patwaris to carry on their duties where the patwarkhanas are very dilapidated or have been auctioned, particularly where the zamindars do not provide patwaris with *chhappars* for fear of their catching fire ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) The question of the maintenance of patwarkhanas was examined by Government in 1924, and it was decided that only those patwarkhanas which were in good condition at that time, were to be maintained; and that the remaining patwarkhanas should be made over to the village communities.

(b) The number of patwarkhanas, which have been retained in each tahsil in the Kangra district, is—

Kangra	...	...	...	...	30
Dehra	...	...	...	...	29
Nurpur	...	...	...	...	20
Hamirpur	...	...	...	...	43
Kulu	...	...	...	...	20
Palampur	...	...	...	...	33
Seraj	...	...	...	...	19

The number of patwarkhanas, which were to be made over to the village communities, is not immediately available, but can be obtained from the Deputy Commissioner, if necessary.

(c) A sum of Rs. 25,000 is sanctioned each year for the repairs of old patwarkhanas which were in good repair at the time of issue of Government orders referred to at (a). This amount is quite adequate for the purpose.

(d) The question of constructing new patwarkhanas in other places where exceptional difficulties arise is now under consideration. In all other cases patwaris are expected to make their own arrangements.

Chaudhri Ram Singh : What cases are meant by the cases mentioned in the answer and when will the patwarkhanas be made ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
The reply is quite plain.

Sardar Gurbakhsh Singh : With reference to the last sentence of the reply, does the Government pay any allowance to the patwaris for making their own arrangements ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
No.

—
BAN SARKAR.

2148. Chaudhri Ram Singh : Will Government please state the area in the Kangra district excluded from *bachh* as a result of the settlement of 1917-18 and named Ban Sarkar which was included in *bachh* in the settlement of 1863? Does the Government propose to consider the desirability of compensating the loss thus suffered by the zamindars ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
The cost of making a complete inquiry which would be necessitated in order

to give an accurate answer to the honourable member's question is likely to be great and Government sees no reason to undertake it. Government does not admit that any loss has been suffered by the zamindars which requires to be compensated.

COMMITTEE IN CONNECTION WITH THE MANAGEMENT OF THE SHAH NEHR CANAL.

2149. Chaudhri Ram Singh : With reference to the answer to question No. 960,* put on the 18th November 1924, will Government please state —

- (1) the names and addresses of the members of the committee of proprietors of the Shah Nehr ;
- (2) whether all the members of the said committee hold some share in the Shah Nehr, or if there are any who hold no share ;
- (3) if there are any with no shares, the number of such members in the committee and the reasons for their appointment on the committee ;
- (4) whether the members of the present committee were elected or whether they were nominated by the Government ;
- (5) whether all the share-holders were informed beforehand of the appointment of the committee ;
- (6) the term of office of the members of the committee ;
- (7) the procedure that will be followed in future in the matter of selection of members for the committee ; and
- (8) where and at what intervals the committee holds its meetings ?

The Honourable Sardar Bahadur Sardar Sundar Singh. Majithia :

- (1) The names and addresses of the President and the members of the committee are :

- (1) Rai Faiz Muhammad Khan of Bhangala, President.
- (2) Chaudhri Hari Singh, Zaildar of Budha-Bar.
- (3) Chaudhri Dharam Singh, son of Chaudhri Rai Singh, late Zaildar of Sibuchak.
- (4) Chaudhri Achhar Singh, Sufedposh of Jandwal.
- (5) Chaudhri Sant Ram, Lambardar of Sahrakwal.
- (6) Chaudhri Ibrahim of Dhidoktrala.
- (7) Chaudhri Buru, Lambardar of Sadhari.

- (2) Yes.
- (3) Does not arise.
- (4) Elected.
- (5) Yes.
- (6) No term has been fixed.
- (7) No particular procedure has been laid down for future. Changes will be effected when necessary.
- (8) Actually the committee has held only one meeting since its formation on 4th May 1925. That meeting was held at Mukerian on 6th May 1925.

* Vol. VII, page 472 and VIII-A, page 1071.

OUTLETS FOR THE OWNERS OF PRIVATE CANALS AT DIBBAR DHAD KUTWAL.

2150. Chaudhri Ram Singh : With reference to the answer to question No. 1794,* dated the 5th May 1925, will Government please obtain from the local officers the information *re* the width of the outlet sanctioned for the owners of the private canals at Dibbar Dhad Kutwal since 1899 and lay it on the table, and will it also please state the reasons for sanctioning an outlet only 12 feet wide referred to in the answer to part (c) of the question?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : No information as to the width of the outlet up to the 10th of January 1924 is available. On that date the Naib-Tahsildar, Mukerian, inspected the spot. The river had receded towards the Kangra bank, and as a shortage of water was anticipated, the width of the outlet was fixed at 12 feet; with a discharge of 72 cusecs. The estimated supply is sufficient to irrigate over 3,000 acres while the area commanded by the outlet is 2,725 acres. No objection has so far been received to the fixation of the width of the outlet at 12 feet.

OPENING BY TIMBER MERCHANTS OF SHOPS AT A PLACE NEAR THE RIVER-SIDE.

2151. Chaudhri Ram Singh : With reference to the answer given to question No. 1925† put on 20th June 1925, will Government please state whether only those timber merchants who purchase timber from hillside forests can start a registered business shop at a place by the river-side in the Kangra district or even others who do not purchase it from the same source are allowed to have a place of business by the river-side?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : There is no restriction of the kind suggested in the question. Anyone can open a timber shop by the river-side in Kangra; but he must comply with the provisions of Act III of 1913 and the rules made thereunder.

Chaudhri Ram Singh : Can the shopkeeper purchase timber from those merchants who bring timber from the hills?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : It is an ordinary procedure of business.

WRITING IN HINDI OF THE NAMES OF THE EXHIBITS IN THE LAHORE MUSEUM.

2152. Chaudhri Ram Singh : (a) Is it a fact that in the Lahore Museum the names of the exhibits kept therein are not written in Hindi characters?

(b) If the answer to the above be in the affirmative, will Government consider the advisability of issuing orders for the writing of the names of these exhibits in Hindi characters as well for the convenience of the Hindi-knowing public, including the female visitors?

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

(b) Is under consideration.

Sardar Gurbakhsh Singh : Is it under consideration only for Hindi or for any other language?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Only for Hindi.

Sardar Gurbakhsh Singh : Will the Government please consider the advisability of writing in the Punjabi?

The Honourable Rai Sahib Chaudhri Chhotu Ram : That is not a supplementary question.

Professor Ruchi Ram, Sahni : Does it lie with an honourable member of the Government to say that a certain question is not a supplementary question ?

Deputy President : I say it is not a supplementary question.

EXEMPTION OF CHILDREN OF TEACHERS FROM PAYMENT OF TUITION FEES.

2153. Chaudhri Ram Singh : (i) Will the Government please state if it is a fact—

- (a) that the Teachers' Association, Punjab, have submitted for the consideration of the Government a resolution praying for the exemption of their children from paying tuition fees up to the high classes ;
- (b) that Government has issued orders exempting the children of the teachers drawing Rs. 80 per mensem from the payment of tuition fees in Vernacular Middle Schools ;
- (c) that a restriction has now been imposed by means of a circular that this concession will not be given to sons of teachers who have retired, died, resigned or have been dismissed ;
- (d) that Government on the persistent requests of the Punjab Teachers' Association has collected statistics about the number of children of those teachers who draw Rs. 80 per mensem with a view to exempt them from the payment of the fees ?

(ii) If the answers to the above be in the affirmative, will Government consider the advisability of exempting the children of teachers drawing Rs. 80 per mensem from payment of tuition fees up to the High Classes and of extending this concession to the children of the retired or deceased teachers ?

Sir George Anderson : (i) (a) No such petition is on record.

(b) & (c). The honourable member is referred to Article 13, Chapter IV, Punjab Education Code, 11th edition.

(d) The statistics were collected, but not at the request of the Punjab Teachers' Association.

(ii) The limit is being raised to Rs. 50 per mensem, and Government is not at present prepared to consider a further concession.

HANDING OVER OF CERTAIN FORESTS TO THE PEOPLE.

2154. Chaudhri Ram Singh : (a) Will Government please state if His Honour the Lieutenant-Governor of the Punjab in his speech delivered at a Durbar held in Kangra on the 2nd October 1914, made a statement to the following effect :—

"The Government want to hand over to the people for their benefit all such forest as need no protection, itself exercising full control over all others with due regard to the right of the people to cut wood for domestic purposes."

(b) If the answer to (a) be in the affirmative, will Government please state per tahsil the names of the forests transferred to the people and will

[Ch. Ram Singh.]

it also state if people have been allowed the use of wood for domestic purposes in all the forests or whether there are some where this right is denied to them? If there are some forests where this right is denied, will the Government please state why?

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

ZAMINDARS AND INCOME FROM FORESTS IN THE KANGRA DISTRICT.

2155. Chaudhri Ram Singh: Will Government please state per tahsil the amount of money given to zamindars of the Kangra district in 1922, 1923 and 1924, as their one-fourth share of the income of the forests?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: A statement is laid on the table.

Statement showing amount paid to zamindars as share from the sale-proceeds of forest produce for the years 1922-24 in Kangra and Hoshiarpur Divisions.

YEAR.	KANGRA FOREST DIVISION.				HOSHIARPUR FOREST DIVISION.
	Names of Tahsils.				Name of Tahsil.
	Palampur.	Nurpur.	Kangra.	Dehra (North of Beas).	Hoshiarpur.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1922	1,490 6 9	876 0 6	4,105 12 5	596 2 9	1,557 3 2
1923	956 11 8	341 1 9	1,617 9 0	—	2,063 3 0
1924	1,595 11 8	472 4 2	2,511 15 9	1 1 6	2,368 3 6
GRAND TOTAL	4,082 14 1	1,689 6 6	8,735 5 2	599 4 3	6,018 9 6

AMALGAMATION OF THE CANAL AND REVENUE ESTABLISHMENTS.

2156. Lala Banke Rai: (i) (a) Will the Government be pleased to state whether it has come to a conclusion about the success or failure of the amalgamation of Canal and Revenue establishments on the Western Jumna Canal, as that experiment has now lasted for more than a year and-a-half?

(b) If the Government has not yet been able to arrive at any decision so far, and further experiment is considered to be still necessary, has it considered the advisability of trying the experiment simultaneously on one division or sub-division of the Western Jumna Canal and similarly on another division of any of the central canals so that the Government might be in a position to compare the results of both?

(ii) (a) Is it a fact that the zamindars made serious complaints against the working and utility of the new experiment and they requested His Excellency the Governor during his tour in the Hissar district to give up that experiment?

(b) If so, what steps have been taken to redress their grievances?

(iii) (a) Will the Government be pleased to lay on the table a copy of the note prepared by the Financial Commissioner regarding the working of this amalgamation scheme in his tour in the Hissar district in 1924?

(b) Is it a fact that during a conference held at Hansi the Financial Commissioner told the public that the amalgamation was a settled fact, and that Government was determined to continue the experiment?

(c) Is it a fact that the zamindars of the Hissar district informed the Financial Commissioner that the new scheme had increased their difficulties in the matter of getting adequate supply of water, and that their complaints remained unredressed and so requested the Financial Commissioner to restore the old arrangements?

(iv) Has the attention of the Government been drawn to the fact that under the old arrangements the zilladars and other Canal officers after inspection of the outlets, etc., could satisfy the requirements of the zamindars speedily, whereas the present arrangement of first approaching the Collector and subordinate Revenue officials and then the Canal authorities is attended with great inconvenience?

(v) Will the Government be pleased to lay on the table a statement showing the savings effected by Government during the last financial year as a result of the amalgamation of the two establishments?

(vi) Has the attention of the Government been drawn to the fact that the Canal authorities are not in a position properly to administer to the needs of the zamindars as the subordinate Revenue authorities do not keep them in touch with their wants, and that under the present arrangements only the Revenue officers are entrusted with inspection of fields and distribution of water, and they seldom give timely information to the Canal authorities, with the result that the poor zamindars suffer for want of proper irrigation?

(vii) Is the Government aware that Revenue authorities feel considerably handicapped as both the Canal and Revenue work, *viz.*, inspection, measurements, and girdawari, etc., have to be completed at a particular time?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(i) (a) It must be within the recollection of some members that when the amalgamation of the Canal and Revenue establishments was consented to by Government, Government was urged not to treat the amalgamation as an experiment. Accordingly it was decided to undertake the work of amalgamation on a scale larger than that which would have been used had the amalgamation been conducted only on experimental lines. In fact, a new policy was adopted on this canal, and it depended on the result of that policy whether the same policy should be extended to other canals or not. It must be pointed out that while a year and-a-half may be considered long enough for an experiment, it need not necessarily be sufficiently long to test a new policy. Government has not yet decided if it should abandon this policy.

(b) Government does not think it advisable to do as the honourable member suggests.

[Hon'ble S. B. S. Sundar Singh, Majithia.]

(ii) (a) Complaints against the working of the new policy were made to His Excellency the Governor during his tour in the Hissar district.

(b) The subject matter of these complaints is being inquired into with a view to deciding whether the policy should or should not be continued. I have recently made a tour in the Western Jumna area with this object in view.

(iii) (a) The notes prepared by the Financial Commissioner were rough notes of a confidential nature. It would not be in the public interest to communicate them to the Council.

(b) The Financial Commissioner did no more than explain to the people that the amalgamation was not an experiment, but a policy.

(c) Yes.

(iv) The attention of the Government has been drawn to the fact that under the new arrangements there is frequently more delay in changing outlets than there was under the old arrangements. Such delay is doubtless productive of inconvenience.

(v) The attention of the honourable member is directed to the answer to parts (a) and (b) of Council question No. *1622 (a copy of which is laid on the table).

(vi) The fact that the Canal officials, who control the supply of water, are dependent for information about the areas which need water, on Revenue officials has undoubtedly caused delay in the past.

(vii) No.

ENCOURAGEMENT TO STUDENTS TO STUDY ELECTRICAL ENGINEERING.

2157. Chaudhri Duli Chand : (a) Will the Government be pleased to state the prospects of employment for students of the Electrical Engineering class of the MacLagan Engineering College, Mughalpur?

(b) Is the Government aware of the fact that fewer students join the Electrical Engineering class than the Mechanical Engineering class?

(c) Is the Government aware that the Electrical Engineers will be specially required in large numbers in the Panjab in connection with the Mandi Hydro-Electric Scheme?

(d) If the answers to the above are in the affirmative, what encouragement does the Government propose to give to the students of the Electrical Engineering class so that more students may be encouraged to join the Electrical Engineering class?

(e) Does the Government propose to guarantee some posts in connection with the Mandi Hydro-Electric Scheme to the students of the Electrical Engineering class?

(f) What arrangements has the Government made for the practical training of the students of the Electrical Engineering class of the MacLagan Engineering College, Mughalpur?

(g) What stipends does the Government grant or propose to grant in future to such students while under practical training?

(h) Has the Government considered the desirability of granting stipends as are granted to the students of the Engineering College, Roorkee?

(j) (i) What steps has the Government taken to encourage the agriculturists to join the MacLagan Engineering College, Mughalpur?

(ii) What is the total number of students admitted to this College this year? How many of them are agriculturists?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) Electrical Engineering students of the MacLagan Engineering College could be usefully employed in any of the following :—

- (i) Hydro-electric development schemes, such as the Mandi Project.
 - (ii) Government Telegraph Service (Engineering Branch).
 - (iii) Wireless stations.
 - (iv) Private electrical engineering works and power stations.
- (b) In the MacLagan Engineering College, in the present second year class, the electrical students are three times as numerous as the mechanical, while in the third year class the proportion is 5 electrical to 7 mechanical.

First year students are not divided into electrical and mechanical.

- (c) Government is aware that the introduction of the Mandi Hydro-Electric Scheme is likely to give an impetus to the practice of electrical engineering in the Punjab.
- (d) The number of students joining the Electrical Engineering class at the MacLagan Engineering College will depend on development of the practice of electrical engineering in the Punjab, and hence by undertaking the Mandi Hydro-Electric Scheme the Government is providing the incentive to students to study this subject.
- (e) Government does not propose to reserve posts in the establishment which may be sanctioned for the execution of the first stage of the Mandi Hydro-Electric Scheme for qualified students of the MacLagan Engineering College.
- (f) The practical training of the electrical engineering students is undertaken in the workshop and powerhouse of the North-Western Railway, Mughalpur.
- (g) No stipends have yet been granted. The North-Western Railway authorities have definitely refused to make any payment to "A" Class students while in training in the workshops.
- (h) This matter has not been considered by Government.
- (j) (i) In making special selections, the claims of agriculturists have always been carefully considered.
- (ii) 45 B Class students, of whom 5 are agriculturists.
13 A Class students, of whom 2 are agriculturists.

VERNACULAR ASSISTANT DISTRICT INSPECTORS.

2158. Sardar Dhira Singh : (i) Is it a fact that some years ago the Education Department had sanctioned the creation of some new appointments of Vernacular Assistant District Inspectors in the Punjab?

[Sardar Dhira Singh.]

(ii) If the answer to the above is in the affirmative, will the Government be pleased to state—

- (a) when this scheme was sanctioned, when it was given effect to, why it was not acted upon immediately, whether these appointments were reserved for agriculturists only and, if so, whether this principle of giving these posts to agriculturists only still holds good ;
- (b) how many such appointments have been since filled up, how many of these have been given to Hindus, Muhammadans, Sikhs, agriculturists and non-agriculturists ;
- (c) if it is a fact that none of these posts has been given to any agriculturist Sikh, and if so, why ; and
- (d) if it is a fact that one Raja Chirag Din has been made a Vernacular Assistant District Inspector ; if so, what his age is and what his qualifications are for the post and whether an agriculturist with better qualifications was not available for the post ?

Sir George Anderson : (i) The scheme was sanctioned during the current year only.

- (ii) (a) The scheme was sanctioned on the 8th May last, with retrospective effect from the 1st May. It was acted upon immediately. The appointments are not reserved for agriculturists, but it is the general policy of Government to appoint agriculturists as Assistant District Inspectors.
- (b) All the appointments have been filled, 4 by Muhammadans and one by a Hindu, all agriculturists.
- (c) Yes ; no agriculturist Sikh candidate was considered suitable.
- (d) Yes ; his recorded age was 40 at the time of his appointment. He is an agriculturist, an S. V. and has had considerable experience. No other agriculturist candidate was considered to be better qualified.

GOVERNMENT VERNAACULAR MIDDLE SCHOOLS.

2159. Sardar Dhira Singh : (a) How many Government Vernacular Middle Schools have been opened during the current year in the Lahore district and in what places ?

(b) Will the Government kindly lay on the table a list of the names of S. V. teachers employed in the Government schools of the Lahore district, giving their age, total service, their present grade and the duration of service in the present grade ?

(c) Is it a fact that certain J. V. trained teachers have been given preference over S. V. trained teachers in the matter of promotion to head-mastership ? If so, will the Government kindly give the total number of cases in which such preference has been given, with reasons for the same ?

Sir George Anderson : (a) Government does not maintain any vernacular middle schools.

(b) and (c) Do not arise.

BUND ALONG THE STREAM IN KOTLA.

2160. Chaudhri Ram Singh : (i) Will Government please state if it is a fact—

- (a) that there is situated on Cart Road, Patbankot, in Kangra Valley, an old town called Kotla by whose side runs a stream;
- (b) that in 1914-15 a portion of the population of the town was swept away by the stream;
- (c) that on the attention of the Government having been drawn to the fact mentioned in (b) a *bund* was erected which has since protected the said town against the flow of the river;
- (d) that the *bund* was never repaired since the day of its erection and consequently the *bund* gave way during the last rainy season;
- (e) that some residential houses and agricultural land of the town have this year been washed away by the floods of the river which flows towards the town;
- (f) that if this sort of thing is allowed to continue, greater part of the town, the western part of the Cart Road over the bridge, the compound of the Forest Department and the Government quarters for the Forest Officer are likely to be damaged by the flood next year, thus necessitating an expenditure of thousands of rupees; and that the country round about being hilly, people cannot shift to any more suitable site for their town?

(ii) If the answers to the above be in the affirmative, does Government, in order to save the town, the bridges and the Government quarters, propose to consider the advisability of repairing the old *bund* and extending it to a further length of a hundred feet?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

- (i) (a) Yes.
- (b) No.
- (c) Owing to some erosion a "bund" was erected.
- (d) Inquiries are being made.
- (e) Between three and four kanals of land were this year covered with stones by a high flood which also did some damage to buildings. Two kanals six marlas of this land have been cleared of stones and again rendered culturable.
- (f) There does not appear any immediate prospect of any great amount of damage being done and it is unlikely that a flood next year would do the amount of damage indicated in paragraph (f) of the question.
- (ii) Inquiries are being made.

DAMAGE TO THE LANDS OF THE DAMTAL TEMPLE.

2161. Chaudhri Ram Singh : (i) Will Government please state if it is a fact—

- (a) that village Damtal in district Kangra has been in the enjoyment of a *muaff* from time immemorial on account of the Damtal temple?

[Ch. Ram Singh.]

(b) that the entire land attached to the *gaddi* of the Damtal temple has been carried away by water on account of the operations of the Madhopur Irrigation Department at Dhango hill.

(ii) If the answer to the above be in the affirmative, will Government please state whether any other land has been granted or not to the *gaddi* of Damtal temple in lieu of the old one? If not, why not?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The question has necessitated enquiries which are not yet complete. I will send the answer to the honourable member as soon as it is ready.

DIVERSION OF KHAD CHAKKI CHANNEL.

2162. Chaudhri Ram Singh : With reference to the answer to question No. 1976,* put on the 6th July 1925, will Government please state whether the Madhopur Irrigation Department while diverting the course of the Khad Chakki towards the villages of the Kangra district and cutting the Dhango hill gave any undertaking to these villages? If so, will it please lay a copy of this undertaking on the table and state—

(a) the total area eroded since 1911 and the compensation awarded and the rate at which it was awarded;

(b) whether the compensation awarded was on account of the damage done to the crops or as to cost of the lands; and if the compensation covered only the loss to the standing crops, whether Government are prepared to consider the advisability of granting compensation in the shape of land to those owners who have suffered losses of land also;

(c) whether it is not a fact that the *bund* erected by the Irrigation Department for the protection of these villages in the Kangra district has now been destroyed through lack of repairs, thus causing great damage to the adjacent lands;

(d) the reasons why no compensation has been given for the lands swept away by the breach in the *bund* and for the materials belonging to the villagers utilized in the repairs of the *bund*; and

(e) whether the Government do not pay for the materials belonging to private persons used elsewhere in the Punjab for repairs to the canals?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : No undertaking was given by the Irrigation Department to any villages,—*vide* answer given to question No. 1976*.

(a) No compensation has been awarded since 1911.

(b) Does not arise.

(c) The *bund* still exists and has not been destroyed. This question does not arise.

(d) Matter is still under consideration of Government.

(e) Government always pay for such materials.

SALE OF TIMBER TO THE TIMBER MERCHANTS FROM SHAMILAT FORESTS.

2163. Chaudhri Ram Singh : (a) With reference to the answer to question No. 1539,* put by me on the 9th March 1925, will Government please state if they are prepared to consider the advisability of stopping the sale of timber to the timber merchants from *shamilat* forests whether demarcated, undemarcated, classed or unclassed, owned by zamindars?

(b) If the answer to the above be in the negative, will Government please state if they are prepared to do so in the case of those which are still undemarcated and unclassed?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) Trees are not sold to traders from any of the *shamilat* forests in Kangra unless they are in excess of the requirements of the right-holders.

(b) Does not arise.

PROVINCIALISATION OF DISTRICT BOARD HIGH SCHOOL, HAMIRPUR.

2164. Chaudhri Ram Singh : Will Government please state the cause of delay in provincialising the District Board High School, Hamirpur, district Kangra?

Sir George Anderson : It is intended to provincialise the District Board High School at Hamirpur as soon as the extension of the buildings has been completed.

PAYMENT OF COOLIES WAITING WITHOUT WORK AT THE HALTING PLACES OF OFFICERS OF GOVERNMENT.

2165. Chaudhri Ram Singh : With reference to the answer given to question No. 1441,† put on 3rd March 1925, will Government please state who pays the coolies for the days they have to wait without work at the halting stations of the officers? If nobody pays them for these days, will it please state the reasons for the same?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The officers for whom the coolies are requisitioned, are required to pay them.

LICENSED SHOPS FOR THE SALE OF OPIUM.

2166. Captain Dhan Raj, Bhasin : Will the Government be pleased to give in a tabular form—

- (i) the names of the villages, towns, etc., of each district in the Punjab where licensed shops for the wholesale and retail sale of opium exist;
- (ii) the population of those places by communities;
- (iii) the dates when these shops were opened;
- (iv) the amount of consumption of opium of all kinds in these places separately during the last three years, *viz.*, 1922-23, 1923-24, 1924-25;
- (v) the amount of license fee each shop had to pay separately during the years 1922-23, 1923-24 and 1924-25.

The Honourable Rai Sahib Chaudhri Chhotu Ram : The information asked for is not available. Government does not consider that value of it

*Vol. VIII, Part A, page 286.

†Vol. VIII, Part A, pages 229-30.

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if collected, would be at all commensurate with the vast labour involved in collecting it. The information does not seem to be of the class which would, if provided, lead to any useful conclusion.

ARREST OF PERSONS FOR ENTERTAINING JATHAS.

2167. Sirdar Partap Singh : (a) With reference to the answer to question No. 1860,* put on the 7th May 1925, will Government please state if they are aware of the fact—

(a) that Canadian Shahidi jatha toured through the villages of Jullundur district in January 1925 ;

(b) that the said jatha halted at Samrala, district Jullundur, on the 19th and 20th January 1925 ;

(c) that certain persons named Dewan Singh, Dan Singh and Mehar Singh belonging to the village Samrala were arrested before the arrival of the jatha for collection of *rasad*, and Achal Singh, Basant Singh and Indarjit Singh were arrested after its departure for serving the said jatha ;

(d) that when the jatha passed through the village Jandiala on the 21st January, certain persons Waryam Singh, Narinjan Singh and Kartar Singh by name were arrested for serving the jatha and sentenced to varying terms of imprisonment ;

(e) that similarly Kala Singh of Dosanjh Kalan, Jawala Singh and Sher Singh of Bundala, Indar Singh of Pharala and many others from several other villages were arrested after the 6th January and sentenced to varying terms of imprisonment ?

(ii) If the answers to the above be in the affirmative, will Government please state if instructions were issued to the Deputy Commissioner, Jullundur, that no arrests should be made for the mere serving of Shahidi jathas ? If these instructions were issued, will it please state why no action was taken upon them and if no instructions were issued why they were not issued ?

(iii) Will Government please state the names and residence of those thirteen persons referred to in the answer to part (f) of question No. 1860,* and how many of them were arrested after the 6th January 1925, and what was the judgment delivered in respect of each of them ?

(iv) Is Government prepared to grant permission to those convicted (if any) who want to sue such officers as were responsible for their arrest in spite of the Government instructions to the contrary ?

(v) If the Government is not prepared to grant such permission, will it please state on whom lies the responsibility for personal and monetary loss, and whether Government is prepared to compensate them for such loss ?

The Honourable Sir John Maynard : (a) (a) and (b). Yes, but the name of the village is Samrai and not as given in the question.

(c) Certain arrests were made before the arrival of the jatha under section 107, Criminal Procedure Code. The names of the persons arrested are

not available. Achal Singh, Basant Singh and Indarjit Singh were subsequently convicted and sentenced to six months' rigorous imprisonment under section 17 (2) of the Criminal Law Amendment Act.

(d) and (e) Detailed information is not available but certain arrests and convictions certainly followed the passage of this jatha.

(ii) The instructions in question were issued to the Deputy Commissioner, Jullundur, on the 6th January. The instructions, while laying down the general principle that proceedings should not be instituted against persons entertaining Shahidi jathas, gave district officers discretion to institute such proceedings where circumstances indicated this course to be necessary. The Deputy Commissioner doubtless acted in the exercise of his discretion.

(iii) The information asked for is not available.

(iv) and (v) The answer given to part (ii) of the question shows that Government would not regard any such action as sustainable and does not accept any liability.

COLLECTION OF POLICE TAX FROM GYANI RAM SINGH OF VILLAGE MANAYAN.

2168. Sardar Partap Singh : Will Government please state if it is a fact—

- (a) that police tax has been charged from Gyani Ram Singh of village Manayan, district Hoshiarpur, for the year 1922, although he was in jail throughout that year?
- (b) that a sum of Rs. 36-9-0 which is the maximum amount charged from any individual in the village was realised from his uncle in the absence of Gyani Ram Singh?
- (c) that a sum of Rs. 46-6-0 which is again the highest amount charged from any individual in the village was imposed upon him for the year 1923 although he was in jail from September to February, and that this amount was realised from him after his release?
- (d) if the answer to the above be in the affirmative, will Government please state the reasons which warranted such a high impost on him particularly when he was confined in jail?

The Honourable Sir John Maynard :

- (a) A share of the cost of additional police was charged against Gyani Ram Singh of Manayan for the period 1st June 1922 to 31st May 1923, although he was in jail from 4th May 1922 to 5th April 1923.
- (b) Yes.
- (c) A sum of Rs. 46-6-6 was charged against Gyani Ram Singh for the period 1st June 1923 to 30th November 1924, as stated. Gyani Ram Singh was sentenced to one year's imprisonment in default of finding security under section 107, C. P. C., from 11th February 1924 and the amount is said to have been recovered from his uncle (since dead) in December 1924.

[Honourable Sir John Maynard.]

- (2) The honourable member is referred to the explanation at the end of section 15 of the Police Act. Gyani Ram Singh, as a landowner holding land in the village, is liable to assessment whether he actually resides in the village or not. The apportionment of cost is not penal, but is made according to the District Magistrate's judgment of the means of each inhabitant.

TELEGRAPH POSTS ON BRANCH RAILWAY LINES IN THE PUNJAB.

2169. Sardar Partap Singh : (i) Will Government please state if it is a fact—

- (a) that telegraph posts on branch railway lines in the Punjab are generally set up in fields owned by zamindars though there is land enough within the railway precincts for these posts?
- (b) that these posts are set up without the consent of zamindars concerned and without paying them any compensation?
- (c) that Telegraph Department cuts off all the trees growing in the way of the telegraph line irrespective of their usefulness and value and pays no compensation for that to the zamindars?

(ii) If the answer to the above be in the affirmative, will Government please state the reasons why these posts which cause so much inconvenience to the zamindars in the tilling of their land are not set up within the railway precincts and wherever it is necessary to set them up in private-owned lands why compensation and price is not paid to the zamindars respectively for the land used and the trees cut off?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The Punjab Government are not in a position to reply to questions with regard to the proceedings of Railway Administrations and of the Telegraph Department. The Legislative Assembly is the proper place for such questions.

BAIRAGIS OF THE KAERNAL DISTRICT.

2170. Chaudhri Duli Chand : With reference to the answer to part (A) of question No. 1554,* asked by me on 12th March 1925, will Government be pleased to state the result of their investigations?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The question of declaring Bairagis an agricultural tribe was thoroughly investigated on several occasions during the twelve years immediately following the introduction of the Land Alienation Act, and it was decided that such declaration was not advisable.

Admission to the Bairagi community is not confined to members of agricultural tribes. The notification of Bairagis as an agricultural tribe would thus allow the purpose of the Land Alienation Act to be easily evaded.

Government are not prepared to declare Bairagis an agricultural tribe.

ELECTION OF PRESIDENT.

Deputy President: The following nomination papers of candidates for election to the office of President have been received by the Secretary :—

1. Malik Firoz Khan, Noon ... Proposed by Nawab Malik Sir Khuda Bakhsh Khan.
Seconded by Captain Malik Mumtaz Muhammad Khan, Tiwana.
Proposed by Chaudhri Muhammad Shafi Ali Khan.
Seconded by Lieutenant Malik Muzaffar Khan.
2. Khan Bahadur Chaudhri Shahab-ud-Din. ... Proposed by Sardar Tara Singh.
Seconded by Chaudhri Duli Chand.
Proposed by Sayad Muhammad Husain.
Seconded by Shaikh Faiz Muhammad.
Proposed by Mr. Owen Roberts.
Seconded by Mr. H. W. Webb.
3. Rana Firoz-ud-Din Khan ... Proposed by Chaudhri Saadullah Khan.
Seconded by Chaudhri Afzal Haq.
4. Mian Muhammad Shah Nawaz. ... Proposed by Diwan Bahadur Raja Narendra Nath.
Seconded by Dr. Gokul Chand, Narang.
Proposed by Mian Abdul Aziz.
Seconded by Shaikh Muhammad Sadiq.

Rana Firoz-ud-Din Khan and Malik Firoz Khan, Noon, have since withdrawn their candidatures. The candidates for election are therefore Khan Bahadur Chaudhri Shahab-ud-Din and Mian Muhammad Shah Nawaz. The Council will now proceed to elect a President by ballot. Blank cards will be distributed to the members. They will write thereon the name of the candidate for whom they desire to vote. They will then put their cards in the ballot box provided for the purpose. The Secretary will then count the votes and the result will be announced by me. Members are warned that the writing of anything else than the name of the candidate to whom they wish to give the vote will render the card invalid.

(The voting cards were then distributed to the members. After the voting was over the votes were counted.)

Deputy President: The result of the voting is as follows :—

Khan Bahadur Chaudhri Shahab-ud-Din	...	...	39 votes.
Mian Muhammad Shah Nawaz	...	...	33 "

I declare Khan Bahadur Chaudhri Shahab-ud-Din duly elected. Under section 72-C of the Government of India Act the name of the President is being submitted to His Excellency the Governor for his approval. The Council is adjourned for a few minutes after which the new President, if his election is approved by His Excellency the Governor, will occupy the Chair.

The Council then adjourned.

The Council re-assembled at 8 o'clock.

**HIS EXCELLENCY THE GOVERNOR'S APPROVAL OF
KHAN BAHADUR CHAUDHRI SHAHAB-UD-DIN AS
PRESIDENT.**

The Secretary : I have to announce to the Council that His Excellency the Governor has approved of Khan Bahadur Chaudhri Shahab-ud-Din as President of the Council.

The newly elected President then took the Chair amidst cheers.

CONGRATULATIONS TO THE NEW PRESIDENT.

The Honourable Sir John Maynard (Finance Member) : Sir, with the permission of the Chair, I desire to offer my congratulations to the Honourable the President on his election to the exalted office (Cheers).

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] : Sir, I wish to offer you hearty congratulations on behalf of the members who had the pleasure to take part in your election to-day.

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, I offer you my heartiest congratulations on your election to this exalted office and I hope, Sir, you will discharge this responsible duty in a manner impartial to all sections of the House.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I congratulate you on your election to this exalted office.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] : Sir, I congratulate you on your appointment to the exalted office of the President.

Mr. E. Maya Das (Non-Official, Nominated) : I also congratulate you on your election to the office of the President.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, I beg to congratulate you on your election to the office of President.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : Sir, I beg leave to congratulate you on your election to the office of President (Applause).

Rai Bahadur Sir Gopal Das, Bhandari (Non-official, Nominated) : I join in the congratulations for the high post that has been conferred upon you by the House.

Mr. President : I sincerely thank you for electing me to this Chair. There have been differences of opinion in certain political matters between me and some members of this House. Despite those differences, I will discharge the duties of this onerous office most impartially, fairly and justly (Hear, hear). I have been a member of one party, but from to-day, so long as I hold this Chair, I shall be a member of no party (Hear, hear). I shall be a member of all parties. All sections and all communities are entitled to very impartial treatment from the Chair and I hope I will observe strict impartiality, regardless of all communal or party considerations, in the discharge of my duties (Hear, hear). I hope those who have differed from me in the past will forget or sink all differences and allow me also to prove that those differences were honest and based on honest convictions. I wish to repeat that no communal or party considerations will sway or influence the decisions I may have to give in this House. Gentlemen, allow me to thank you once more (Applause).

ANNOUNCEMENTS FROM THE CHAIR.

GOVERNOR'S AND GOVERNOR-GENERAL'S ASSENT TO BILLS.

Mr. President: I have to acquaint the Council that His Excellency the Governor and His Excellency the Governor-General have been pleased to give their assent to the following measures:—

The Repealing (Punjab Loans Limitation) Amendment Act of 1925.

The Sikh Gurdwaras Act of 1925.

The Punjab Vaccination Law Amendment Act of 1925.

The Punjab Motor Vehicles Taxation (Amendment) Act of 1925.

DIVISION BELLS.

Mr. President: I have also to make another announcement. In view of the fact that a club has been provided for the use of the members to meet and discuss questions in private and in view of the possibility of the members remaining in the club premises at the time when the division has to take place, a division bell has been provided in the club premises so that members there may assemble in the Council Chamber as soon as they hear the division bell and take part in the division. Under the present Instruction No. 4, only two minutes have been provided for the ringing of the bell. This is obviously too short a time for the members to assemble in the Council Chamber. I have accordingly provided three minutes in place of two.

THE PUNJAB TENANCY (AMENDMENT) BILL.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, I beg to introduce the Punjab Tenancy (Amendment) Bill.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Before I make my next motion, Sir, I beg leave to say a few words to this Council as to the necessity of this measure which I have introduced to-day.

Mr. President: May I ask the Honourable Member first to move his motion formally and then to make his remarks.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Sir, I beg to move—

"That the Punjab Tenancy (Amendment) Bill be referred to a Select Committee consisting of the following:—

Chandhri Duli Chand,
Shaikh Faiz Muhammad,
Malik Firoz Khan, Noon,
Mr. Gokul Chand, Narang,
Lieutenant Sardar Sikandar Hayat Khan,
Khan Muhammad Saifullah Khan,
Sardar Gurbakhsh Singh,
Mr. C. M. King,
Nominee of the Honourable the President,
Mr. J. Coldstream, and
The Mover;

and that the Council direct the Select Committee to submit its report before the 10th December 1925."

Mr. President: The President's nominee is Sardar Mohindar Singh.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
 The district of Attock in which we wish to apply this measure was carved out of three tahsils of Attock, Fatehjang and Pindigheb of the old district of Rawalpindi sometimes in the year 1901. Rents in those tahsils of occupancy tenants and muqarridars were fixed some fifty or sixty years ago by arbitration and compromise and were not expressed in terms of land revenue. The intention at that time was to enhance these rents at the next settlement but nothing of that nature was done in the first revised settlement of 1880-85. Adjustments were made in the second revised settlement of Rawalpindi in 1902-07 only in Kahuta, Rawalpindi, Gujar Khan and Murree tahsils in the then Bawalpindi district, but nothing was done in these tahsils at that time because of the peculiar nature of the muqarridari tenure and the litigious character of inhabitants of Chhach. Sir, the nature of the muqarridari tenure has been the subject of controversy for over 50 years. In 1879 Justices Flowden and Roe held that muqarridar "is only a tenant with a right of occupancy of a peculiarly exalted kind". In 1905 Mr. Douie considered him "a tenant and not a landowner" and that "the strongest of all the evidence of a proprietary title the muqarridar does not possess". He obtained his rights by sinking wells in his holding and by paying nazran to the owner and now pays fixed cash rent which he has paid for 50 years or so. Conditions of muqarridari tenure may in each case be judged on its merits.

The difficulty under section 27 of the Land Tenancy Act for the enhancement of the rent was experienced in the ilaqa of Chhach where nearly 17 per cent of land is under these tenures, being irrigated by the wells sunk by the leaseholders. If these wells are assessed at their full value the effect will be that the landowner will be out of pocket because the amount of assessment on the land which is affected by the muqarridari tenure will be much more than what he pays to the owner himself. Therefore the difficulty has arisen that unless this power is given to the Settlement Officer to take special action in the matter the trouble between the tenants and the muqarridars and the landowners will be accentuated. There are also difficulties as regards payment of rents by crops. We find that certain tenants pay their rents by crops, certain rates for kharif and certain for rabi. The provisions of section 20 of the Tenancy Act do not apply to such cases. The rents cannot be enhanced unless a regular suit is brought by the owner of the land. In that case the difficulty is that owing to the fact that some of the owners in this ilaqa live in distant places where they have gone out to earn their livelihood it is difficult to serve them with a notice. On the other hand, they are not very well off and they cannot very well afford to meet the expenses of litigation to obtain their object. If the muqarridar had the position of a landlord, there would be no difficulty to be faced by the Settlement Officer in his work in the settlement as Government could engage directly with him but such is not the case. The muqarridar has not got the position of the landlord, he has got only the position of a tenant of a special kind. Therefore when the Settlement Officer has to raise or lower the land revenue he finds himself in a difficulty to do so, not having the necessary powers in his hands. I may here mention, Sir, that during the recent tour of His Excellency the Governor of the Punjab a very largely signed petition has been placed in His Excellency's hands putting forward the difficulties of the landowners and asking for relief. Therefore it was considered necessary that we should do something to afford the necessary relief to these landlords by passing the measure which I am placing before you.

As I have said before, Sir, perhaps the remedy lies under section 23 of the Punjab Tenancy Act, but as I have explained before the position of the landowners, their poor condition does not allow them to bring cases in which they may have to spend very large amounts of money to attain their object.

We do not wish to rush through this measure but are anxious that the verdict of the Council be given about this as the assessment of Attock tahsil is shortly to be announced and the measure, if passed, would help to smooth matters a good deal. With these remarks I beg to move my motion.

Mr. President : The question is—

"That the Punjab Tenancy (Amendment) Bill be referred to a Select Committee consisting of the following:—

Chandhri Dali Chand,
Shaikh Faiz Muhammad,
Malik Firoz Khan, Noon,
Dr. Gokul Chand, Narang,
Lient. Sardar Sikandar Hayat Khan,
Khan Muhammad Saifullah Khan,
Sardar Gurbakhs Singh,
Mr. C. M. King
Sardar Monindar Singh,
Mr. J. Coldstream, and
The Mover;

and that the Council direct the Select Committee to submit its report before the 10th December, 1925."

The motion was carried.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY GRANTS, 1925-26.

INTEREST ON DEBT (RESERVED) GRANT.

Mr. Miles Irving : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 22,000 be granted to the Government in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Interest on Debt (Reserved)."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

Sir George Anderson : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 5,09,072 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Education (Transferred)."

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 5,09,072 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Education (Transferred)."

Sardar Jodh Singh (Sikh, Urban) : Sir, the honourable mover has made no speech to explain the different items included in his demand. I would like him to throw some light on the item 'opening of post-matriculation clerical and commercial classes—Rs. 10,572'. I understand that the classes already started are not successful. Why does the Government wish to open schools in more centres? Some light should be thrown on this point before any discussion can go on in regard to the demand.

Sir George Anderson : Sir, I am glad that Sardar Jodh Singh has drawn attention to this matter and has given me an opportunity of giving some explanation of the demand. If he will turn to page 16 of this document (Supplementary Estimates, 1925-26, third instalment) he will find a memorandum on the subject. I hope that I can remove the misunderstanding at once. I think that Sardar Jodh Singh said that the existing centres have not been a success. That is to a large extent true, but Sardar Jodh Singh is referring not to the centres of the type which we intend to start, but to the pre-matriculation centres in the schools. This demand refers to the post-matriculation centres, of which there is one in existence at present, that at the Central Model School in Lahore. It is claimed that this centre has already achieved a considerable success. This centre was started two years ago and the boys trained in that centre have been very successful indeed in obtaining suitable appointments. I think that Sardar Jodh Singh has referred to the pre-matriculation centres which have not been a success and whose number it is not intended to multiply.

Sardar Jodh Singh : Sir, I have already read the explanation at page 16 of the document referred to by the Director of Public Instruction. The honourable member has not given a direct answer to my question. How many students read in that centre? It is of course said in the memorandum that the students have got jobs on a pay ranging between Rs. 75 to Rs. 125. But if the number of students were only three, four or five, then we cannot say that the centre is a success. I have experience of the classes in the Khalsa College and there I know the number of students is very small. What I want to know is the number of students that read in the centre so that we may be able to judge of the success.

Sir George Anderson : Fifty, roughly speaking.

Professor Ruchi Ram, Sahni (Punjab University) : Sir, I had no mind to speak on this motion, but the remarks which have fallen from the lips of Sir George Anderson have created some misgivings in my mind. I was under the impression when I read the memorandum and the supplementary estimates that the idea was to restore, in some form or other, the Institute of Commerce which has been abolished by Government in the name of retrenchment.

Sir George Anderson : May I explain, Sir, that that is the very intention.

Professor Ruchi Ram, Sahni : I am very glad to have the assurance that it is the intention of Government to restore the sort of teaching which was given in the Institute of Commerce. That assurance is most welcome. But there is something more. The Institute of Commerce was equivalent to the intermediate classes so far as further work in the University was concerned. I should like to know whether it is the intention of Government that the diploma granted to the students who come out of this Institute after passing the final examination will be considered equivalent to a certificate.

granted after passing the intermediate examination in the University as was the case when the Institute of Commerce was in existence before, so that any student who passes the final examination of these classes may not be stranded, but that he may proceed to the University classes in commerce when they are opened in this province, and, if such classes are not opened in this province for some time, they can study the subjects in some other University such as that of Lucknow or Bombay. I should, therefore, like to know before I proceed further if that assurance also will be given to me

Sir George Anderson : The old Institute of Commerce had a two years course which led to a diploma, but that diploma did not lead to a degree of the University. The present course is also one of two years, and it also does not lead to a degree of any University.

Professor Ruchi Ram, Sahni : There is a question of fact as well as of opinion involved here. The question of fact is that according to Sir George Anderson it did not lead to a degree class. On that point, Sir, I want to say at once and most definitely that a student who passed in the final examination of the Institute of Commerce could under the regulations go up and join any college here in the third year class. The diploma was considered to be equivalent to the Intermediate examination of the Punjab University. I know the history of that Institute. It was as far back as 1905 that a committee presided over by the late Sir D. P. Masson was appointed by the Punjab Government, I was a member of that committee. That committee recommended as a measure of "urgent necessity" that arrangements should be made for the teaching of commerce up to the intermediate standard. It was after many years that effect was given to this recommendation and the Institute of Commerce was started. Then somehow or other, as I have said, in the name of retrenchment the institution was abolished. While the Government spent large sums of money on other things, it could not find a paltry sum of a few thousand rupees a year for giving instruction in such an important subject as commerce. I will not go into the real reason why this Institute of Commerce was abolished, but I know that there is an idea at present in the mind of the head of the department and of the higher authorities of Government that the Institute should be restored. But I would like to ask the Director of Public Instruction and the Government to see that the passing of the final examination in this Institute is considered equivalent to the passing of the intermediate examination of the Punjab University. Otherwise I fear difficulties may arise in the future in the way of those who will join these commercial classes.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 5,00,072 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Education (Transferred)."

The motion was carried.

PUBLIC HEALTH GRANT.

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

"That a supplementary sum not exceeding Rs. 18,900 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Public Health."

The motion was carried.

AGRICULTURE GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 1,04,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Agriculture."

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 1,04,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Agriculture."

Sardar Jodh Singh (Sikh, Urban) : Sir, there are two items in this demand to which I may draw the attention of the House. One is the cinema and the other, co-operative union libraries. Some of us while at Simla saw a cinema film exhibited by the Public Health Department. Now am I to understand that each department of Government will have different staff for these cinema films and thus duplicate the expenditure? Is it not possible, of course I read in the note that all departments under the Honourable Minister for Agriculture will be allowed to utilise the apparatus though the films may be different—is it not possible to allow the same permission to other departments which are not under the Honourable Minister for Agriculture? We had a discussion the other day that cinema films may be used to popularise adult education. So my point is whether the same apparatus cannot be used by the departments both under the Honourable Minister for Agriculture and the Honourable Minister for Education.

Then under the head libraries, I wish to draw the attention of the House to a similar demand already passed by the House a short while ago. There are going to be rural libraries attached to the middle schools and the lower middle schools. Are we going to have different centres in the villages for these libraries? Could it not be possible to have the same centres. Books on different subjects could be kept in these libraries, and thus reduce the expenditure? I therefore request the Honourable Minister for Agriculture to unite, if possible, the activities of all the transferred departments.

Besides, Sir, I notice that Government members merely move their demands without giving any explanation as to the necessity for the demands. Is it because they find the House inattentive or is it because they feel quite sure of carrying these demands even without any explanation? (A voice : The latter.)

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, my honourable friend Sardar Jodh Singh has raised two points. One relates to the cinema outfit and the other to the starting of libraries for encouraging and promoting the knowledge of co-operation. It is suggested that, if possible, we should have one cinema outfit for all departments. I have to submit that the activities of every department are increasing very rapidly and it is not possible for one cinema outfit to be made use of by all the various departments. That is exactly the reason why the Agricultural Department has asked for a separate cinema outfit. As a matter of fact this point was raised departmentally and a reference was made to the Director of Public Instruction and he also suggested that we might have two separate outfits at present. Therefore it is not a new suggestion that the honourable member is making. The suggestion was originally made (by the Finance Department, I believe),

that it was duly considered and the decision arrived at was that two separate outfits were necessary. With regard to the starting of libraries, especially for the co-operative department, I may submit that these libraries will be started at centres where we have co-operative unions. These libraries will be dealing specially with one particular kind of activity and the supervision will rest with the members of the executive committee or office-bearers of these unions. As co-operation is a special subject and as most of the literature that will be in possession of these libraries will relate to co-operation alone, it does not mean any unnecessary duplication of expenditure. It is not possible to combine libraries of a general character with libraries which will be of a special character.

Mr. President: The question is—

"That a supplementary sum not exceeding Rs. 1,04,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Agriculture."

The motion was carried.

INDUSTRIES GRANT.

The following demand for supplementary grant of which notice had been given was not moved—

"That a supplementary sum not exceeding Rs. 870 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Industries."

CIVIL WORKS (TRANSFERRED) GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 11,55,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Civil Works (Transferred)."

Mr. President: The question is—

"That a supplementary sum not exceeding Rs. 11,55,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Civil Works (Transferred)."

Sardar Jodh Singh (Sikh, Urban): Sir, in this demand there is an item of Rs. 16,000 for the purchase of railway bungalow at Phillaur for use as the mess and quarters for Probationary Assistant Superintendents of Police. If we read the explanatory note lower down on page 35 of the Supplementary Estimates, it is given that the rent that is being paid now-lays is Rs. 49 per mensem which is much cheaper than the interest on the capital which is intended to be spent on the bungalow now. May I know the reasons which have induced the department not to stick to the cheaper arrangement but propose a dearer one.

The Honourable Rai Sahib Chaudhri Chhotu Ram: I have not been able to catch to what particular item my honourable friend refers.

Mr. President : Will the honourable member Sardar Jodh Singh explain the facts on which he wants information from the Government Member ?

Sardar Jodh Singh : The facts are not mine ; they are supplied to us by the department itself. They are found on page 35 of the Explanatory Memorandum.

The Honourable Sir John Maynard : I would like to draw the honourable member's attention to the fact that the old mess and quarters for the Assistant Superintendents of Police have collapsed.

Sardar Gurbakhsh Singh [Ambala Division (Sikh), Rural] : Sir, in page 8 of the Explanatory Memorandum under this demand there is an item : Grant-in-aid to local bodies for maintenance of ' main roads ', Rs. 3,64,000. As I understand it, the Public Works Department of roads and buildings has recently introduced a new classification of roads for giving grant-in-aid to different local bodies and that department has now come before us to ask for such a big amount as Rs. 3,64,000 for this purpose. In actual practice I understand that this grant has in some cases been reduced from what it used to be under the previous classification of roads. I can definitely state the case of one of these local bodies, namely, the district board of Ambala. In that case the classification has been so managed by the department that it has succeeded in cutting down the mileage of the metalled and unmetalled roads by 20 miles in the case of the first and hundred miles in the case of the latter, with the result that the Ambala district board will get a smaller amount of grant-in-aid for the upkeep of metalled and unmetalled roads in this new classification than it used to get before. I do not understand why when the Government is as a matter of fact asking for further increase of grant it should try to give less and less amount than before to certain districts. I should like to be enlightened a bit on this point if really the facts stand as I understand them to be. I would draw the attention of the Government to the necessity of changing this classification so that the district boards which are already in a very bad condition financially do not suffer under this new classification of roads. Some districts such as the central districts are the favourite of the provincial government in every respect for all departments of administration. Especially when we have the good fortune of having as Minister an honourable member hailing from Ambala Division, we should not suffer under his *régime* and I hope he will see that the Ambala Division does not get as grants-in-aid an amount which is even less than what it was getting before. I would make a personal appeal to the Honourable the Minister to look into the case and increase the grant-in-aid and change the classification so that it might be suitable to all district boards.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I understand that my honourable friend is not at all opposed to this sum being granted by the Council. What he objects to is the system of grants-in-aid which prevents the Ambala district board from getting its due share. I submit that if there is any complaint on that score that should be represented to the Communications Board and I will certainly look into the matter very carefully. But so far as the present demand is concerned, I do not think my honourable friend would like to oppose it. It will be a real help to the district boards if they are able to get grants-in-aid in consequence of the present demand being granted.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY GRANTS, 1925-26. 1999

As a matter of fact adequate funds for grants-in-aid were not provided in the original budget. If there are any complaints on specific points, I shall give them my best attention.

Mr. E. Maya Das (Non-official Nominated) : May I ask whether this sum of Rs. 3,84,000 that is asked for now will be distributed during the current financial year, that is before the 31st March next.

Mr. Miles Irving (Finance Secretary) : Yes, that is the intention.

Mr. President : The question is—

“That a supplementary sum not exceeding Rs. 11,55,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Civil Works (Transferred).”

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

Mr. Miles Irving (Finance Secretary) : Sir, I beg to move—

“That a supplementary sum not exceeding Rs. 3,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Superannuation Allowances and Pensions.”

The motion was carried.

STATIONERY AND PRINTING (RESERVED) GRANT.

Mr. Miles Irving (Finance Secretary) : Sir, I beg to move—

“That a supplementary sum not exceeding Rs. 10,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Stationery and Printing (Reserved).”

Honourable members will observe that this grant is on account of printing for the Gurdwaras commission. I would ask the honourable members not to ask for any information on this subject at present but to raise a discussion on this subject on a subsequent occasion.

The motion was carried.

MISCELLANEOUS (RESERVED) GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

4 P. M.

“That a supplementary sum not exceeding Rs. 54,358 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Reserved).”

In doing this I think there are two particular items under this head in regard to which the House will be glad to have an explanation given by me in moving this motion. In the first place one of the items is the Police Enquiry Committee. The note which has been recorded on page 38 of the

[Honourable Sir John Maynard.]

volume which is before everybody does not contain a reference to the fact that a non-official member of this Committee has also been appointed. At the time that this note was written that non-official had not yet accepted the offer which had been made to him. To-day he has accepted the offer and I am therefore in a position to announce that Lieut. Sardar Sikandar Hayat Khan of Wah, M. L. C., will also be a member of this Police Enquiry Committee. I notice also that the note does not specify the terms of reference to the Committee. The terms of reference to the Committee have been published and have appeared as a *communiqué* in the press but it is desirable that I should read them now to the House as the matter is not definitely referred to in the note.

The terms of reference are these—

- (1) To consider the existing Police establishments of each district and of the Railway Police, and to report if they are sufficient for the duties they are called upon to perform. To make proposals for increase or reduction where such appear necessary or feasible.
- (2) To make suggestions regarding possible reductions in the duties now allotted to the Police, *e.g.*, in services of processes, escorts over treasure, etc.
- (3) To examine the question of the protection afforded in towns and cantonments where Police are now employed, and to make any recommendations that seem called for in reference to the substitution of Police for town-watchmen in other towns.
- (4) To consider the adequacy of the ordinary 15 per cent reserve and to ascertain if it suffices to provide for ordinary casualties due to leave, sickness, vacancies, etc.
- (5) To examine and report regarding means for improving the efficiency and integrity of the Police force.

As regards the Jail Enquiry Committee it will be noticed by honourable members that the terms of reference are already cited on page 30 of the volume. They are as follows:—

To enquire into the allegations of the practice of unauthorised punishments and unauthorised indulgences in the Punjab jails and generally into the state of discipline among the staff and inmates, and the adequacy and effectiveness of the supervision over both, and to propose remedies for defects and means of stopping malpractices.

This Committee, it will be observed, consists of officers who either now are or have been Judges of the High Court, and its function is primarily a judicial one.

Mr. President : The question is —

"That a supplementary sum not exceeding Rs. 54,358 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Reserved)."

Chaudhri Afzal Haq : Sir, am I right in moving my amendment at this stage ?

Mr. President : If the honourable member has given notice under the rules.

Chaudhri Afzal Haq : I have.

Chaudhri Duli Chand : I have given notice too. My amendment comes first.

Mr. President : The notice of it was given by the honourable member at 2 P.M. on the 1st and that is not a notice of two clear days.

Chandhri Afzal Haq : Then I will oppose the whole grant.

Mr. J. M. Dunnett (Home Secretary) : Sir, I rise to a point of order. If the other amendment is in order, should it not be taken first before there is a general opposition to the whole grant?

Mr. President : No amendment is under discussion. Just now it is the original motion before the House. Speakers will therefore confine their remarks to the original motion.

Chaudhri Duli Chand : I have to move an amendment, so I may be permitted first to move the amendment.

Dr. Gokul Chand, Narang : Chaudhri Afzal Haq is in possession of the House. Sir, the point has been made clear in volume VII, No. 7, page 526, of the Punjab Council Proceedings. Chaudhri Afzal Haq can oppose this demand and when my honourable friend Chaudhri Duli Chand gets an opportunity to move his amendment he can speak on the amendment.

Mr. President : My attention has been drawn to the fact that both the amendments were sent in too late. In neither case was the two clear days notice given as required by the standing orders. Therefore the original motion is before the House.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Rural)] (Urdu) : Sir, we have been quite in darkness about the terms of reference of the Police Enquiry Committee and it is just now that we have been informed of them by the Honourable Finance Member. The explanation given in respect of this delay is quite an inadequate and doubtful one. This being the case, no one of us is in a position to say whether the demand under consideration should be granted or not. The omission that we have not been informed of the terms of reference of the Police Enquiry Committee in time is a serious one and cannot be easily ignored. We cannot say definitely whether the Committee would be able to do some good work or not. The Government ought to have made us aware of the terms of reference in time so that we might have been able to consider them thoroughly. I hope that the honourable members of the House would make it clear to the Government that they are not going to support the demand unless the Government gives them sufficient time to consider the terms of reference. Of course we are thankful to the Government in so far as they have resorted to constituting Enquiry Committees in order to meet the wishes of the people. I congratulate the Government on this point.

Again if we look to the terms of reference for the Jails Enquiry Committee and the allegations made by the people in respect of the working of the jail administration we find that these terms of reference do not include even the primary and the most important grievances of the prisoners, such as those of dietary and clothing. There has been a serious grievance about dietary since 1918 but nothing has been done so far to remove this grievance. Those who have experience of jail life or know something of it would support me when I say that the most important grievance of the prisoners is in respect of food which is supplied to them

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in jails. Even the political prisoners are not as much disgusted with the maltreatment of the jail officials as they are aggrieved by the supply of bad food in jails. But unfortunately the Government has not done the least to remove this important and the very first grievance of prisoners. On the basis of my personal experience gathered as a prisoner and now as a non-official visitor I can say without any fear of contradiction that the food supplied in jails is the root of all evils that is the source of all unauthorised indulgences and unauthorised punishments. When you begin treating a prisoner like a human being and supply him with such food as is fit for human consumption these grievances would of themselves disappear. Sir, if you mean to root out the corruption prevalent in jails you should first of all consider the question of dietary. It is the only remedy for this evil. According to jail rules a prisoner cannot be supplied with sugar unless he is ill, no matter, if he has been there for 14 or 15 years. Such restrictions are the sole cause of all unauthorised indulgences committed within the jail precincts. The prisoners bribe the jail convict officials in order to get sweet-meats, tobacco and opium from outside the jail. For every rupee given by the prisoners for the purchase of such things four annas go to the convict officials who help them to obtain those things. If the Government really wants to effect some reform in the jail administration it should first look to the food supplied in jails. It looks quite unnatural that a prisoner should never be supplied with sugar. During my days of imprisonment very often I desired to have something sweet but to request for it or to obtain it by some unfair means was what I considered to be against my conscience. So long as good food and clothing are not supplied in jails these grievances would not disappear. The terms of reference are very limited and incapable of producing good results.

The next point which I would urge is in respect of the personnel of the Committee. I have a great regard for the gentlemen appointed on the Committee, but at the same time I would say that it lacks to some extent the non-official element. If the Government really wishes to do what the people desire, it should create non-official majority in the Committee. This is the only way to satisfy the people. No doubt there are appointed two of our learned judges to work on the Committee, but the people cannot be satisfied unless there is a non-official majority in the Committee. Every newspaper has disapproved of the personnel of the Committee and the terms of reference laid down for it. If the Government is in right earnest to effect some reform in the jails let it do it, but in a way the people approve of. When the people and the Government both aim at the same object I wonder why the Government is not prepared to appoint those members in whom the people have full confidence.

The third point which I would urge is something which is most wonderful and surprising. Supposing the people are satisfied with the personnel and terms of reference of the Committee, even then the time limited for the committee to work in, that is, one and a half month is quite insufficient in view of the magnitude of the subject. A magistrate inquiring into a case in one jail, that is, Multan Central Jail, spends more than six months in his inquiry, but funny it is that for all the jails of the Punjab a period extending over one and a half month only is given to this Committee. The Royal Commission spent years over this work, but here the time is limited to one and a half month. I am a non-official visitor of jails since a year, but I have not been able so far to pay a visit to each of the Punjab jails. It is obvious

under these circumstances that the Committee would only visit a few of the important jails of the province and thus would not be able to form a correct opinion about the present working of the jail administration. No one can be in a position to arrive at correct conclusions unless he has experience of jails life for years or he has himself undergone an imprisonment for at least three months. I have been a police officer and have that experience too but if I am asked to state my personal knowledge as to the working of the jail administration, perhaps I would fail to do so. When I was in jail I knew everything about it, knew the names and grievances of my fellow prisoners but now I know nothing except perhaps certain grievances of prisoners of a particular jail. I wonder what useful work this Committee would be able to do within one-and-a-half months when it is the opinion of a non-official visitor of one year's standing that these summary inspections produce no good results. It would have been better for the Government to have appointed two Jail Daroghas instead of these two Judges on the Committee: provided of course they were to work honestly. In my opinion the Committee as it is constituted at present would never prove useful.

The fourth point which I would urge is in respect of the manner in which the evidence is to be recorded. The Committee has a very short time at its disposal and the best way to utilize it is to invite experienced men to help them in recording evidence. I do not know about Lala Lajpat Rai but I know for certain that the Committee has not invited well-known gentlemen like Agha Safdar, Malik Lal Khan and Ghazi Abdur Rahman and other Hindu and Sikh gentlemen of the same category. The work entrusted to the Committee extends to whole of the Punjab but the time given for the purpose is only one month and-a-half. This attempt of the Government would certainly fail. Therefore we are not prepared to accept the demand. If the Government really wants to do something it has got the recommendations of the Royal Commission before it. Let it accept them. The Royal Commission has greatly disapproved of the various forms of labours exacted by the prisoners such as grinding, working oil machines and wells. But they are still there in the jails. Let the Government do away with these forms of labours in accordance with the recommendations of the Royal Commission. Until and unless the Government does what I have suggested in my speech to-day there is no use of appointing Enquiry Committees consisting of official majority. With these remarks I request the House to reject the grant.

Mr. J. M. Dunnnett (Home Secretary) : Sir, there is behind the Chaudhri Sahib's eloquence which I and all others have enjoyed a kernel of sound sense which I have no wish to depreciate and also an object which Government have very much at heart. But I would ask the House not to be carried away by my honourable friend's great eloquence, which I envy, but to consider exactly what objections he has taken, and what he wishes to be done, and whether there is any truth in the suggestions that he has made that Government is not doing these desirable things. I understand that his objection to the Police Committee was simply that the terms of reference had not been communicated earlier to the honourable members of this House, and that on the merits of this demand he has no criticism to offer. As that omission has now been repaired, and was repaired earlier by the issue of a *Communiqué* and the terms of reference were in fact within the knowledge of the members of this House, I may pass on to what is his real criticism, and that is the demand for the Jail Committee. I understood

[Mr. J. M. Dunnett.]

him to take four objections, first to the terms of reference, second to the personnel of the Committee, third to the period allowed, and fourth to the failure of the Committee to issue invitations to people, who, in my honourable friend's opinion, are in a peculiarly suitable position to give evidence. As to the terms of reference, Chaudhri Sahib did not wish to have a complete inquiry into every matter of jail administration. That, as he has informed the House, was covered within recent years by the enquiries and the recommendations of an all-India Commission. Therefore he does not desire, nor does the Government see any necessity for, a general enquiry into what ought to be done in the jails, and what general rule ought to prevail in the jails; but the enquiry desired by my honourable friend, and I think by the Government too, is to see what actually happens on two particular subjects and why it happens and how abuses, if any, can be cured. That is to say, are there in fact unauthorised punishments in the jails, and are there in fact unauthorised indulgences in jails. These were the actual questions which presented themselves to Government, and in which Government wish an unbiased and independent opinion after a full enquiry. My honourable friend suggests that there are two particular things which are at the root of these two difficulties which are at the root of these indulgences and of these punishments, these two particular things being dietary and clothing, and that they do not fall within the terms of reference to this Committee. I hope, Sir, it will satisfy my honourable friend Chaudhri Sahib and I hope it will also satisfy the House, to say that, so far as these two matters, dietary and clothing, are concerned with the infliction of unauthorised punishment and the granting of unauthorised indulgences through corruption, these are within the competence of the committee. (*Honourable Sir John Maynard: Hear, Hear.*) I think that covers the question of cigarettes—fifty per cent. as Chaudhri Sahib said—and also the question of suits and clothes and of humanity to which he made reference. What are the cold facts? They are these: if the Committee wish to enquire and are offered evidence on dietary and clothing as occasioning unauthorised punishments and unauthorised indulgence, it is the wish and the intention of the Government that they should receive that evidence and consider it to that extent.

Then as to the personnel of the Committee, the Chaudhri Sahib said various things about their distinction, honour and respect generally which I heard with some surprise, and I would point out to him that his criticisms on this head are very largely covered by the answer I shall give to his criticism on the fourth point, namely, the evidence which will be led before them. If the Committee is prepared to receive all evidence freely from all persons who have full knowledge of the subject, I do not think that honourable members of this House would question the competence of any of the members of the Committee to weigh fully the evidence submitted to them and to arrive at a satisfactory and comprehensive conclusion.

The third objection which the Chaudhri Sahib took was that the period of one-and-half months allowed for the operations of this Committee is insufficient in view of the magnitude of the subject. I hope, Sir, that honourable members will put it out of their minds that any general or comprehensive enquiry over all the incidents of jail administration is being undertaken, because as Chaudhri Sahib has already told you, Sir, this was undertaken by an all-India Commission a few years ago. The scope of the Enquiry Com-

mittee will be the terms of reference interpreted to cover those matters to which the Chaudhri Sahib has just referred. As for the period which that enquiry will occupy, the Government has not fixed any period. The Government has attempted to estimate the period for two purposes. For the purpose of making this demand and estimating the cost, the Government has calculated that it would take a month-and-a-half. The second object is that the Government wish to employ as President of the Committee a gentleman who has come out from Home for the special purpose of another Committee, namely, the Police Committee, and the Government wish thus to give the Police Committee information as to when they may expect their President. Therefore the Government made an estimate of the period which it would take, but the Committee are not bound by this period, if they, in spite of due diligence, feel that the volume of evidence led before them and the enquiries that they have to make are such as to justify an extension of the period, I may at once say that no time has been fixed.

The fourth objection was that the Committee had not issued invitations to several gentlemen to give evidence. Well, Sir, I do not understand why any suspicion should be thrown on Government on this account. It is really for the Committee to adopt suitable means of obtaining information. They have adopted a method of working which is the business-like method, a method which does not really close channels of enquiry, a method of asking people who are going to assist them to put in statements. From these statements the Committee will select the names of persons who appear to be in a position to give both information and reasoned opinion and they will ask these gentlemen to meet them. Now, Sir, I do not think that that method is really open to any honest objection, and I understand that it has met with the approval of perhaps Chaudhri Sahib himself, or of certain of his friends and of the gentlemen he named, to this extent that I believe a non-official Committee has been formed which will put up before the Committee just the particular class of evidence to which the Chaudhri Sahib refers.

Now, Sir, I hope that I have on these particular points satisfied the Chaudhri Sahib, as well as the House, of the good faith of Government and of the intention of Government to have on these two questions and their immediate implications a really fair and full enquiry for the satisfaction of and as a guarantee to Government and the public that things in jails are either going on satisfactorily or that when abuses arise, they are dealt with immediately and put right. I, therefore, hope that this grant will be accorded by this House.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan) Urban] : Sir, the Home Secretary has tried his best to meet the objections raised by my honourable friend Chaudhri Afzal Haq and he has tried to impress upon us that the terms of reference are so wide and are so comprehensive that they do cover the question of dietary and clothing. But as the questions of labour that is taken from the prisoners confined in the several jails in the Punjab and the punishments that are inflicted from time to time on these prisoners on petty excuses and which are authorised in the Jail Manual have not been discussed by my honourable friend Chaudhri Afzal Haq, I want to know if the terms of reference to the Committee which are so comprehensive as to cover the questions of dietary and clothing, do also cover these two questions? If not.....

Mr. J. M. Dunnett : Does the honourable member wish information on this point or is it merely a rhetorical question?

Lala Bodh Raj : Yes, I want information on these points.

Mr. J. M. Dunnett : Matters of labour and matters similar to those questions referred to by the Chaudhri Sahib, namely, dietary and clothing, so far as they are relevant to the ground of unauthorised indulgences and punishments will be within the scope of the Jail Committee.

Lala Bodh Raj : Now, Sir, in the reply or the information that has been given by the Home Secretary, there are certain words which create some doubt in our minds. He has stated that so far as they are relevant they will be covered by the terms of reference. Now, we have to see whether these points, namely, the question of dietary, of clothing and of labour will be covered by that part of questionnaire prepared by the Committee which concerns the remedies that are to be suggested to the Commission for stopping the malpractices or the unauthorised indulgences that are prevalent in the jails at present. I think that clause will cover these points and if so, there should be no apprehension in our minds that the Jail Committee will not go into these questions.

The other question that was raised by my honourable friend Chaudhri Afzal Haq was regarding the constitution of the Committee. I fully corroborate the views that have been expressed by him that none of the three gentlemen appointed to the Committee has got any practical experience of jail life. They have neither been in the jail nor have they any vast experience of jails which they ought to have had before they could be appointed on the Committee. The Committee without having such knowledge will make a report on the reforms that should be effected in the jail administration. The scope of the enquiry as has been said by the Home Secretary is limited in the sense that no searching enquiry is to be made into the jail administration. A complete enquiry has recently been made by the All-India Jail Committee.

In spite of the enquiry that has been made by the All-India Committee all the malpractices or the nefarious indulgences or even the unauthorised punishments that were objected to still exist in the jails. The difficulty is whether under the circumstances there is any possibility of reforming the jail administration. The Committee is going to visit Rawalpindi Jail only for two days and the Campbellpur Jail only for a few hours to enquire into the questions of malpractices from the prisoners that have been confined therein. But I am afraid that the Committee will come back disappointed after having seen the jail walls. It will get no evidence because the prisoners who are required to make statements against the jail officials have not been given any assurance that they will not be subjected to any ill-treatment for the statements they make. Were they bold enough to fight the jail officials, they would not pay any gratification whatsoever. The difficulty is that the prisoners have not got the courage to say anything against the jail officials even to the non-official visitors and the malpractices carried on in the jails cannot see the light of the day with the result that the Government rests satisfied with the jail administration just as it is. I shall not discuss the merits of the "Bande Matram" case as the matter is still *sub-judice*. I am sure that it is because of the revelations made in that case that the Government has appointed this Committee in order to find out the real

facts that are happening in the jails. But I am afraid that it is my conviction—I hope I would be wrong in that conviction—that the report of this Committee will serve the purpose of whitewashing the allegations that have been made from time to time from the press and the platform against the jail administration. The time fixed to visit the Rawalpindi Jail is only two days, the prisoners do not know with what object that Committee is going there, they have not been given any assurance that they will be protected from being proceeded against in any Court of Law and that they will not invite any trouble for making statements to the Committee against the jail officials, nor do they know if the Committee will hold its enquiry in the presence of jail authorities or in camera in the absence of them. Unless the prisoners are informed that the evidence will be taken in the absence of jail officials, the Committee will not be in a position to take into its confidence the prisoners that are confined in the jails. From my own experience I can say that these prisoners cannot venture to say anything even to the District Magistrates, who go to visit the jails with the clear object of finding out the grievances of prisoners. They after having gone round the jail come out and have no alternative but to write in the minute book that everything is going on well. If Government is sincere in making an enquiry into the grievances of the prisoners it should take all these points into consideration.

The objection is being rightly taken to the constitution of the Committee from the point of view that there is really no non-official member on that Committee, the presence of Shaikh Abdul Qadir being only in name. I will be excused when I say that there are some members on the Committee who have to earn favours from the Government. I do not challenge.....

The Honourable Sir John Maynard: I rise to a point of order. Is it right to make an implication of this sort on the character of a body of gentlemen such as these?

Mr. President: The honourable member will kindly avoid such personal remarks.

Lala Bodh Raj: I do not wish to make any imputation against anyone but that is an impression outside which I wanted to convey to you. In order to clear the misunderstanding that lurks in the minds of general public, the Government should see its way to appoint on the Committee some other non official members who have had an experience of jail life and who are in the confidence of the people outside. If Government is really sincere in making an enquiry—and I do believe it is—there is no harm if Government co-opts on that Committee one or two of the honourable gentlemen whose names were given by Chaudhri Afzal Haq. Lala Lajpat Rai, I think, will not mind working on that Committee. He has some experience of jail life. The Jails Inquiry Committee has already received a letter from the Secretary of the Punjab Provincial Congress Committee, that its Working Committee has appointed a Sub-Committee that will help the Jail Committee in this matter and place all material which is available to them before that Committee. But they have expressed their apprehension that the time which has been placed at their disposal, is very short. Several other suggestions have also been made by that Committee and the Jails Committee has, as I learn, adopted some of those suggestions. The suggestion that has so far not been adopted is that no protection is being given to the witnesses who will submit their statements to the Jails Committee. I do not think that prisoners will come forward to give evidence because in their minds lurks the

[Lala Bodh Raj.]

fear that they will be prosecuted in Law Courts for defamation, libel or for any other offence. They would rather keep back than come forward to give evidence and that will frustrate the very object of the Enquiry Committee.

Mr. J. M. Dunnett (Home Secretary) : May I ask the honourable member if he has seen the Committee's reply to the letter to which he refers ? The Committee have not refused to give protection to witnesses. It has suggested further considerations to the Committee mentioned by my honourable friend. It has pointed out that the right to sue for libel is a personal right which the Committee cannot take away from others. I think that the Committee has certainly not refused to protect witnesses.

Lala Bodh Raj : I have read the reply of the Jails Committee to a letter from the Congress Committee on the subject and in that reply the words do appear that the matter is under the consideration of Government. I do not know if any other reply to their letter has been given in that connection.

The remarks that have been made in this Council against the Jail Committee should not be considered to mean that we are going to oppose this grant on the ground that we do not want an enquiry to be made into the allegations that have been made against the Jail Department from time to time. But what we want is that the enquiry to be made should be a thorough enquiry, so that Government might be in a position to carry out some effective reforms and also that it might allay the fears of the people outside that Government is making the enquiry simply to whitewash the serious charges that have been levelled against the Government from time to time.

Sardar Gurbakhsh Singh [Ambala Division (Sikh) Rural] : Sir, I had a number of objections to raise in connection with this demand, but they have been very elaborately enumerated by my friend Chaudhri Afzal Haq and very ably replied to by the Home Secretary Mr. Dunnett. However I have yet a very serious objection to raise. Mr. Dunnett has explained that the terms of reference to the Jail Committee have been limited to two points, *viz.*, the unauthorised punishments and the unauthorised indulgences, and that the Committee will consider, if they are relevant to the scope of their enquiry under these two terms of reference, such questions as dietary, clothing, labour, etc. But then, my point is, when quite a big amount of the provincial revenues is to be spent on an enquiry into the jail administration of this province, why is it necessary that the terms of reference to this Committee should be limited to only two points ? The probable reply that may be given by the Government Member will be that these matters relating to the jail life had already been investigated and thoroughly gone into in detail by the All-India Commission and it was therefore considered unnecessary to again undertake an enquiry on these very points which had already been discussed before. To this my reply is that at the time the All-India Commission went into these questions, the general public was practically ignorant of jail life. The knowledge of jail life was confined only to the unfortunate few who were sentenced by criminal courts to various terms of imprisonment. The general populace outside the jail did not care to look into the circumstances attending the jail life and I know it as a fact no responsible public men ever cared to enquire into or take an interest in the jail life in India. But ever since the enquiry by the All-India Commission the position of the country has changed. Quite a large number of public men

5 P.M.

of very great intellectual standing had had to go and live in these jails and thereby had acquired personal knowledge about the jail life in this country. Owing to their personal knowledge and intimate acquaintance with the affairs in jails they are now in a position to give a lot of information on all the points that have been raised in the present discussion and if the Committee is directed to enquire on these points also, Government will derive great benefit thereby and the results will be beneficial to the inmates of the jails in the province. I therefore submit, Sir, that the terms of reference should not be limited to the two points referred to, namely, unauthorised punishments and unauthorised indulgences. When money is being spent and when able men of the standing of the persons who have been nominated to this Committee are to enquire into the subject of jail administration, their energies should not be directed into terribly restricted and limited channels, but they should be allowed to go thoroughly into all matters concerning jail life and thereby give us all possible information about it and suggestions for its reformation.

I understand, Sir, that the All-India Commission finished its labours and placed its results before the public in 1921. Since then, although the Government has taken some steps to improve the jail life according to the recommendations made in the report of that Commission still things are so bad within the jails that they require much more improvement. I have not had the first hand experience which some of my friends who have spoken before me have had, but as a non-official visitor, being a member of the Standing Jails Committee, I had to inspect some of the jails and go round them. As soon as a non-official visitor enters an Indian jail he is shocked to see the inmates. They are so ghastly looking and pale and they are so terribly reduced and their general appearance is so unpleasant to the ordinary eye. A visitor does not like to remain amidst these environments for any length of time unless his duty forces him to remain there. The circumstances are really so bad that they require drastic changes in the management of these jails. I submit, Sir, with due deference to Government, that it is moving very slowly and not doing its duty towards those persons who go into its charge and does not attach proper value to their lives. The persons who are confined in jails are at the mercy of the jail officials. Even though some of the prisoners are terribly hardened criminals, yet human life is very precious and it should be treated with consideration. If they are kept in jails, it is not as a measure of retaliation for their crimes but it is for their reformation and improvement. Unless the ideal of reformation and improvement of the prisoners is adopted and carried out, the very principles on which jail administration runs are faulty.

To take particular instances, Sir, the articles of dress given to these prisoners look so unrespectable. Even the poorest man outside the jails will not like to wear them. When one sees a prisoner wearing the dress given to him one begins to hate him for the very sight. Some of the modes of dress are very curious and I do not know why the Government should insist on keeping them on. I refer to *topa*. *Topa* is not used by people in this province. I do not see why *topi* which is less costly should not be used. Look at the poor peasant or cooly. He would rather be bear-headed than wear a *topa*. *Topa* is not a respectable dress. Still Government will not move but insist on giving *topa* to prisoners. Again the material which is supplied to the prisoners for winter use is terribly rotten. Generally the blankets and *kurtas* and *slukas* given to prisoners are of very old materials. New indents are certainly sent out by jailors and Government supplies the

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indents, but the period for which blankets, etc., are to be used by the prisoners is a very long one. It has practically to serve for twice the period for which it should generally go. If you go to jail you will see the prisoner's dress quite rotten. (A voice: What is a *sluka*?) They are underwears. Then again the prisoners are supplied with four warm blankets to be used throughout summer and winter. Cotton chaddars are a necessity to every person and they should be allowed to all prisoners and left with them throughout the year.

There is another point, namely, the supply of *parna*. A small *parna* is allowed to the prisoners but it is not fit for the purpose for which it is allowed. The purpose for which it is allowed is to grant facilities to prisoners at the time of bathing so that they may change their loin cloths or *kachharas*. But the *parnas* supplied to the Sikh prisoners are very very small. That it cannot be used for the purpose for which they are meant have been repeatedly brought to the notice of the Government by the members of the Standing Committee on Jails. Yet in reply to a question by Lala Bodh Raj a few days ago the Government says that it is not prepared to revise the dimensions.

Similarly in the case of dietary, under the jail regulations two *chapatis* are given to every prisoner. Why is it necessary that two *chapatis* should be given to every man? One person may be of frail constitution and may not be able to take two while another may be of a robust build and he may require more than two. Why should two *chapatis* be thrust upon the former and why should the supply to the latter be limited to two? The very elementary principle on which human life can exist is that a man should be given enough to keep his body and soul intact. Now this rule of giving two *chapatis* to every prisoner is the cause of quite a number of corrupt practices in the jails. Prisoners who do not want two *chapatis* get them and keep them in reserve and then sell them to other prisoners who want them and in return they get a few pice and out of the money acquired in that manner they give something to the jail officials and get tobacco, opium and even strong liquor and all other things and also gamble with it. All these practices are the result of this two *chapatis* rule. This rule of giving two *chapatis* to every prisoner should be taken away and the jailor or a special officer who may be specially created for this purpose should be enjoined to feed these prisoners under his immediate supervision. Thus all these corrupt practices will disappear automatically, as no prisoners will be able to keep anything in reserve and sell them out to other prisoners and things will set right themselves.

Then as regards the stock which is purchased in the jails, although the Government may try its best to frame definite rules in black and white to the effect that such and such a stuff alone should be allowed in the jails, yet human nature being what it is, there are always possibilities, nay probabilities, of some dust and stone being mixed with flour, some cheaper and dirtier grain being purchased from the market and thus the saving in the price being utilised for their own purpose by the persons in charge. If the system of purchasing stores through the jail officials who are responsible to give them out is also changed, then there is the possibility of improvement in this direction also. These are some of the important points that strike one as he enters the precincts of a jail. I therefore say that these terms of reference should not be limited to these two points alone but should be widened and a freer scope should be given to this Enquiry Committee to go into this affair thoroughly and suggest remedies to set right all the defects.

Then, Sir, I wish to refer to the question of labour very briefly. I visited quite a number of jails and I saw graduates, literate people grinding 18 seers a day and sweating over it. Alas, how uneconomical, how unfair and how inhumanly cruel is this sort of labour! Is this the sort of labour to be given to persons who had never in their lives done anything approaching it? Why waste their labour and energies which can be utilised for better things and with better return economically? Editors of newspapers confined in jails have been asked to do *Munjabatna* and *Sarkhi* pounding. I do not understand at all the mentality of officials responsible for the management of the jail administration and jail life who insist on the principle of giving *Sarkhi* pounding, *Munjabatna* and pulp making to all the prisoners alike. The services of prisoners can certainly be better utilised. These persons can be put on better kind of work which would give a better return to the Government and thus compensate the diet and the clothing which these prisoners get out of the Government funds.

Then the question of confinement in cells and similar other cases are quite a number of points in themselves and I do not at this late hour wish to dilate upon them and thus take the time of this honourable House. I would just briefly refer to the personnel. I have no objection to the personnel so far as it now goes. I will certainly say that the number of persons who are appointed are very few in the sense that no strictly non-official person is on the Committee. I would not name persons, but the Government would certainly be able to find out non-officials who would either through their own personal experience of jail life or through their previous study of jail life would bring their knowledge to bear upon the questions that would arise before them. Out of the honourable gentlemen who have been put on this Committee, none has either personal jail experience or has ever taken any interest in the jail administration or jail life. They are quite unaware of the evils rampant in the jails of this province and they have given till now no thought to jail matters and they are therefore certainly at a disadvantage. This fact, taken with the limited time allowed to them is a great handicap to the members of the Committee. Certainly a gentleman well equipped with all the information concerning jails will be better able to serve the ends with which the Committee has been appointed than the present members. So, I would request the Government to increase the number of persons on the Committee and appoint a non-official who might have some personal experience of these things or who might at least have studied the conditions of jail life and who might be better able to elicit information from the witnesses that might come before them to give evidence. The honourable gentlemen on this Committee, as I have already said, do not know anything of jail life and they will not be able to cross-examine the witnesses so much as a man who knows these things first hand.

Then, Sir, as regards the period of time allowed for the deliberations of this Committee, certainly a month and-a-half is a very very short time for a Committee which is to go about the province and enquire and then report on all these questions. If the terms of reference are widened, as I have suggested, then of course a month and-a-half is not enough even for the spade work that the Committee has to do. With the limited terms of reference also, the period of one month and-a-half is certainly very short and it must be extended if the Government wants to do justice to the enquiry even on these two points.

Then, Sir, I just wish briefly to refer to the Police Enquiry Committee. The grievances of my honourable friend.

The Honourable Sir John Maynard (Finance Member): May I say, Sir, one word before we proceed further with the discussion? May I ask you, Sir, to decide that the House will continue and sit till all the demands are disposed of? It is a matter of great importance that these demands should be disposed of to-day and considering the rate at which we are proceeding, I fear it is impossible to finish the demands to-day unless we sit longer than six o'clock and get through all the demands.

Sardar Jodh Singh: There is no necessity for us to sit beyond six o'clock to-day. There are yet two more days allotted for official business.

The Honourable Sir John Maynard: It is most important to get through all the demands to-day and to get orders out to-day. At the present moment certain works are pending awaiting the grant within a certain period. The Public Works Department in particular are prepared to issue telegrams at the end of the day to their officers to begin to collect materials and if by any chance the matter should not be disposed off to-day, it should be postponed to the 10th December which is the next official day, the object of these demands would be frustrated.

Professor Ruchi Ram Sahni: Might not the more important grants be taken up at once?

Chandhri Duli Chand: This is a very important matter and full discussion should be allowed on this demand.

The Honourable Sir John Maynard: Then, you will make a decision, Sir, that we should sit till all the grants are disposed of.

Sardar Jodh Singh: We are averse to sitting longer than six o'clock.

Mr. President: What is the wish of the House? There are urgent subjects to be dealt with in the demands which, if not got through to-day, will frustrate the object with which these demands are put. I hope the House will recognise this.

Professor Ruchi Ram Sahni: There is an important meeting at which all of us have to attend at six o'clock. If the present demand under discussion is finished, you, Sir, might allow the more urgent demands to be taken up and other demands might stand over till the next official day.

Mr. President: That is possible only if the honourable members curtail the length of their speeches. I would request the speakers to be brief.

Sardar Jodh Singh: We have not caught the words of the Chair.

Mr. President: My suggestion is that speakers should curtail the length of their speeches. Otherwise I am afraid the demands will have to be considered after six o'clock.

Sardar Jodh Singh: The important demands may be taken up earlier. I may submit, Sir, that in the case of Budget there is no time limit to speeches.

Mr. President : After this demand is disposed of, the House will consider the desirability of taking up important motions first. The priority of those urgent demands will be considered after this demand is disposed of. The question under discussion should be first considered and disposed of and then more important demands may be taken up.

Sardar Gurbakhsh Singh : Sir, I wish to exercise the right given to honourable members in the case of budget discussion and I shall not curtail the length of my speech especially as the matter is a very important one. I wish to respect the right which is given to the House in the matter of budget speeches. In the little respite that was given to me by the intervention of the Honourable the Finance Member, I was able to refresh my memory with regard to jail administration in this province and I would like to continue the subject a little further. I concede, Sir, that certainly unauthorised punishments are within the terms of reference to this Committee, but what is the harm in making authorised punishments also as a term of reference. Do you really believe, Sir, that in this age and at this late hour of civilisation it is a fit punishment for a human being to give gunny clothing to him and then allow him to move about in the company of his fellow companions? Is this a dignified clothing for even a prisoner? Is it not a loathsome sight to see a prisoner in gunny clothing from head to foot? Then again the punishment of giving standing handcuffs and night handcuffs, surely these are not punishments at all. These are things which are against the very principle of the upkeep of life. If you give a man night handcuffs, you make him very uneasy and uncomfortable to sleep during the night and thus you shatter his health. This is not a fit punishment at all. It is undermining his health. It is undervaluing human life as such. Again giving standing handcuffs and making him stand at a place where the whole jail population could see him is a very insulting form of punishment and this is also very inconvenient so far as human body is concerned. Punishments should not be such as might go to diminish the vitality of the prisoners; on the other hand, punishments should be such as to reform a prisoner so that he might repent for the deed he did and might not do it over again. If you make him unfit to live by imposing all kinds of brutal punishments on him, then you make him unfit to eke out an honest living after coming out of the prison. I will illustrate this point. Supposing a jail official gives a punishment to a prisoner for doing less amount of labour than what is actually allotted to him. That prisoner might have tried his best and yet failed to complete the labour given to him for the day; and say that the punishment given to him is either standing handcuffs or night handcuffs. This certainly will undermine his health and render him even less fit to do that amount of labour for not doing which he was punished. The next day it is physically impossible for him to do even as much labour as he did the previous day not to speak of his turning out more work. It is very probable that he will turn out less work because he had not sound sleep during the night owing to the irksome punishment of night handcuffs. This form of jail discipline and jail punishment also requires revision. It is the duty of the Committee which is now sitting to inquire into unauthorised punishments to inquire also into the authorised punishments and suggest suitable forms of punishments for prisoners breaking jail discipline.

Then, Sir, lastly, about the Police I will just repeat, with your permission, the grievance of the House that it has been quite in the dark as regards the terms of reference of this Committee. We do not know what the terms of this Police Committee are. It was only in the speech of the Finance

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Member while moving this demand that we first heard the terms of reference. From that point of view, I submit that this particular demand should be adjourned to-day and an opportunity should be given to members to consider the terms so that they might give their decided opinion about it and say what they want to say about the matter. The Police is a very important department. Adverse criticism has been made in this House at every possible and available opportunity about its administration. Now when an enquiry is going to be made about the very things this House complained of, we should not have been kept in the dark about it. Sir, I do not know what the terms of reference are and therefore I cannot say whether the demand is a fair one or one that should be rejected. So far as I have heard and remember those terms of reference, I am positive that one very important point has been ignored. Perhaps it is covered indirectly by the terms, but as I have not got the exact wording thereof I cannot say anything about it. I want to bring to the notice of this House that the Police administration depends mainly on the Sub-Inspectors. It is true that efficient supervision is very necessary, yet the fact cannot be ignored that the Sub-Inspector is the backbone of the Police administration. The powers vested in the Police are all exercised by the Sub-Inspector. The Superintendent of Police hardly ever uses these powers in the beginning and it is only when the *zamin* are sent to him that he appears on the scene. The case may have been by then spoiled by the Sub-Inspector or not properly investigated. It is the Sub-Inspector who runs the whole Police administration. The Sub-Inspector should be included as a definite point of enquiry of this Enquiry Committee, as to whether his emoluments should be revised and whether the powers that are vested in him should be revised. What are the remedies for the evils which are rampant in the Sub-Inspector? Unless the conduct of the Sub-Inspector, the powers vested in him, his emoluments and his prospects are made the subject of a thorough investigation, I do not expect very much from the enquiry. You may substitute the Indian Police servants for the Inspectors and the Deputy Superintendents, but I hardly believe that that is the best thing to do. The best brains of the present-day Indian Universities are those who cram their books just to pass their examinations and they are hardly the men who make good Police officers. Give them questions on Economics, Mathematics and questions on most difficult subjects and they will solve them well, but my personal opinion is that the man who gets the maximum number of marks is not the man who would make an efficient Police or Military officer. By all means continue the examinations, but there should be other criteria also. Is it not a fit subject of enquiry for this Committee, would it not be a fit question for the Committee to examine whether the present method of recruitment of Police is the best method? If the method of recruitment is not already included in the terms of reference, then I submit the terms should be so widened as to include this point.

As regards the personnel, so far as it goes it is very good, but it needs to be widened and more non-officials should be appointed. The object of Government is to elicit public opinion so far as official version is concerned. It knows all about it from its records and keeping due regard for its notions of prestige, it does not agree to change its opinion unless a very strong case is made out against it, and to make a strong case it is always necessary that non-official gentlemen should be in a majority on any such committees.

Therefore I would request, Sir, that the personnel of this Committee should be increased and more non-officials appointed. The grievances have always been put forward by the non-officials and not by the officials, so it is only right that there should be a majority of them and not of officials who have all along been supporting the Police. With these remarks I close my speech.

Chaudhri Duli Chand [Karnal (Non-Muhammadian) Rural] (Urdu) : Sir, from the terms of reference, on which the Police Commission has to base its enquiries, it appears that the Commission has nothing to do with matters which are all important, because I find that in the terms of reference no mention is made of the subjects like corruption which are the root cause of the unsatisfactory working of the Police and the consequent grievances of the public.

The Honourable Sir John Maynard : One of the terms of reference is to examine and report regarding means for improving the efficiency and integrity of the Police force.

Chaudhri Duli Chand (continued in Urdu) : I can very well understand what is meant by integrity of the Police force and I can also very well guess that with these terms of reference in view the Commission will, in all probability, make a report to the effect that the status and the pay of the Police officers be increased. But the question is "Will that remedy be a cure of all the evils?" Will the raising of the status and the pay of Police officers help in eradicating and doing away with the corrupt practices of the Police force? I think it is not a proper solution of the problem. Is it not a fact that Deputy Superintendents of Police are getting as much pay as Extra Assistant Commissioners are getting, and that they are equal in rank too? But in spite of that, what do we find? Amongst the Deputy Superintendents of Police not less than 90 per cent. are dishonest, while amongst the Extra Assistant Commissioners 90 per cent. or even more are honest. From this we can very well conclude that the revision in pay and status of the Police officers will not help to remove the defects in the working of the Police Department and this is the reason why I say that corruption should have been the first and foremost term of reference and especially in the districts of which the people are quite ignorant. I would further add that if an honest enquiry were to be made by any Commission, many lakhs of rupees will be found to have been borrowed by the people to satisfy the demands of Police officers. I am aware that corruption is prevalent in other Government departments too and even in the public, but that is a sort of corruption for which the people do not feel much and for which they are, to a large extent themselves to blame; but in the Police Department the corruption takes the form of extortion as it is regarded as a part of profession there. These Sub-Inspectors are just like dacoits and if unfortunately an opportunity offers itself attempts are made to implicate a respectable person and these people try to make as much money out of him as possible. To impress my point I would again say that if an honest enquiry were to be made, many persons will be found to have borrowed money because they could not tolerate the disgrace to which they were being subjected by the Police officers. And what is still worse is that if any persons take courage to raise a voice against the corrupt practices of these demi-gods through press or platform, these demi-gods are enraged and they pick out such persons as fit subjects of their wrath. The Honourable Minister for Agriculture will bear me out in this allegation because I know that once, during the time he was connected

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with the "Jat Gazette," he wrote a series of articles in the Gazette against the corrupt practices of Police officers and the result was that he incurred the displeasure of the Police officers so much so that an attempt was made to involve him in a murder case. It has been said even to-day that in the jails, sometimes unauthorised punishments are inflicted upon the prisoners, but in the Police Department the so-called accused are subjected to different kinds of torture and very often without any cause whatsoever, and if any complaint is made to a higher Police officer against the conduct of his subordinates, the officer becomes annoyed. This I say on the basis of my personal experience because when on one occasion I approached a high Police officer with a complaint against the conduct of one of his subordinates in the capacity of a representative of the public, the Police officer referred to was pleased to remark 'You represent yourself.' Again, I happened to point out an instance of a corrupt subordinate policeman at the very office door of a high Police officer, but to no purpose. From this conduct of Police officers I came to the conclusion that subordinates were being encouraged by their superiors in their corrupt practices. In other Government departments there has been of late a marked improvement, but in the Police Department corrupt practices are on the increase.

There is another point to which, Sir, I would like to refer as a fit subject to be included in the terms of reference of the Police Commission and that is about the freedom of speech in the Council.

Mr. President : That is not relevant to the question before the House.

Chandhri Duli Chand (continued in Urdu) : Then I would put it like this. An enquiry should also be made into the cases in which the members of the Council have been harassed by the Police because they happened to criticise the conduct of Police officers in the Council and the Commission should suggest remedies how that freedom of speech can be secured.

I would conclude my remarks by saying that only those persons be recruited in the Police Department who belong to families known for their integrity, and if any valid complaint is received by high officials against the conduct of their subordinates, such subordinates be removed at once from service, there being no lack of suitable candidates now.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, all the speeches which we have heard about the jail administration create an impression in the minds of members of this Council that there is not only something wrong but very much wrong in the administration of jails. When I first came here after qualifying myself for the bar, I saw people sitting in the courtroom loaded in fetters and handcuffs. I was shocked to see that. In civilised countries and even in uncivilised countries dogs and donkeys are better treated than these people. If the prisoners are called in as witnesses they come to courts in fetters. Sir, is it their fault that when either the Government or somebody else calls them as witnesses they should be treated worse than monkeys and be led along the streets to the Magistrates' courts in fetters? Cannot Government afford to spend a few annas to engage a tonga for them? It is our duty to voice the feelings of these unfortunate people whose voices cannot come out of the four walls of the jail. Luckily or unluckily since 1918-19 many of my friends here and many friends outside have had a taste of jail life and that is the reason why this question has come to the forefront. The Home Secretary brought forward an argument that the questions raised here have already been gone-

into by the Jail Commission of 1918. I am not sure whether the Commission reported in 1918 or 1919, but anyhow during these five years we have made so much progress that the things done in 1918 look as old as the date of the death of the Tutenkhaman. The whole spirit of the country is changed. The pre-reform days are dead and gone. In the pre-reform days, Sir, you had no right to preside and had no right to sit on the chair which you are now occupying, but since then great changes have taken place and therefore the things done in 1918 should not stand before us. What is the reason for Government's wanting

Mr. President : Will the honourable member please confine his remarks to the matter under discussion ?

Shaikh Muhammad Sadiq : Yes, Sir. I was simply dealing with the question of this Commission and why certain questions should be presented before it for its consideration. That was the reason why I digressed a little. It is a well-known fact that if you touch a thing from one portion, naturally very often you will have to touch the other portions also. For instance, we find that bribes are given because some educated convict does not want to live in the same way in which a man who has been convicted for murder or theft lives. It is only by examining the ways of life of the different classes of prisoners that measures can be taken for stopping bribery. There is the question of food, clothing, etc. Is it the wish of Government that separate commissions should be appointed for examining these questions ? When we are prepared to spend money why should not the present commission enquire on these subjects also ? Is the fact that a certain thing was done five years ago a sufficient reason why we must not do it again ? What has the Government done in the matter of services ? While in 1918 they were given increase of salaries, now they demanded more pay and we have given them whether we liked it or not. So I want the members to remove from their minds the impression that because the Jail Commission some years ago examined certain questions therefore the present Commission should not examine the same questions. If the Government is willing to examine the whole question not from one angle of vision, not in a squinted angle of vision it would result in great benefit to the country. I was only a few days ago reading what the Maharaja of Kapurthala said. He went to Mont Video and there found that the jail life was like hotel life. It is a small country with a small population and not much advanced in civilisation, and what do we find there ? The jail is practically converted into a sort of hotel. But here when a prisoner is released he comes out with crushed feelings simply because the Government members are not in touch with the jail life, whenever they visit Jails they go like *barasahis* and the prisoners are then well dressed just like school boys on the day of inspection. They do not see the real sort of jail life and they do not see the trouble undergone by prisoners. Luckily or unluckily our leaders have seen jail life. There is Lala Lajpat Rai who has seen jail life. If he is nominated, he is not going to upset British Government in a few minutes ? Why should the British Government not allow his brain power to be used for the jail reforms ? I am sure he is not such a man that he will not look honestly at facts. I am taking only one name, though I can multiply it if necessary. We do not want *sid*, we want the Government to have some sympathy with the prisoners. I want that the Government should give up the question of prestige and should come forward as the servants of the people and do some real benefit to the people. I want the sympathy of Government not only in words but in acts.

[Shaikh Muhammad Sadiq.]

Now, Sir, let me add a little bit to the big tale of woe. Whenever there is not enough accommodation in jails 30 or 40 prisoners are tied together in batches.

The Honourable Sir John Maynard: No, Sir, I deny it.

Professor Ruchi Ram Sahni: That was done in the Lyallpur Jail.

Shaikh Muhammad Sadiq: Sir John Maynard has been out of touch with the ways of the jail authorities.

The Honourable Sir John Maynard: No, Sir.

Shaikh Muhammad Sadiq: I speak on information supplied to me by those who have actually suffered this treatment. How can I stand corrected by Sir John Maynard? What I say are facts, not fiction. They have given me the information and I have no reason to disbelieve them. How can I shut my ears when I am told that this is being done

The Honourable Sir John Maynard: I say, it is not.

Shaikh Muhammad Sadiq: Then we shall join issue.

Mr. President: Order, order. Will the honourable member confine his remarks to the point at issue?

Shaikh Muhammad Sadiq: Now, Sir, their dress is not what a human being will wear. I say Indians do not wear the dress which is given to the prisoners. What is the dress that is supplied to them? A kind of short, I do not know whether it is to be called a short, breeches or pyjamas. Probably these might have been fashionable in some ancient days, not now. Again this *topi* was probably used in some unknown generation. It has not been used at any time within the living memory of this country. Is a prisoner to be punished by being given a dress which he has never seen used for the simple reason that he has committed a crime in the heat of the moment? A man shoots a buck, but by mistake it hits a man; for that purpose he is sent to jail and at once his dress is changed and he is clothed in a dress which is not only ugly, not only hideous, but it is also insufficient. What is this *topi*? It is the Sikh way of expressing *topi*.

Mr. President: It is now six o'clock. Is it the pleasure of the House to continue the discussion or to adjourn for the day?

The House signified its wish to adjourn for the day.

The Council then adjourned till 2 P.M. on Friday, the 4th December 1925.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Friday, the 4th December 1925.

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

OATH OF OFFICE.

The following members were sworn in :—

Mr. A. R. Astbury (Official, Nominated).

Lieut.-Col. B. C. Battye (Official, Nominated).

QUESTIONS AND ANSWERS.

DRAINAGE OF THE WATER OF THE SARASWATI RIVER.

2171. Chaudhri Duli Chand: With reference to the answer to Question* No. 1555, asked by me on 12th March 1925, will Government be pleased to state whether steps have been taken to drain the water of the Saraswati by constructing distributaries for the irrigation of the land of the neighbouring villages? If not, what other steps are being taken to drain the water of the Saraswati?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The tract is being drained, a scheme for irrigation is being worked out, which will not entail blocking drainage.

OVERFLOW OF WATER FROM THE CHANNELS IN THE KARUAL AND ROHTAK DISTRICTS.

2172. Chaudhri Duli Chand: (a) Will Government be pleased to state the number of villages and the area affected by the overflow of water during the current year from the channels excavated to carry off flood water both in the Karual and Rohtak districts?

(b) Has Government considered the desirability of sanctioning the remission of kharif and rabi instalments of land revenue for the whole of the area damaged by these channels during the year?

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

PROPORTION OF ZAMINDARS IN THE VARIOUS DEPARTMENTS OF PUBLIC SERVICE.

2173. Chaudhri Duli Chand : With reference to the answer to part (d) of Question* No. 1559, asked by me on 12th March 1925, will Government be pleased to lay on the table a copy of the statement showing the proportion of zamindars in each department in the year 1924?

The Honourable Sir John Maynard : The honourable member is referred to the reply† given to Council questions Nos. 1961 to 1975.

MR. K. A. DESAI OF BHIWANI MUNICIPAL COMMITTEE.

2174. Chaudhri Duli Chand : With reference to the answer to Question‡ No. 1557, asked by me on 12th March 1925, will Government be pleased to state the result of their enquiries?

Mr. J. G. Beazley : It was reported that Mr. Desai had been absent for more than three consecutive months from the meetings of the municipal committee but in view of the fact that a year had elapsed before this omission on the part of Mr. Desai was brought to notice and that he had resumed attendance at the meetings, no further action was considered necessary.

REVISION OF THE CONSTITUTION OF THE PUNJAB UNIVERSITY.

2175. Chaudhri Duli Chand : With reference to the answer to Question§ No. 1560, asked by me on 12th March 1925, will Government be pleased to state whether the proposals of the University have been received?

Sir George Anderson : The proposals of the University for the reforms of the Senate have been received.

GRANT TO AIDED SCHOOLS.

2176. Chaudhri Duli Chand : (a) With reference to the answer to Question|| No. 724, asked by me on 7th August 1924, will Government be pleased to state if the note in question has been prepared?

(b) If the answer to question (a) be in the affirmative, has this note been considered by the Standing Education Committee? If so, what is the result of the consideration?

Sir George Anderson : The necessary information has been collected, and will be considered.

GENERAL REVIEW OF THE SCHOLARSHIP SYSTEM.

2177. Chaudhri Duli Chand : With reference to the answer to Question¶ No. 938, asked by me on 18th November 1924, will Government be pleased to state if the general review of the scholarship system has been completed? If so, what is the result of this review?

Sir George Anderson : The question is still under consideration.

* Vol. VIII, Part A, page 408.

† Appendix VIII.

‡ Vol. VIII, Part A, page 407.

§ Vol. VIII, Part A, pages 415-16.

|| Vol. VII, page 191.

¶ Vol. VII, page 476.

ADMISSION OF AGRICULTURISTS TO THE MUGHALPURA TECHNICAL COLLEGE.

2178. Chaudhri Duli Chand : (a) With reference to the answer to part (c) of Question* No. 725, asked by me on 7th August 1924, is Government aware that the present rules of admission to the Mughalpura Technical College prevent a fair proportion of agriculturists gaining admission to that College?

(b) If so, has Government considered the desirability of altering these rules so as to provide for preference being given to agriculturists?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Government is not aware that the present rules of admission to the MacLagan Engineering College prevent a fair proportion of zamindars gaining admission. The attention of the honourable member is invited to the promise given to part (c) of Council Question* No. 725 of the 7th August 1924. If and when it is found that agriculturists are not being admitted in adequate numbers, and that concessions can be given to them without materially lowering the standard, the matter will be taken up.

COMMUNAL REPRESENTATION IN THE VARIOUS CLASSES OF SERVICES UNDER GOVERNMENT.

2179. Chaudhri Duli Chand : Will Government be pleased to lay on the table the answer to Question No. 42, asked by me on 26th February 1924?

Mr. H. D. Craik : A reply to the honourable member's Question No. 42† was given on 8th August 1924.

FLOOD DRAINS IN THE KARNAL AND ROHTAK DISTRICTS.

2180. Chaudhri Duli Chand : (a) Is Government aware that flood drains in the Karnal and Rohtak districts damage every year agricultural lands and standing crops?

(b) Has the attention of the Drainage Board been invited to the necessity for the reclamation of the tracts affected by these flood drains?

(c) Is it a fact that the Drainage Board is going to be reorganised?

(d) If so, when is this reorganised board likely to take up for consideration the question of flood drains?

(e) Does Government propose to consider the question at an early date in view of the fact that people of the districts make incessant complaints about these flood drains to His Excellency the Governor and the Honourable Minister for Agriculture during their tours there?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Some damage is doubtless caused, but the question is under investigation.

*Vol. VII, page 192.

†Vol. VI page 121.

‡Vide answer to question No. 735, pages 228-29, volume VII.

[Hon'ble S. B. S. Sundar Singh, Majithia.]

(b) The Drainage Board is aware of the facts.

(c) Yes, *vide* Punjab Government Resolutions Nos. 1782 and 1783-R., dated 7th October 1925 laid on the table*.

(d) The Drainage Board is already taking action as regards the Saristi Nala.

(e) Does not arise.

ELECTIONS TO CANTONMENT BOARDS AND ELECTION PETITIONS.

2181. Rai Sahib Lala Ganga Ram : (a) Is it a fact that in the rules framed by the Punjab Government for the conduct of elections to Punjab Cantonment Boards, no provision has been made about deposit of security and the allowing of costs to the winning party in the election petition proceeding ?

(b) Is the Government aware that both in the case of Municipal elections and elections to the Punjab Legislative Council, there is a definite provision that security to the extent of Rs. 2,000 should be deposited along with every election petition and that no such petition is entertained unless the security is deposited ?

(c) Is it a fact that the costs are awarded out of this deposited security ?

(d) Does the Government propose to make a similar provision in the case of election petitions in connection with elections to the Punjab Cantonment Boards ?

The Honourable Sir John Maynard : (a) Yes.

(b) Yes, the amount is Rs. 2,000 in the case of a municipal election and Rs. 1,000 in the case of the Punjab Legislative Council.

(c) Yes.

(d) The matter is under consideration.

AGRICULTURAL COLLEGE, LYALLPUR.

2182. Rai Sahib Lala Ganga Ram : (a) Is it a fact that the Agricultural College at Lyallpur has had to refuse admission to a number of students seeking admission into the College ?

(b) If so, will the Government be pleased to state the number of students so refused admission during the year 1924 ?

(c) Has the Government considered the desirability of either taking steps to extend the College so as to admit of more students into it or of starting a new College at Lahore or at some central place in the province ?

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

(b) Of 108 applications for admission to the Degree and Leaving Certificate Courses given in the Punjab Agricultural College, Lyallpur, and received up to the date in May 1924 fixed for selection of candidates, 56 candidates were selected for admission.

(c) Yes. The College at Lyallpur has been extended considerably in past years and further extensions are under consideration. But it should be noted that many of those who apply for admission to the degree course do not possess the qualifications necessary for success in the severe examinations of that course, and even some of those who are admitted leave the College because they find the course too severe for them. Applications for admission to the short courses are seldom refused.

RESTRICTION ON THE SALE OF BANGLES MADE OF CELLULOID.

2183. **Rai Sahib Lala Ganga Ram :** Is the Government aware of the fact that bangles made of celluloid are freely sold in the markets, that celluloid is a material which easily catches fire ?

Is there any law restricting the sale of such bangles ? If not, does the Government, in view of the occurrence of certain accidents to the wearers, propose to frame a law imposing restrictions on the sale of such bangles ?

Lieutenant-Colonel C. A. Gill :

(a) Government are aware that celluloid is a highly inflammable material, and received a report in 1923, that bangles made of this material were being sold in Multan.

(b) No.

(c) It was reported to Government in 1923 that accidents had occurred to persons wearing such bangles, and a press *communiqué* was issued warning the public of the danger of wearing them. Since then no further reports as to accidents due to this cause have been received, but if the honourable member can show that such accidents are so frequent as to necessitate special measures to prevent them, Government will be pleased to consider the question.

MEETINGS IN CONNECTION WITH THE HEDJAZ SITUATION.

2184. **Chaudhri Afzal Haq :** (a) Is it a fact that the District Magistrate, Lahore, prohibited the holding of meetings in connection with the Hedjaz situation ?

(b) Is it a fact that no explanation was called for from those who intended to hold such meetings ?

(c) If so, why ?

The Honourable Sir John Maynard : (a) The District Magistrate issued an *ex-parte* order under Section 144, Criminal Procedure Code, applying to public meetings, but not to meetings held in mosques.

(b) Yes, but the District Magistrate had previously been in communication with members of both parties.

(c) The necessity was sudden, and immediate action was called for.

EMPLOYMENT OF HAKIMS BY MUNICIPAL AND DISTRICT BOARDS.

2185. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) the names of those Municipal and District Boards which have employed Hakims and opened Unani hospitals within their jurisdiction ; and
- (b) what steps, if any, the Government has taken to encourage the Unani system of treatment ;
- (c) if no special step has been taken so far, is the Government prepared to direct the Municipal and District Boards to employ Hakims and open Unani hospitals in such areas where the people demand it?

Mr. J. G. Beazley : (a) The information is not available but is being collected, and will be communicated later to the honourable member.

(b) Steps are being taken to carry out research in indigenous drugs which in the opinion of Government is the best method of stimulating the indigenous systems of medicine on a scientific basis.

(c) Government are not prepared to fetter the discretion of local bodies in this connection.

ANSWERS TO QUESTIONS PUT IN COUNCIL.

2186. Chaudhri Afzal Haq : (a) Will the Government be pleased to state why the answers to many of the questions put in the Council are not ready at the time they are put even though a fortnight's notice of those questions is given ?

(b) Is Government aware that great inconvenience is caused to the public and the Press by the answers not being ready at the time they are put ?

(c) Are the Government taking any steps to get the answers to the Council questions ready within 14 days from the date on which notice of the questions is given ?

Mr. H. D. Craik : (a) A very large proportion of the questions asked by honourable members involve a reference to distant authorities subordinate to Government, and in many cases the compilation by such authorities of information or statistics that are not readily available. In these circumstances it is not always possible to secure the information by the date on which the questions are actually put.

(b) This is a matter of opinion.

(c) All Council questions are dealt with by Government as promptly as possible, but in view of the considerations explained in the answer to part (a) it is not always possible to have answers ready within 14 days from the date on which notice of the question is given.

RECOMMENDATIONS OF THE INDIAN JAILS COMMITTEE.

2187. Chaudhri Afzal Haq : Will the Government be pleased to lay on the table a statement showing the action taken by them in respect of each of the recommendations made by the Indian Jails Committee and the expenditure incurred by the Government in giving effect to the said recommendations ?

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

Chaudhri Afzal Haq : Will the Government be pleased to say why the answer to this question is not yet ready ? This question does not involve any reference to distant authorities.

The Honourable Sir John Maynard : Because the time given for the preparation of the answer has not been sufficient.

Chaudhri Afzal Haq : Was not notice of this question given within 15 days as required by the Manual ?

The Honourable Sir John Maynard : Very probably the notice required by the Manual was given, but that was not sufficient for the purpose.

CORRUPTION AMONG THE MAGISTRACY IN THE PROVINCE.

2188. Chaudhri Afzal Haq : (a) Will the Government be pleased to state the names of those Extra Assistant Commissioners in the province who were punished for corruption in the time of Sir Michael O'Dwyer ?

(b) Will the Government be pleased to state whether the same policy is being adopted now for putting an end to any corruption among the Magistracy as was adopted by the Government of Sir Michael O'Dwyer ?

Mr. H. D. Craik : (a) Government is not prepared to give the names.

(b) Yes.

Chaudhri Afzal Haq : Were not these Extra Assistant Commissioners sentenced in open courts ? Why is the Government not prepared to answer this part of the question ?

Mr. H. D. Craik : In the first place the honourable member is not correct in assuming that these officers were convicted in courts in all cases. In the second place, the Government is of opinion that it is a sound convention to be established in this house that the names of its officers should not be mentioned in the answers to questions which are apparently designed to pillory these officers.

GRANTS OF LAND IN THE LOWER BARI DOAB CANAL.

2189. Lala Bodh Raj : (i) (a) With reference to the reply to Question* No. 1942 asked on 6th July 1925, will the Government please state if it is a fact that one Jalal, barber, of the Sub-Divisional Officer, Khanawal, has been granted a square of land ? If so, what are the terms of the grant ?

(b) Is it a fact that he is neither a local man, nor an agriculturist ? If so, what were the reasons for the grant of land ?

[Lala Bodh Raj.]

(c) What were the services rendered to the Government by him, in recognition of which he was granted the land ?

(d) Is it a fact that he got his original square exchanged three times with the result that he has now got a best class square worth about Rs. 20,000 or more ?

(e) Will the Government please state the present value of the land granted to him and of which he is now in possession ?

(ii) (a) Is it a fact that on the Lower Bari Doab Canal, one Sadiq Muhammad, Mirasi, Chaunkidar of the District Board bungalow, has been granted half-a-square of land ?

(b) Is it a fact that he is neither cultivating the land nor is an agriculturist ?

(c) What were the services for which he has been granted the land ?

The Honourable Sardar Bahadar Sardar Sundar Singh, Majithia :

(i) (a), (b) and (c). Jalal, a barber by profession (not an employee of the Sub-Divisional Officer) but a Moghal by caste, originally received a peasant grant of 15 acres in 1923 out of the area sanctioned for central Punjab, as he is a resident of Sialkot. Grants of this class are not made for services to Government but in order to provide newly-founded villages with village menials whose services they generally require.

(d) No. The land has only been exchanged once and his present holding of 23 acres is reported to be inferior in quality to that first allotted to him. A larger area was given as the land was required to be reclaimed.

(e) Between Rs. 6,000/- and Rs. 7,000/.

(ii) (a), (b) and (c). There is no grantee of this name in the Khanewal Sub-Division but a Chaunkidar Mahmud by name and Bhutta by caste has been given half a rectangle for services in recruitment.

RECOVERY OF FINE FROM JHIWAN SINGH OF VILLAGE BHARANA.

2190. Lala Bodh Raj : (a) Is it a fact that one Jhiwan Singh alias Ganda Singh, son of Suhel Singh, of Chak No. 45, village Bharana, Thana Palloki, District Lahore, was a prisoner confined in the Central Jail, Multan, and released on 28th September 1926 ?

(b) Is it a fact that he had been sentenced to a fine of Rs. 200 and that the fine was deposited in the Central Jail, Multan, on his account on the above date ?

(c) Is it a fact that a warrant of attachment of his property was also issued in April 1924 and that the amount of Rs. 300 was deposited in Chunian Tahsil in fine account ?

(d) Will the Government please state what was the sentence of fine against him for ?

(e) Is it a fact that the fact of realisation of Rs. 300 mentioned in (c) above was not communicated to the authorities of Central Jail, Multan ? If so, what were the reasons ?

(f) Will the Government please state if the amount realised in excess will be refunded to the prisoner ?

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

ALLOWANCES TO PAR SINGH ON RELEASE FROM THE MULTAN CENTRAL JAIL.

2191. Lala Bodh Raj: (a) Is it a fact that one Par Singh alias Daljit Singh, son of Sardar Sant Singh, of tahsil Tarn Taran, District Amritsar, has been confined in the Central Jail, Multan, and was released on 13th August 1925?

(b) Is it a fact that he was not given on release any money for expenses for the journey from Multan to his home in the Amritsar District or for his meals on the way? If so, what were the reasons for disallowing him such expenses?

The Honourable Sir John Maynard: (a) Yes.

(b) He was offered a Railway Credit Note and subsistence allowance which he refused to accept.

Lala Bodh Raj: Will the Government please state whether any note was made to the effect that he was offered a railway credit note and subsistence allowance which he refused to accept?

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

DIET ALLOWANCES TO AKALI PRISONERS ON RELEASE.

2192. Lala Bodh Raj: (a) Will the Government please state what amount of diet expenses was generally allowed to the Akali prisoners who were released after giving the undertaking in terms of the speech of His Excellency the Governor delivered in the Punjab Legislative Council after the passing of the Sikh Gurdwaras Bill?

(b) Is it a fact that the Akali prisoners that were released in the ordinary course were not allowed the same amount of diet expenses? If so, what were the reasons for such distinction?

(c) Will the Government please state if it intends to continue the above distinction or do away with such distinction and allow the same scale of diet expenses to Akali prisoners who will be released in due course hereafter as that which has been allowed to the prisoners released after their giving the undertaking?

The Honourable Sir John Maynard: (a) The subsistence allowance sanctioned in paragraph 528 (1) of the Jail Manual.

(b) They were given the same subsistence allowance.

(c) Does not arise.

Lala Bodh Raj: Will the Government please state the amount of subsistence allowance paid in each case?

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

AKALI PRISONERS AND REALISATION OF FINES.

2193. Lala Bodh Raj: (a) Is it a fact that in the Central Jail, Multan, some Akali prisoners are undergoing sentences of imprisonment in lieu of fines while the fines have actually been realised by the courts convicting those prisoners?

[Lala Bodh Raj.]

(b) In case the Government has no information on the point referred to in (a) above, will the Government please call for the information and lay it on the table?

(c) If the reply to part (a) be in the affirmative, will the Government please state what action it intends to take against the officers who are responsible for such persons undergoing sentence of imprisonment even after the realisation of the fine?

The Honourable Sir John Maynard : (a) The Superintendent of the Jail is dependent for information of the realisation of fines on the courts responsible for their realisation. Government has no information of any such case as is referred to in the question.

(b) If the honourable member will give particulars of any case in which he has reason to think that a prisoner is being detained after the realisation of his fine, enquiries will be made.

(c) Does not arise at present.

Lala Bodh Raj : Will the Government please issue a circular letter to the Superintendents of Central Jails to find out the information from the prisoners who have been fined?

The Honourable Sir John Maynard : I understand the question is whether in the absence of any specific case to be stated by the honourable member, will the Government make a general enquiry on the subject; if that is the question, the answer is that that is not desirable.

REPORT AGAINST M. ALLAH BUX, ASSISTANT DISTRICT INSPECTOR OF SCHOOLS, MULTAN.

2194. Lala Bodh Raj : (a) Is it a fact that there is a note against M. Allah Bux, Assistant District Inspector of Schools, Multan, made by the District Inspector of Schools that he is unfit for inspection work?

(b) If the reply to (a) be in the affirmative, will the Government please state what action has been taken thereon?

(c) Is it a fact that he is working on the same post in the district of Muzaffargarh?

Sir George Anderson :

(a) The reports of Inspectors on the work and conduct of officers under their control are confidential.

(b) Does not arise.

(c) M. Allah Bakhsh is now Assistant District Inspector of Schools in the District of Muzaffargarh.

Lala Bodh Raj : Will the Government please state if any action has been taken on the reports of Inspector on the work and conduct of the officers under their control referred to in the answer to clause (a)?

Sir George Anderson : There is no reason to know that there has been such a record as is mentioned by the honourable member.

M. ALLAH BUX, TEACHER, DISTRICT BOARD PRIMARY SCHOOL, MAUZA BOSAN.

2195. Lala Bodh Raj: (a) Is it a fact that M. Allah Bux is a teacher in the District Board Primary School at Mauza Bosan, District Multan?

(b) Is it a fact that a complaint was made against him to the District Magistrate that he is preaching Islam openly in the school under his charge?

(c) Is it a fact that he was formerly posted in the school at Jhok Vains and while he was there a student of that school by name, Chhinku Ram, son of Khota Mal, caste Toteja, embraced Islam?

(d) If the replies to parts (b) and (c) be in the affirmative, will the Government please state what action has been taken against the said teacher?

Sir George Anderson:

(a) No.

(b) Yes, he is an assistant master.

(c) Yes.

(d) The matter is under consideration by the local authority, the teacher in question being in the service of the District Board.

PERSONS UNDERGOING IMPRISONMENT FOR FAILURE TO GIVE SECURITY
UNDER SECTION 118, CR. P. C.

2196. Lala Bodh Raj: (a) Will the Government please state the number of prisoners that were undergoing imprisonment in the Mianwali jail on 9th September 1925 for failing to give security under section 118 of the Criminal Procedure Code?

(b) How many of them had been committed to prison in the year 1925?

(c) How many persons were called upon to give security under section 118 of Criminal Procedure Code in the year 1925?

The Honourable Sir John Maynard: (a) 16.

(b) 16.

(c) 1,341 (89 for bad livelihood and 1,252 to keep the peace).

SPECIAL CLASS PRISONERS.

2197. Lala Bodh Raj: (a) How many Akali prisoners were confined in the Mianwali jail that were classed as special class prisoners?

(b) Will the Government please state the special privileges that were allowed to them as distinguished from ordinary prisoners?

(c) Will the Government please state the special privileges or concessions to which they are generally entitled as special class prisoners?

The Honourable Sir John Maynard : (a) During the year 1925 the number of special class Akali prisoners confined in the Mianwali Jail was—

January 19. March 21. May 19. July 17. September 18.
February 21. April 19. June 19. August 17. October 13.

(b) & (c) They were allowed the special privilege permitted by the Rules under Section 60 of the Prisons Act of which a copy is supplied to all non-official visitors.

Lala Bodh Raj : Will the Government please lay on the table a list of the special privileges allowed to these Akali prisoners confined in the Mianwali Jail ?

The Honourable Sir John Maynard : The honourable member wants a copy of the rules. Am I right ?

Lala Bodh Raj : No, Sir, I do not want a copy of the rules. I only want a list of the special privileges that have been allowed to the Akali prisoners confined in the Mianwali Jail to be laid on the table.

The Honourable Sir John Maynard : This is equivalent to asking for a copy of the rules.

Lala Bodh Raj : Will the Government be prepared to lay on the table a list of all the special privileges that are allowed or are being permitted to the Akali prisoners ?

The Honourable Sir John Maynard : Yes.

SPECIAL CLASS AKALI PRISONERS.

2198. Lala Bodh Raj : (i) (a) Is it a fact that the special class Akali prisoners confined in the Mianwali jail are allowed to have a diet suited to their needs ?

(b) Is it a fact that they are not allowed Jhatka meat in any form, by way of soup or even on medical grounds ?

(c) Is it a fact that the concession that was originally allowed of providing them with shot birds has been now withheld ? If so, what are the reasons ?

(d) Is it a fact that the Muhammadan prisoners confined with them had given in writing that they could have no objection to the Sikh prisoners using Jhatka meat ? If so, what are the reasons for disallowing the use of Jhatka meat to the Akali prisoners ?

(ii) (a) Is it a fact that the supply of ghee, sugar, rooji, milk, meat, etc., which were formerly being allowed to special class prisoners in the Mianwali jail have been now stopped ? If so, what are the reasons for stopping this privilege ?

(b) Is it a fact that the same scale of diet is provided to special class prisoners as is done to ordinary class prisoners?

The Honourable Sir John Maynard :

(a) Yes.

(b) Yes.

(c) No.

(d) No record of this statement is on the files of the jail.

(ii) (a) In 1922 a limited special dietary was sanctioned for A class prisoners, on condition that the prisoners paid the additional cost over that of the ordinary prison diet. In 1923 rules were framed under Section 60 of the Prisons Act which allowed special prisoners, *inter alia*, additional food brought in, at the prisoner's expense, from outside the jail. The articles of additional food which may be brought in are not specified, but they must be of a simple character and be approved by the Medical Officer. The dietary of 1922 is still in force for A class prisoners sentenced before December, 1922.

(b) Yes.

BOOKS OF GURMUKHI LITERATURE IN THE LIBRARY ATTACHED TO THE
MIANWALI JAIL.

2199. Lala Bodh Raj: (a) Is it a fact that there is not a single book of Gurmukhi literature or in Gurmukhi script in the library attached to the Mianwali jail available for the use of special class Sikh prisoners? If so, does the Government propose to make some arrangements for the supply of such books to them?

(b) Is it a fact that no newspaper even of the type of the "Civil and Military Gazette" is supplied for the use of such prisoners in the jail?

The Honourable Sir John Maynard: (a) There is no Gurmukhi literature kept in this Jail Library, but special class prisoners are given the opportunity to obtain it from outside sources and have availed themselves of the privilege.

(b) Yes.

SPECIAL CLASS PRISONERS IN THE MIANWALI JAIL AND CORRESPONDENCE
IN GURMUKHI CHARACTERS.

2200. Lala Bodh Raj: (a) Is it a fact that the special class prisoners confined in the Mianwali jail are allowed to write one letter every month to their friends or relations?

(b) Is it a fact that they are not allowed to write their letters in Gurmukhi script? If so, what are the reasons?

(c) Is it a fact that letters written in Gurmukhi characters are first sent to the office of the Inspector-General of Prisons for censorship before they are despatched to the persons for whom they are meant?

(d) Is it a fact that this procedure results in undue delay in the letters reaching their addressees?

[Lala Bodh Raj.]

(e) If so, does the Government propose to make local arrangements to enable the Superintendent of the Jail to decipher such letters or to know their contents so that the delay referred to in (d) above may be avoided?

The Honourable Sir John Maynard :

(a) Yes.

(b) No.

(c) Yes.

(d) Some delay results.

(e) The suggestion will be considered.

Lala Bodh Raj : Will the Government please state if the delay of one month has been resulted on account of the procedure adopted?

The Honourable Sir John Maynard : I should like to have notice of this question.

Lala Bodh Raj : Will the Government please say why the letters are sent to the Inspector-General of Prisons for censorship?

The Honourable Sir John Maynard : Because at present there is no one in the jail who can read Gurmukhi letters.

RESOLUTIONS.

RESOLUTION *Re*. GRANT OF PROPRIETARY RIGHTS TO THE LESSEES OF THE TAHT-KHAHI AREAS IN THE TAHSILS OF DIPALPUR AND PAKPATTAN—(concluded).

Mr. President : The Council will now proceed with the discussion of the resolution *re*. the grant of proprietary rights to the lessees of the *taht-khahi* areas in the tahsils of Dipalpur and Pakpattan from where it left on the 3rd March 1925.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, on the last occasion when the discussion of this resolution was stopped, that is on the 3rd March 1925, I never expected that an occasion would come when this resolution will again be taken up, and finally dealt with. However, the rules have provided my friend opposite (Sayad Muhammad Husain) an opportunity of testing this resolution and getting a vote of this House. I was saying at that time that I was thankful to my friend for explaining to me the terms of the *taht-khahi* and I said that whatever the *taht* was with these lessees or tenants at that time Government had scrupulously kept that in view and that the Government was not going to move one jot this side or that side of the terms of the leases under which these people held their tenures. My friend Mr. Barron at that time gave a very full explanation of the different changes that had taken place in the *taht-khahi* leases. My friend the mover of the resolution (Sayad Muhammad Husain) wishes that all these *taht-khahi* leases whether they are under the rules of 1868, whether they are under the rules of 1882 or of 1885 or of 1897 should be treated alike and should be given proprietary rights on the terms of the rules of 1885, that is at Rs. 3 per acre and again in another case at Rs. 10 per acre of cultivated and Rs. 5 per acre of uncultivated area. My friend during

RESOLUTION RE. GRANT OF PROPRIETARY RIGHTS TO THE LESSEES OF THE
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the course of the debate admitted that several changes were made in these rules and the first change, as I explained was in the rules of 1868. The second time we changed the rules was 1882, then we again changed in 1885 and then again in 1897. The reasons, Sir, for this was that in the very beginning it was difficult to attract people to come to these colonies and take up lands on leases. Those who have seen colonisation in the Lyallpur bar understand the difficulties that Government had to face in persuading the people to come and take up lands in the colony. We had to devise means to attract tenants to take up lands in the beginning. As Mr. Barron explained during the course of his speech the terms were very easy in some cases, they were so easy that they had only to sink a well in the leased lands. Further as time went on, the value of land increased and the land hunger in the minds of the people also increased and the Government became more cautious in giving leases as freely as it used to do before. I may say, Sir, that these leases are 270 in number and comprise an area of 59,125 acres or as Mr. Barron put it, in answer to a question put in this Council, nearly 60,000 acres. I am repeating the information given by Mr. Barron because the debate on this subject took place so long ago that many members might have forgotten what was said by him then. He explained to the House that under the 1868 rules 100 leases were given, under the rules of 1882 fifty leases were given, under the rules of 1885 ninety leases were given and since the issue of the rules of 1897, thirty allotments have been made. The House will thus see that the subject of these leases is intricate and not so easy of solution as my friend opposite (Sayad Muhammad Husain) wishes the House to believe. In 1897-98 Sir Patrick Fagan went into the question very carefully and made elaborate enquiries. Sir, if you will permit me I shall read what Mr. Barron said the other day on this point :

"These leases were the subject of a very careful enquiry in 1897-98 made by Mr. Fagan during the course of the Montgomery settlement operations. It was then found that some of the earliest leases had been given on a very simple form of lease for ten year periods during which time the lessees were entitled to sink wells, make water-courses, plant trees, build houses and otherwise improve the land on condition that if the leases were not renewed, they would have no claim against the Government for compensation but would be at liberty to remove the materials. Under the 1868 and 1882 rules the lessees became entitled to compensation if their leases were not renewed, the compensation taking the form of purchase by Government at a price to be fixed by mutual consent of all materials connected with improvements made by the lessees. If the lease was renewed, no compensation was of course claimable, and in the event of non-renewal and non-purchase of materials by the Government the lessee has to remove the materials at his own expense. It was not until the 1885 rules came into force that a right to purchase the proprietary rights in leased lands was conceded."

Mr. Barron also informed the House that the right to purchase proprietary rights was conceded only in 21 cases. He also told the House very plainly that out of these 21 persons who were given the right to purchase the proprietary rights only two in Pakpattan did purchase the rights and none had come forward in Dipalpur. Now, Sir, under the rules of 1897, as Mr. Barron told the House, the lease carried a promise of proprietary rights on fulfilment of certain conditions. The leases can be purchased at any time during the currency of the lease at the full market value of the land.

[Hon'ble S. B. S. Sundar Singh, Majithia.]

to be fixed by the Deputy Commissioner subject to the sanction of higher authorities, if necessary. But there was one important point in the 1897 rules which differed from the previous rules and that is the very important reservation that was made by which lands which had to come under the new colony scheme where canal irrigation was to be extended were not to be given these proprietary rights. I should like the House to bear this in mind, that this was a very implicit reservation that Government made, because they knew that the value of the land in parts where the canal was to pass must necessarily increase which would mean an increase of higher revenues to Government. My friend has impressed upon the House somehow or other the poor condition of these tenants. Another member, I think it was Lala Sewak Ram, if I am not wrong, said that these tenants have sunk a good deal of capital in these lands. I cannot reconcile these two statements. One member says that the tenants are poor and another says that a good deal of capital has been sunk on the lands. Whom am I to believe? Are these people poor and cannot afford to purchase these rights and cannot afford to give the full value of the land that they have been having for this long time?

Sir, in dealing with this question Government has to be very careful that they do not give away the assets of the province to anybody under the very good pleadings that have been made by my friend opposite (Sayad Mahammad Husain). He is possibly a very poor zamindar himself and cannot afford to pay the price. I will put to him the direct question, if he were the proprietor of these lands will he give away advantages that would accrue to him?

Sayad Muhammad Husain : Certainly.

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia: Certainly not, Sir. I may, however, mention that if we are to accept his proposition it would mean for 59,125 acres at Rs. 3 per acre, a sum of Rs. 1,77,375 only. If we take at Rs. 5 per acre, it would mean Rs. 2,95,625. If we take at Rs. 10 it would mean Rs. 5,91,250. Now the possible amount of the price of these lands as stated by my honourable friend Mr. Barron in this House was Rs. 400 an acre, which means that if this House is prepared to accept the proposition of my honourable friend opposite, the Government will be asked to give up a sum of Rs. 2,36,50,000. My honourable friend has been canvassing a good deal to get a vote of this House in his favour. I do not think it is at all necessary for me to do this. I only wish the House to realise that if it accepts the proposition of my honourable friend, it amounts to asking the Government to give up such a large sum as has just been mentioned by me.

Dr. Gokul Chand, Narang : Will the Honourable the Revenue Member kindly tell the House the number of tenants?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The total was 270, out of whom 21 were given the right to purchase, but two of them only purchased. Before they vote on this motion which on the face of it seems to be very innocent indeed, I would ask the honourable members of this House to think twice and see that the consequence of this would be that the province will be losing a sum of 2 crores, 36 lakhs and odd.

**RESOLUTION RE : GRANT OF PROPRIETARY RIGHTS TO THE LESSEES OF 1485
THE TAHT-KHAHI AREAS IN THE TAHSILS OF DIPALPUR
AND PAKPATTAN.**

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Will the Government please state what it charged for the leases granted in 1910 or 1912 ? Let us know what the Government charged during any recent year.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : If my honourable friend means the Lower Bari Doab colony, we charge Rs. 100.

Sayad Muhammad Husain : No. I want for the leases which were granted to the Sohagpara lessees in 1910 or 1912.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I can only say that that was in accordance with a definite promise made by the Government and the Government kept those promises. But in these cases no such promises were made by the Government and the Government are sticking to the terms they offered to those men. They took these leases, they cultivated these lands. They made profits out of these lands and I do not think as was suggested sometime before by my honourable friend that these people ever thought at that time that the canal was coming to this ilaqa. My honourable friend was also mentioning about one Mirza Rahmat Ullah getting rights and some Risaldar Jafar Ali not getting the rights. I have only to say that if the former gentleman who was offered these rights has taken advantage of purchasing these rights, he was quite welcome to do so. If the latter gentleman, who was offered the same rights, had not seen fit to purchase these rights, how could we have forced these rights upon him?

Sayad Muhammad Husain : My question had no reference to the old leases. I wanted to know for the leases which were granted to the Sohagpara lessees in 1910 ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Am I not permitted to continue my speech without these interruptions ? How can I be expected to carry details of each case in my head ? The colonisation officer is now making detailed enquiries into the case of each of these lessees and he will submit his report to the Government for their decision. I may assure the House that each case would be considered by Government on its merits and appropriate orders passed thereon.

Dr. Gokul Chand, Narang : Will the Government give compensation for improvements, if any, which these tenants have made in their holdings before they are ejected in case they cannot accept the terms of the Government ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : That is always done.

Mian Muhammad Shah Nawaz : Will the Government please say whether these lands which are covered by the *Taht-Khahi* leases will get perennial irrigation ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Some will get perennial, while others will get non-perennial irrigation.

Mian Muhammad Shah Nawaz : If they are non-perennial, then Rs. 400 per acre is too much. If they get perennial irrigation, that is a different matter.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I have already said that the colonisation officer is making detailed enquiries.

Sayad Muhammad Husain : Will the Honourable the Revenue Member please state what were the terms on which these leases were given in 1910 and on what principles the proprietary rights were conferred ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
Does my honourable friend expect me to remember all these things? If my honourable friend had given me notice beforehand I would have come prepared for this.

Mr. President : The resolution before the Council is —

"This Council recommends to the Government to grant proprietary rights to the lessors of the *Takht-Khaki* area situated in the tahsils of Dipalpur and Pakpattan on whom such rights have not hitherto been conferred on the conditions on which proprietary rights were granted to Sohagpara lessees."

The question is that that resolution be adopted.

The Council then divided : Ayes, 25; Noes, 41.

AYES 25.

Malik Firoz Khan, Noon.
Nawab Sayad Muhammad Mehr Shah.
Munshi Fazal Khan.
Khan Muhammad Saifullah Khan.
Khan Bahadur Chaudhri Karam Ilahi.
Rai Shabadat Khan.
Sayad Husain Shah.
Shaikh Faiz Muhammad.
Subedar-Major Farman Ali Khan.
Lient. Sardar Sikandar Hayat Khan.
Chaudhri Najib-ud-Din Khan.
Khan Haibat Khan Daba.
Chaudhri Ghulam Muhammad,
Chaudhri Nur Din.

Chaudhri Sahib Dad Khan.
Khan Sahib Chaudhri Muhammad Shafi Ali Khan.
Maulvi Mazhar Ali, Azhar.
Chaudhri Afzal Haq.
Rana Firoz-ud-Din Khan.
Nawab Malik Sir Khuda Baksh Khan.
Sheikh Muhammad Sadiq.
Captain Malik Mumtaz Muhammad Khan, Tiwana.
Khan Muhammad Abdullah Khan.
Makhdumzada Sayad Muhammad Raza Shah Gilani.
Sayad Muhammad Husain.

NOES 41.

Mr. W. P. Sangster.
Colonel C. R. Bakble.
Mr. C. A. Barron.
Mr. C. M. King.
Mr. A. R. Astbury.
Khan Bahadur Nawab Muzaffar Khan.
Sir George Anderson.
Lient.-Col. B. C. Battye.
The Honourable Rai Sahib Chaudhri Chhotu Ram.
The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.
The Honourable Sir John Maynard.
Mr. Miles Irving.
Mr. J. M. Dunnett.
Mr. H. D. Craik.
Mr. H. W. Webb.
Mr. J. Coldstream.
Sardar Bahadur Sardar Jowahir Singh.
Khan Bahadur Sir Sayad Mehdi Shah
Khan Bahadur Nawab Muhammad Jamal Khan.

Sardar Narain Singh.
Sardar Jodh Singh.
Rai Bahadur Sir Gopal Das, Bhandari.
Mian Muhammad Shah Nawaz.
Sardar Randhir Singh.
Sardar Mangal Singh.
Mr. V. F. Gray.
Sardar Dhira Singh.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Lala Bodh Raj.
Lala Banke Rai.
Dr. Nihal Chand, Sikri.
Lala Diwan Chand.
Sardar Mohindar Singh.
Rai Bahadur Lala Dhanpat Rai.
Mr. E. Maya Das.
Mr. Lakh Singh.
Lala Mohan Lal.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.

The motion was lost.

RESOLUTION RE: THE APPOINTMENT OF MEMBERS OF THE PUNJAB LEGISLATIVE COUNCIL AS NON-OFFICIAL VISITORS OF JAILS.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban] :
Sir, I beg to move—

"That this Council recommends to the Governor in Council that the non-official members of the Punjab Legislative Council be made non-official visitors of the jails within their respective constituencies."

Sir, the facts revealed in the "Bande Matram" case and the speeches made by the various members yesterday regarding the treatment of prisoners in jails make it hardly necessary for me to detain this House for any length of time in putting forth arguments in support of my resolution. It has been found that there are certain irregularities which are committed in jails, there are certain unauthorised punishments which are meted out to prisoners and there are also certain unauthorised indulgences. My honourable friend Lala Bodh Raj visited one jail and in reply to a question on the subject, Government has placed before the House a copy of his report and the note of the Superintendent of the jail. If the Government is anxious that the jail administration should be improved and that the condition of the prisoners who are detained in the various jails should be bettered, I am sure the Government will be well-advised to accept my resolution. If we, the members of the Legislative Council are made non-official visitors, we will be able to visit the jails and note down our remarks which will help Government in rectifying certain malpractices and unauthorised punishments that are prevalent in the jails and improving the jail administration. Certainly, on principle the jail officials would not like such interference on the part of the members of this Council. But I will say that the Government should not concern itself with what the jail officials would or would not like. If the Government is as anxious as we non-official members are that the jail administration should be improved, the only method for the improvement is by having more inspections of the jails and these inspections can better be done by the non-officials of this Council. If this privilege is granted to the non-official members of this House and the resolution accepted by Government, I can assure the Government that it will get both sides of the picture and it will be in a position to judge what measures it should take for the better administration of the jails. The reports of the non-official members may be favourable or unfavourable, but still the Government will stand to gain by these reports. As I already said, the speeches that were delivered yesterday on the subject has obviated the necessity for my making any long speech in support of my resolution. With these few remarks I commend my resolution for the support of this House and the acceptance of Government.

Mr. President : The resolution moved is—

"That this Council recommends to the Governor in Council that the non-official members of the Punjab Legislative Council be made non-official visitors of the jails within their respective constituencies."

The question is that that resolution be adopted.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban] :
Sir, I have got full sympathy with the resolution that has been moved by my honourable friend Lala Mohan Lal and I wish that each non-official member of this House should take upon himself the duty of reforming the

[Lala Bodh Raj.]

jail administration. But, Sir, I want to give a note of warning to my friend Lala Mohan Lal and the other members in this House that if they take upon themselves the duty which will be placed upon them by this resolution, they will have to carry it out honestly and conscientiously. The reports that will be made from time to time will be sometimes favourable to the jail department and the jail officials and sometimes those reports may be unfavourable. And from my own experience I can tell you, Sir, that the reports if unfavourable to the jail officials will not be taken by them in the spirit in which they are made, namely, with a view to reforming the jail administration, but they would consider that these reports are actuated by malice and ill-motives. If any report is made that such and such a prisoner made a complaint to the non-official visitor that he was being maltreated by the assistant jailor or the jailor or the convict warder, the superintendent generally makes a note against the report of the non-official visitor that the prisoner stated to him that he did not make such a complaint to the non-official visitor. Then the question arises, whether the Government shall be prepared to believe the non-official visitor or the superintendent. I may in this connection bring to your notice, Sir, one instance. In the report of a non-official visitor regarding the Multan District Jail on 28th July 1925 the copy of which was laid on the table on 30th November 1925, there is a reference to Ilahi Bukhsh, an under-trial prisoner. He made a statement before him that he was an under-trial prisoner and yet he was asked to do labour, that he put an application through his counsel to that effect to the magistrate before whom he was being tried and when he returned back to the jail, the officials ran upon him and asked him to withdraw his statement otherwise he shall be treated otherwise. He had no alternative, but to retract from the statement he had made to the magistrate. The counsel of the accused had approached the non-official visitor and requested him to visit the jail, see the prisoner and take his statement. When the non-official visitor went to visit the jail he took the statement of the prisoner which in addition to what he stated to the magistrate was to the effect that he was threatened by the jail officials with flogging and he was even taken to the triangle for the purpose and that he was compelled to retract from his statement made to the trying magistrate. This was a statement which he made to a non-official visitor and when the latter asked the prisoner whether he will not again retract from his statement he said he would not, but curiously enough it is found from the remark of the superintendent of the jail that the prisoner stated on oath that he had not made any such statement to the non-official visitor. These are the ways how the things are happening in jails, Sir, and miserable is the lot of those poor prisoners. I understand that the situation is very difficult both for the jail officials and for the non-official visitors. I do not want to make any more remarks on this subject lest I should be considered to oppose this resolution. What I want is that the members should be prepared to put up with the slights that will be meted out to them in the discharge of their duty. As an illustration of the sort of treatment that is sometimes meted out to non-official visitors, I may cite the case of my honourable friend Sardar Gurbakhsh Singh when he visited the Multan Central Jail. The report of the incident has appeared in the press. Although the Jail Manual says that when a visitor goes round the jail, every information should be supplied to him and that the visitor has power to examine the jail records or registers, but in practice we find otherwise, that whenever a visitor asks for any in-

formation, the superintendent replies 'go and see the Jail Manual', and whenever the non-official wants to see any register or to examine any record he is told that the clerk incharge of the record is away and so it is not available. These are the ways in which non-official visitors are treated.

If the members of the House can put up with all these things—as for myself I can put up with such treatment in the interest of my duty—then they should willingly accord their support to this resolution. With these few words of warning I support the resolution.

Mr. J. M. Dunnett (Home Secretary): Sir, the honourable member in moving this resolution has made a general appeal with which, although I oppose this resolution, I am in full sympathy, an appeal with which I venture to say the honourable member in whose portfolio this subject is, is in full sympathy. I shall not give Lala Mohan Lal the answer that Lala Bodh Raj has given that the inclusion of the members of this House as non-official visitors can effect nothing. But I wish first of all to say that the general appeal that Lala Mohan Lal made to Government to do everything in its power to secure independent inspection of jails, to secure that all abuses shall be brought to the notice of Government and rectified is an appeal which Government does not wait to receive but goes more than half way to meet. The principles on which non-official visitors are appointed, the object for which they are appointed are fully accepted by Government. The honourable member in charge of this department is quite prepared and is even anxious to have unbiassed independent inspection of jails which in the words of the Jail Commission will be a guarantee to Government and to the public that the provisions of the Prisons Act and the Jail Manual are being observed and that abuses when they occur are brought to light and corrected. The honourable member also desires that through this system of non-official visitors the public and those people who are interested in jails should be instructed in jail administration, should have an opportunity of understanding it and should take an interest in prisons and prisoners. Therefore, I hope that the honourable mover of this resolution will recognise

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that he appeals to a sympathy which is not merely echoed but is acted on wholeheartedly. But, Sir, the honourable mover is himself a businessman and I am sure he wishes to translate his theories and aspirations into cold practice. Now, Sir, the question is whether this resolution will actually effect these objects which both he and the honourable member in charge of this subject have at heart. I am afraid that the answer is that the proposal will not actually effect these improvements. In order to show that, it will be necessary for me to say something about what the existing practice is. The existing practice is that Government constitutes for each jail, be it a sub-jail or a district jail or a central jail, a board of visitors. That board of visitors necessarily includes *ex-officio* visitors, such as the Sessions Judge and the District Magistrate who cannot be dissociated from the management of jails and it also includes non-official visitors whose number varies according to the class of jails; for central jails there are six non-official visitors. The non-official visitors actually exceed, in practice, official visitors. For ordinary district jails, the number is three, but the honourable member in charge of the department has in several cases appointed a slightly larger number.

Now, Sir, I wish to say something about the selection of non-official visitors and the system of inspection and I think, when I come to say something about the system of inspection, the nature of that

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inspection and what is necessary for it, the House will agree with me that a board of more than a dozen visitors is useless. I wish to bring to your notice, Sir, that haphazard inspection is quite useless. It requires to be systematic and informed and for that a board of more than a dozen is useless. There must be from 5 to 6 officials on it. Obviously the Sessions Judge and the District Magistrate must be on it and that leaves six or seven non-official visitors in the case of central jails and four in the case of district jails. How does the Government find these people? Not always successfully, but the criterion which is being applied and is still applied is that laid down in the Jail Commission report. We wish to select people who are interested in jail administration. We wish to select people who will give unbiassed and independent opinion. They must be people who would take trouble to make themselves informed and here I wish to acknowledge that Lala Bodh Raj has taken a great deal of trouble to make himself acquainted with these matters. Well, Sir, these non-official visitors must be selected to be unbiassed, they must be selected to be capable and competent, they must be people interested in prison administration and in prisoners. The Jail Commission laid down that they must be people with interest in prison matters or other social work. Persons with definite qualifications, persons of ability willing to assist in finding work for prisoners on release are required. A great deal has been said about the difficulties of jail administration and Government will not put a white sheet over itself on that matter and say everything is all right. Government is out to remove these difficulties. One thing perhaps that was not brought to the notice of the House is that your jail administration will never be efficient—it will never be charitable and kind-hearted until you have prisoners' aid societies; unless you have people going into the jails, who are not only interested in the jail administration but interested in the prisoners, who will try to look after the prisoners when they come out and who will form what is known as after-care societies, jail administration will not be efficient.

For the last three years Government in this division of Lahore has been trying to form a prisoners' aid society and has received response from not one single person. Well, Sir, if you make all the members of this House non-official visitors in their constituencies, what will be the result? The first result will be that you will push out of the board all the non-official visitors, in fact every one but yourself with some exception. For some jails which lie in seven or eight constituencies, you will add 7 or 8 non-official visitors at one blow. Let the honourable members consider what the constituencies are from which they come to this House and you will see that the effect of this resolution is to add in the case of one or two jails no visitors while in some other jails to add as many as nine.

Now, Sir, it is within your knowledge that there are criminologists outside this House, people who are interested, people in one district which I know who have been quoting to me Italian or American authorities. Are you going to shut out all these people? Are you going to shut out all these people who have found employment for prisoners and who have been looking after them? I think the House does not desire to do so. I think those honourable members of the House who are as keen as the honourable mover about jail reformation will recognise that if the resolution is given effect to in practice, it will have a very injurious effect.

**RESOLUTION RE : THE APPOINTMENT OF MEMBERS OF THE PUNJAB 1441
LEGISLATIVE COUNCIL AS NON-OFFICIAL VISITORS OF JAILS.**

Now, Sir, I come to the system of inspection. The system is this. A board is formed of about 12 people. The whole board meets in the jail once a quarter. The members of the board take turns according to a roster. They each take a week within which they may make inspection and within that week each member makes an inspection on an uncertain date. That is to say the jail administration is not warned that the non-official visitor is coming. The system is a quarterly inspection by the whole board and a weekly inspection by the members and the effect is or will be, as the system is worked out in practice, that you will have instructed inspection of jails by unbiassed independent persons who will be competent not merely to pick out one or two points in which they alone are interested, but to review in an expert manner the whole district administration and cast light on every dark corner. Now, Sir, my honourable friend in his resolution did not describe to you what he envisaged. It seems to me that possibly in his mind or possibly in the minds of some members of this House the idea is that it will be beneficial if honourable members of this House have a right to walk into the jail at any time they choose and make an inspection. Now, Sir, I do not take objection to that on the ground of interference, although actually jails can only stand a certain amount of inspection. I shall take objection to that on this ground that haphazard, inept inspection is of no use to any one. Neither from my point of view nor from the point of view of my honourable friend the mover of this resolution is such an inspection of any use. A systematic, independent and unbiassed inspection such as the present system offers was and is extremely valuable and is I am sure particularly welcome; but haphazard inspection by members who are non-official visitors and who only by the way visit jails on chance occasions for individual or personal purposes is of no use whatever. Let us have regular, well-informed inspection by unbiassed and independent people and the way to do that is by the constitution of a board, comprising people selected not on an elective basis, not because they have the honour of being members of this House, but on the sole ground that they are independent and have definite qualifications and interest in prisons and prisoners. I think perhaps that covers the general objection which I take to this resolution.

Before I sit down, I wish to make just one reference to what Lala Bodh Raj has said; although I think that on this occasion he spoke with more enthusiasm than was perhaps necessary. I wish, before taking exception to what he said, to acknowledge that he has set himself out to make himself an expert and competent non-official visitor. When I object to a general proposal to include all the members of this House as non-official visitors, I must not be taken to mean that we cannot, according to the Jail Commission's proposal, on the lines we follow, select from honourable members of this House gentlemen who will give a great deal of assistance in the jail administration. What I wish to remark on in Lala Bodh Raj's speech is that portion wherein he states that no notice is taken of the reports of visitors. The actual instructions in the Jail Manual are that all points in the non-official visitor's report as recorded in the Inspection Book are to be dealt with by the superintendent and it then goes to the Inspector-General of Prisons who passes on it such orders as appear to him to be necessary and refers to the Government those points which he thinks require orders of Government. Now, Sir, it may be that the superintendents in individual cases have taken criticism badly or even it may be that they have not appreciated it at its full weight. But there is no intention on the part of the Government that these

[Mr. J. M. Dunnett.]

criticisms should be treated at all lightly. They are actually treated with the greatest attention and without any delay when they come to the notice of the Government. I think I may venture to promise that the honourable member in charge of the department will see that the greatest attention and the most honest care is paid to the inspection notes recorded by non-official visitors of jails, whether they are members of this House or not.

Dr. Gokul Chand. Narang : May I know if there is any provision for surprise visits in the system that the honourable the Home Secretary has described? Because unless there are surprise visits, it is not possible to detect cases of oppression, torture and such other irregularities.

Mr. J. M. Dunnett : The roster allots one week to each non-official visitor and the rules provide that he shall not go in after the lock-up or on Sundays or on holidays. Apart from that within the week allotted to him, he is free to choose his own time. I have read the instructions in the Manual with care and I think it is accurate when I say that he can choose his own time. Visits are within the week unexpected.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu) : Sir, I have listened attentively to all the points raised by my honourable friend Mr. Dunnett while discussing the resolution under consideration. I differ with him in certain respects. I am at one with Lala Bodh Raj when he says that the treatment meted out to the non-official visitors is objectionable. Almost all the non-official visitors have expressed the same grievance but the Government has not moved a bit. Sir, now when the Government is in earnest to effect reform in the jail administration I would request it to accept the present resolution and take some necessary steps to insure that in future the non-official visitors are not subjected to any insult or disgrace at the hands of the jail authorities. I cannot say with certainty what action the Government takes on the reports submitted by the non-official visitors from time to time. I have worked as a non-official visitor for about a year and submitted my reports to the Government but I am sorry to remark that I do not know as yet what action has been taken by it in that connection. On the other hand the Government always takes immediate action on the reports of its officials. I visited a jail, the superintendent of which reported against me on a certain matter. Thereupon the Government issued a circular that no non-official visitor may be allowed to visit a jail unless he produces a certificate.

The Honourable Sir John Maynard : May I know what is the certificate referred to?

Chaudhri Afzal Haq : It is the certificate of identification. (Continued in Urdu) Sir, I mean to say that it is about one year since I submitted my reports to the Government in connection with jail grievances but so far no action has been taken on them. On the other hand a superintendent of jail reports against me and a circular is issued in contravention of the last forty years' practice binding on all the non-official visitors. I do not contradict the Government when it says that it really wishes to bring about some reform in the working of the jail administration, but, Sir, there must be some substantive proof of it for, in the absence of actions, words have no force. Sir, I know the blame does not wholly lie with the Government. The fact is that the jail administration system is very old one and under that the jail officials are not accustomed to hear such criticisms as the non-official visitors often do. Therefore we must also put

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up with the treatment of the jail officials for we are not doing a private business but a duty which we owe to the welfare of our country, no matter if the performance of it involves any insult or disgrace. At the same time it is the duty of the Government to see that the jail officials behave well towards the non-official visitors who are representatives of the people. I was also treated in the same way as my two other friends were treated by the jail authorities while visiting jails in the capacity of non-official visitors. But they gave publicity to their insult and I pocketed it.

Previously the non-official visitors visited the jails and after inquiring the number of the inmates, under-trial prisoners, and recording favourable remarks as to the administration of the jail in the minute book used to come back. But now the non-official visitors spend hours in their inspection and examine minutely every item which is before them. Naturally the jail authorities who are not accustomed to such like inspections must feel annoyed at such visits. Therefore I would request the non-official visitors on the one side to keep patience and forbear and on the other side I would require the Government to issue instructions to the jail officials to behave well towards the non-official visitors. I have seen some of the minute books of certain jails. The remarks put down therein contain nothing but the praise of the Deputy Commissioner in whose district that particular jail is situated. Why is this so? Simply because a copy of the remarks is sent to the Deputy Commissioner. Look at the mentality of the non-official visitors. I would frankly submit that the committees consisting of such non-official visitors who have no will of their own, would certainly prove failure. If the Government really wishes to carry out some reform in the jail administration it should not mind if two or more non-official visitors were to be appointed in every district in consequence of the acceptance of this resolution. I cannot visit all the jails of the province and when the number of such visitors would increase the duty entrusted to us would naturally become lighter. Moreover, Sir, the non-official visitors should be unbiassed and fearless persons. They should have their own independent opinion. They must be capable of expressing their own convictions without being influenced in any way by the Government authorities.

When I visit a certain jail I take along with me the darogah of the jail and go to every prisoner. But, Sir, the prisoner in the presence of darogah cannot dare to express his grievances simply because he knows that when I will be off he would be subjected to various tortures. The Government has expressed no opinion about my reports. It is still a secret and let it remain so.

The Honourable Sir John Maynard : Sir, I rise to a point of order. I think the honourable member is talking about a matter which is now *sub-judice*.

Chandhri Afzal Haq : No, Sir.

The Honourable Sir John Maynard : I think the honourable member is speaking about the "Bande Matram" case which is now under appeal.

Chandhri Afzal Haq : No, Sir, I am not talking about that case. I am referring to the reports on the district jails of Ferozepore, Hoshiarpur and Rawalpindi, which I made sometime back. (Continued in Urdu) Sir, I intend no adverse criticism against the jail administration but I would

[Ch. Abdul Haq.]

submit only those points in respect of which reform can be effected. For instance I have come to know that the non-official visitors are not allowed to visit the jails on Sundays and after sunset. It is possible that I might be wrong in this information but if I am right I would ask the Government why Sunday and after sunset visits are prohibited. We cannot say that during the night time no unauthorised indulgences are committed. Let Government remove this restriction. In the end I would submit that the resolution under consideration is sound and represents the views of all the communities. I had also sent in the same resolution sometime back but I could not move it. Let the Government accept the resolution in order to prove that it is prepared to do anything which is likely to effect reform in the jail administration.

Maulvi Mazhar Ali, Azhar [East and West Central Towns (Muham-madan), Urban] (Urdu): Sir, I will not detain the House for any length of time by dwelling upon points urged by my honourable friends Chandhri Afzal Haq and Lala Bodh Raj. I will simply confine myself to replying briefly to the arguments advanced by Mr. Dunnett.

It is gratifying to note that the Government has expressed its agreement with the principle underlying the appeal made by the honourable mover of the resolution, but all the same I can not but wonder at the refusal of the Government to act upon the means intended to achieve the goal. In the first place, Mr. Dunnett, while opposing the resolution, has said that even in case the resolution is accepted, there will be no addition to the list of non-official visitors in the case of many jails.

Mr. J. M. Dunnett (Urdu): Sir, I rise to a word of explanation. I said that if a particular district jail is situate in a particular constituency, the member of which has already been appointed as a non-official visitor and that member happens to be the only member of that constituency, it will not be possible to add another non-official visitor for that district jail.

Maulvi Mazhar Ali, Azhar (continued in Urdu): I quite realise that theoretically that may be true, but from a practical point of view, I think it will not have the same effect as Mr. Dunnett thinks it will have. If this resolution is adopted, the number of non-official visitors will naturally increase in the case of each and every jail and even where there are one or two non-official visitors at present, who are members of the Council, a few more will be added to that number. I take a particular instance. At present Raizadā Bhagat Ram is a non-official visitor of the Jullundur jail and he is a member of this Council too. If this resolution is adopted, the effect will be that a few other non-official members must necessarily be added to the existing list of non-official visitors and they will include members of all the communities and even the urban as well as the rural members will have the opportunity to visit the jails as the Jullundur jail is situate within several urban and rural constituencies. There is no jail in the province which is not comprised in more than one constituency. Therefore the resolution, if adopted, will have the wholesome effect.

As to the objection taken by the honourable Mr. Dunnett that for some jails there will be created, by the adoption of this resolution, as many as 8 or 9 non-official visitors, it is, I think, an exaggerated view. So far as I think there will be created not more than 3 or 4 non-official visitors for certain jails and even if admitting that in some cases even 9 visitors will be added, that is no reason why the resolution should be rejected.

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Then Mr. Dunnett has been pleased to say that non-official members should be of independent views, as if the non-official members of the Council, whom it is intended by the resolution to appoint as non-official visitors, are not of independent views. I would ask Mr. Dunnett to search his mind and say whether there is any force in this argument. Does he think that the members of the Council, who have been returned to this Council by the consent of the people, will not inspect the jails in an unbiassed and independent spirit? Are the present non-official visitors more independent than the members of this Council.

Further Mr. Dunnett has taken his stand on the fact that persons should possess definite qualifications before they can be expected to discharge the duties of a non-official visitor of jails. I again ask my honourable friend whether he can lightly treat the fact that the members of this Council are the representatives of the people and whether the qualification of being an elected member of the Council is not sufficiently definite to enable him to be appointed as a non-official visitor. Except that Mr. Dunnett has tried to enlist the sympathies of the members on his side by the use of bombast, there is no force whatsoever in his argument.

Then Mr. Dunnett has been pleased to call inspection by the members of this Council as haphazard one. I do not fully understand what he means by that. Does he mean to convey that the inspection by a regular and appointed board is the only regular inspection, as it is done at present, once or twice a week, and then perhaps at an appointed time and hour. May I ask Mr. Dunnett what is his opinion about the inspections done by Lala Bodh Raj, Sardar Gurbakhs Singh and Chaudhri Afzal Haq? Was that inspection haphazard and therefore useless? So far I think and I think Dr. Gokul Chand expressed the same view when he just now put a question, that surprise inspection is the only proper and useful inspection. To give notice to the jail officials that such and such a visitor will visit a certain jail at such and such a time is to give them sufficient time to set things in order.

Mr. J. M. Dunnett: On a point of personal explanation. I did not say that. I said unexpected visits were permitted. That was the answer to the question of Dr. Narang.

Maulvi Mazhar Ali, Azhar (continued in Urdu): I know that surprise visits are permitted. . . .

Mr. President: The honourable member will please address the Chair. He has been constantly addressing the other side.

Maulvi Mazhar Ali, Azhar (continued in Urdu): Sir, I was saying that I did not deny that surprise visits were allowed. What I meant to say was that surprise visits were the only means by which full information about the jail administration could be obtained.

In opposing the resolution the honourable Mr. Dunnett has remarked that experts should be appointed as non-official visitors of the jails. I can very well guess what he has in his mind when he says so. He probably thinks that experts can be had only by following the procedure that the Government is at present following. I should think that he does not consider any of the non-official members of this Council as an expert. I may state here, for the information of the honourable Home Secretary, that the

[M. Mazhar Ali, Azhar.]

non-official members of the boards he has in his mind and even the officials do not know the real state of affairs in the jails. In this connection I am reminded of a gentleman who in his days was a responsible officer of the Government and whom I met in the jail where I had also the honour of being the guest of His Majesty. The gentleman referred to had held the office of a magistrate for many years and was known amongst the public as accustomed to sentence criminals to more than four years imprisonment so that they might appeal direct to the High Court and may not be able to appeal to the Sessions Judge.

The Honourable Sir John Maynard : Is not this far off from the subject of appointing members of this Council as non-official visitors of jails ? Is what the honourable member saying relevant to this question ?

Professor Ruchi Ram : He is merely developing the argument.

Maulvi Mazhar Ali, Azhar (continued in Urdu) : I am merely saying who are expert members and whether there is any expert visitor now visiting the jails. That is my argument. I am showing one specific instance without mentioning the name of the gentleman and I do not think I am precluded from developing the argument.

Mr. President : The honourable member may proceed.

Maulvi Mazhar Ali, Azhar : Sir, the gentleman about whom I was talking was subsequently sentenced to imprisonment and was in the same jail in which I was sent. In the course of my talk with him there (and I can not say whether he remembers it now or not) he remarked that as a magistrate he had been sentencing criminals to imprisonment for four, five years and sometimes more, but while so doing he never knew what the jails in reality were. He further suggested that every magistrate before his appointment must be kept in some jails for at least six months so that he might have constantly before his mind's eye the conditions in the jails on every occasion he sentences any criminal to imprisonment in order to understand what he is doing. The honourable members of this House will be able to apprehend from what I have stated that most of the people, officials and non-officials, who have never been to jail are totally ignorant about the jail administration. I know from my personal experience that most of the visitors of the jails appointed by the Government go to visit the jails as if jails were museum and they never take the trouble of seeing the actual working of the jails. And I may mention here that the Sessions Judges, District Magistrates and other officials have multifarious duties to perform and cannot devote sufficient time to scrutinize the working of the jails. As regards the non-officials I may refer to the case of one such visitor who visited the Gurdaspur jail and although he spent some three or four hours in inspecting the jail, he could only say while recording his report in the minute book that everything was alright. But very soon after that when Chaudhri Afzal Haq visited the same jail he found that conditions were quite different from what the previous visitor had seen. If the two reports are compared, you will find a world of difference between the two.

Then Mr. Cunnett referred to a recommendation of the Indian Jails Committee and that was that selected persons be appointed as non-official visitors. I would say nothing with regard to this except this much that the word ' Selection ' is a nuisance. Many of us consider it to be a privilege

to be selected and appointed as jail visitors and do many things to seek this selection which they would never have done as reasonable men. You like to give this right to the selected few, why not give it to the elected representatives of the people? On the strength of these facts I can say that non-official members of the Council are the fittest persons to be appointed as non-official visitors of the jails.

As to the view that these non-official visitors should be willing workers and that they should take care of the prisoners after they have been released from the jails, I would say that you can find willing workers from the members of this Council and they will not grudge helping the prisoners after their release only if the doors of the jails are thrown open for their inspection during the stay of the prisoners in jail because then and then only can they be acquainted with the prisoners and their needs. Being in touch with them during their stay in jail, they will feel an interest in them after release. With these points in view I am sure the Government will have no difficulty in accepting the resolution.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadian), Urban] :

A. P. M.

Sir, I agree with what my honourable friend Chaudhri Afzal Haq has said when he remarked that there should be patience on both sides, because I know that this is the first time in the history of this country that members and administration of this Government are being subjected to criticism from the public. The Government can do what they like outside the House in stopping the criticism but here they cannot stop a member from criticising especially if his criticism is business like. But, Sir, I am more than disappointed at the reply given by my learned friend Mr. Dunnett. It is not a wholesome practice that hardly after two speakers have spoken on the subject, that a member of the Government who is really next in rank to the member in charge of the department to which this subject relates should get up and say that although he is sympathetic, yet he must oppose the resolution. Where is the object of discussion of any kind if the member who is most responsible for this subject should not have the patience to wait till after four or five members had spoken? He may not approve of the resolution, he may object to it and he may not like to have it passed, but he should at least wait for a few minutes and hear patiently what others have got to say and then he should give his judgment that he is going to oppose it. It would be a wholesome practice if the Government member should merely point out all the objections to a particular proposition and then leave it to the decision of other members or he should wait till the discussion is at an end and then say that he would oppose it.

Now, Sir, the whole debate is founded on suspicion. The Government thinks that by letting these noisy people of the Council to visit the jails, still more noise will be created and great trouble would ensue to the jail administration in the Punjab. On the other hand the non-official members of the Council think that they are the real representatives of the people, that the public has elected them as the custodians of the rights of the public and as such it is their duty to go and see the jails as non-official visitors, not as nominees of the Government but in their own right as members of the Council. The non-official members as representing the people want to see what is going on inside the jails. In the matter of selection of non-official visitors, I will concede, Sir, that the Government tries to do things honestly.

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I am not going to impute motives to anybody. But, Sir, everybody must do things within the limitations of his own mentality and the Deputy Commissioner who appoints these non-official visitors is no exception to this rule. How is he to know that in a certain house lives a man who knows much of jail administration and who will therefore be a competent person to be appointed as a non-official visitor. The Deputy Commissioner generally selects the person who constantly visits him in his house. Well, Sir, these are not always the people who command the confidence of the public and these are not the only people whom we want as non-official visitors. We do not want those people who will give only the Government point of view in these matters, but we want people who would represent the unofficial view. The people at present selected by the Home Secretary are not the people who possess unbiassed opinion. The non-official visitor who is at present appointed by the Government considers it a great honour to be appointed as such. He is immensely pleased with the sight of people flocking to his house and honouring him. What is the mentality of the people who are at present nominated to membership of municipalities? A person who is nominated to the membership of a municipality considers it a great honour done to him and he considers it a still greater honour if he is appointed a non-official visitor of a jail. Sir, what can be expected of such people? We really appreciate their loyalty; but can such people really help in reforming jail administration? If members of the Council are made non-official visitors they can do a lot of improvement. They will act as a sober check on the jail authorities. Where is the harm in accepting this resolution? Every member of this House is not a Chaudhri Afzal Haq or a Lala Bodh Raj. Lala Bodh Raj has had some quarrel both inside and outside the jail. I think he is taking an extreme course. The Government thinks that because he is giving trouble in the jail administration they should put a check on all the members of the Council from interfering in the jail administration. Is it because we are all sitting on the same side of the House as my honourable friend Lala Bodh Raj? Well, Sir, next to my honourable friend Lala Bodh Raj is a gentleman of a very sober temperament. He has never spoken all his life against the jail administration. Why should the Government debar him from being a non-official visitor for the jails within his constituency? Is it because that he sits on the same benches or is it because he votes sometimes with my honourable friend Lala Bodh Raj?

My honourable friend Mr. Dannett says he is trying with a board which will go round. I have no faith in these boards. The boards are no better than the Thomas Cook and Company who take people as tourists in hotels and make them see things superficially. What do the jailors do? If any officer goes there the jailor simply arranges the whole show. He shows the visitor the fine trees, the nice cauliflower and the various other nice fruits grown in the jail garden and makes the visitor leave the jail with the impression that everything is being conducted properly. We do not want such superficial inspection by the non-official visitors. In my own district, I often saw that the plants were being moved from one place to another and I enquired what the matter was. I was told that the Inspector-General was coming. I happened to go that side on some business and I found the whole jail in perfect order. I found the ground filled with beautiful flower-pots. The poor Inspector-General must have left with the impression that the jail was always kept in that neat and tidy condition and that what he saw was the ordinary routine for that jail.

He will not for one moment think that the whole show was specially arranged for his visit.

Then, Sir, I am going to tell the Council another thing. When I was living in the civil lines I was astonished every day to find dais of vegetables going into the jails. When I enquired I was told that those vegetables were the products of *nilayati* seeds which were supplied by big companies at the most expensive price. I wondered whether such nice things were supplied to the prisoners in the jails. I was told that only the stocks or the green which were to be thrown out as refuse were supplied to the prisoners, the more nutritious and the more luscious substance being appropriated by others. Well, Sir, how are we going to find out these irregularities unless there is provision for surprise visits by independent people. We cannot find out these abuses by superficial inspection. There should be surprise visits and the non-official members of the Council should be allowed to go there and criticise the doings of the jail officials, of course not destructive criticism, but constructive criticism which will lead to reform in the jail administration. I do not think any member of this House wants to go and interfere with the jail discipline. That will be a preposterous thing. If any member wants to interfere in such a manner, no other member will have any sympathy with him. We do not want to go and upset the jail discipline. But the discipline that is now maintained in the jails is an unheard of thing in other countries. Discipline must be maintained, but not in the way it is done now. I am not finding fault with persons; it is the system I condemn. I am not criticising the Government because it is run by Englishmen. Even if an Indian occupied the place of the Honourable Sir John Maynard, I would still criticise him if the jails were in the state in which we find them to-day. A brown autocracy may not be better than a white autocracy. Autocracy is the same whether it is brown or white. It is the system we want to change. It is the system which the bureaucracy has inherited that we want to condemn. If I were in the place of the Honourable Sir John Maynard, perhaps I would be a worse bureaucrat than what he is. If the Honourable Sir John Maynard were sitting in my place, he would be perfectly right in criticising my administration of the jail department just as I am doing his now. I should not be accused of showing a wry face at the present day administration. It is human nature. I am only accusing the system and not the persons. The Government should understand that if we are opposing them, it is not in the spirit of non-co-operation nor is it in the spirit of taking something out of the hands of the Government, nor is it again a step towards what we call Home Rule, but it is a step towards right rule and towards right action. Till we get that Home Rule, the British Government should help us in having good rule in this country. What is the essence of Home rule and what is the essence of good Government? It must be a progressive Government. So, I appeal to my honourable friend not to oppose this resolution. Is this such a dangerous resolution? What will happen if I, as representing the Amritsar constituency in this Council, should go to the Amritsar jail and see what happens inside the jail? Surely I am not going to upset the jail administration? I am always bent upon maintaining that law must be maintained. I will go even so far as to suggest that after six months or one year, you can change the non-official visitor; you can make another member of the same constituency as non-official visitor. All we want is that we should add one more non-official to the list of non-official visitors; we want to add a person who would be above board and who would not hang on the Government for

[Sh. Muhammad Sadiq.]

any favours. We want one who does not think that he has been appointed as a matter of courtesy or as a matter of honour, but one who has been selected or elected to go there to do his duty and do the right thing.

Then, Sir, surprise visits as I already said where notice of such visit is previously served are of no use. No sooner you give them notice, then you find everything in order. Within 15 minutes the jail staff will make the whole jail appear all right. If a non-official visitor goes without notice, then he will find out the true state of affairs. Unless we go there without notice, we cannot know whether a prisoner was given three blankets at night or whether he was given no blanket at all and made to shiver the whole night in cold. So my submission is that these surprise visits should not be curtailed. The non-official visitors should do their duty and should not consider it an honour conferred upon them by the Government. My honourable friend the Home Secretary who was himself a Deputy Commissioner does not know pretty well the true state of affairs in the jails. As the Persian poet has said :—

Shunida hai bawad maninde dida.

It means that what is heard cannot be compared with what is beheld. My learned friend the Home Secretary has remained in a jail after seven o'clock in the night. Like every official he has to go out. But these gentlemen who have taken actual abode in the jails tell us that they know something more which none of us here knows. Of course none of us want to know more in that way as these gentlemen have known. Unless we see things for ourselves first hand we cannot find out the real state of things. I therefore appeal to the Government to remove the suspicion that we have started this debate simply to harass the jail administration of the country. Certainly not. Our object is that a high standard should be reached as in all other civilised countries. We do not want the jails to become playgrounds for convicts. We do want that the administration should be such that those who come out of the jails after their period of imprisonment should lead an honourable life and should no more be a disgrace to the country. We want the prisoners to be treated in such a way that they would wipe off their bad traits and turn a new leaf after their release. The Government should not ill-treat the prisoners.

I am afraid, Sir, I have taken too much time of the Council and as there are still many more important resolutions to be dealt with within the short period of three days allotted to the non-official business, I shall resume my seat without dilating any further on this subject.

Rai Bahadur Sir Gopal Das, Bhandari : The next resolution is to be moved by the honourable member himself.

Shaikh Muhammad Sadiq : I do not know even that. As I have said what all I had to say, I only appeal to the House to accept this resolution.

Mr. Labh Singh [Rawalpindi Division and Lahore Division, North (Non-Muhammadian), Rural] : Sir, five years ago I happened to take up residence much against my will of course in the Central Jail, Lahore. My stay there lasted for over eight months. I observed the things that took place there and saw intimately with my own eyes and heard with my own ears everything that happened there and therefore I can lay claim to some degree of knowledge so far as jail affairs in this province are concerned.

On the strength of that intimate knowledge, I would like in all solemnity to assure the honourable Home Secretary that the picture he had drawn, the rosy picture that he had placed before the House had no counterpart in the actual world of facts as they occur every day. The Home Secretary has told us consciously or unconsciously, perhaps, adopting the very language of the jails that all is well inside the jails. I may assure him that all is not well there. On the contrary all is ill in the jails. As most of us are aware on the tower at night in every jail there stands a sentinel shouting to the warder of each barrack in turn if all is well. The man in the barrack responds echo-like all is well, *ab achha*. Even if some of his wards are dead the warder in the barrack says:

Ginti 78 do mar gai baqi sab achha.

The number is 78, two died; the rest is all well. This is what occurs in all the jails and that is exactly the language which Mr. Dunnett has been pleased to employ in reference to jails administration this afternoon. I resubmit that all is not well; but rather that all is ill. The treatment that is meted out to the convicts is very inhuman. The food that is supplied to them is unfit for human consumption. The clothing is calculated to impress upon them their Semian kinship. There is no arrangement, no machinery of any kind for the moral uplift of those unfortunates who are thrown into the jails. There is no arrangement for the elevation of their morals or for bettering their position after they are released from the jails. We were told that the non-official visitors appointed by the district authorities were all criminologists.

Mr. J. M. Dunnett: I did not say these things.

Mr. Labh Singh: I remember that the Home Secretary used some such word as criminologists or penologists. I do not exactly understand the meaning he attaches to that word, but probably he means experts in criminology or gentlemen of that description. Well, that is obviously not so. The grievance which the people of this province have is this: that Government are past masters in the art of making their choice of the wrong persons so far as these honorary posts are concerned. Look at the whole tribe of honorary magistrates? Is there a single man with respect to whom we may say that he is the right man in the right place. I think the Home Secretary must be aware that that is not so. Similar is the case of these non-official visitors of jails.

There is not a man so far as I am aware in the ranks of these non-official visitors of jails who can lay claim to any knowledge of criminology or who can lay claim to having been associated with any philanthropic work for the moral uplift of the convicts or criminals. What happens is this. If I am allowed to relate my own experience of jails I may say that a non-official visitor who visits the jails simply goes to interview the Khan Sahib as the jailor of the jail is called and seldom talks to the convicts and never makes notes which may reflect adversely on the jail administration. He goes to the jail only perhaps to place an order for something say an extra fine manj mat. I remember a very serious looking gentleman who happened to be appointed a non-official visitor, visited the Lahore Central Jail one day. On enquiry I learnt that his only interest in visiting the jail three months after his appointment was to place an order for manj mats of the finer type. That is exactly what he did. So the grievance of the public is that Government

[Mr. Labh Singh.]

make a wrong choice of persons to inspect these jails. The machinery for making selections so far as the Government is concerned is such that a premium is put not on the independence of the men so selected but on their non-independence, not on strength of character but on moral invertibracy. No independent man can possibly continue to serve in an honorary office as that of a non-official visitor of jails for a long time. Instances have been brought to my notice of gentlemen who exhibited a certain degree of independence and who soon found out that the position was so intolerable that they could not continue in the office any longer. There is for instance the case of the honourable member from Multan. But for the exceptional quality of hardihood which my friend Lala Bodh Baj is displaying, I think he would soon get disgusted with the treatment that has been meted out to him in the Multan jail and also in some other jails. He would be more than human if he did not really feel disgusted with the treatment that he has been receiving from the jail officials. These gentlemen find it difficult under the present system to throw light on the dark recesses of jail life. I do not mean to suggest, Sir, that Government is aware of these facts and yet is perversely blind to all that I describe. What I wish is that the Government should not shirk being placed in a position in which they can have first hand knowledge of these things. The mere appointment of the members of this Council as non-official visitors of jails will mean that there will be a fairly larger number of independent men with opportunities to visit the jails who will be in a position to keep the Government informed of what goes on within the jails, which information the Government will not have other avenues of getting. The only difficulty which has been pointed out against the acceptance of this resolution is this that in that case it would involve the having of 8 or 9 visitors to a jail. If that is the only difficulty I would submit that this difficulty can be got over by prescribing a certain minimum. Let the resolution be accepted subject to this condition, namely, that the members of the Legislative Council should be visitors of jails in their respective jurisdictions provided the number in any one case does not exceed, say 4 if that is a suitable number, or if that is considered too much it may be reduced to three or any other number which may be considered suitable. If it is the desire of Government that independence and integrity of inspection should be secured then it can be secured only by accepting the resolution before the House and not by the method which the Government is now adopting. Otherwise things will continue as at present and there will be no possibility of their ameliorating.

Sardar Narain Singh [Rawalpindi Division and Gujranwala (Sikh) Rural] (Urdu) : Sir, when I first read the resolution that has been placed before the House, this evening, I thought Government would welcome such a proposal and it will take no more than five minutes of the time of the House to have the necessary sanction. But my surprise was great to know that Government stood opposed to it. Sir, only a few days back, I met a friend who has seen two dreary winters in the four walls of the jails. During the interview I suggested that Government was now serious in improving the administration of jails and soon it would be free of all objections of the public. But my friend dissented from such a view and emphatically told me that it was all humbug and was only skin deep. He was very outspoken and told me that a Government which were so wide awake and alert as to know all we do, think or conceive, could not be supposed to be ignorant of what was happening in the jails. Sir, I differed from this wholesale con-

demnation and added that we should not jump at suspicious. Government is really anxious to remove all grievances.

Now, Sir, though I told him all that I did and actually resisted being affected by the pessimism of my friend, I am afraid the Government's attitude of opposition to this resolution will confirm those suspicions. We are told that Government is anxious to accede to all the demands of the public. If it is so, why then object to appointing the accredited representatives of the people as non-official visitors. We see that they are willing to offer co-operation and I want to assure the Government that all of us are really willing to help and co-operate with the Government in reforming the jail administration of the province. We do not want the jails to be refreshment rooms or rest-houses for criminals, but we are certainly determined not to tolerate any more insults to humanity that are daily being offered within these walls; I understand that it has come to the notice of the Government only for the first time. If it is so, let Government then give the people ample opportunity to bring every thing to their notice. Life in jails is so dry, despicable and desolate that people do not even like to hear of it. It is perhaps, for that, reason that this side of the benches is all vacant

Chaudhri Afzal Haq : These benches are always deserted.

Sardar Narain Singh (continued) : The jail officials play such tricks as cannot be detected even by the vigilance and cuteness of my honourable friend Lala Bodh Raj. My friend to whom I referred above told me that a few days ago when Lala Bodh Raj visited a jail, it was announced to the prisoners just a while before his visit that a brother of the jailor is coming to pay a visit and if he asks them any grievances which they might have to express, the prisoners should be on their guard lest they make any complaint and thus betray themselves, for a brother is a brother and blood is thicker than water. Sir, my friend was in jail for two years. He is a highly respectable, respectable and educated gentleman. He was educated in England. He told me that when some high English officers go for inspection to a jail the prisoners are told that the old superintendent has been transferred and a new one is coming. The poor inmates are thus duped and cleverly cheated of an opportunity to give an expression to their grievances. The poor prisoners, they do not know, what the matter is and if anybody still takes the courage to make any complaint he does so at his own peril and God save the man from the consequences. Sir, if it were a rule that the fellow who makes a complaint shall be transferred to some other jail, you will see how many complaints are made. Sir, I hope, Government would, under the circumstances, accept the resolution.

Lala Sham Lal [Hissar (Non-Muhammadan), Rural] (Urdu) : Sir, I desire to extend to the honourable member's resolution a full measure of support. I think my honourable friend has done well in bringing forward this resolution before this Council to-day. I think, Sir, after such a long and powerful debate there might be no necessity for further dilating upon the matter. Nearly all the points have been placed before the House very lucidly and I do not wish to make repetition. I have been to jail myself and know a great deal about that undesirable place. It happened that I was incarcerated in the same jail where my friend Chaudhri Afzal Haq was confined. My friend has described the jail evils and defects at a great length and I am prepared to say that his statement is quite correct. At this stage I do not wish to reiterate what has been said as it would amount to wasting

[Lala Sham Lal.]

the time of the House but I would like to make one or two observations. Sir, at present many of the non-official visitors of the jails do not know what is said in the Jail Manual. It is said that these persons are appointed on the recommendation of the District authorities and hold honorary posts. I shall not say anything about them. They are helpless people. They simply go and make formal inspection of the jails. Sir, I can safely say, on the strength of my personal experience, that non-official visitors are quite unable to do anything towards the betterment of jails. When they are approached they merely show their inability and helplessness. I am at a loss to understand why Government is hesitating to appoint the members of this Council as non-official visitors of jails. Sir, the members of this Council are responsible men and they are the representatives of their respective constituencies. They can make independent enquiries which may be useful for both the Government and the public. Who else can fill their place? They are efficient and capable and they command the confidence of the people. At present in my district there are three non-official visitors and I can say, without fear of contradiction, that they are quite ignorant of the contents of the Jail Manual. If Government desires, as it certainly does, to make improvement in the jail administration it should not oppose this extremely necessary resolution. Government should not lose the benefit of the advice which these honourable members may be able to give. Indeed, Sir, I am surprised that there should be opposition from the Government side to a proposition to which we thought there ought to be no opposition. With these words I very strongly support the resolution and hope that Government will not oppose it.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadian), Urban]: Sir, I had no intention to take part in this debate as better qualified people were carrying on this debate in a very good spirit. But there are one or two things which I think it necessary to add to what has already been said. By the courtesy of the Home Secretary, I have had a look at the list of persons who are non-official visitors of jails. An inspection of that list has convinced me that this resolution is an extremely important and necessary one and ought to be adopted. With some very honourable exceptions, the list is not a satisfactory one. There are some members of the non-official visiting body who do command the confidence of the people but unfortunately their number is extremely small. The rest can be easily divided into three or four classes. One class entirely consists of those people who may be described without any injustice to them as toadies of the Government. The second class consists of those who are not toadies but cannot be expected to indulge in any independent criticism of the Government or of any Government institutions. They are either members of the titled gentry or they are honorary magistrates. In one or two instances, I noticed that they were public prosecutors. So far as the titled gentry are concerned they are certainly, according to the Government point of view, amongst the most respectable members of society. But knowing as we do the way in which these titles are conferred and the processes through which the candidates for titles have to pass as a rule, not always, we know that they cannot be expected to be independent critics of the Government. Then we have the honorary magistrates. Although my honourable friend Mr. Lakh Singh's remarks with respect to honorary magistrates may be a little too sweeping inasmuch as he said that not one of them was a fit person, my submission is that as a class honorary magistrates cannot be trusted to become critics

of the Government and they cannot be expected to pass independent judgment on any department of administration. Then there are as I said in one or two instances public prosecutors. Added to the honorary magistrates, all I can say about them is that when they go to the jails they must be simply delighted to see their own handiwork. Just as some doctors when they visit graveyards may feel a certain amount of ghoulish delight that all those townships have been founded and made populous by them. So the population of the jail owes a considerable debt to these honorary magistrates and public prosecutors. Similar or almost similar in character and position are the rest of the visitors who appear on that list. Therefore my submission is that it is absolutely necessary that there should be an element of independent people among the jail visitors. The criticism that the Home Secretary made on the speeches of Lala Mohan Lal and Lala Bodh Raj did not really carry any conviction. I am not speaking here in any partisan spirit or as a person who has been in any way embittered by Government for having been unnecessarily and unjustifiably made to reside in that place of unenviable distinction. I am really trying to serve the cause of administration when I say that the Home Secretary does not seem to have quite a correct idea as to the requirements of jail reform and as to the qualifications of non-visitors to jails. It is absolutely necessary in the interest of reform in jail administration that a Damocles sword should always be kept hanging on the heads of the jailors and the assistant jailors. As has been pointed out by my honourable friend Maulvi Mazhar Ali Azhar, when the jailors know that in a certain week a certain individual has to visit the jail, the inspection loses the beauty of a surprise visit although surprise visits are allowed under the rules in the Jail Manual as Mr. Dunnott was pleased to point out. Then again as soon as a visit is paid, the jail administration is absolutely free from any anxiety during the rest of the week. If they know that on any day at any time allowed within the rules of the Jail Manual a particular member may suddenly drop upon them they certainly would be cautious and see that no irregularity is committed within the four walls of the jail. I do not want to go into the various things which have already been pressed by other honourable members, but I will just mention one or two things crying for reform. I think this reform can only be brought about by persons who have either been in jails and so acquired personal experience or who do not depend upon the Government for any favours or for any honours. Personally speaking, Sir, I must confess that I was not afraid of the hard labour that might be in store for an under-trial prisoner nor of the solitary cell nor even of the food because one may put up with every such thing, but I was only afraid of the *cattlising* process. I am using the word which was coined by my friend Mr. Labh Singh while in jail. Anybody who hears of this process is sure to shiver at the idea of having to pass any length of time within the four walls of the jail. There are no conservancy arrangements such as people of this country require on certain occasions. It is an absolutely cattlising process that is being perpetrated in the jails. No other word can be used for it.

The Honourable Sir John Maynard: May I know what that word means?

Dr. Gokul Chand, Narang: It means a process which makes men into cattle. It may be bad English and it may not be an English word at all, but it appropriately describes the thing which I want to impress upon the

[Dr. G. C. Narang.]

minds of the members of the Government. Early in the morning prisoners were taken out; before our very eyes they were marched to a certain place of necessity and convenience. There was absolutely no water available anywhere and they were brought back, having been allowed, 5 or 7 or 10 minutes, to the barracks and all were seated in a line and just about that time distributors of food came. Each was given two loaves and a certain amount of *dal* and a certain amount of what passed for cooked vegetable was also distributed to these people and they were required under the rules to eat their meals then and there. So far as I am aware they were not allowed to preserve either the *chapattis* that they got or the *dal* or the vegetable that they got. This was one of the things that really depressed every one who was spending his time in that sacred place. My honourable friend Lala Bodh Raj has just told me that some of the non-official visitors who appeared in that list have described that food as a food which is available in the best Indian homes. They have described the whole thing as "all is well in the jails" in the words of my honourable friend Mr. Lakh Singh.

Then, Sir, about the dress, I am afraid that monkey is not the word to describe appropriately the human being who is dressed in jail clothes. That is not the dress which is worn anywhere else. Next to the other thing, namely, catlising process, this was the thing which frightened every one who was there. Nobody cared for hard labour, not even for starvation, nor even for the kicks and insults received from the warders or assistant jailors, but to be put in this dress was considered to be something most humiliating and most distasteful.

These things probably strike the non-official visitor as normal things in jail. Judging by the rules that are enforced at the present time they say that everything is well. It is only people of our stamp, without arrogating any superiority to ourselves, it is only people of our stamp who can take the initiative in suggesting reforms and in impressing upon the minds of the Government the necessity of removing such abuses as are prevalent in the jails. That is my plea for asking that every member of this Council should be a non-official visitor of every jail in the province. I need not dilate upon this, but I shall proceed to discuss another point in connection with the resolution. I must confess with due deference to my honourable friend Lala Mohan Lal that the language of the resolution is not very happy, because the resolution as at present drafted would mean that many honourable members of this Council will not have any jail which they can pay a visit to because the rural members will have no jails situated within their constituencies. Thus they will not have an opportunity of having firsthand knowledge of the affairs in jails, and the Government, the jail officials and the inmates of the jails will lose the benefit of the advice of these members. I would therefore suggest that instead of the words "of the jails within their respective constituencies" the words "of the Punjab Jails" may be substituted. This will remove the anomaly of an invidious distinction which the present language of the resolution will create between members and members.

Then there is another thing, Sir, which I wish to refer to. Probably one of the considerations that may stand in the way of Government accepting this resolution may be the enhanced cost of these visits. If 70 odd members of this Council go about visiting the jails and the Government has to pay their travelling expenses, the total expenditure may come to a very large figure and it may be an undue strain upon the resources of the province. I

would therefore suggest that these honourable members should be prepared to accept this resolution with this proviso that no travelling expenses will be charged to Government except by the members who are non-official visitors of the jails as members of the Jails Standing Committee. If the members agree to this proviso it will show their *bond fides*, it will show how far they are interested in the real work of reform of the jails and how much sympathy they have got for their poor brethren who are in jails

Sardar Jodh Singh : Sir, if you will permit me I should like to ask for one piece of information from the honourable member and that is, what will be his proposal in the case of those members whose constituency extends all over the Punjab as in my case? If I am made a non-official visitor as a result of the passing of this resolution, am I expected to visit all the jails in the province?

Dr. Gokul Chand, Narang : I am very glad that Sardar Jodh Singh has raised this point. But I think he has not raised this question with much reflection. He thinks that if this resolution is passed it would be compulsory for every member of this House to pay visits to the jails. That is certainly not the case. Sardar Jodh Singh seems to feel that he would like to pay visits as non-official visitors to the various jails in the province and give the jail administration the benefit of his mature judgment, but if he is to pay his travelling expenses from his own pocket his purse may not be able to bear the strain of going to the various jails in the province. He is perfectly right, but I would submit that if this resolution is passed in the form I suggest, namely, that travelling expenses should not be charged to Government, it would be the duty of members of this Council, if they really want to carry out reforms in the jail administration, to sit down together and distribute the work among themselves and so organise it that every jail is visited by a group of two or three or may be even by a single member and his or their report is placed before a meeting of the members of this Council so that suggestions may be placed before Government. I do not think that even if the travelling expenses are given to Sardar Jodh Singh he will be able to visit all the jails, even though he may be paid at the highest rate or even Rs. 50 or even Rs. 100 per day. The only way in which the work can be done is by distribution and division of labour and by dividing the jails into various circles and assigning these circles to various members or groups of members. If this suggestion of mine is accepted then there would be no strain on the public exchequer and the Government can have no objection to the acceptance of this resolution. Another objection that may be lurking in the minds of the Government members is that these non-official members if they are all made non-official visitors may become a regular nuisance. All the members will swarm into jails and may hamper the work of administration in jails. I may assure the Government that that will not be the case. If Government does not pay travelling allowance there will be no incentive for the members to pay too frequent visits to these institutions. I would therefore propose, Sir, in a definite form that this resolution should be amended as follows :—

"This Council recommends to the Governor in Council that the non-official members of the Punjab Legislative Council be made non-official visitors of the Punjab jails provided that no travelling expenses will be charged to the Government except by members who are non-official visitors as members of the Jails Standing Committee."

Chaudhri Afzal Haq : Sir, on a point of order, was that amendment given notice of in time ?

Sardar Jodh Singh : Sir, generally according to rules speeches are restricted to fifteen minutes. May I know if this is being observed to-day ?

Dr. Gokul Chand, Narang : Have I taken more than fifteen minutes?

Mr. President : Yes.

Dr. Gokul Chand, Narang : I will finish my speech shortly, I should like to have your indulgence for one or two minutes. As for Chaudhri Afzal Haq's objection, I may say that I have proposed the amendment and any objection to it may be raised by any member, but even if an objection is raised it is in your power, Sir, to overrule it if you think that it is in the interests of the administration or in the interests of justice that this amendment should be allowed. I do not believe that any objection will be raised. My honourable friend raises a point of order, but I do not know whether he has any objection to my amendment. If he does so, I would like him to hear my amendment before he does so, so that he may not raise the objection under any misunderstanding. I may inform him that my amendment relating to travelling expenses will not affect the members of the Jails Standing Committee who are also non-official visitors.

Chaudhri Afzal Haq : Sir, I am not objecting on personal grounds.

Mr. President : Does any honourable member object to the moving of the proposed amendment ?

The Honourable Sir John Maynard (Finance Member) : Sir, I must object to the first part of the amendment and not to the second part. The amendment consists of two parts, one of which materially alters the character of the resolution. The original proposal is that each member of the Council should be a non-official visitor within his own constituency, by which we understand that his own neighbourhood is meant. Each member will have presumably one or two jails to visit. But the present proposal makes each member of the Council a non-official visitor of every one of the jails in the province and therefore very seriously alters the whole character of the resolution. As regards the second part, namely, the foregoing of travelling allowance, I feel most generously towards the mover of this amendment and I shall be delighted to waive any objection to that part of the amendment.

Dr. Gokul Chand, Narang : Thank you, Sir.

Mr. President : As pointed out by the Honourable Sir John Maynard the amendment goes beyond the scope of the original resolution and therefore I am not able to allow it in its present form.

Dr. Gokul Chand, Narang : Can I move another amendment, Sir?

Mr. H. D. Craik : No.

Dr. Gokul Chand, Narang : I am asking the Chair.

Mr. President : The Chair cannot give any ruling on such a question. If a written amendment is given to the Chair it may be considered.

Mr. H. D. Craik : I move—

"That the question be now put."

The motion was carried.

The Honourable Sir John Maynard: Under the present circumstances I claim my right of reply. I understand that the right of reply is given to the Government Member after the closure motion is carried. I now propose to reply.

Lala Mohan Lal: Sir, I believe I have a right of reply also.

Mr. President: If the honourable mover wants to reply he is entitled to do so.

The Honourable Sir John Maynard: I shall be very glad if the honourable mover proposes to reply now. I shall make my reply afterwards.

Lala Mohan Lal [North-East Towns (Non-Muhammadan) Urban] :

Sir, I thank the Home Secretary Mr. Dunnett for the kind and sympathetic expressions of his, but I regret that on his own argument instead of saying, yes, he said he could not accept the resolution. I, as a businessman, have not been able to see any difficulty which the Government can possibly have in accepting this resolution. The grounds on which the Home Secretary expressed his inability to accept this resolution have been met by the various honourable members who spoke after him and I believe I need not repeat their arguments in refuting the position taken up by the Home Secretary.

I will put some questions to the Government Member which he can reply. Mr. Dunnett proceeded that the Government would like to have experienced, efficient and capable members as visitors to the jails. May I ask Mr. Dunnett to say whether the men who are mentioned in the present list of non-official visitors are more capable and more efficient than the members of this Council? I can safely say that the present list of non-official members does not contain names better than the honourable members of this House. As has already been pointed out by other honourable members, can it be expected that non-official visitors to jails who depend for their nomination as such to the good will of the Deputy Commissioners would ever be independent and impartial? In fact, may I know from the Government whether before the martial law was introduced in the Punjab or before the non-co-operation movement came into existence, the irregularity and the malpractices and the question of food and clothing that has been brought to light now was ever brought to the notice of the Government by their non-official visitors? It is only when the educated men were sent to the jail that they saw things in their true colour and when they came out they told their friends and also the Press the conditions that actually existed in the jails. Have the Government been pleased to take advantage of nominating any of the gentlemen who have served in the jails. Can the Government honestly say that Lala Lajpat Rai who has served in the jail or Maulana Zafar Ali or the hosts of Sikhs who were all incarcerated are not fit persons to be appointed non-official visitors of jails? Lala Lajpat Rai has written several articles and I know that several high Government officials have appreciated these articles. Yet the Government did not have the courage to nominate Lala Lajpat Rai as a non-official visitor of the jails. Are the present non-official visitors independent men? I say, no. If the Government is anxious as suggested by the Home Secretary that the jail administration of the province should be improved, then the only course for the Government is either to nominate such persons as Lala Lajpat Rai who have got actual experience of jails or to accept my resolution and have all the non-official members of this Council.

[Lala Mohan Lal.]

as non-official visitors of jails. The persons who are at present nominated by the Government have to depend for their nomination upon the Government and therefore they cannot be expected to be independent of the Government. In the case of non-official members of the Council, I feel confident that the Government can have possibly no objection to nominate them because they being representatives of the people get their information from the people who have been in the jails and their advice would really be of much use to the Government. The present system of nominating non-official visitors is to be condemned and I think it should be substituted by having non-official members of the Council as non-official visitors of jails.

The second objection taken by Mr. Dunnett was that haphazard visits are not desirable. Sir, if I remember rightly it was Lord Curzon who when he visited Poona paid a surprise visit to the Government offices and found certain clerks working till a late hour and the result of that surprise visit was that a circular was issued by the Government fixing the office hours as from 10 A.M. to 4 P.M. Although the head of the department at that time knew that the conditions of clerical life was such, it was only as a result of the surprise visit that a circular was issued fixing the office hours. If the Government really wants improvement in the jail administration, they should accept my resolution.

Then, Sir, Mr. Dunnett said that so far no one came forward to join the reform society for the prisoners. It is for the Government to select such persons who will aid them in reforming the jails. Has the Government ever taken the trouble to nominate persons of the type of Lala Ram Sarao Das or any Muhammadan gentlemen of religious trend of mind. Unless we get an opportunity of seeing the conditions of jail life inside, how can we come forward to assist the Government and how can the Government say that no reform society is willing to take up the task. As for myself I can say that I belong to the religious society called the Arya Samaj. My society will be glad to come forward and help the Government in the formation of a reform society but the difficulty is we do not know what we have to do. I say, give us the chance, nominate the right sort of people as non-official visitors. If the members of the Council join as non-official visitors, I can assure the Government that we will all work together for the real improvement of the jail administration and the result will be to the satisfaction of the Government as well as of the public.

My honourable friend, Dr. Narang, has replied to the criticism of the Home Secretary about eight or nine non-official visitors visiting one jail. What harm will come if non-official visitors walk into the jails to see things for themselves? Personally speaking I think if more surprise visits are paid, the jailors and the jail staff will know that there is now an independent agency and that if they come to know of the malpractices or of their misdeeds within the four walls of the jails, they will bring them to the notice of the Government. That very fear will put the jail staff all right and it is just possible that they will be more human. At present there is an impression that the jail officials are most inhuman. If non-official visitors are given the privilege of visiting the jails, then in my humble opinion the effect on the jail officials will be very great and the idea that they should reform themselves in their methods would be infused in their minds.

My honourable friend, Dr. Narang, criticised the wording of my resolution. I regret I do not agree with him in his interpretation. That may be

the interpretation of a good lawyer of the standing of my friend, but to my simple mind the resolution is quite clear. "Within the constituency" does not mean rural area or particular villages and so forth. But surely constituency means the area for which a member has been elected. Within that area there must be jails. I do not think there is any constituency within which there are no jails. My honourable friend made also another suggestion about the expenditure, namely, that the members should not charge travelling allowance. But I think there will be some of us who may like to have travelling allowance and some others who may not like to have. All I can say is that unless the Government is prepared to bear the expenditure, reforms cannot be had in any direction. We were asking for Reforms and we got the Montagu-Chelmsford Reforms. What is the expenditure now? Is the expenditure of the Government of India and of the Punjab Government the same as it was before. The reforms must cost money and the people must be prepared to pay for it if they desire reforms. If one desires reforms the question of expenditure is not a very big thing. The Government that is spending a lot of money on other projects should not grudge for the members who want to have travelling allowance. After all only a small sum of Rs. 5,000 or Rs. 10,000 may be required every year. In conclusion I beg to submit that if the Government should consult the wishes of the jailors who have been making money as alleged by the non-official visitors, they would always resist any attempt on the part of the public to intrude into their privileges. My submission is that if the allegations made by the non-official visitors are true and if the present non-official visitors who have been paying their visits to the jails do not do their duty properly and if there is a desire in the minds of the people or the members of this House that the jail administration should be reformed, then I hope that the Government will come with a co-operating hand for which Mr. Dunnett stood up and accept my resolution. With these few words I resume my seat and I hope the House will accept my resolution.

The Honourable Sir John Maynard (Finance Member) : Sir, I think one or two members in speaking upon this Resolution have suggested that they imagine that the Government is opposing this resolution on the ground that it has some suspicion of their intention. One honourable member even put it so definitely as to say that he thought that the Government regarded the object of the members who were supporting the resolution as being in some way to harass the Government. I should like to make it perfectly clear to every one in this House that there is no such suspicion at all in the minds of the Government. I recognise that those who have spoken upon this resolution, however much they may occasionally be delighted to use such sticks as come to their hands in order to beat the wicked Government, do not upon this occasion contemplate anything more than an attempt at a real improvement in the jail administration. Of course I cannot help remembering that when a man has a stick in his hand, he is occasionally tempted to use it upon some hateful body which he very much dislikes. There is the possibility therefore that honourable members might now and then be tempted to use the stick. But I wish to remove from the mind of every one the delusion that the Government suspects the object of this resolution as being an attempt to find a stick for that particular purpose. I should like to remind the House that it is quite possible to sympathise very much with the object and yet be doubtful about the value of the means which are proposed for attaining it, and if I appear in what follows in this speech not to be entirely in accord with the members of this House as to the means

[Hon'ble Sir John Maynard.]

by which the results are to be attained, I hope that they will realise that the object which I and the Government have in view, that is to say, the improvement of the jail administration, is shared by us with every member of this House. We do most heartily desire that abuses shall cease and we are prepared to seek every method by which we can honestly believe that that object is likely to be attained.

It is difficult in any summing up speech to go over all the grounds which have been covered in the course of a very considerably long afternoon's debate. But it is necessary to deal with certain points which have been definitely raised by the various speakers this afternoon. I cannot touch upon every one of them, but I hope to be able to touch upon the principal ones. One member referred to the fact that he or both he and another gentleman were excluded from a certain jail because they arrived after what was said to be lock-up time. I have seen all the papers regarding that particular matter. I understand that the non-official visitors in question looked up their watches which told them that it was 5-53, that is 7 minutes to 6 which is the lock-up time. On the other hand the jail authorities possibly had a clock which showed 7 minutes past six and they had begun the process of locking up and according to the existing rule the visitors are not allowed to enter at that hour.

Lala Bodh Raj : On a point of order, Sir, will the Honourable Member please say whether the meals had been distributed to the prisoners at that time ?

The Honourable Sir John Maynard : I must say that the meals had not been distributed. The process of locking up however was actually going on. There was no intention, let me assure the honourable member, to slight him or the other non-official visitor who accompanied him. It was because the process of lock-up was then going on that they were not allowed to go into the jail. Which of the two had the right watch it is difficult to say. We all know that the post office clock here shows one time and when you go to the railway station the clock there shows a different time. So there is nothing in the least surprising that there was some variation in the time.

Another point which was mentioned by one of the speakers this afternoon was this. He said that no intimation is given to any non-official visitor on the subject of the orders which are passed upon his report. Paragraph 55 of the Jail Manual provides that this shall be done. If this is not being done, that is an irregularity and I will undertake to issue orders that it shall always be done and done with promptitude. But lest the honourable members should suppose that they are the only people who are slighted in this manner let me tell them that I myself four or five weeks ago recorded my remarks in the register of a certain jail and up to the present I have had no copy of those remarks. Even officials like myself may occasionally suffer from these slight lapses in office routine. Of course it is a matter which I shall see is set right.

Another honourable member complained that the visitors were required to produce their identification papers. Well, I have no doubt that that is so in the case of some visitors, who come from a distance, in order to ascertain whether they are really non-official visitors. The officials are recognised comparatively easily but I think it would not be reasonable to say that the jail authorities should always admit any one who comes and says he is a

non-official visitor. It is only reasonable that there should be some sort of evidence that he is really a non-official visitor. Of course it would be an abuse if a well known visitor were refused admission by the jail authorities except on formal identification. But we cannot give up the necessity for identification.

Another objection raised was that people are not allowed to talk with the prisoners. The present rule is that a non-official visitor must be accompanied by a warder for his own protection. But Government is on the point of making a rule that if a non-official visitor so desires the warder should go out of hearing. I trust that will give what is required on this point.

Another objection raised was that the non-official visitors are not allowed to go to jails on Sundays and are not allowed to go at night. It is true the present rules provide that a non-official visitor should not go in on Sundays and shall not go in the night, that is, after lock-up. On that point I am not able to say anything definite, but I am prepared to say that I am ready to take up the question into consideration early and make such modification of the rule as may be desirable.

Another point on which a good many speakers laid stress was this, that there was no definite provision made for surprise visits. Surprise visits are certainly contemplated and I am perfectly prepared to make it plain in the Jail Manual that surprise visits are a part of the function of the visitor, so that that objection may be removed.

There is one thing that I was sorry to hear from one speaker who spoke about rude treatment of non-official visitors by the jail officials. We all know that officials are human beings. We cannot absolutely guarantee courteous treatment on the part of every official. He is after all a human being and sometimes he is overworked and is sometimes harassed and so on. If anything like discourtesy is brought to the notice of Government action is taken on it. In a particular case which has recently happened when certain expressions were made use of by one gentleman who criticised the jail official, he retaliated upon his critic in a language which was not thought proper. His attention was drawn to the fact that he had exceeded the limits of decorum in the language which he employed.

Now, I turn from these particular complaints about the methods of treatment of non-official visitors and the various rules which are regarded as putting a restriction on their action, to the arguments which I understand have been put forward in favour of the wholesale appointment of every member of the Council to be a non-official visitor of the jail within his own neighbourhood. For, that I take it is the real intention of the resolution. On this point, Sir, I notice that there are some contradictions. One member said that every member of this Council must be a non-official visitor and another said that only people who are experts in jail matters or who have undergone imprisonment themselves should be the visitors. Now these two things cannot be fitted in together. Either we are to have experts, that is, those who have been jail officials or who have undergone imprisonment themselves, or we are to have every member of the Council, for whatever qualification he may have been elected or nominated by Government, become *ipso facto* a non-official visitor of jails. We cannot have it both ways. I do not think that this matter has been thoroughly thought-out by the gentlemen who have spoken on this subject. It was indeed put to us and put to us very strongly that

[Hon'ble Sir John Maynard]

the great characteristic of an honourable member of this Council is that he is independent. Now so far as independence of Government is concerned I grant that that is so. If any proof were needed the speeches which have been made to-day and yesterday have definitely proved that all honourable members are completely independent of Government. That is as it should be. I should be the last to question the desirability of that condition or to take exception to the resultant attack upon those branches of administration for which I am responsible. I am not going to press this point, but I do suggest this: It is quite possible to be independent of Government and yet not be completely independent of the opinions or feelings of one's community or one's party. I do not press it. I will just leave it there for people to consider whether it is always an easy thing to say 'nay' to one's own community.

It was said that non-official visitors must not only see that rules are carried out but they must be expected to do very much more than that, that we should expect them to help to alter the whole system of administration. Now, Sir, when I heard that, I did, I confess, see before my eyes a picture of something rather like chaos in the jail administration. It is hard enough to get the rules as they are carried out, but if every one who pays a visit to a jail is not going to limit himself to see that the rules are carried out in a humane and reasonable manner but also presses upon the attention of the jail administration various changes in the principles of administration, then I fear that the results of this multiplicity of visits and the multiplicity of opinions must be very serious confusion, which can only have the result of injuring the order and discipline of the jails and upsetting the minds both of the prisoners and those who are placed in charge of the administration.

That brings me to another point. There are two aspects of administration in jails, one is the aspect of keeping the staff in good order and making them observe the rules and preventing them from abuses; that is one aspect and that, I feel sure from all that has been said this afternoon, is an aspect which is at present very much in the minds of the honourable members of this House. But there is another side also. If, as an honourable member sitting opposite to me has said, there must always be a sort of Damocles sword hanging over the head of the Jail daroga and if every time that a visitor enters the jail barracks the daroga is to feel that it is possible that the hair which suspends that sword above his head will be severed and the sword will come down upon him, how do honourable members suppose that the officials in charge of the jails are to discharge the important duty of maintaining reasonable discipline and order amongst a crowd of dangerous prisoners who are put in their charge? May I remind those members of this House who are not already aware of the fact that there are jails in this province in which there are no less than 2,880 prisoners confined? A small body of men seeks to keep order amongst this great host of dangerous men. It is almost a miracle that they are able to succeed in that task. While we insist that all those engaged in this work shall abstain from all acts which are in any way irregular or corrupt, we must not forget that we have to help them in a task of exceeding difficulty and that there are murderers and dacoits, poisoners and ravishers, hooligans of every sort only too ready to avail themselves of every opportunity of breaking the bonds of discipline. It is necessary that the non-official visitor should be as well aware of

RESOLUTION RE : APPOINTMENT OF MEMBERS OF THE PUNJAB LEGISLATIVE COUNCIL AS NON-OFFICIAL VISITORS OF JAILS. 1465

one aspect of the case as of the other and unless he has characteristics which are required for this work, and unless he is equally capable of appreciating the necessity of maintaining discipline as of stopping tyranny and corruption, he is not a man who can do this task to satisfaction (Hear, hear). It is because of the wholesale nature of the proposal that the Government is not able to accept it. It is not possible to take it for granted that because, for other qualities, no doubt valuable qualities, a gentleman has been elected to represent this constituency, that by itself is sufficient reason for assuming that he will do this delicate task in a manner in which it is necessary that that task should be done.

I have only one more word to say and that is this. One honourable member has told us that he himself had experience, bitter experience, of the inside of a jail. When the honourable member behind me described the merits of the existing system of jail visiting, the honourable member opposite to me (Mr. Lakh Singh) complained that he was merely crying out as the sentinels in the Jail cry out at night : all is well, all is well. But he himself then proceeded to give us an example of the precise opposite. For him it was not, *Sab achha*, but everything from top to bottom the whole jail administration, the honorary magistrates, the non-official visitors as they exist at present, were bad. Everything was bad. There was not a single exception to the general rule of bad things. Now reasonable men will hardly accept this as a true representation of the facts. We are most of us a mixture of bad and good and most bodies of men contain both characteristics. The statement that all is bad is at least as untrue as the statement that all is well.

One assurance I should like to give before sitting down. It is said that our non-official visitors are not independent men and that we choose them ill. All I can say is that it is and has been for some time my attempt to find satisfactory non-official visitors. I may add that at the present moment I am engaged in an attempt to secure the services for one large jail of one who is thoroughly well known for his independence and if I can find men of the same type it would be a satisfaction to me to add their names to the list of non-official visitors.

Mr. President : The resolution proposed runs :—

This Council recommends to the Governor in Council that the non-official members of the Punjab Legislative Council be made non-official visitors of the jails within their respective constituencies.

The question is that that resolution be adopted.

The motion was carried.

RESOLUTION RE : FRANCHISE FOR WOMEN.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan) Urban] :
Sir, I beg to move :

"This Council recommends to the Government so to amend the Punjab Legislative Council Electoral Rules as to remove the sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in the elections held for the Punjab Council."

Sir, the resolution that I have moved involves certain political and social problems. Before I discuss the matter, I beg to draw the attention of the House to Rule 5 of the Electoral Rules which says :

A person shall not be eligible for election as a member of the Council if such a person is not a British subject, or is a female, or is under

[Lala Bodh Raj.]

25 years of age, or is an undischarged insolvent and being a discharged insolvent has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part.

Similarly Rule 7 says :

Every person shall be entitled to have his name registered on the electoral roll of a constituency who has the qualifications prescribed for an elector of that constituency and who is not subject to any of the disqualifications hereinafter set out, namely, is not a British subject, or is a female, or has been adjudged by a competent court to be of unsound mind ; or is under 21 years of age.

Well, Sir, I can very well realise the sense in placing disability on persons who are minors, on persons who are lunatics. I can also understand disability being imposed on persons who have been convicted or persons who are insolvents, but I have not been able to understand why this restriction has been placed upon the poor women of India. Should I understand that this restriction had been placed simply because they belong to the fairer sex? I understand that there can be only one reason why this restriction should be placed upon women, and that is that the women of this country should not take part in the administration of the country. We, the people of India, have been fighting for this right for long years and only a few years ago the Southborough Committee came over to India to find out the views of the public on the subject. Representations were made to that committee by both sections of the people of India, by the men as well as the women, that this right of voting should be granted to the people of India irrespective of the fact whether they belong to the one sex or the other. A few witnesses who possessed conservative views appeared before that committee and they were against this right of voting being granted to women. There was no force in the argument that was advanced by these persons before that committee. The Committee, however, hesitated to report to the Joint Committee of both Houses of Parliament in favour of this question upon grounds that the time had not yet come when the women should be given the vote. They said that it was impracticable under the existing circumstances that the women should be given the vote, and that there was conservative feeling in the country against such rights being granted to the women. On these flimsy grounds the Franchise Committee recommended that for the present this right should not be conceded to women. Representations were again made to the Joint Committee and the Joint Committee after giving serious thought to this question recommended in the following words:—

"The question whether the women should or should not be admitted to the franchise on the same terms as men should be left to the newly elected Legislative Councils of each province to settle by resolution. The Government of India should be instructed to make rules so that if a Legislative Council voted, women might be put on the register of voters in that province. The committee have not been able to settle the question themselves as urged by the majority of witnesses who appeared before them."

Well, Sir, I would not be wrong in saying when I say that the majority of witnesses that appeared before that committee and who opposed the right of vote

being conceded to women were men and not women. Women ask for it and they shall have it. We have been crying hoarse for the principle of democracy. If we are consistent in our principles and if we are honest in our convictions and actions, there is no reason why we should hesitate to give the same rights to women as we demand for ourselves. The various Legislative Councils in other provinces have adopted a resolution conferring the right to the women of those provinces. The Reforms Enquiry Committee which was constituted by the Government of India to find out the difficulties in the working of the Reforms Act of 1919 also made certain recommendations on the point that women should be given the right to vote and the right to be elected to the Councils and the Assembly. These recommendations were adopted by the Legislative Assembly in the last September session. When the other provinces are marching fast towards the goal of progress, shall we lag behind, act as a sinking stone and stand as an obstacle in the way of political progress or in the way of social reform. That is the question before us now. The question before us is not whether the women have the right to vote or not, but the question is whether the disability which has been placed upon their right should be removed or not. That entirely rests in the heads of this House. If the honourable members of this House pass this resolution it will become binding on the Government to put these women on the register of voters. The Government will then be in a position to give this right of vote to women. In this House, we, the men, may not be able to understand those questions which concern the welfare of women and children as readily and as capably as the women themselves. We have got amongst us women who are more qualified and who are more literate than ourselves and who are fit otherwise for being returned to this Council. There is no earthly reason why they should not be given this right simply because they belong to the female sex. When there is a real demand in the country that the women should be given this right there is no justification why we should withhold their right. Yesterday there was a public debate under the presidency of Mian Sir Muhammad Shafi and a few days ago there was a meeting of the women of Lahore where they passed resolutions on the subject, and demanded that the right which has been withheld so far should be given to women without any further delay.

Now, Sir, I would proceed to discuss the merits of the question and deal with the objections that have been raised from time to time against the grant of this right to women. Some say that it is not the proper sphere of women. The proper place for women is the home. Sir, I ask, if this resolution is adopted and the women are granted the right to vote, will it disturb them in the management of their homes if they go to the polling booth for a few minutes and record their votes? When they can guide us in other affairs of life, when they can participate in other public activities I see no reason why they should be debarred from this right. When the patriotic and the political minded people of this country fought for these rights, the women also participated in the struggle. There are ladies presiding over the sessions of the Indian National Congress, over social conferences and over every other departments of public activity. I cannot see any reason why they should not be allowed to exercise this right of vote. When the home affairs do not stand in the way of those who are participating along with us men in the activities of public life, how can they stand in their way if this right is conceded to them. Women can very well discharge their duties which they have been discharging so long. Even if we take it for a moment as granted, that the women will feel some inconvenience, I see no reason why this

[Lala Bodh Raj]

difficulty should stand in the way of giving them the right which will lead us all to the goal of social progress and political advancement in the country.

Another objection that is very often taken is the question of purdah. The question of purdah does not interfere with the exercise of this right. These purdah ladies attend Courts. Purdah ladies go before the Sub-Registrars to have their documents registered. Purdah ladies can attend purdah clubs for the purpose of recreation and festivities and if they are required to go to polling booths suitable arrangements can also be made for that. If the purdah ladies insist on their observing the purdah, Government can be called upon to make such arrangements as would be consistent with the social customs of this province. But I see, Sir, that a majority of women are not keeping purdah. Purdah is a social tyranny that is being practised upon women by men. It is the man that insists upon the purdah and not the woman. Even in Islamic countries such as Turkey and Arabia the question of purdah is disappearing. In other countries ladies with their veils on carry on their ordinary duties of life. I do not find any argument how purdah will interfere with the exercise of the right of vote.

Another question that is raised against the grant of this right to women is that the time has not yet come. We are all very well familiar with this sort of argument because we Indians are always given this reply whenever we ask the bureaucracy to give us self-government. But, Sir, I cannot find a limit to this waiting. Is there any time limit to it? If this argument is allowed to prevail at all, women will never have this right to vote. The franchise which has been given to us is a right which has been given to the masses as distinct from the classes. It has been given to backward classes as well, it has been given even to the depressed classes. The clerks, servants, chauffeurs of these ladies have got the right to vote but the masters themselves have not got it. I may say, Sir, without offending anybody that there are among us some who cannot follow the debates in English, who cannot express in English and who do not understand English; whereas there are ladies outside who are well up in the English language and who can very well understand the problems which are to be discussed on the floor of this House and who are debarred from coming to this House because of this restriction that has been placed by the franchise committees. On account of this restriction about half the population is left unrepresented. If we are not prepared to take them into the Council let us at least give them the right to vote. They should be able to send in such representatives as will advocate the rights of womanhood on the floor of this House. We are just now beginning to work the reforms. Let us not allow time to pass lest after the lapse of some time vested interests should be created in these Councils. That is one reason why the sooner this right is conceded to women, the better. Some may say "by nature the functions of women are separated from those of men. They have to nurse babies at home, they have to bear babies and so they should not meddle with these political problems and that those difficulties will arise which now arise at the time of municipal or Council elections. If this right is conceded they will get into trouble. For God's sake let us spare them from all these troubles." To this my reply is, this right has been granted to women in England and other European and other independent countries. When the women of those countries can bear babies and bring up babies and nurse babies who in time come over to India to rule over us, I do not see why there should be any trouble for our

women in bringing forth children and nursing them. We should learn from the experience of European countries. These women will have this right whether we are prepared for it or not. We have before us the suffragist movement in England and in other countries. I wish that we should not allow the women of this province or of this country to repeat the same movement here. I do not wish that they should come over here and sit in the visitors' gallery and throw potatoes or eggs or break the panes over our heads. (Hear, hear). Do you want these things to happen before you are prepared to give the right which belongs to them? I think we should take advantage of the experience of the people of other countries and we should not hesitate, but should give with good grace and with open hands the right which belongs to them. We should be prepared to do justice and undo the wrong that has been done to them so far. Now we have to consider this question seriously and we are not to be carried away by whims and caprices, superstitions and prejudices. Social customs and traditions should not stand in our way. There have been such customs and traditions which we have been breaking for the cause of social reform and for the cause of political emancipation of the country. Was there not the social tradition of *sati*? Was it not stopped by a piece of legislation? So when we find that there is a necessity for stopping social custom whether it is enjoined by our religion or not we should be prepared to stop those customs in order that we may be able to advance politically and socially. It was the Prophet of the Muhammadans who wanted to raise the status of women. He gave them the right to possess property, to inherit property and to acquire property, and these rights in themselves give the right of vote to the people in general.

Mr. President : The honourable member has already taken more than 25 minutes. It is now 6 o'clock. If therefore he wants to speak for a few minutes more he may do so on Monday, the 7th December.

The Council then adjourned till 2 p.m. on Monday, the 7th December 1925.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 7th December 1925.

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

QUESTIONS AND ANSWERS.

SPECIAL CLASS PRISONERS IN MIANWALI JAIL AND SUPPLY OF MEDICINES.

2201. Lala Bodh Raj: (a) Is it a fact that the special class prisoners confined in the Mianwali jail have had to spend from their pockets on account of medicines not available in the Jail hospital?

(b) Is it a fact that the Superintendent has recommended the transfer to some other Jail of some of such prisoners on medical grounds, and that they have not been transferred? If so, what are the reasons?

The Honourable Sir John Maynard: (a) Yes. Proprietary medicines are not supplied.

(b) Transfers of prisoners from jail to jail within the province are in general at the discretion of the Inspector-General who usually acts on reports received from Superintendents but naturally does not always accept the Superintendent's recommendation. The applications received from Mianwali were dealt with on these lines.

GOVERNMENT HIGH SCHOOL, PHALIA, DISTRICT GUJRAT.

2202. Lala Bodh Raj: (a) Will the Government please give the number of boys in the High Department that have taken up Hindi and Arabic, respectively, in the Government High School, Phalia, district Gujrat?

(b) Is it a fact that there is no separate Hindi teacher in the school while there is one for teaching Arabic?

Sir George Anderson:

(a) Arabic students	...	...	6
Hindi students	...	...	7

(b) Yes. Hindi is taught by a trained Shastri who also teaches Sanskrit, while the Arabic-teacher also teaches Persian.

MEMORIAL BY THE MUSLIM COMMUNITY OF THE JHANG DISTRICT.

2203. Khan Muhammad Abdullah Khan: (a) Has the attention of the Government been drawn to a memorial submitted by some of the leading zamindars and respectable representatives of the Muslim community of the Jhang district to His Excellency the Governor regarding the administration of the district?

[Khan Muhammad Abdullah Khan.]

(b) Is it a fact that on the occasion of the last Muharram festival at Chiniot, Muslim mourning parties locally known as *Muhans* which used previously to pass through the town as important units of the "Mehdi" procession were stopped this year by the order of the Deputy Commissioner?

(c) Is it also a fact that the local "taziadars" concerned as well as some others in the district suspended their mourning for some time to mark their protest against the order of the Deputy Commissioner?

(d) Did the Deputy Commissioner suspend some highly respected "Shia" zamindars from their posts of zaildar and lambardar on the ground of their sympathy with the "taziadars" who had suspended their mourning as a peaceful protest against the order?

(e) Is it a fact that the Hindus of Chiniot had taken out eighty-one processions through the main bazaars of the town on the occasion of the last Holi festivals without any restrictions by the officers and against all previous practice and custom and in spite of the fact that the Holi procession in the preceding year had caused a very serious disturbance of peace in the locality?

(f) If the answers to the above are in the affirmative, will the Government be pleased to state the reasons for this distinction between the treatment accorded to the two communities in the matter of celebrating their festivals?

(g) What steps, if any, do the Government propose to take to avoid such differentiation in future?

The Honourable Sir John Maynard: (a) Yes.

(b) It appears from an order passed by the Deputy Commissioner in July last that he had satisfied himself by local enquiry that at the Muharram of 1924 *Muhan* parties were taken out on an unprecedented scale. On no previous occasion had such parties been allowed to be accompanied by music, and they had in the past always consisted of six or seven persons only. On the occasion of the Muharram of 1925 the Musalmans of Chiniot proposed to convert these small parties into large processions accompanied by bands, etc., the suggestion being that seven such processions should be allowed to pass through the bazaar on each of the 6th, 7th and 9th days of the festival. The Deputy Commissioner came to the conclusion that the grant of such permission would be an innovation which should not be allowed in view of the acute tension existing between the two communities at Chiniot at the time.

(c) In one place in the district the Muharram celebrations were temporarily suspended.

(d) The Deputy Commissioner suspended a zaildar and a lambardar on the ground that they had issued an inflammatory and misleading proclamation.

(e) The information in the possession of Government is to the effect that licenses were taken by three Hindus for three processions daily for 9 days. Government is unable to say whether this was in accordance with previous practice or not.

(f) The arrangements made by the local officers were made solely with the object of preventing communal friction and disorder.

(g) Does not arise.

2204. Canceled.

MODIFIED *ABIANA* RATES IN THE DISTRICT OF DERA GHAZI KHAN.

2205. Lala Bodh Raj : Will the Government please state if the modified *abiana* rates have been enforced in the district of Dera Ghazi Khan? If not, what are the reasons and when are they going to be enforced?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : If by "modified *abiana* rates" the honourable member refers to the enhanced occupiers' rates notified in October 1924, he is informed that these enhanced rates apply to perennial canals only and are not applicable to the district of Dera Ghazi Khan which is irrigated solely by inundation canals.

REVENUE ASSESSMENT IN THE DERA GHAZI KHAN DISTRICT.

2206. Lala Bodh Raj : (a) Is it a fact that in the district of Dera Ghazi Khan the revenue assessment made by the Canal Officers is on comparison found different from that made by the Civil Patwaris?

(b) Is it a fact that no allowance is being made on account of *kharaba*?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) In the Dera Ghazi Khan District, revenue assessment is made by Revenue officers and not by the Canal Department and hence no question of any difference arises.

(b) No, due allowance is made on account of *kharaba* in fixing assessment.

ABZAI IN THE DERA GHAZI KHAN DISTRICT.

2207. Lala Bodh Raj : Will the Government please lay on the table the figures of income for the last five years on account of *abzai* (اب ضائع) in the Dera Ghazi Khan district?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The figures of income derived from punitive assessment on account of *abzai* in the Dera Ghazi Khan district during the last five years are as follows :—

					Rs.
1920	...	...	...	...	710
1921	...	...	...	...	1,208
1922	...	...	...	...	1,054
1923	...	...	...	...	1,772
1924	...	...	...	...	2,457

CANAL BANKS IN THE DERA GHAZI KHAN DISTRICT.

2208. Lala Bodh Raj : (a) Is it a fact that the canal banks are allowed to be broken to avoid the overflow in the canal on account of hill torrents in the district of Dera Ghazi Khan?

(b) Is it a fact that the residents of several villages suffer heavy damages on this account?

(c) What steps has the Government taken or does it intend to take to prevent the damage to the residents of the villages by the hill torrents?

[Lala Bodh Raj.]

(d) Will the Government please lay on the table the estimates of expenditure of several schemes in contemplation for the purpose referred to in (c) ?

(e) Will the Government please state if any compensation has been paid to the sufferers referred to in (b) above ? If so, will the Government please lay on the table the figures of such compensation for the last five years separately ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes, at suitable points.

(b) The reply is in the negative.

(c) The banks of the canals have in places been strengthened to serve as protective embankments and hill torrent water, when not excessive, is absorbed in the canal, but when excessive, the surplus is passed down at places where least damage will be done. A large inlet is also being constructed at one site (Patni, on the Nar Dhundi Canal) to absorb and distribute torrent water through the canals. The control of hill torrents is outside the scope of the canals, but nevertheless as they can afford some measure of protection, they are being readily utilized to give it wherever it is found to be possible.

(d) It is regretted that an estimate cannot be separately made as the works which are carried out are not exclusively for hill torrent protection.

(e) The damage being from natural causes, no compensation has been due but *kharabu* has been allowed as below :—

Area in acres remitted.			Amount remitted.		
		Rs.	Rs.	A.	P.
1920-21	...	...	...	...	...
1921-22	...	6,323	6,336	9	0
1922-23	...	...	...	...	...
1923-24	...	9,633	4,932	15	0
1924-25	...	235	315	9	0

SAWAI RATES IN THE DERA GHAZI KHAN DISTRICT.

2209. Lala Bodh Raj : (a) Is it a fact that " Sawai " rates are charged besides the land revenue for purposes of education in the Dera Ghazi Khan district ?

(b) Will the Government please lay on the table the income derived from this source and expenditure incurred on account of education in the district for the last five years by the District Board ?

Sir George Anderson : (a) No.

(b) Does not arise.

GOVERNMENT HIGH SCHOOL, DERA GHAZI KHAN.

2210. Lala Bodh Raj : (a) Will the Government please state the average monthly expenditure of the Government High School, Dera Ghazi Khan ?

(b) Will the Government please state what is the average expenditure per boy per month in this school ?

(c) Will the Government please state—

- (i) the expenditure incurred on account of the buildings of the school as well as the boarding-house separately ; and
- (ii) the cost of the school furniture ?

Sir George Anderson : (a) The average monthly expenditure of the Government High School, Dera Ghazi Khan, for the year 1924-25, was Rs. 1,022.

(b) The average expenditure per boy per month in this school is Rs. 4.

(c) (1) The recorded value of the school and boarding-house to end of 1924-25 is as below :—

	Rs.
(i) Government High School, with out-houses and sweepers' quarters	51,709
(ii) Boarding-house including cook-house and latrines	33,847
(iii) Well	1,245
Total	86,801

(iv) Temporary shed used as Primary School by Municipal Committee 7,174
 The annual estimated cost of maintenance of items (i) to (iii) 1,704
 Item (iv) is maintained by the Municipality of Dera Ghazi Khan.

(2) The cost of the School furniture is approximately 6,500

LITTEL CASE OF RAI SAHIB LALA JAMNA DAS *versus* BANDEMATRAM AND CO.

2211. Lala Bodh Baj : (a) Will the Government please lay on the table the total amount of expenditure incurred by it for the plaintiff in the libel case of Rai Sahib Lala Jamna Das *versus* Bandematram and Co. ?

(b) Will the Government please state what amount was drawn by the Public Prosecutor by way of travelling allowance for conducting the case outside Multan ?

The Honourable Sir John Maynard : (a) Rs. 2,560.

(b) Rs. 1,605.

ASSESSMENT OF MUSTAQIL AND GHAIK MUSTAQIL.

2212. Lala Bodh Baj : Is it a fact that the revenue both *Mustaqil* (fixed) and *Ghair Mustaqil* (fluctuating) is being assessed on land covered by date trees, while separate revenue is charged on account of date trees standing thereon ? If so, what are the grounds for this double assessment ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The fixed and fluctuating land revenue does not include the Government share out of the income derived by the owners from the fruit of the date trees. Hence such trees are assessed separately in addition to the land revenue for the land on which they are standing.

Lala Bodh Raj : Will Government please state for what reasons the revenue is charged if a separate amount is to be charged for the produce of the date trees ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : Income from the dates.

Lala Bodh Raj : Will Government please state if that is not produce of the land which is assessed ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : Is that a question or is that an argument ?

Mr. President : Does the Honourable Member require notice ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : I want to know whether that is an argument or whether that is a question ?

Mr. President : Will the honourable member ask the question again ? If the Honourable Revenue Member is in a position to answer it, he will answer it.

Lala Bodh Raj : Will Government please state if the produce of the date trees is not covered by the produce for which revenue is charged ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : I do not think so.

GOVERNMENT HIGH SCHOOL, DERA GHAZI KHAN AND
"POOR BOYS' FUND," ETC.

2213. Lala Bodh Raj : (a) Is it a fact that the students of the Government High School, Dera Ghazi Khan, have to contribute towards the "Poor Boys' Fund" the "Reading Room Fund" and the "Science Laboratory Fund" over and above the school tuition fee and the sports fee ?

(b) If so, will the Government please state if the above funds have been recognised by the department ?

Sir George Anderson : (a) All boys contribute towards the "Boys' Fund" which is used mainly on the expenses of the Reading Room. Contributions to the Poor Boys' Fund are voluntary.

(b) Government has no objection to the existence of these Funds.

Lala Bodh Raj : Is it a fact that in some cases contributions for the "Poor Boys' Fund" are compulsory ?

Sir George Anderson : I have no knowledge of that.

GOVERNMENT HIGH SCHOOL, DERA GHAZI KHAN AND SCHOOL-
LEAVING CERTIFICATE.

2214. Lala Bodh Raj : (a) Is it a fact that the boys of the Government High School, Dera Ghazi Khan, experience difficulties in obtaining School-Leaving Certificates ?

(b) Is it a fact that the parents of the boys in several cases sent registered letters to the authorities and in certain cases approached the Inspector of Schools for the purpose ?

If so, will the Government please state the reasons why obstacles are placed in the way of the boys who want to obtain Leaving Certificates ?

Sir George Anderson : (a) No.

(b) Yes. In one instance the Inspector was approached.

The previous refusal to grant a certificate was due to the fact that the school dues had not then been paid.

Lala Bodh Raj : Does Government know that the answer which was first submitted by the Inspector of Schools of Dera Ghazi Khan to the Divisional Inspector was quite different from the one which has been given?

Mr. President : That is not a supplementary question.

LAMBARDARS IN THE DERA GHAZI KHAN DISTRICT.

2215. Lala Bodh Raj : (a) Is it a fact that some of the Lambardars appointed under the Land Revenue Act in the district of Dera Ghazi Khan are persons whose names are borne on the Police Register No. 10? If so, will the Government please state why they are being retained as Lambardars and have not been replaced by others of good moral character?

(b) Will the Government please give the number of such Lambardars as well as the total strength of Lambardars in the district?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The inquiries are not yet complete.

Lala Bodh Raj : Will Government please state by what time the enquiries will be complete?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : As soon as they are complete, the information will be supplied.

Lala Bodh Raj : Can Government give a rough idea as to the time by which the enquiries will be complete?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I am afraid not

BREACHES IN CERTAIN CANALS IN THE DERA GHAZI KHAN DISTRICT.

2216. Lala Bodh Raj : Is it a fact that there have been several breaches in Manka, Shoria and Dhingana canals in Dera Ghazi Khan within the past few years?

If so, will the Government please state what steps have been taken to prevent the recurrence of such breaches?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Breaches have occurred, but not any more than usual. Some are inevitably due to the action of hill torrents. When breaches occur, they are immediately repaired and every attempt is made to keep the canal banks always properly strengthened.

FLOW OF CANAL WATER IN DERA GHAZI KHAN FROM APRIL TO OCTOBER.

2217. Lala Bodh Raj : (a) Is it a fact that the cultivators of Dera Ghazi Khan were given the assurance at the time of settlement that the canal water would remain flowing from April to October every year?

(b) Is it a fact that *abiana* is levied on the above assurance?

[Lala Bodh Raj.]

(c) Is it a fact that the canal water generally begins to flow in the months of May or June and stops in the month of August or thereabout? If so, will the Government please state if any concession is allowed to the cultivators on that account?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : (a) and (b) No, as the canals are inundation canals, the supply of water in such canals depends upon the height of the supply of water in the river.

(c) The canals are generally in flow from end of April to end of September. *Kharab* is allowed if supply of water is not sufficient to mature the crops.

CONTROL OF CANALS IN DERA GHAZI KHAN DISTRICT BY
PRIVATE PERSONS.

2218. Lala Bodh Raj : Is it a fact that some of the minor canals over two miles in length are being controlled by private persons in the district of Dera Ghazi Khan? If so, what are the reasons for allowing private persons to control such canals?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : Yes, it is true that parts of some minor distributaries over 2 miles long have been treated as water-courses chiefly where desired by or in the interests of the zamindars themselves, but where abuses have arisen they have been and are being taken over again by the Canal Department as minors.

HEADMASTER, GOVERNMENT HIGH SCHOOL, JAMPUR.

2219. Lala Bodh Raj : (a) Is it a fact that the Headmaster, Government High School, Jampur, has been taken into the Provincial Service? If so, from what date?

(b) Is it a fact that complaints were made against him to the authorities that he was carrying on the Islam propaganda and was actively participating in the conversion of Hindu boys of his school?

Sir George Anderson : (a) The Headmaster of the Government High School, Jampur, is in the Subordinate Educational Service.

(b) No.

Shaikh Faiz Muhammad : Is it a fact that the Headmaster of the Government High School, Jampur, is a Hindu?

Sir George Anderson : Yes.

Shaikh Faiz Muhammad : Am I to understand that Hindus have begun propagating Islam? (Laughter).

Lala Bodh Raj : Will Government please state if any complaints were received against any Headmaster of a High School for propagating Islam?

Sir George Anderson : Such a complaint was received in the past.

Lala Bodh Raj : Will Government please give the name of the Headmaster? Was he a Hindu or a Muhammadan?

Sir George Anderson : Does that question arise, Sir ?

Mr. President : That question does not arise, but if the honourable member wants to give an answer he can do so.

Sir George Anderson : He was a Muhammadan.

Shaikh Faiz Muhammad : Were any enquiries made into the matter ?

Sir George Anderson : The enquiry showed that the Headmaster was free from the charges that were made against him.

RECRUITMENT TO THE PROVINCIAL SERVICE OF TEACHERS OF THE MULTAN DIVISION.

2220. Lala Bodh Raj : Will the Government please state—

- (i) how many members of the teaching or the Inspection staff have been taken into the Provincial Service in the division of Multan during the time when Mr. Nur Ilahi was the Inspector of Schools of that Division ?

- (ii) how many of them are Muhammadans and how many Hindus ?

Sir George Anderson : (i) 9

(ii) Muhammadans	...	...	...	5
Hindus	...	...	...	2
Indian Christian	...	...	...	1
Sikh	...	...	...	1

ADMISSION TO THE NORMAL SCHOOL, DERA GHAZI KHAN.

2221. Lala Bodh Raj : Will the Government please state according to community—

- (i) the number of candidates that applied for admission to the Normal School, Dera Ghazi Khan, in the year 1925 ;
- (ii) the number of candidates that were actually admitted ; and
- (iii) the number of candidates that are being allowed the monthly stipend ?

Sir George Anderson: The required information is laid on the table :—

			Hindus.	Muhammadans.
(i)	...	...	53	64
(ii)	...	...	15	35
(iii)	...	...	12	28

STIPENDIARY STUDENTS OF THE NORMAL SCHOOL, MULTAN, AND THEIR EMPLOYMENT BY THE GOVERNMENT.

2222. Lala Bodh Raj : Will the Government please state according to community—

- (i) the number of students that were drawing monthly stipends in the Normal School, Multan, during the last year ;
- (ii) the number among them that have been employed by Government on or before 1st April 1925 ?

Sir George Anderson : (i) Hindus 56, Muhammadans 134, Sikhs 10, Others nil.

(ii) Nil. Government does not now ordinarily employ Junior Vernacular teachers.

POST OFFICE AND CATTLE TRESPASS ALLOWANCES TO TEACHERS IN DERA GHAZI KHAN.

2223. Lala Bodh Raj : (a) Is it a fact that some of the members of the teaching profession in Dera Ghazi Khan are being allowed Post Office allowance and Cattle trespass allowance? If so, how many of them that draw the allowances are Hindus and how many Muhammadans?

(b) Will the Government please state on whose recommendation such allowances are paid to the members of the teaching profession?

Sir George Anderson : (a) Yes.

There are at present seven Hindus and fourteen Muslim teachers drawing the postal allowance and two Hindu and eleven Muslim teachers who receive an allowance for holding charge of pounds.

(b) The allowances are not paid to particular individuals, but are sanctioned generally for the head teachers at places where there is also branch post office or cattle-pound.

GOVERNMENT MIDDLE SCHOOLS AND NIGHT SCHOOLS IN DERA GHAZI KHAN.

2224. Lala Bodh Raj : (a) Will the Government please state the number of Government Middle Schools as well as of Night Schools in Dera Ghazi Khan?

(b) Will the Government please state according to community the number of teachers in charge of the schools referred to in (a) above?

Sir George Anderson : (a) There are no Government Middle or Night Schools in the Dera Ghazi Khan district.

(b) Does not arise.

PROVINCIALISATION OF SCHOOLS IN THE MULTAN DIVISION.

2225. Lala Bodh Raj : (a) Will the Government please state how many schools have been provincialised in Multan Division during the time when Mr. Nur Ilahi was the Inspector of Schools?

(b) Will the Government please state according to community—

(i) the number of Headmasters that were in charge of such schools at the time they were provincialised;

(ii) the number of Headmasters that are now in charge of such schools; and

(iii) the number of such Headmasters as are referred to in (ii) that have been recruited from the Islamia High Schools?

Sir George Anderson: The information required is laid on the table.

(a) and (b) (i)—(ii)—

Names of Schools provincialised.	Names of Headmasters at the time of provincialisation.	Names of present Headmasters.
(1) Government High School, Kahror.	Lala Asu Ram (Hindu) ...	Lala Bhana Ram (Hindu).
(2) Government High School, Jampur.	Dewan Raushan Lal (Hindu)	Lala Madho Das (Hindu).
(3) Government High School, Kamalia.	Lala Dhanpat Rai (Hindu)	Lala Dhanpat Rai (Hindu).
(4) Government High School, Pakpattan.	Ch. Muhammad Hussain (Muhammadian).	M. Jamal-ud-Din (Muhammadian).
(5) Government High School, Jaranwala.	M. Jamal-ud-Din (Muhammadian).	Bb. Jawand Singh (Sikh).
(6) Government High School, Alipur.	M. Sher Muhammad (Muhammadian).	M. Sher Muhammad (Muhammadian).
(7) Government High School, Trunsa.	M. Abdur Rahman (Muhammadian).	M. Abdur Rahman (Muhammadian).

(iii) Information is not available.

NUMBER OF TEACHERS EMPLOYED IN THE VARIOUS INSTITUTIONS IN THE MULTAN DIVISION.

2226. Lala Bodh Raj: Will the Government please state separately for the Government, District Board and Municipal Board schools in the division of Multan according to community—

- (i) the number of appointments made in the Education Department during the time when Mr. Nur Ilahi was the Inspector of Schools; and
- (ii) the grades of the various appointments so filled up?

Sir George Anderson: The benefit derived by the supply of this information will not be commensurate with the time and labour involved by the collection of this information. It is not therefore considered advisable to do so.

HEADMASTER, GOVERNMENT HIGH SCHOOL, DERA GHAZI KHAN.

2227. Lala Bodh Raj: (a) Is it a fact that Malik Muhammad Husain, Headmaster, Government High School, Dera Ghazi Khan, has been taken into the Provincial Educational Service in supersession of several Headmasters in the division who were senior to him? If so, what were the reasons for such supersession?

[Lala Bodh Raj.]

(b) Is it a fact that the results of the Matriculation examination of the Government High School, Dera Ghazi Khan, last year and the year before last were not so good as those of other Government High Schools in the division?

(c) Is it a fact that the strength of the boys of the Government High School, Dera Ghazi Khan, has gone down during the last two years?

Sir George Anderson: (a) Malik Muhammad Husain was chosen in preference to other Headmasters because he was considered more suitable for promotion. At the time of his promotion he was serving in the Rawalpindi Division.

(b) The Matriculation results of the Dera Ghazi Khan High School were not so good as those in some other schools but were better than those in others.

(c) Yes.

Lala Bodh Raj: Will Government please state what points were taken into consideration that led the authorities to consider the Muhammadan to be more suitable than the other candidates?

Sir George Anderson: I require notice of that question.

SPORTS FUND OF THE GOVERNMENT HIGH SCHOOL, DERA GHAZI KHAN.

2228. Lala Bodh Raj: (a) Is it a fact that the whole or a major portion of the Sports Fund of the Government High School, Dera Ghazi Khan, raised during the current year, has been spent on the Scouts Rally to the detriment of other boys who could not take any part in the Rally?

(b) Is it a fact that there is a debit balance in the Sports Fund of the School?

Sir George Anderson: (a) The Sports Fund made a contribution towards the Rally.

(b) No.

CONTRIBUTION FOR SCOUTS RALLY IN THE MULTAN DIVISION.

2229. Lala Bodh Raj: (a) Is it a fact that all the Government and aided schools in the division of Multan were asked by the Inspector of Schools to contribute towards the expenses incurred by him in connection with the Scouts Rally at Multan at the time of the last visit of His Excellency the Governor?

(b) Will the Government please lay a statement on the table showing the contributions so made by each of the said schools?

Sir George Anderson: (a) Government has no information on the subject, and sees no objection to the schools concerned being given an opportunity of contributing towards the expenses of a Scout Rally.

(b) Does not arise.

CO-OPERATIVE SOCIETY FOR SCHOOL BOYS OF THE GOVERNMENT HIGH SCHOOL, DERA GHRAZI KHAN.

2230. Lala Bodh Raj: (a) Is it a fact that there is a co-operative society run by the school boys of the Government High School, Dera Ghazi Khan?

(b) Is it a fact that the school boys are compelled to purchase their stationery, etc., from the shop started by the said co-operative society?

(c) Is it a fact that the prices of materials sold in the said shop are higher than those in the market?

(d) Is it a fact that the Inspector of Co-operative Societies checked the accounts of the society and reported that the accounts were not properly kept, and that there was a loss to the society? If so, what are the reasons for such loss?

Sir George Anderson: (a) Yes.

(b) No.

(c) No.

(d) Yes. Some of the stock was damaged by white ants.

THE PUNJAB TENANCY (AMENDMENT) BILL.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, with your permission I beg to present the report of the Select Committee on the Punjab Tenancy (Amendment) Bill.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR 1923-24.

The Secretary: The report* of the Committee on Public Accounts of the Punjab Legislative Council on the Audit and Appropriation Reports for the year 1923-24 and other matters is laid on the table.

* Separately printed and distributed to members.

RESOLUTIONS.

RESOLUTION *re* FRANCHISE FOR WOMEN (CONCLUDED).

Mr. President: The discussion on the resolution† *re* women franchise will now be resumed.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadian), Urban]: Sir, I am glad that this afternoon we find that the ladies have taken their seats in the visitors' gallery and are watching the proceedings and are anxiously awaiting the decision of the Council on this important question. I am sure we will not compel them to take any steps which have been taken by the women of other European countries for getting this right of vote to which they are entitled.

The other day when I was discussing this question I was referring to the Prophet Muhammad who wanted to raise the status of women and who gave women equal status with men. (A voice: No.) Sir, my assertion has been questioned and I think the honourable member who has questioned it will have

† This Council recommends to the Government so to amend the Punjab Legislative Council Electoral Rules as to remove the sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in the elections held for the Punjab Council.

[Lala Bodh Raj.]

a chance to speak, when, he will try to convince by arguments and quotations from the Quran that my statement is wrong. Let the honourable member give me quotations from the Quran which prohibits the giving of franchise to women. I say it was the Prophet who gave the right of inheritance to women, who gave the right to women to possess property, and to acquire property in their own names (Hear, hear). It is the property qualification that at present gives us the right of vote at elections (Hear, hear). There have been Muhammadan ladies who have played a great part in moulding the destinies of the world. It is claimed by Islam that it is Islam alone that is teaching the principle of democracy to other religions. If my Muhammadan friends have made up their minds against this resolution, then, do they mean to use the word 'democracy' when it suits them and not when it does not suit them? They should take a lesson, as I said the other day, from our past history and from the history of other nations. It would be political madness on our part if we rest satisfied with the fact that our women shall also go through the same processes through which the women of other countries have been passing or have had to pass. We should avoid the troubles from which the people of other countries have had to suffer. The history of the Hindus tells us that women have the same status as men. No religious functions or ceremonies can be complete unless and until women participate with men in those functions or in those ceremonies. It is the ladies whether they are Hindus or Muhammadans who have been ruling in this country, who have been fighting battlefields and who have taken an active part in other public activities of life. There is the axiom "The hand that rocks the cradle rules the universe!"

Chandhri Duli Chand : Did they fight as combatants?

Lala Bodh Raj : Yes, they fought as combatants. I was saying "The hand that rocks the cradle rules the universe". It is the women that guide the inner life of the homes at present and I understand that the women are in no way inferior to men. (Voices of 'No, no.') Then, I put this question to those who want to oppose my resolution and who do not want to give this right to women, do they not consult their better half when they go home in every department of life? Why then, should they be averse to giving this right to them? Are they afraid that if this resolution is passed the ladies will to-morrow come to the floor of this Council and displace the male members? My resolution does not require that they should be given seats in this Council. It only requires that they be permitted to choose their representatives. They should have a right to make their choice of those men who will represent their interests. They pay taxes just as we men do, they are subject to the same laws that we men are subject to. There is no subject which affects men but does not affect women. Take education, sanitation, all these subjects are as much of interest to them as they are to us. There is the saying 'no taxation without representation'. Taxation without representation is a tyranny. Then do you want to subject them to tyranny by calling upon them to pay taxes without giving them representation in the Council? We come and sit here and pass legislation and taxation which affect both men and women, which bind both men and women. But in no sense can we be called representatives of women in this Council. If to-morrow they refuse to obey the laws that have been passed here *en masse* without giving them a chance to express their views

or rather the views of their representatives, can we hold them responsible for the breach of these laws? I think not. If we want that there should be no trouble hereafter we should with open hands and with good grace give them the right to which they are entitled.

As for the Sikhs, Sir, the recent Gurdwara legislation has given the franchise to women. Women are going to participate in the work of the future reform of the Gurdwaras.

Khan Bahadur Nawab Muzaffar Khan: Very few ladies have so far come forward to register themselves as voters.

Lala Bodh Raj: That is true. But the list is just now being prepared. If I mis'ake not, the time limit has not expired. Besides, there are other reasons for which they have not come forward so far. The question of Sikh prisoners has not yet been satisfactorily settled.

Mr. President: The honourable member's time has already expired. He has spoken for more than thirty-six minutes on the whole. I hope he will be very brief.

Lala Bodh Raj: Sir, in view of the fact that my time limit is very short, I shall not dilate very much on the subject. Any argument that I have not already referred to I shall put forward when my turn for reply comes.

The other day I referred to the question of *pardah*. I am afraid that question will be raised in this debate. An objection has already been raised elsewhere that Muhammadan ladies are not prepared to give their names for enrolment in the voters' lists and that they feel some difficulty in the matter. I do not consider this a very sound argument even if it is taken as an argument. If the Muhammadan ladies do not propose to enrol themselves as voters, what objection can there be for depriving the Hindu and Sikh ladies to enrol themselves? There is separate representation for each of the communities and no community is going to suffer by the passing of this resolution. Besides, this resolution is only permissive. It does not lay down any compulsion. We have been invited by Lord Birkenhead and the Viceroy to work out the present reforms. Pandit Motilal Nehru has compared the reforms to a wooden horse. I will compare them to a cart in which the luggage of progress or political freedom has been placed, but that cart has got only one wheel. The cart cannot therefore move. It is lying stationary and if you want that it should move, you must fix up the other wheel so that it can move towards the goal of self-government which has been declared in the announcement of August 1917 and in the proclamation of His Majesty the King-Emperor.

Mr. President: The resolution before the Council is :—

"This Council recommends to the Government so to amend the Punjab Legislative Council Electoral Rules as to remove the sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in the elections held for the Punjab Council."

The question is that that resolution be adopted.

Khan Bahadur Nawal Muzaffar Khan (Director, Information Bureau) (Urdū) : Sir, before proceeding with what I have to say on the resolution before the House, I want to make it clear that I rise purely in my private capacity and my views in no way reflect the official position on the point. We have to-day been treated to a very able speech by the honourable the mover of the resolution and before I can proceed with what I have to say, I feel that I must, like what happened during the impeachment of Warren Hastings, disenchant the House of the influence of the previous speaker. Sir, the honourable mover was, perhaps, speaking to the gallery for he did not realise the consequences of his motion. His speech was really a fine essay on the subject of female equality. It was very learned no doubt and I quite subscribe to all that was said about this equality. But he did not consider the consequences of such a step. He does not know what women will be enfranchised. If he had devoted some thought he would have known that only those would get a right of vote who either pay land revenue or own immoveable property, etc. I feel it my duty to inform him on the strength of my experience as Elections Commissioner that only two kinds of women, be they Hindus or Muhammadans, will get the vote—widows who possess only a life interest in the property and young unmarried women who have no male relation. It is in the absence of males that such females succeed to immoveable property and I ask the honourable the mover if he is willing to expose these defenceless widows and young girls to all the botheration of an election. Sir, you know very well how things happen during an election and how voters are harassed. Whomsoever, these women vote against will become their enemy and will try to create trouble for them and as Shaikh Saadi said :—

"Taraam ke ba Ka'ba na rassi ai Arabi

Kin rah ke tu me rahi ba Turkistan ast."

(I am afraid, O Arab, thou shalt never reach the Ka'ba, for the way thou followest leads to Turkistan.) The plight of these women will really be very pitiable. For these reasons and these alone I oppose the resolution before the House.

Rai Bahadur Sir Gopal Das, Bhandari (Non-official, Nominated) : Sir, I stand fully realising that in opposing there solution, I will have certainly to be called the most reactionary in this Council (Hear, hear). But I will show that as a matter of fact I do not deserve that encomium. The mere fact that some of our ladies have advanced to such an extent that the franchise can be conferred on them cannot in any way influence me in not putting before the House the real sentiment of the Hindu community at large. The fact is that some of the forerunners in the field of nationalism and progress wish, through a magician wand as it were, to put our country on a par with other civilised nations in every sphere of activity. It is really a commendable ambition, it is really a noble idea, but at the same time we must not forget that anything which is done in hot haste does not bear proper fruit. Our pace should be slow and sure and we should not through over-enthusiasm be led away to adopt a measure which in every respect could be called too early and premature. We must not in any way overlook the conditions of our life in this province. We should not overlook our customs and manners, our national sentiments and even our rational prejudices. The mere fact that in some other countries or in some provinces in our own country, this right has been conferred upon women should not make us forget the one fact how advanced the ladies in those provinces or countries are and after

what struggle they got the franchise. Sir, what I would request is that we should prepare the ground properly and we should educate our sisters and our girls. We should not confer the right upon those who cannot appreciate and who cannot value that right and ultimately possibly there might be some more difficulty. Sir, it is urged that this should be done as a sort of experiment. I am one of those who consider that experiments on a large scale are always risky. It is also said women can appear in courts, why they should not go to the polling booths? I ask my honourable friend, the mover of the resolution, who has got experience as a lawyer, and I too have got experience as a lawyer ranging over a period of forty years—to say whether or not a volume of protest is raised whenever an application is made in the courts to summon women to appear in courts. Let him be the meanest of the mean person, he will at once strongly protest against the summoning of his female members to the court. To the very last, every effort is made to see that women are not compelled to appear in court. Is there not in fact a provision in the Code of Civil Procedure to exempt women from attending court?

Another serious objection to the conferring of the vote is the *pardah* system that prevails in our provinces. This ought not to be ignored. The *pardah* system is not only observed by the Muhammadans, but it is also observed by the Hindus. Well, Sir, we the members have come here not only to give our opinion but also the general public opinion. Our modest Hindu women would never like to go to the polling station. It must be always our aim not to drag our women to the polling station. It may be argued, Sir, that means might be devised to see that nothing untoward happens to them if women come to the polling station. But what I beg to submit is that we should not expose our mothers and sisters to the charge of false personation and other evils which are concomitant to elections. I do not wish to dilate further and illustrate these evils. Before giving the right of vote to our sisters, let us first try to bring them to an advanced state of civilisation. We should not shut our eyes to the existing state of our women in the country. I can boldly say that if this question of giving franchise to women were to be referred to a brotherhood or panchayat in Amritsar, consisting not only of the men of the upper class but also of the lower class, then they will all unanimously say that the enfranchisement of women at the present stage is a little premature. My submission is that this is not a subject which we should rush through. It is a subject which requires our mature deliberation. It is not a subject which can be handled in any way we like as is thought in some quarters. What I beg to say is that the time has not yet come to give the franchise to our women. It was said, what about the male population; they are given the franchise. What do you see in the present day elections? What do the adult males do when they go to the polling booth? In my humble opinion it is all a farce. For God's sake let us spare our mothers and sisters from this farce of an election which the males have to undergo. Do you want that our mothers and sisters should participate in that farce? But, it may be said that the women in Bombay and some other provinces have been given the franchise. But my submission is, is there any comparison between Bombay and our province in any respect? Is there any comparison between the two provinces in the method of living or in the extent of education?

Professor Ruchi Ram, Sahni: What about the United Provinces?

Rai Bahadur Sir Gopal Das, Bhandari : I know as much of the United Provinces as the honourable member who has just now interrupted me. There too the women are not advanced a good deal. There may be a few people there who might be really advanced. But they are not the only persons to be consulted. Go to any village in the United Provinces, go to Hardwar or Saharanpur. My experience is not a whit less than that of my honourable friend the Professor. Besides, is it a valid argument that because some other provinces have enfranchised their women, our province should follow their lead? Are we not to look to the condition of life in our province and act according to the circumstances prevalent here. As I have already submitted, we should not shut our eyes to the prevailing condition of our province. If our province is to be compared with any other province, we should compare it in all respects. If in any respect, intellectually, educationally or morally, we satisfy the standard which other provinces have attained, then we will be justified in adopting what the other provinces have done. It is a fallacious argument to advance that because other provinces have enfranchised their women, we should also give the right of vote to our women. In my humble opinion, this right is a little premature to be conferred upon our women of this province, and I hope that this House will not accept this resolution.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : Mr. President, as has been rightly remarked the resolution which we are now discussing is of great importance. Under the rules, I understand that if this House passes the resolution, it is binding on the Government. In view of that, I particularly discussed this resolution with certain leading members of my constituency which is both rural and Muhammadan. To my embarrassment I found that most of them with whom I talked on this subject were opposed to this resolution, and I felt that as their representative I had no option but to oppose it. But then, there was the higher and the greater call and that was my duty to my country and humanity (Hear, hear). I felt that this was a matter in which I was justified in telling the leading members of my constituency that if they insist on my voting against the resolution, I had no option but to resign (Hear, hear). I am glad, Sir, that those friends of mine gave me the liberty to vote according to my convictions, and then I told them that I honestly believed that one day they would realise that the support to the resolution would ultimately benefit them. But, Sir, at that time they also charged me with the duty of giving expression here to their point of view as well. Therefore, I find myself in the unfortunate position of the Coster in Mr. Sim's melodrama of the "Lights of London". In that play, Sir, you may remember, a street vendor sells hot potatoes or ice cream according to the state of the weather. But in that deplorably uncertain English weather, he has often to go prepared for both, so that he has constructed a barrel with a freezer at one end and a boiling stove at the other. Like him, I am in a similar predicament when I rise to speak to-day. There is, however, Sir, one point which I would like to submit to my honourable friends Nawab Muzaffar Khan and Sir Gopal Das, the latter specially who happens to come from the same district as myself. There is a matter of principle involved in this resolution. All political writers and thinkers who may be in favour of granting this vote or who are against it are agreed as to the true significance of the vote. They are all agreed that human beings want political rights not in order that they may govern, but in order that they may not be misgoverned. That being so, *prima facie*, every human being has the right to say where the shoe

pinches unless it be that by some disability he or she has forfeited that right. Now, Sir, even a cursory glance at the electoral rules will show who are the persons who are deprived of this vote. Generally speaking, they are aliens, idiots, lunatics, children, criminals and women.

Khan Bahadur Nawab Muzaffar Khan : Not women, females.

Mir Maqbool Mahmood : The old Elections Commissioner says, females. He objects to the word women. Sir, I am glad I stand corrected by my learned friend who wants me to use the word "females", and I have no objection to using the word. But I find no justification, Sir, for women or females being bracketed in this unfortunate company. You can exclude aliens because they do not owe any allegiance to the State, and cannot therefore get any privileges which the State can grant. You can exclude lunatics and idiots because they are incapable of forming a sound judgment. You can exclude criminals because they are enemies of society and they have no right to have a voice in the framing of laws which they are not prepared to obey. But, Sir, I ask and I respectfully ask all those who are opposed to this resolution : do any of these arguments apply to the case of women ?

Shaikh Faiz Muhammad : Woman is divine.

Mir Maqbool Mahmood : That is all the more reason that she should bring divine light in our deliberations and hasten public life. That is what we want. I therefore submit that none of these arguments apply in the case of women. If you accept that there are or have been some women who are capable of forming a better judgment, a sounder judgment than some men, you are out of court in excluding them from the right they ask for. Secondly, I ask, is it not a fact that women as a class are more law-abiding than men. That being so, I fail to see by what law or by what justification we can exclude them and make them continue in this category of disenfranchised people. I submit, Sir, it is absurd, it is wrong, it is not fair, and the sooner this grievance is redressed the better. The resolution which my friend Lala Bodh Raj moved is a very simple proposition. It asks that a woman having the same property qualification as a man has an equal stake in the country, and that a woman having the same intellectual qualifications as a man has the same right to influence the policies of the nation. This proposition, I submit, is so palpably clear that one does not need any arguments to justify it. As a matter of fact the onus of disproving this proposition lies on those who come from the opposition. And to-day I have had the privilege of listening to the sober, sound and mature judgment of two of the honourable members of this House whose opinions I respect, but with whom I beg to differ. Let us analyse the arguments of the opposition. I find, Sir, that so far as the opinions on this question are concerned, the opposition may be divided into two definite groups. I would call them the moveables and the immoveables, it being the privilege of the supporters of this proposition actually to move. The immoveables whether they say it in so many words or not take fright at the idea of the enfranchisement of women. What, they say, give votes to women, what then will become of the comfortable domestic ideals as exemplified by the delicious *kutua* and the savoury curry ? They say that the peaceful and happy home has been the centre and foundation of the Indian civilisation and that it should not be disturbed by a blind imitation of western

[Mir Maqbool Mahmood.]

methods. In short they say leave alone our women for our men. I do not want to conceal the fact, Sir, that I am no believer in the Orton philosophy of the 'divine rights of husbands,' yet I can appreciate the sentiment which underlies the arguments of the immoveables. To them, however, I would respectfully submit that I too recognise that a happy and peaceful home is the foundation of my country's civilisation, and that it should be left intact. I too am proud of it, but I feel that my duty to my country's culture consists not only in preserving it but also in enriching it by assimilating to it the laws and culture of other parts of the world, east or west. I hold, Sir, that culture is international. It is a phase in the evolution of man and as such it belongs to all human beings, and as such no nation, no country has the right to live and can live which in the modern century wants to live in a sort of water-tight compartment without giving and taking a free and constant flow of cultural exchange from other peoples. Sir, while I am anxious to preserve the purity and the peace of the Indian home, I want to brighten it with the light that must come from an enfranchised, instructed, free and educated womanhood whose heart beats true to her love and duty for her home, but whose intellect soars high and feels sympathy with the great world movements that go about the world. Nor is, Sir, such a combination impossible. India has had it in the past. She has had ideal wives, ideal mothers and ideal sisters, who were at the same time ideal administrators. That being so, I ask my learned friends who oppose the resolution, why do they deny the rights of liberty to our Indian ladies and deprive them of opportunity to repeat the best traditions of our Indian womanhood?

A word now, Sir, about the moveables, and I hope my learned friend the Knight from Amritsar will forgive me if I include him in that category. He says that it is too early to give women the vote, that the time for giving them the vote at once has not come. Sir, I do not fight with those who say that, and I concede at once that the majority of women to-day are unfit to exercise to vote. (A voice: so you do concede that.) Yes, I do concede that, but nor are the majority of men fit to exercise the vote.

Mr. H. D. Craik: Then why mix up men with women so far as enfranchisement is concerned?

Mir Maqbool Mahmood: Because that is the only justification I have for giving them the vote, and because it is that exercise of vote that makes them fit. You cannot make people fit to exercise political liberty and political rights by denying those political rights. The political constitution of your own country belies that.

Mr. President: Order, order. The honourable member will please address the chair.

Mir Maqbool Mahmood: I speak to my English friends, Sir, through you. I was submitting, Sir, that I concede that the majority of our women in this country may be unfit to exercise the vote. I suggest to those who oppose the resolution and also to those who support it whether it is not a better, surer and more effective way of training them up for the responsible exercise by the use of vote. I challenge any person in this House or outside to suggest to me a shorter cut and a more effective cut than that. When I make that statement I find no less an authority than Mill says that it is only the exercise of vote that fits people to vote. If the

advice of our friend the Knight from Amritsar were accepted, when will our women become fit to exercise the vote? Perhaps we will have to wait till eternity or Doomsday.

There is yet, Sir, another point which my learned friend seems to have forgotten. In all humility, Sir, through you I would ask him, does he or does he not concede that in the Province there is at least a single woman who is entitled and fit to use the vote? If there is even a single woman fit to vote, I say why deny her the right which is her birthright and which she is entitled to ask? Let those who do not want the vote not cast it. Enfranchisement of women does not entail their being compulsorily taken to the booth and made to vote. That being so, why deny the right to those who are fit to vote and are anxious to vote? That is the point which I wish my learned friends the moveables to take into consideration.

There is yet another point, Sir, that I would refer in passing before I finish my speech, and it is that there are, I admit, likely to be practical difficulties.

Mr. President: The honourable member has already spoken for fifteen minutes. I hope he will be brief in his remarks.

Mir Maqbool Mahmood: Can I speak for another three minutes?

Mr. President: Yes.

Mir Maqbool Mahmood: It has been suggested that there are *purdah* ladies. That is a question which I am sure the keen intellect of our Elections Commissioner will be able to solve. I am aware that in Australia when votes were given to women, special polling and presiding officers were appointed to take their votes, and in certain southern India elections lady polling officers have been appointed to record women's votes. There is one suggestion however which I wish to make in case the resolution is carried. I hope my friend Lala Bodh Raj will approve of it. It is this. When it comes to the framing of rules for enfranchisement, it may be considered desirable that the age limit in the case of girls may be higher than that in the case of men. I would suggest 30. That is of course a matter of detail, but I submit that when the main question is being discussed this might be taken into consideration. I should like, without offending my lady friends who happen to have keen opinions on the matter, to make that suggestion. If 30 is considered to be too high, then I am prepared to modify it. Of course I am throwing this out as a suggestion.

One word more and I have finished. I find that in the political struggle of this country, we have permitted our ladies to take part freely in our deliberations, and to-day it would be a mean betrayal not only before them but before the whole world if we do not give them the rights which we have secured with their co-operation. With these words I beg to support the resolution.

S. R. M.

Mr. C. M. King (Financial Commissioner): Sir, I desire first of all to make it perfectly clear that in this case I am not in any sense speaking on behalf of Government or as an official member. I am speaking purely for myself, and I am responsible for my remarks to myself and myself only.

I think, Sir, the arguments on this resolution may be divided into two kinds, purely sentimental arguments and severely practical arguments. Purely sentimental arguments have been dealt with at great length by

[Mr. C. M. King.]

the mover of the resolution and the honourable member who just sat down. Those sentimental arguments must have, I am sure, appealed to most members. It would be ridiculous, if it were not so irritating, to find that the women are classed with lunatics and not very far from criminals. That, I say is ridiculous if not irritating. Then again the argument that it is the desire on the part of the advanced Indians especially to see that their country is absolutely in the front line of progress side by side with the other countries, that it is their desire that just as the women have obtained the right to vote in America and in England so the women of India who are in no wise different from their sisters in England or America should have the same privilege here, that argument I look upon as essentially a sentimental argument. There again I have the greatest sympathy. But, Sir, there are some practical arguments which we have also to consider. The first point has been made by my friend Mir Maqbool Mahmood, namely, that if we accept this resolution Government has no choice but to make regulations to remove the sex disqualification. Then women will have a right to be registered as voters on precisely the same terms as men. Now, Sir, what will be the result of that? Face facts and see what actually results? If we turn to the rules which are given in Schedule II we see that the large number of men who are enfranchised are those who own property or who are tenants of property or who pay taxes. As regards the people who hold property, it is a well known fact that the customs of this country, whether of the Hindus or Muhammadans, are such that the number of women who hold property is very small. There are a few cases of widows owning property and still fewer cases of minors holding property. It is comparatively rare for a respectable woman who does not belong to either of these categories to own land or house or any other form of property. Therefore, by merely removing this disqualification we shall admit to the vote only a very small part of those ladies, I mean the educated ladies, who are desirous of the vote. On the other hand, it is well known that there are many women in cities who are not educated and whom for reasons which I need not specify, it is not desirable to have on the voters' register, who have the necessary property qualifications and who must therefore be included in the register. So also in rural areas, the women who will get the vote will be the more ignorant of their sex. So the fact remains that if we remove the disqualification, we shall not be admitting the educated classes but chiefly the undesirable and the ignorant. I am talking now of the general constituencies and not of the constituency of which my friend Professor Ruchi Ram is a member. If you remove the sex disqualification, you will not touch the large majority of educated women who are desirous of having votes and to whom most of people would desire to give the franchise. On the other hand, in cities you will run the risk of admitting to franchise many people who for reasons I need not specify are not fit to have the vote. That is the case in the Central Urban constituencies. In the rural constituencies the position is somewhat similar in that you will not bring educated women on to the register. But in rural constituencies the woman is not of the same class as most of those who would have the franchise in the urban constituencies. She is a widow or an unmarried girl, and she is usually among the more backward and ignorant of her people. I mean that she is backward and ignorant as compared with her sisters in cities. She has not had the same opportunities of education. So if you remove the disqualification you are running the risk of admitting to the franchise a great number of undesirables and

also a great number of women who are more ignorant generally than those to whom you desire to give franchise, while, on the other hand, you will not be giving franchise to all the educated women who are asking for the franchise and to whom you would like to give it. You may ask me for the authority for making this statement. I can again refer to the rule and to the second explanation to paragraph 6 in Schedule II which distinctly lays down that "where a building, or part of a building separately occupied, is occupied by two or more persons, one person only shall be qualified in respect of such occupation." That is to say, in every case where a husband and an educated wife are living in a house only one of them can vote, if the women have the franchise on the same terms as the men, either the husband or the wife can exercise the franchise and not both. That rule by itself, it seems to me, will prevent from getting on to the register of voters a great number—a large majority—of the ladies who now desire to have a vote. This fact ought to be prominently before your mind when you think of conferring the franchise on them. You will be conferring it chiefly on those who are educationally and morally far below those to whom you wish to give the franchise.

There is another point, Sir, to which I should refer. So far, I have referred to general constituencies. There is, however, one special constituency, that to which my friend Professor Kuchi Ram belongs, which does not labour under the disadvantages from which the general constituencies suffer. There seems to me to be no reason at all why the women graduates of the Punjab should not have a right to vote for a representative of the University precisely on the same terms as men can. It seems to me that if it were possible to vary this resolution in some way so as to admit of women graduates exercising their right of vote for the representative of the University a great many people who fear that the admission to the franchise of women generally is a mistake will have their fear removed. I, for one, would be very glad indeed to support a resolution which has for its object the giving of the franchise to University women graduates. I think that such a removal of disqualification will remove the feeling of soreness which undoubtedly many educated women have on account of the way in which they are excluded. From that point of view it is good; from that point of view it will meet the sentiments of this Council which is prepared to go forward into the advanced line just as much as the people of western countries. I therefore suggest to my friend the mover of this resolution, if it is possible to move an amendment at this stage, and if you, Sir, will permit it, that there may be an amendment made to the resolution which will have the effect of allowing vote to University women graduates and not to any other. I do not know whether it is possible to have that suggestion adopted, but if that suggestion is adopted, I should be quite prepared to vote for the amended resolution. As it is I have the greatest doubt whether there will be any good result from the adoption of this resolution, and I shall therefore be compelled to vote against it.

Sardar Jodh Singh [Sikh, (Urban)] : Sir, I rise to support the resolution. (Hear, hear). I have carefully listened to the able speech of Mr. King and the equally able speech of my elderly neighbour, Sir Gopal Das of Amritsar. I am sorry I have to differ from both. (Hear, hear). Mr. King's difficulty seems to lie in the rules, because the rules say that if a number of persons are living in a certain house all of them cannot be given the right to vote. Therefore he thinks either the husband or the wife, i.e.,

[Sardar Jodh Singh.]

only one of them will be able to exercise the vote. The first question I ask, Sir, is, are these rules like the laws of Medes and Persians unchangeable? Cannot we find a way out of this difficulty? I think we can. My honourable friend Mr. King has also removed the fears of those who like my honourable friend Sir Gopal Das think that by sanctioning this resolution, we will give the right to the Government to drive the women to the polling booths. Sir Gopal Das was perhaps thinking what the poor ladies would do when under compulsion they would have to go to polling station. My honourable friend had also remarked that election even in the case of men was also a farce. This remark coming as it does from an elected president of a municipality is really an amusing one because his position would also become a farce. Sir, there are certain other gentlemen who laid great stress upon the *pardah*. I do not know whether they live in the Punjab or in Afghanistan. I do not see that the majority of the ladies in the Punjab live in *pardah*. I belong to a Muhammadan district and I live in a village and I have not seen any lady, whether Hindu, Muhammadan or Sikh living in *pardah*. *Pardah* really comes in only as people rise in the scale of life, when the husband gets more wealth he shuts his wife in *pardah*. Otherwise the zamindar girls in the villages work in the fields alongside their husbands. Sir, if you take a census in the province, it will be found that only an infinitesimal minority lives perpetually in *pardah*, and the others go about as openly as men do. A certain honourable member laid stress upon the fact that our province was very backward in education. Perhaps he has not read the report of the Director of Public Instruction in that respect. We are ahead of many provinces in the matter of primary education. From the facts and figures, Sir, you will be surprised to find that the Punjab instead of lagging behind leads the way in the field of education. I just want to remove the misapprehension from the minds of several honourable members that by passing this resolution, we are committing the province to a great evil. I want to lay stress upon the fact that this resolution is only permissive, and those alone who wish to exercise the vote, will exercise it. It is not binding upon all women that they should go to the polling station even if they have got the right to vote. It is not necessary that they should go to the polling station and vote for somebody. As everybody knows men have got the right of vote, but all of them do not exercise their franchise.

Then, Sir, the second objection of my honourable friend Mr. King was that really the educated women will not be enfranchised, but only the ignorant women living in the villages will get the vote. We cannot see why the husband who is on the same level as the wife so far as primary education is concerned—because primary education is compulsory neither for men nor for women as yet—the husband alone should be better able to understand the political questions than the wife. I therefore ask, when we have enfranchised so many ignorant men, where is the harm if a few ladies—because, mind you, Sir, only those women who own property will get the franchise according to the rules—get the right of vote? Where is the harm if we give the franchise to a very small number of women living in the villages? If so many ignorant men who have been given the franchise have not been able to embarrass the Government, I wonder how a few ignorant women, if they are given the vote, will come and stop the proceedings in this House or in any department of the Government. Honourable members of this House may also remember one thing, namely, a few months ago at Simla, this House gave the franchise to all the Sikh women under the Gurdwara

Act. Under this Act all the adult men and women who profess Sikhism have got votes. The House will be surprised to hear that Sikh women are coming forward and registering themselves as voters in spite of whatever we may state within the four walls of this House about the intellectual superiority or inferiority of the rural or the urban areas. They are coming forward in great numbers and they are taking interest in the new measure which was given to them and I am sure that if we give the vote to our women in the political sphere also, they will be found to take on the whole an intelligent interest in political matters and I think no harm will befall this province. With these remarks I give my hearty support to this resolution.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, with all my sympathies for the fair sex, I am constrained to say that the resolution is impracticable and premature. Its impracticability has been fully demonstrated by my honourable friend Mr. King. He has pointed out that only a few women will be entitled to vote and those too at the risk of men in their family losing that right. The same number or something less will be removed from the voting list of men and the women will take their place (Voices: No, no). Supposing in a house there are three or four members, only one can be eligible under the rules to vote. At least a certain section of the educated people will be removed from the voters' list because certain women have to be enfranchised. It was also stated that with the exception of the Muhammadan women who under the Muhammadan law can own property, practically ninety per cent. of the women in the province do not hold any property and so they will be debarred from voting. The best course for the mover and those who like him want to enfranchise women would be not to remove the sex disqualification for the process of enfranchisement but to remove the property qualification or to introduce adult suffrage as in the case of the Gurdwara Act. You must have vote for every adult man and woman. Unless you have adult universal suffrage, there is no meaning in enfranchising only a few women. Therefore the first step for those who want to enfranchise women should be to remove the property qualification. Every man who is an adult must have vote.

My other objection for the granting of women franchise is that the country is not at all prepared at present. My honourable friend Sardar Jodh Singh is wrong in saying that *pardah* does not exist in the province. I may assure him that *pardah* still exists in the province.

Sardar Jodh Singh: Only among the rich.

Sayad Muhammad Husain: The generality of the Muhammadans, leaving aside the highly advanced and rich people who have removed all barriers, still retain *pardah*. At present a majority of the Muhammadan women do not require the franchise. So far as the Sikh and the Hindu women are concerned, I do not know what percentage of them would like to exercise the franchise.

My third objection to the women franchise is that we have not yet fully acquired freedom. In our struggle to secure freedom for our country, we shall have to undergo a great many difficulties. We have still to fight our constitutional fights and if our women are not included in that fight, the better it is for our country. Some of our friends have had the honour of going to jails and of acquiring bitter experience of jail life. Would they like the women to follow suit? Until we have secured full freedom, until we

[Sayad Muhammad Husain.]

have overcome all racial animosity, until the Hindus, the Sikhs and the Muhammadans all feel like brothers, it is no use bringing our women in the bitter fight that is going on. I have great respect for women. The religion to which I belong gives a high place to women. Islam puts the Muhammadan women on the same footing as men in the matter of inheritance. But I am talking on this resolution from a practical point of view. I believe that time has not yet come for women to exercise the vote. In England which is very advanced, women take their seats in the Parliament. But here, in India if a woman comes and takes her seat in this House side by side with us, there will not be wanting honourable members who would resign their seats in the House. Well, these ideas cannot be so easily overcome as some people seem to imagine.

Mian Muhammad Shah Nawaz : Are they untouchables ?

Sayad Muhammad Husain : No, I do not say so.

Mr. President : Will the honourable member please address the Chair ; the discussion should not degenerate into a dialogue between one member and his colleague.

Sayad Muhammad Husain : It has been fully explained by Mr. King that the property qualification excludes a majority of women. There is the bias, there is the *pardah* system; there is the lack of education among females as well as among males. Our men too are not prepared as yet to understand the full value of the franchise conferred upon them recently. Such being the case, why should we include women also in our list ? Even in England which has the House of Commons, which is the great mother of parliaments, when did women get the franchise ? It is only the men that were exercising the power from the very beginning. It was the men that were carrying on the constitutional struggle all these days and it was only lately that the women came into the field. When such an advanced country as England took such a long time in bestowing franchise on women, what is the plight of our women ? If we also become free or if India gets at least Dominion status, you may consider the advisability of including the women in the list of voters. If women are excluded from this bitter constitutional struggle that the men are waging at present, the better it is, not only for the country but also for the women.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]
Sir, I rise to accord my hearty support to the resolution which has been moved by my honourable friend Lala Bodh Raj. The opposition to this resolution consists of two Government members who profess to speak in their individual capacity, the third that of Sir Gopal Das and the fourth that of our friend Sayad Muhammad Husain. The first speaker against this motion totally sympathised and agreed with what was said by Lala Bodh Raj. But he opposed the resolution on the ground that it would be impracticable through certain difficulties which could not be overcome when women went to polling booths to record their votes. I never thought that an argument like this would carry weight with a member of the Government. Does it mean that the Government is unable to protect those who go to the polling booths to record their votes ? Is it seriously contended that the Government have not got the power or that they cannot send their men at their disposal to assist people who go to the polling stations to record their

votes? Does it mean that the Government cannot give protection to the people who are entitled to enjoy its protection? If the Government is unable to do so, let me assure the Government member who spoke against this resolution that we who represent the popular party shall take it upon ourselves to see that no woman shall be molested when she goes to record her votes in favour of or against a particular candidate.

The Honourable Sir John Maynard (Finance Member): Sir, I think it very desirable to make it plain that Government is entirely neutral on the subject and anything like the suggestion that the Government is opposing is to be deprecated, because it is not true.

Pandit Nanak Chand: I was only dealing with the argument of my honourable friend the Nawab Sahib and I know that Government is able to protect and will protect those who come to the polling booths.

Khan Bahadur Nawab Muzaffar Khan (Director of Information): What I said was that you will be bringing widows and orphans to the booths.

Pandit Nanak Chand: This means that my honourable friend does not attach any importance to the argument he advanced. His second point was that the vote will be given to widows and orphans. I do not know on what grounds he says that votes will be given only to widows and orphans. Let us concede for the sake of argument that votes will go to those people. But is there any justification to withhold this right because it will benefit only widows and orphans? Are the widows to be classed with lunatics and idiots and minors? Have they not got their special interest in the exercise of their votes? I therefore submit that that argument carries no weight.

Then my honourable friend Sir Gopal Das, who claims to speak on behalf of the Hindu women, said that if he were to put this matter before some women of his Mohalla, they would all at once say that they do not require this vote. May I ask my honourable friend which Hindu constituency he represents? He is a nominated member of Government. He has not been given any mandate by any Hindu constituency and let me inform my honourable friend that in all the provinces, except Punjab, the people have unanimously declared themselves in favour of women franchise. I do not know whether there are special class of women whose views my honourable friend represents. Otherwise I cannot understand why he should come forward and say that women do not desire the right to vote. I submit, Sir. . .

Rai Bahadur Sir Gopal Das Bhandari: Sir, may I . . . (cries of Order, Order).

Pandit Nanak Chand: Let me further inform Sir Gopal Das Bhandari through you, Sir, that the other day a joint meeting of the women of Lahore as well as of men was held in the S. P. S. K. Hall where they unanimously passed a resolution in favour of giving the right of vote to women. The next day again women by themselves held a meeting and passed a unanimous resolution in favour of granting the right of vote to women. They must be curious women who inhabit the place which is represented by my friend Sir Gopal Das. It is true that Sir Gopal Das belongs to a bygone age. His ideas cannot carry favour with those who are for progress, for liberty and for equality . . .

Mr. President : Order, order. No personal remarks should be made.

Pandit Nanak Chand : Sir, I was only attacking his ideas.

Rai Bahadur Sir Gopal Das Bhandari : If you had heard my ideas, you would have been outside hundred miles.

Pandit Nanak Chand : One other argument that was advanced by one of the speakers—I should not name him, Sir, was that India is not at par with other civilised countries. When any attempt is made to bring India to be put on the path of freedom or equality, these men come forward and say : we are not fit for it. . . .

Sayad Muhammad Husain : I never said that.

Pandit Nanak Chand : I am not referring to that honourable gentleman. The gentleman I am referring to opposed this motion on the ground that women were not educated. Now, I ask why are not women educated ? Why is it that we are prepared to vote any amount of money for the education of our sons but not for the education of our daughters ? The reason for this is that our daughters and our ladies are not represented by any body in the Legislative Council and that is the reason why there are no grants for women on a similarly large scale as are made for men. On the ground that they should be treated on the same footing so far as education goes and so far as other matters go, women should be given the right to vote. When the question of taxation comes, we do not make any difference between man and woman. A woman holding property has to pay revenue or income-tax, but when it comes to the granting of the right of vote to her we say : No, she should not be given the right to vote, though we are prepared to take taxes from her. There should be no taxation without representation and on that ground too women are entitled to the right of vote.

Then, one of the speakers remarked that the *pardah* system stands in the way of granting votes for Hindu women also. I submit very respectfully Sir, that in all Hindu provinces, such as Madras and Bombay and other provinces there is very little of *pardah* even amongst the highest classes and, as was remarked by my friend Sardar Jodh Singh, even in the Punjab there are very few people who observe the *pardah*. I submit that the existence of *pardah* does not in any way stand in the way of voting. (A voice : *pardah* arrangement). Yes I was just going to say that. It is possible for *pardah* women to go to the polling booth, and there the votes can be recorded by females or by specially deputed officers.

Mr. King remarked that you run the risk of giving vote to certain undesirable women. I hope I took down the sentence correctly. Now, you find, Sir, that so far as men are concerned the right of vote is given to criminals the right of vote is given to murderers and to thieves and to those who escape punishment. Even in the case of those who are convicted of an offence under the Indian Penal Code, after five years they are allowed the right of voting. How many women are there who can be classed with these murderers and thieves ? There may be one or two women while there are hundreds of men. In the name of justice, fairplay and equality, I ask Mr. King whether he would grant the right of vote to these murderers and other criminals and not to desirable women who must be very few in number. Mr. King, however, admitted that the right of vote can be given to the graduate

ladies and said that if an amendment to that effect could be accepted by the mover of this resolution, his vote would be in favour of this resolution. He is prepared to go so far, but he ought to have brought forward convincing arguments why this vote should not be given to women with property qualifications.

The last speaker, Sayad Muhammad Husain, quoted Mr. King's authority in support of his argument. His point was that he was in favour of giving this right to women provided that every adult, man or woman, should have the right of vote. He was in favour of granting vote to every adult of this province, but when it comes to granting the right to a few hundreds of women, he says: I am not in favour of granting votes to a few hundred women, although I am in favour of giving the right to thousands and millions of adult males and females. I entirely fail to understand the logic of his arguments. He is not prepared to go one step forward, but he is prepared to go a hundred steps forward. I am sure that when the time for granting adult suffrage comes. Pir Muhammad Husain will say that adult suffrage should not be granted because it is dangerous to give it to men who have no property qualification and who have no stake in the country. The argument, advanced by Pir Sahib, therefore, should not carry any weight with an intelligent and serious minded House like this. What after all is the scope of this resolution? It is not demanded that women should be allowed to stand as candidates for the Legislative Council, though I am in favour of it—but what is demanded is that you must treat men and women on the same footing for the purposes of voting at elections when they possess the same property qualification or educational qualification as men. The opponents of this resolution must give some sound reasons when they say that though they are in favour of giving the vote to men, they are opposed to giving it to women. I am glad to see that Anglo-Indian representatives and Europeans in other Legislative Councils have spoken in favour of similar motions and moved resolutions in favour of vote for women. So far, no mention has been made of Anglo-Indian and Indian Christian women. They do not keep the *purdah* and so far as they are concerned they take greater interest in public affairs and in the political life of the country. Is there any sound reason why they should not be given the right of exercising the vote?

One speaker said that there is a certain amount of danger felt by certain individuals here that their women are unfit to exercise the vote. Is that a reason why the power to vote should be withheld from the women of other communities? The Sikhs have granted women suffrage in their Gurdwara Act to every Sikh woman. In the same manner, as I have said, all progressive countries have granted the right of vote to women. In India all the provinces have granted this right of vote. The Punjab is the only solitary unfortunate province where this right is denied to women. In Bengal, sometime ago a resolution was moved and defeated, but in the last session of the Bengal Council even Bengal has voted in favour of the right to vote. In 1922 the Legislative Assembly declared itself in favour of granting this right to women. Moreover the Legislature has recognised the desire on the part of women that they should be enfranchised and they should exercise the same right as men do, and I see no reason when there is this universal demand for this right why it should not be conceded. Some friends here seem to think that unless ugly scenes are enacted in the Punjab, as were enacted in European countries, you do not have any evidence of the

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desire on the part of women for the right of vote. If some window panes are broken, if some policemen are scratched, if women come out and fight tooth and nail with their brothers, then it will be time for granting votes to women. But otherwise they do not see any justification for granting this right of vote to women. I hope, Sir, that members here will not cast a slur on the fair name of the Punjab and that the Punjab will not be the only solitary province where this right is to be denied to women. I trust that we will carry this motion unanimously.

Mr. H. D. Craik (Chief Secretary) : Sir, I rise to speak on this subject with the knowledge that I am championing a lost cause, and that I am as usual on the unpopular side. But those considerations will not stop me from giving voice to my honest convictions on this subject. I wish, however, to emphasise that I speak on this subject absolutely as an individual and in no way as representing Government.

I oppose this resolution, Sir, because it seems that there is no solid foundation for it whatever. The case for the resolution is in my judgment founded almost entirely on those political shibboleths or catchwords which are so common a feature of political life in all countries, and no less in India than elsewhere, and which are so unsafe a guide to political conduct. Personally I prefer to be guided in this matter not by political catch words, but by what I have felt for years on this subject, and I cannot believe that any of the speakers who supported the resolution will assert that there is any real demand on behalf either of the more intelligent section of the male sex or on behalf of any appreciable proportion of the female sex for the parliamentary franchise. We have heard to day the phrases 'no taxation without representation' and that old familiar friend, 'the vote is the natural birth-right of man', a maxim than which I can, conceive nothing more misleading, and I have been anxiously waiting to hear the old saying 'no amount of good government is a substitute for self-government'. These catchwords have been a well-known but singularly unimpressive feature of political life in England for the last twenty years, but I am yet waiting for any real argument in support of this resolution. It seems to me that Mir Maqbool Mahmood's admission that his constituency had asked him to oppose the resolution, and his further admission that the great majority of women are not yet fit to exercise the vote absolutely knocks the bottom of this resolution. Mir Maqbool Mahmood says 'You cannot make women fit for the vote till you give them the vote'. You might as well say that a woman will not be fit for marriage until you marry her, and that a meal is not fit to eat until you have eaten it.

Dr. Gokul Chand, Narang : The proof of the pudding is in the eating thereof.

Mr. H. D. Craik : Some members have put forward the argument that the Sikh women have been given franchise under the Gurdwara Act. Let us at least wait and see to what extent they exercise their franchise. I am willing to make a small wager that not even a thousand will exercise their franchise out of the total number enfranchised which I suppose is something over 2,00,000. I do not believe there is any real feeling behind that demand any more than there is behind this demand for the parliamentary franchise for all women, or at any rate to all women who would be qualified if the sex bar were removed.

Reference has been made in the course of this debate to the fact that there is a very wide female franchise in England. Several honourable mem-

bers have referred to the history of the grant of parliamentary franchise to women. But how many members know that women in England exercised the municipal franchise for years before they got the parliamentary franchise? I remember myself being asked some 15 or 16 years ago to assist in canvassing an eastern borough in London for a candidate for the London County Council. The borough was Lime House, a place which has since become famous through Mr Lloyd George's speech, and I had to go round and interview the voters in the borough and try to induce them to vote for a particular candidate. I had many curious experiences. I was taken round the streets by a local resident and had to call at the houses of many. My invariable experience was that not one of these women would exercise their vote. They never displayed the slightest interest in the election and absolutely refused to go to the poll. It was only after several years that women began to appreciate and exercise the power of voting which was given to them under the Municipal Acts. It was not till after 15 or 20 years of experience of that kind that they attained the parliamentary franchise. The mover of the resolution is asking us to take one leap from the starting gate to the finish, and to give straight off the highest form of vote, the highest privilege of citizenship to a class of people who have never been granted or even expressed any desire for lower forms of that privilege.

There is one other feature regarding the grant of parliamentary franchise to women in England which I should like to refer to. It is a common place, but shortsighted view of history to say that the vote was won by those viragos who smashed shop-windows with hammers or struck bat-pins into policemen. That is not the truth so far as I am able to judge. The vote would never have been given to women as a concession to their clamour. What actually happened in England was that on the outbreak of the war, at the moment of the country's greatest danger, these women dropped their petty political squabbles altogether and responded in the most magnificent way to the call of the country for their service. It was in recognition of this service that the privilege of parliamentary franchise was given and not as a concession to the clamour of a foolish and fanatical women.

That brings me, Sir, to the main point which I desire to emphasise. The highest privilege of citizenship, the right of choosing your form of administration, should only go to those who recognise the highest obligations of citizenship. The greatest obligation which the state imposes on its citizens is the obligation to claim their personal service, and if need be their lives. That obligation was freely recognised in England during the war by the entire population by women as generously as by men. Women cannot in the nature of things be expected to give their lives in the same way as men, but they were expected—and they responded to the expectation that they should give their personal service. It was in recognition of that splendid response by the women of England that all political parties agreed that they should be given the highest privilege of citizenship, namely, the parliamentary franchise. But the House should remember that it was not given them before they had had years of training in the smaller obligations of citizenship, and that is emphatically a condition that is not fulfilled in the Punjab of to-day.

Chandhri Duli Chand : Sir, I beg to move—

“ That the question be now put.”

The motion was lost.

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, the discussion on the subject has advanced to such a stage that I should content myself with replying to certain objections raised by those honourable members who had the misfortune to oppose this resolution. It has been said that if this resolution is accepted, then all those members, males and females who live under the same roof cannot have the franchise but only one of them can have. If I have understood rightly, I can say and I hope other legal members will correct me if I am wrong, that if three members, males and females living under the same roof have got three times financial qualifications all can have a vote and it is not necessary that the male voters should go out and make way for female voters. If they occupy the same house and if the value of the house is Rs. 30,000 and the financial qualification is Rs. 10,000, then each of the three is entitled to exercise a vote. It is not necessary as remarked by Mr. King that the males should give place to females. Secondly, Sir, a certain objection was raised by Nawab Muzaffar Khan, that only orphans or widows will have the right to exercise this vote. My reply to this is if the male orphans and widowers can under similar circumstances exercise their right, what earthly reason is there to prevent the female orphans and widows from exercising a similar right? If the widowers and male orphans who are illiterate and ignorant can exercise their privilege properly cannot the widows and female orphans exercise the same privilege with the same discretion?

Again, Sir, it was advanced as an argument by Mr. Craik, that it was after a long struggle in England that this right was given to women. I am a youngster in the field of politics, but I can say that the times are moving very fast nowadays so much so that the advance made by England after a century is now made by India in ten years. I do not make this statement on my own authority but on the authority of great statesmen. I have been reading similar remarks by Government which is responsible for running the whole machinery. If a certain privilege was given to women in England after some struggle on their part, does it follow that the same process should be gone through by the women of India also to obtain the same privilege? I do not see why the same privilege should not be granted if things are sufficiently advanced and they are fit for the privilege. My friend Pir Muhammad Husain has been saying that he was prepared to give adult suffrage to both males and females if we eliminate all property qualifications. If he is so charitable in granting such a high privilege to them, why should he be so niggardly to give lesser right to these women who possess advanced qualifications?

One more point, Sir, there has always been a cry that sometimes the Hindus are in a minority, or the Sikhs are in a minority or the Muhammadans are in a minority. There has always been a claim that the interests of minorities should be safeguarded. When that is so, why should not the interests of women who are in a minority also be safeguarded. It is not only proper, but it is our duty to protect those who are helpless. We are bound by duty and by conscience and religion to protect those who are helpless and those whose interest require to be safeguarded by us who are stronger.

It was also said that there are certain honourable members of this House who would resign if this right was granted to women, because they would not like to sit alongside with women in this House.

Are you going to shun them because they are our mothers of whom we are born? If they shun those mothers of whom they are born, then these gentlemen are not fit to be here.

Then, Sir, God has created man and woman and has given them the same powers, the same intellect, rather that these qualities are superior in the female sex. It is of these women that patriots are born, it is of these women that spiritualists are born and it is of these women that *rishis* are born. Knowing as we do that women are more intellectual than ourselves if only they are given the proper kind of education, they will excel us in all walks of life and in my humble opinion there is no reason why we should deny this franchise to them. We are ourselves exercising this franchise. Surely if a certain right is not granted to a person and if that person is not trained to exercise that right, then he becomes unfit to learn for ever. Supposing this right of franchise was not granted to men and they had not been trained in this art for the last five years, as was done under the Reforms Act do you think that we would have been where we are to-day? We would not have advanced to the little extent that we have progressed at the present day. Had this right not been conferred upon us in 1919, we would not have had this training for a further instalment of reforms. Because a chance was given to the people to train themselves and exercise this right they are now, by training and experience so developed as to be able to exercise their vote properly and send a representative who will best look to their interests. Similarly if this right is granted to females, even though many of them are illiterate at present, they will by training and experience become so intellectually trained that they will exercise their franchise for the proper person who would look after the welfare of the country. Only chances ought to be given to them.

Some members advanced the argument that the time is premature. I do not know when the time will come. Will it come after their death or shall they have to wait till eternity? It is the general desire of a father to see in his own life that the son becomes well versed in household management so that he may die with the consolation that after his death, his whole affairs will be carried on by his children as efficiently as they were done by himself. Similarly this right of vote which we exercise is to be given to women also. It is our duty to see that this right is conferred upon the women in our life time so that we may impart our own experience and training to them with a view to enable them to exercise this right to the best interests of this country.

Certain honourable members remarked that if this right was conferred upon women, the domestic peace would be disturbed. My submission is that there is peace in a house only if there is equality and contentment. In one and the same house if there are certain people with certain special privileges and if the same privileges are denied to others who are as capable as those who enjoy those privileges, then there will be domestic discord and discontentment in that family. If we want that a cart should work properly, we must see that both the wheels work properly and at the same speed. This illustration was given by my honourable friend Lala Bodh Raj. I would give another illustration. Supposing in the human body a particular organ or part of the body is not made use of, it will by lapse of time become dried up or atrophied and it will lose all its vitality and it will become a great burden for the other parts of the body. Either you have to

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make use of it or to sever it from your body or you have to carry it along with you all your life feeling the burden of its weight. On the other hand if that organ is trained and made use of, it will function properly and discharge the duties for which it was created. In fact it will develop to such an extent that it will work miracles. Similarly if we do not include women into the privileges that we enjoy, then our women, who form nearly half the population of our country will become a deadweight on us and will be a great burden to the country retarding its progress. It is therefore absolutely necessary that we should nourish that part of the body politic which we are not using now so that it may fully develop and do miracles in course of time. Under these circumstances, I heartily support the resolution moved by my honourable friend Lala Boddh Raj.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammadan) Rural] (Urdu): I take my stand to oppose the resolution under discussion. I oppose it not because I hate womankind or have no regard for them. It is also not my conviction that womankind is inferior to mankind. But on the other hand I oppose the resolution simply because I have a great regard for women. I, for one, do not like the very idea of thrusting on them such duties as they are incapable of performing at present. The duties already entrusted to women are far more important and tedious than those of the Councillors. The resolution, as it is worded, simply aims at women franchise but when once they are allowed this right who can say they would not aspire after the membership of the Council? And if they succeed in this aspiration, they would find a new sphere of life to enter into with no previous experience. This would naturally lead to serious consequences. Sir, should I ask those members who have advocated the cause of women franchise to-day whether the remarks made by them in favour of the resolution reflect the views of their constituents? My friend Mir Maqbool Mahmood has supported the resolution but he has clearly said that the views of his constituents are not what he has expressed to-day on the floor of this House. My district is one of the most backward districts of the province and compares least with Amritsar. The views of the people there are the same as those of the people of the Amritsar district. Contrary to what has been done by my honourable friend Mir Maqbool Mahmood, I do not attach too much importance to my personal views. I express what my constituents believe. I do not think that the members of this Council have been elected by the people for this mission. And, if so, I am at a loss to understand what kind of democracy is this to vote against the popular wish of the country. Sir, I would frankly submit that the whole rural population is against the spirit of the resolution.

Again let us see whether the women of this country are fit for the task proposed to be imposed on them. To exercise the right of voting in the right way a person should keep himself in touch with the current politics of the country. Then, let us find out what is the exact number of such men and women in the country. The figures thus collected, I am sure, would disappoint those honourable members who are so zealously supporting the proposal of women franchise. The condition of girl education is most unsatisfactory. Let us pay as much attention to their education as we pay to the education of our boys. Sir, I do not understand on what principle some of the honourable members are advocating the cause of women franchise. Perhaps they want to win over the sympathies of woman kind to their side. Do you think that franchise is the highest aspiration of human

tings. I think the answer to this question would certainly be in the negative. Why then there is so much clamouring for franchise. Women have already far more sacred and important duties to perform than those which franchise would probably impose on them. My friend the mover of the resolution has urged that as the Legislative Assembly and a few other provincial Councils have adopted the resolution let us also follow suit. Sir this is no argument at all. Why should we adopt it without considering the *pros* and *cons* of the question? Would it not be better for us to wait for the results to be arrived at by those Councils and Legislative Assembly in this connection? Some of the honourable members have gone so far against the *purdah* system to call it by the name of social tyranny. Although to raise a question of *purdah* system is not strictly relevant to the resolution under discussion, yet I would submit that by keeping *purdah* we do not mean to keep our women in eternal slavery but the idea underlying it is that we do not allow any man who is regardless of the dignity of woman to look at our women. But *purdah* system is in no way an obstacle to the exercise of franchise right, for Islam does not require that women should not move about. It would have been far better if in discussing the honourable mover had not passed strictures on the *purdah* system. It is also urged that woman franchise is a simple thing. It requires only five minutes. But Sir if we would pass the resolution it would not simply mean voting, but something more, that is, a woman might also stand as a candidate for membership. In that case it would not require only five minutes. And if women franchise is limited to mere voting it would mean nothing but to increase the number of voters! In this case one community may be able to increase the number of its voters but the other community may be under some disability to do so. Sir, if this is the object which the supporters of the resolution want to gain, I would submit that it would do no good to the country.

Again it has been urged that there are ladies in the Punjab who can speak better English than most men. But this is no reason for granting them franchise. And even if this could be the reason I would like to know what is the number of such ladies. The interest taken by woman in respect of this important matter is evidenced by the fact that only a few ladies have attended the debate of the Council to-day. In conclusion Sir, I would submit that under the present circumstances I cannot support the resolution. Had the resolution suggested to limit the women franchise so far as the Municipal Committees and District Boards are concerned I would have seen my way to support it, as an experiment. But I cannot support the resolution in the present form as it extends franchise to legislatures. It would be a hasty step.

Mian Muhammad Shah Nawaz : [Lahore (Muhammadan), Rural] (Urdu) : Sir, I must first express my thankfulness to you for the permission you have given me to speak on the resolution though at its last stage. Proceeding with the resolution I might say at the very outset that, after having thought over the question under consideration fully, I have come to the conclusion that I must support this resolution.

It is an admitted fact that in the United Provinces, in Madras, Bombay and other provinces, the right of voting has been extended to the female sex. It is also an equally admitted fact that in the United Provinces, the Muhammadans form an important community and are more wealthy than they are here in the Punjab. Bengal, Central Provinces, and the Legislative

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Assembly have followed suit in this matter and I do not see any reason why this Council should lag behind. Where is the justification for refusing to extend the similar right to women in this Province and particularly when the Hindus and Sikhs, with the solitary exception of Sir Gopal Das, Bhandari, have unanimously made this demand? I ask my Muhammadan brethren, who have opposed this resolution whether they will not be held responsible for bringing a slur on Islam by their opposition, a religion which took lead in recognising the right of women by giving them the right to inherit.

I will next proceed with replying, briefly, to the arguments advanced by the honourable member Mr. King and the honourable member Mr. Craik. Mr. King, in his speech alleged that the number of women voters in the Province will be limited and besides they are ignorant and uneducated and therefore they have no place in the society. I wonder how he has been able to come to this conclusion in face of the fact that Muhammadan Law obtains in this Province as well, which Law as I have said before, recognises the status of women. I admit that the Muhammadan Jats, Rajputs, Arains, etc., in certain parts of the Punjab are governed by the Customary Law, but the honourable member Mr. King has either betrayed his ignorance or has overlooked the fact that there exists a growing tendency amongst a prominent section of Muhammadans to recognize the rights of females. The Muhammadan agriculturists are giving and willing away the properties to their daughters and other female relations according to their share under Muhammadan Law. This practice has been and is being followed in my family since a very long time and I myself have provided in my will a due share to my daughters. And I may say, Sir, with your permission, that in these days of progress, industries and arts, most of the property held by the people happens to be of the nature of self-acquired property and there is a general tendency amongst the Muhammadans to allot a share to their daughters and most of them are in right earnest to have the Customary Law modified. The old Judge-made customary Law is being rapidly modified in favour of females by recent rulings of the High Court. The number of female voters will be considerably larger than Mr. King imagines.

Then, Sir, the honourable member Mr. Craik, in the course of his speech, said that there was no real demand for the right intended to be sought by the resolution. May I ask him how he interprets and construes the fact that Hindus, Sikhs and certain Muhammadans have unanimously made this demand and I further ask whether the fact that in other provinces the right has already been extended, is not sufficient to show the existence of a real demand for this right. Proceeding further the honourable member Mr. Craik remarked that if in other countries the right had been given, it was granted because of the personal services rendered by the women during the great war. I was really shocked to hear this remark. Is it not a personal service of the women to give birth to children and thereby keep the human race going on, a service in the discharge of which many lives are lost? I am very sorry to note that this great service by the women to mankind has been lightly treated. Nature has made man to defend his country and women. It has made women to perpetuate man-

kind at the risk of her life at child birth. The death rate of women in child birth exceeds far more than the roll of honour among men in war. War comes after 20 years, but women die every day.

Further it is also an admitted fact that it is the intellectual power that counts much to-day in every sphere of life and there too women are no less a match to men. Therefore I can say without fear of contradiction that it is prejudice, and deep-rooted prejudice against the women alone, that is responsible for this trouble. And what else could it be that induced my Muhammadan brethren to make a fuss over this question when they knew that it was as far back as 1,300 years when the rights of women were recognised by Islam. Is it not a matter of pity and sorrow that my Muhammadan brethren should be so averse to the question of franchise to women even now when they know that the English people, who recognised the rights of women only in 1882 for the first time have since enfranchised their women? I should think that they should have hastened to rectify their mistake and should have taken care to preserve unblemished the memory of so many famous ladies in the history of Islam. The Mussalman agriculturists are not in the right when they refuse to give right of inheritance of their property to their daughters, sisters and other female relations. To say the least, it is a sin not to recognize the share of Mussalman females in the property to which they are entitled under Muhammadan Law. Can any one of you deny this fact? I know, you cannot. Then why not make amends?

In concluding my remarks I will remind the House that it is the women alone from whom we receive training from our infancy onward before we can aspire to become great judges and members of Councils and likewise. Sir Henry Craik must have received his first training from his mother before he could have aspired to the honoured and enviable position of a member of Parliament. I, therefore urge upon the Muhammadan members of the Council to give their hearty support to the resolution particularly so because it gives permission to the women to have their names registered, if they so choose and I am sure that close upon the granting of this right, there will come awakening in women and the ignorance amongst them, which it would otherwise take decades to remove, will be removed within a few years. This will have another beneficial result, and that is that with the removal of ignorance from amongst our women, we can expect to have better sons because the influence of mothers and sisters goes a long way in building the character of their sons and brothers. I would once again appeal to the members of the Council and ask them to banish their prejudice against women once for all and to give over this right to women which they have kept back so long.

Professor Ruchi Ram, Sahni (Punjab University) : Sir, some years ago when Mr. Ramsay MacDonald, who was the premier in the late Labour Government, visited India, he remarked after a long tour in this country that the Punjab Government was the most reactionary Government. I hope it will not be said that the Punjab Council was a most reactionary Council in India. Of the injustices which have been done to women, almost all of them have been initiated by men. Even to-day it is we men who are called upon to decide whether the women should exercise their right of voting or not. I hope we will not add to the long list of injustices which men are responsible for having inflicted upon women. There is a class of men who want to deny the right of voting to women, because they are divine, because they are things of beauty and delicacy. There is another class of men who

[Prof. Ruchi Ram Sahni.]

want to deny the right to women for a different reason, and that is, they will not have the nice things which they now get at home. A third class of men, standing between these two groups, will say, the time has not yet come. All these pleas are mere cloaks for hiding the shame which they feel in giving the real reason, namely, that they themselves are ignorant, that they themselves are tyrants and they deny their just rights to women because it is their wish. Man has subjected women to himself. He has taken advantage of his physical strength and it is that which is standing in the way. Banish the idea from your mind of the divinity of womanhood, banish also the idea of using her as a household drudge, banish the idea that the time has not yet come. There is no time for reform, but the present time. If ever you want to have reform, I submit it is the present time when you can carry it out. No reform can wait for a reactionary. Every one who is a tyrant faces backwards. The retrograde one will always be looking backwards and not forwards. Even the so-called depressed classes enjoy this right, while those whom we have suppressed do not enjoy this right simply because of our ignorance. I won't call it self interest, but short sightedness or narrow-mindedness is the real cause of our refusing women this right. It is to our own harm and to our ruin that we are keeping them suppressed and depressed. I have a very great admiration for certain aspects of the religion of the Prophet of Islam. My respect for that religion is heightened when I reflect upon that aspect of it which my honourable friend, Mian Muhammad Shah Nawaz, referred to a moment ago. Islam has given women the right of inheritance, and as the right of vote follows the right of inheritance and possession of property, it may well be expected that the Muhammadan members at any rate will take the lead in this matter and I hope they will not belie the great, noble and beneficent traditions of Islam.

Sir, the position is quite a simple one. It is our own shortsightedness, as I have said, which stands in the way. I would say just one word to my European colleagues in this Council. We expect them to support this important resolution. We know that they belong, in this respect at any rate, to a more advanced community we expect them not to follow the example which was set by the honourable member Mr. Craik, as a downright reactionary, nor the one set by the honourable member Mr. King, who adopted a most halting and hesitating attitude in this matter. The latter gentleman would restrict the franchise to women graduates. That would affect only about 20 women altogether, I believe, at the present time, because most of the women graduates are not yet of seven years' standing. I hope and trust that the other members will take a more progressive and a more hopeful attitude, and help us in carrying out this great reform, so that, in this respect at least, Mr. Ramsay Macdonald's dictum that the Panjab Government is the most reactionary Government in India may be falsified.

Chaudhri Duli Chand : Sir, I beg to move—

“That the question be now put.”

The motion was carried.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban] : Sir, the objections that have been raised by the oppositionists have been replied to by my friends who spoke for the resolution and therefore I need not reply to any of the objections, for that would be simply repeating the arguments. I should, however, like to draw your attention to the questions

that were put to His Highness the Agha Khan by Lord Sydenham when taking his evidence before the Joint Committee of the two Houses of Parliament, whether it might not interfere with the religious custom, to which His Highness replied "Then you would have to do away with all the legal systems, you would have to do away with all sorts of things." To Lord Sydenham's question whether the enfranchisement of women would not be resented by a large number of high caste Hindus and orthodox Muhammadans, the Agha Khan immediately replied "How can they resent? The Moslems have not resented their having the right to property for 1800 years. In Moslem countries they have the rights of citizenship." These answers, I believe, are enough to silence the orthodox oppositionists to this resolution. With these words, Sir, I commend once again the resolution to the House and I urge upon the members not to disregard the appeal that has been issued by the lady section of the Social Reform Association and not to compel the ladies to make any demonstration whatsoever and not to compel them to go to jail or to go on strike.

Mr. President : The resolution before the Council is—

"This Council recommends to the Government so to amend the Punjab Legislative Council Electoral Rules as to remove the sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in the elections held for the Punjab Council."

The question is that that resolution be adopted.

The motion was carried.

(After Mr. President had declared the result by voices).

Mr. C. M. King : Division.

Mr. President : I paused for a few seconds before declaring the result and nobody claimed division.

Mr. C. M. King : My honourable friend Sir Sayad Mehdi Shah claimed for a division.

Mr. President : I distinctly remember he only said 'No.' He did not rise, nor did he ask for a division. I may say that division is a privilege which can be claimed and unless it is claimed it is not the duty of the Chair to give it.

RESOLUTION re INVESTMENT OF SUB-JUDGES WITH FIRST CLASS MAGISTERIAL POWERS.

The following resolution standing in the name of Khan Bahadur Chaudhri Fazl Ali was not moved :—

"This Council recommends to the Governor in Council that steps be taken to invest *ex-officio* all the subordinate judges of this province after three years approved service from the date of confirmation, with criminal power ordinarily exercised by a magistrate of the first class."

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE RELATIVE MERITS OF MANDI AND THE MADHOPUR-SUBERA HYDRO-ELECTRIC SCHEMES.

Professor Ruchi Ram, Sahni (Punjab University) : Sir,

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I rise to a point of order.

Professor Ruchi Ram, Sahni : I have not yet said one word about the resolution. Can any point of order arise even before I have spoken ?

Mr. President : Will the honourable member allow the Honourable Minister to raise his point of order ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, this resolution is barred by Standing Order 32 which says :

"A motion must not, except with the permission of the President, raise a question substantially identical with one on which the Council has given a decision in the same session."

This question was fully debated during the budget session and the question raised now is substantially the same as that raised then and a definite decision was given by the Council against the present motion.

Professor Ruchi Ram, Sahni : Sir, I want to explain in reply to the point of order raised that the two motions are not identical and they are not substantially the same. The one was a motion for the reduction of a grant and the other is the present resolution. These two motions, if they were identical, could not have been admitted for discussion in one and the same session of the Council. Since these two motions were admitted by the late President, it is for you to say, Sir, whether motions which were admitted once by the President can be rejected. That is the first point that I wish to submit. The second point that I wish to submit is that because they were not substantially identical they were admitted. If they were substantially identical they could not have been admitted at the last session. It was only in the course of budget discussion

Mr. President : I understand that this resolution was received before the motion in the budget discussion, and notice regarding it was also given long before the budget discussion.

Professor Ruchi Ram, Sahni : I now understand the position quite clearly. There was a motion to reduce the budget grant under the head Civil Works by Re. 1 and the hydro-electric schemes were discussed on that motion. It was in the course of the discussion on that motion that I said something about the committee of enquiry regarding the Mandi Hydro-Electric Scheme and the Madhopur-Subera Hydro-Electric Scheme. The motion which I am going to place before the House this afternoon is substantially different, although I referred to the appointment of a committee of enquiry in the course of my remarks on the budget motion. My further submission is that it is a standing convention that anything said in the course of the remarks in a budget discussion is not a bar to a substantial motion later on within the same session. During the budget discussion we speak on a number of things and this is one of the things which was alluded to then. I submit that my present resolution is substantially different from the one which was moved during the budget.

Mr. President : The honourable member seems to be under a misapprehension as to the language of the Standing Order. The Standing Order says :

"A motion must not, except with the permission of the President raise a question substantially identical with one on which the Council has given a decision in the same session."

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO 1511
THE RELATIVE MERITS OF MANDI AND THE MADHOPUR-SUBRA
HYDRO-ELECTRIC SCHEMES.

The question now to be decided is whether this resolution raises substantially the same question which was discussed—whether in the form of a motion or a resolution or an amendment is immaterial—and disposed of by the Council in the budget session. That is the real question. During the budget discussion, the honourable member Professor Ruchi Ram in moving his motion for reduction of the grant by Re 1 spoke as follows at page 441 of the Punjab Council Debates, Volume VIII-A:—

“.....All that I ask for is that Government may not push forward either scheme at the present moment till both the schemes are considered one against the other, in a dispassionate and impartial spirit by a committee of independent experts on which certainly both the Government and some selected members of other schemes should be represented as witnesses or as advisers or in any other capacity. My submission is that the Government scheme is far too hazardous a venture in the present condition.....”

After reading this, there is not the least doubt in my mind that in substance the question then discussed was the same as that now involved in the resolution. There is a further question to be considered. It is of course in my discretion to allow the discussion on the motion provided I am satisfied that the Government have not incurred any expenditure on the scheme in pursuance of the resolution then passed by this Council. Otherwise, I am afraid, the honourable member will agree with me, that no good will come out of the discussion of the resolution. If the Government have proceeded with the scheme and some substantial sum of money has already been spent, no useful purpose will be served by continuing the discussion on this resolution. I would, therefore, ask the Honourable the Minister for Agriculture to inform the House if any expenditure has been incurred, if so, how much.

The Honourable Rai Sahib Chaudhri Chhotu Ram : A portion of the staff necessary for the execution of the scheme has already been engaged on the strength of the decision of this Council in the budget session. We have already settled the terms of guarantee with the Government of India and the Railway Board have already made their arrangements to start construction as soon as they receive the sanction of the Secretary of State which is daily expected. We have also incurred expenditure on other accounts as well.

Mr. President : The Honourable Minister has not stated the exact or probable amount which has been spent already.

Lieutenant Sardar Sikandar Hayat Khan : I can say this much, Sir, that the railway have already undertaken the construction of a railway line and all the necessary materials have already been ordered for that railway. The spade work has been done. If the expenditure on survey alone were taken into consideration, it would amount to lakhs and lakhs. Not only an independent survey has been made by the Hydro-Electric Department, but also another survey was made by the Railway Board. I think at the present moment there is one Superintending Engineer and several other superior officers working for the last six or seven months.

Dr. Gokul Chand, Narang : With your permission, Sir, I should like to say a few words in connection with this question. The honourable member

[Dr. Gokul Chand Narang.]

Lient. Sardar Sikandar Hayat Khan has just now mentioned to the House that some spade work has been done and that some superior staff has been doing work for the past six or seven months

Mr. President : I am afraid I cannot allow any discussion on a point of order. The Professor is welcome to say what he wishes to say on the point, but I cannot allow any other honourable member to speak on it.

The Honourable Rai Sahib Chaudhri Chhotu Ram : The Government of India have already spent fifty thousand rupees on survey and other things in pursuance of our terms of our guarantee to them. We have already entered into contract for felling timber and have already spent about Rs. 15,000 on that account. This is in addition to the staff that we have already engaged.

Professor Ruchi Ram, Sahni : Sir, the expenditure that has already been incurred by the Government is but a drop in the ocean as compared with the great saving which will be effected if the other scheme is adopted. The pamphlet that I have circulated is in the hands of honourable members and it is also in the hands of the Hydro-Electric Department. This pamphlet demonstrates by exact calculation that there will be a net saving of 18½ crores in capitalised amount, if the other scheme is adopted. This calculation has been arrived at by no less a person than Rai Bahadur Ralla Ram, who was for a long time Chief Engineer in the service of the Government. My submission is that discretion lies entirely in the hands of the Chair and considering the great stake involved in making the right choice between the rival schemes, I hope the Chair will exercise its discretion in favour of allowing me to move my resolution.

Lieutenant Sardar Sikandar Hayat Khan : I would like to point out that if the Chair uses its discretion every three months and allows a resolution substantially identical with the one disposed of not long ago, then it will be very difficult for the Government to carry out any work.

Dr. Gokul Chand. Narang : Sir, I do not know whether my honourable friend has any better right to intervene than myself. I was not allowed to raise a discussion on the point of order.

Mr. President : The honourable member Dr. Gokul Chand, Narang, is perfectly right in saying that the honourable member Lieutenant Sardar Sikandar Hayat Khan has no right to intervene.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, before you give your ruling, I would like to point out that any postponement of the scheme in hand would involve a loss of about 10 lakhs.

Mr. President : I do not want to exercise my discretion arbitrarily. The honourable Professor has just now made a statement that if his alternative scheme is accepted by the Government, there will be a saving of 18½ crores. What has the Government to say on that point?

The Honourable Rai Sahib Chaudhri Chhotu Ram : All I can say is that it is an absolute miscalculation. The Madhopur scheme will generate less power and it will cost more than the Mandi scheme. On the whole the Mandi scheme will cost only 4½ crores.

Professor Ruchi Ram, Sahni: I will quote the following from a pamphlet to show that there will be a net saving of 18½ crores if the alternative scheme is taken up:—

"The net result of the considerations advanced above is that by accepting the Madhopur-~~sum~~-Rasul scheme, the hydro-electric energy would be made available 2 years earlier than that of the (Mandi) project. There will be at the same time a saving of as much as 4.2 crores of rupees in capital expenditure while the output will be 2.8 times greater. The current will be obtained at a rate which will be 5.37 pies lower in the first stage and 3.34 pies in the final stage per unit. This means in effect that there will be a net saving of—

$44,400 \text{ K. W.} \times 365 \text{ days} \times 24 \text{ hours} \times 3.34 \text{ pies}$
192 pies

that is Rs. 67.66 lakhs every year and in addition to this 4½ lakhs of royalty which will be paid to Mandi State. This amount if capitalised at 5 per cent. will come up to 14½ crores and this when added to the sum of 4.2 crores of saving in the initial capital cost will make the total saving of Rs. 18½ crores."

Mr. President: In view of the magnitude of the scheme and the expenditure involved, I allow the mover to move the resolution.

Professor Ruchi Ram, Sahni: I wish to thank you, Sir, at the very outset for the indulgence you have shown to me in allowing me to move this resolution under the present circumstances. Sir, it is a matter for serious surprise and wonder to me that there should be so much opposition

Mr. President: May I ask the honourable member to move the resolution first?

Professor Ruchi Ram, Sahni: Sir, I beg to move—

"This Council recommends to the Government that a committee of independent and impartial Electrical Engineers be appointed to enquire into and report on the relative merits of the Mandi Hydro-Electric Scheme and the Madhopur-Subera Hydro-Electric Scheme, and that no further expenditure be incurred on the Mandi Hydro-Electric Scheme till the report of the committee has been examined by the Government."

I was saying, Sir, that it has been a matter of serious surprise and wonder to me that the Hydro-Electric Department should like to work in the dark. Why should they shun light and public criticism and fight shy of publicity? Sir, it is strange that even the most elementary matters connected with the Mandi Hydro-Electric Scheme have not yet been made public. One of the factors—I do not want to say that I speak subject to correction, because there can be no correction or contradiction in a matter of this kind—one of the two factors upon which a Hydro-Electric scheme of any kind or at any locality can be based is the discharge of water. Now, Sir, at the present moment the table of discharges of water has not been made public. As far back as last March, when a debate was raised on this point, I put a question to the Honourable Minister for Agriculture whether he would place the table of discharges before the House and the reply was: No. Then I asked whether he would allow a clerk to go and copy out the table and he said: No. In both cases the reason given was that "to prepare a copy of the daily gauge readings would take considerable time and labour and the result.

[Prof. Ruchi Ram, Sahni.]

would not be commensurate which the labour involved." That was the reply which was given. When I asked if a clerk of mine could copy out the table of discharges, the reply was No, and even when I asked if I could go myself and copy out the table of water discharges, still the reply was No. Here is a scheme, Sir, involving an expenditure, in its final stage, of 12½ crores of rupees and in its initial stage of 5 crores of rupees, half the total revenues of the province in the initial stage. Here is a scheme of such magnitude and we cannot get the fundamental data which we require to study the potentialities of the Hydro-Electric scheme. Will it surprise members if I tell them that the information which I wanted and which was refused on the ground of its involving too much time and expenditure, is contained on half of this page and the whole of the other page? It was just this little bit of information which was being denied to members of this Council. I say, is that fair, is that the way in which the Hydro-Electric Department wants to come to us and ask for grant after grant for this scheme, telling us that so much money has been spent and therefore it cannot be stopped; that we cannot go back, we must only go forward? It has taken not more than half an hour to copy out the table. I pressed the honourable member who is at the head of the Hydro-Electric scheme for this information in private communications and ultimately I succeeded in getting the information, but I had to pay Rs. 13-13-0 for the copying charges of the information which I wanted.

A member of this Council wanting this simple information which I could have copied out in the course of an hour, is denied that information, and ultimately when the information is supplied to him he is made to pay Rs. 13-13-0. That is what I have not been able to understand. Why should the Hydro-Electric Department fight shy of light. In March last I also asked for a report on the scheme, but when even the elementary data could not be supplied, the report was of course not available. In the State of Mysore they manage things differently. Mysore can give many points to us in hydro-electric management as well as in other things. In Mysore, a scheme like this would be handed over to the Association of Engineers. There it would be subjected to a very severe examination and criticism by experts, and then after it had been so subjected to public criticism by experts in the light of the criticism which is thus made available the scheme would be adopted. No wonder that while according to our scheme the production of current costs as much as nearly 5 pies per unit, their scheme costs less than a pie per unit. The Subera scheme will cost something like a little less than 4 pies per unit, but the Mysore scheme, that is the Kaveri scheme, costs only a little less than one pie, in fact it is very nearly ½ of a pie. Here I have got the figures taken from the "Indian Engineering". The whole thing is worked out on the basis of the data contained in their report, namely the Report of the Mysore Hydro-Electric Department. Now, Sir, various things have been said against the Madhopur scheme. One thing which has been said over and over again is that this will be a combined scheme and, therefore, it will be open to serious objection from the irrigation point of view. I do not know how a layman like myself can convince the honourable member who is in charge of the Hydro-Electric Department, but, Sir, there are experts who have given their opinion. The Chief Engineer, Irrigation Department (Mr. A. R. Murray) gave his opinion and he said: "I have no objection from the irrigation point of view"

Mr. W. P. Sangster : Mr. Murray did not give an opinion on this particular scheme.

Professor Ruchi Ram, Sahni : Mr. Murray gave his opinion on this scheme with one addition which has since been made.

Mr. W. P. Sangster : That addition makes all the difference.

Professor Ruchi Ram, Sahni : I am coming to the diurnal storage. I am not going to leave that point out because it would weaken my case if I left it out. The only addition which has since been made is that of the diurnal storage. Now it has been said that the arrangement for diurnal storage would lead to the silting up of the canal. The reply has been given again and again that there will be no silting up under the circumstances which exist. Mr. Sommers, Executive Engineer, who has been in charge of that part of the canal for a long time has said this much, and I read out other opinions also last time that the scheme was a sound scheme. Mr. Sommers definitely refers to this fact. Rai Bahadur Ralla Ram on pages 24-25 of the pamphlet which is in my hand (Hydro-Electric Development of the Punjab by Rai Bahadur Lala Ralla Ram, C.I.E., I.S.O., M.I.E., Retired Chief Engineer) refers to these two opinions. As regards the silting up of the canal, it should not be forgotten that it is not at all necessary to completely close off the supply at any time. Only a portion of the supply is intended to be headed up,—for a few hours—for the purpose of providing the storage needed ; thus there will be no stagnant water at any time. The average for 20 years works out to $4\frac{1}{2}$ months. This deficient supply is only during the period 1st October to 31st May, in which, according to the opinion of two officers of the Irrigation Branch, who held charge of the Madhopur Sub-Division and Gurdaspur Division for a number of years, the water is free from silt. At any rate, the silt charge is so low that there is no practical danger of silting. During floods, when the water is heavily charged with silt, the actual velocity will be 1.9 times the critical (non-silting) velocity for a concrete lined channel of the design adopted for the supply channel, and this cannot possibly allow any silt deposit."

My time is short, so I must run on to the next point.

About this diurnal storage, I want to point out that the canal itself will serve as a sort of storage tank or reservoir and there will be no fear of silting taking place. But in the Mandi scheme there is the real fear not only of silt being deposited, as I explained last time, but of something much worse happening. Because the walls of the dam will be high; if there is any land slide the result will be disastrous. Speaking at the dinner given last year in connection with the Punjab congress of Engineers, His Excellency the Governor mentioned, on the authority of some of the engineers present, who also spoke on the subject, that the Bakhra Dam project was held up because the dam provided in it was a high one, and there was thus the fear of a land slide giving rise to disastrous results. Does not the same objection apply to the dam which is proposed to be built in connection with the Mandi scheme?

Lt.-Col. B. C. Battye : It is not so, Sir.

Professor Ruchi Ram, Sahni : I cannot understand the honourable member's *ipse dixit*.

Mr. President : The honourable member may proceed with his speech.

Professor Buchi Ram, Sahni : In America, Sir, dams with high walls built under the best supervision and with the best materials available and on the most scientific designs have come to grief and so dams with high walls have acquired an unenviable notoriety. Then again we were told last year, I will read the exact words used by the Honourable Mr. Sangster: "besides the Professor made much of the fact that discharges have been observed only for three years, but it will be seen on page 6 of the pamphlet (namely the pamphlet that the Government circulated to the members of this Council) that discharges during the months of January and February were only slightly affected by rainfall, but fluctuated mainly with the temperature." Now, Sir, I want to draw the particular attention of Mr. Sangster and the Head of the Hydro-Electric Department and the members of this Council to these words which Mr. Sangster quoted from the official pamphlet, "were only slightly affected by rainfall but fluctuated mainly with the temperature." He then goes on to say: "fortunately, the mean minimum temperatures at the nearest Himalayan meteorological station during that winter were the lowest recorded during the last 20 years." Now, Sir, not only is that not the case, but the difference between the minimum temperature during the last three years and the preceding 20 years is very very great indeed. The winter of 1904-05 was a very severe one. I sent to Lieutenant-Colonel Battye a statement which I had prepared giving the minimum temperature for the whole of the past 25 years for 13 stations in Northern India. It took me a whole month working something like three hours a day to prepare that statement. Still I did not consider it as a work which involved too great a labour or too much time when the good of the province was concerned and when such vital and important interests were at stake. Let me assure the honourable gentleman, if he needs the assurance, that I have not the slightest personal interest, not even to the extent of a pice in this scheme either directly or indirectly. Of course when the scheme comes to fruition I may buy a few shares because it will be a profitable concern. (Laughter.) Colonel Battye may also take shares because it would be a profitable business. Sir, I sent to Colonel Battye the statement of minimum temperatures for some 13 stations, I mean the reporting stations for which correct observations have been recorded and correct temperatures have been noted by the meteorological department. There is no other recording station which has not been included in my statement a copy of which was sent to Colonel Battye in June last. For the purposes of this discussion Rai Bahadur Ralla Ram, has quoted the minimum temperatures for only four stations, which were the most important stations, so far as the present scheme is concerned, namely, Simla, Murree, Sialkot and Lahore. These are reporting stations for which correct records are obtainable. Some people think, I hope the scientific men here are not in that category, that if you put a thermometer in your room that will give you the correct temperature. No it is highly risky for purposes of scientific comparison to make use of a thermometer unless it is properly standardised and without its being exposed in the proper conditions in which the temperature of the atmosphere can be correctly recorded. I myself had to spend something like three months, when I was in the meteorological department in 1885-86, in order to be able to read the thermometer correctly at once in the fraction of a second. I will not, however, go into that question any further. In the copy of this pamphlet (referring to a pamphlet which the honourable member had in his hand) at pages 30-31 the temperatures for the last 25 years are given. What is the result? I will sum up the result for you.

HYDRO-ELECTRIC SCHEMES

The official pamphlet says that the minimum temperatures recorded during the last three years 1922-23, 1923-24 and 1924-25 were the lowest that have been observed during the last 20 years. This is far from being the case. As the figures at the bottom of the tables on pages 30-31 show, at Simla the minimum temperature was lower three times during the first 22 years than that recorded during the first three years for which the Hydro-Electric Department has got temperature readings. That was the case in December. In January, 16 years out of the 22 and in February, 17 years out of the 22 years, recorded a lower reading than the three years which followed them. For Murree, the figures are 19 in December, 19 in January and 21 in February, that is at Murree the minimum temperature was lower almost every year during the first 22 years than at any time during the last three years. At Sialkot again, the minimum temperature recorded was lower in ten years out of 22 in the month of December, in 19 years out of 22 in January and in 16 years out of 22 in February than it was at any time during the period of three last years. The figures for Lahore are equally explicit. Here in 20 years out of the 22 the minimum temperature recorded in December was lower than that recorded in the last three years, in January 19 years out of the 22 and in February 16 years out of the 22 were colder than the period of last three years for which the department has taken observations. It is thus obvious that during the past 25 years practically the whole period of the first 22 years was colder than the three years which followed them.

Thus, Sir, I categorically deny the truth of the statement authoritatively made by the head of the Department. I not only deny its truth but I say the very reverse is the case. I have shown this by the figures which have been in the hands of the head of the Hydro-Electric Department for the last six months or so. I am not springing a surprise on them, I handed over a copy of the whole statement of minimum temperatures extending over the past 25 years for as many as 18 stations to the honourable gentleman in June last. That is not all. If I had time, I would have shown how remarkable was the year 1904-05. My honourable friend Lieutenant-Colonel Batty knows it. It was a most remarkable year. The temperatures were even 15, 20 or 30 degrees below normal in each station in Northern India for something like ten weeks in succession. Not for a single day during those ten weeks in succession did the temperature rise above these abnormally low points. In some cases, the temperature was as low as 30 degrees below the normal minimum at some of these stations.

Mr. President: The honourable member has taken up nearly half-an-hour and so, I hope, he will bring his remarks to a close speedily.

Professor Ruchi Ram, Sahni: I will not take up more than ten or fifteen minutes more.

Mr. President: The honourable member will please finish in five.

Professor Ruchi Ram, Sahni: I will try to finish within that time. I have discussed the whole subject in detail from a scientific point of view in a memorandum and I have placed a typed copy of the memorandum in the hands of my honourable friends. I need not, therefore, elaborate this point any further. Now, Sir, there seems to be a good deal of prejudice against the Madhopur scheme and it is this prejudice that is likely to influence the vote. I am surprised that an honourable member like Lieutenant-Colonel Batty should have made a statement like this in the last debate that if you bore a hole at Lahore 40 feet deep and then make a canal and then work

[Prof. Ruchi Ram, Sahni.]

the canal with an engine and the necessary machinery, the result would be the same as that contemplated at the Madhopur falls. I have no patience with remarks of that kind, because I take the liberty to say that any one who knows even a little of Physics and the cognate subjects will be able to say that that is not a serious remark. That is all I care to say about it in this Council. The objections which had been urged against this scheme have been met or answered. In the revised scheme, even when there was no real necessity for doing certain things, additional cost has been included in the estimates, so as to meet the objections raised. The scheme possesses great advantages over its rival. With the improvements suggested by its critics, the expenditure will increase, but even with the increase of expenditure the price of current comes to something like 3 to 4 pies per unit, as I have already shown, against 1 pie of the Mysore scheme, and 9 pies nearly of the Government scheme. Concrete lined channels and all the rest of the improvements that were discussed or suggested in the last debate have now been provided for.

One last word I wish to say and that is that this scheme will help the agriculturists more than the other scheme, it will generate the power at their very door. It will help them in drawing up water from the water-logged sub-soil. The land will be reclaimed and so much more water will be made available. There are also other advantages which it possesses, all of which are discussed in this pamphlet which has been circulated. More land will be made available for cultivation. There will be more revenue coming into the coffers of Government. If the Government has any misgiving about the intentions of the authors of this scheme, well, as a last resort, Rai Bahadur Ralla Ram has also said, in the clearest possible language in paragraph 27 of this pamphlet that the Madhopur syndicate will forego all its claims, even the money which has been spent by the Hydro-Electric association if the Government would consider their scheme in a dispassionate and unprejudiced spirit, keeping only the interests of the public in view. Here are the words which Rai Bahadur Ralla Ram uses and with these words I will bring my remarks to a conclusion. In page 8, he says—

“The promoters of “Subera” Syndicate, no doubt, originally took up the Madhopur project from a commercial point of view; but if they find that the only objection to the acceptance of their scheme is that the Government do not wish to entrust the development of Hydro-Electric Schemes to private enterprise (though this would be against the principle laid down in the Report of the Industrial Commission and accepted by the Government) they will have no hesitation in relinquishing their claims which they undoubtedly have on the score of originating the idea, and working it out at a great labour and cost.”

With these words, I commend the resolution for the acceptance of the House.

Mr. President: The resolution proposed runs:—

“This Council recommends to the Government that a committee of independent and impartial Electrical Engineers be appointed to inquire into and report on the relative merits of the Mandi-Hydro Electric Scheme and the Madhopur-Subera Hydro-Electric Scheme and that no further expenditure be incurred on the Mandi-Hydro-Electric Scheme till the report of the committee has been examined by the Government.”

The question is that, that the resolution be adopted.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan Rural): Sir, my honourable friend opposite has come back to his old charge, although as far as I can gather from his speech, he has not advanced a single fresh point except to throw certain aspersions on Col. Battye. At the outset he said that the Hydro-Electric Department had been working in darkness and that they had been trying not to divulge their proposals either to the public or to the members of this Council. As you are aware, Sir, in the discussion on this very subject in this Council on a former occasion it was explained that the Mandi scheme was the third scheme which the Government took up. After throwing out the Nangal scheme, they later on considered the Madhopur schemes 1, 2 and 3, and this is the fourth scheme which my honourable friend is putting forward. After considering the three Madhopur schemes, it was eventually decided that the Mandi scheme was more advantageous to the province and it was decided to go on with it. That scheme as honourable members are aware went through about half a dozen committees, committees of experts, and committees of financiers, and eventually it was sent to England to Consulting Engineers of great eminence. It was finally decided that the scheme was practicable both from the financial point of view as well as from the technical point of view, and it is believed that it will be a success in every respect. If after all this the honourable member still thinks that this scheme was being rushed through in darkness, I am afraid it would be very difficult to satisfy him and bring light to him in this darkness.

Then, Sir, as to the reduction in the reading of the temperatures, my honourable friend cast aspersions on Col. Battye and said that Col. Battye was responsible for giving wrong information as far as the meteorological observations were concerned. If my honourable friend Professor Ruchi Ram had only observed the meteorological readings of all the stations, he would have found that in one of the stations in Tibet namely Loh which is much closer and which has much more affinity to the conditions at Mandi, communication with India was interrupted and no information could be obtained from that station for some months. Therefore Lt.-Col. Battye could not give exact information at that time. These figures came three or four months later and now the Meteorological Department is in a position to give the figures and my honourable friend can get them if he wants. Another complaint which was made by the honourable member was that the Government refused to help him in collecting the exact figure of discharges. I have also got a grievance in this respect against Lt.-Col. Battye. At that time he gave us to understand that the discharge of the Uhl river was 112 cusecs. As a matter of fact I find from the information given by the Meteorological Department that it is not 112 cusecs, but that the spring flow of the stream is 140 cusecs, and I have a real grievance against Col. Battye that he did not give us this information at the time of the last discussion because it makes the position of the Mandi scheme much stronger than it appears on the paper. My honourable friend Lt.-Col. Battye and those who base their calculations on 112 cusecs will find that if they had based their calculations on 140 cusecs instead of 112 cusecs the capital cost, as well as the eventual price of energy will be much less. These 140 cusecs are obtained from the normal spring flow and the discharge is not affected by temperature, or snowfall or rain. Then, Sir, as I have already said this scheme which has now been brought forward by the sponsors of the Madhopur scheme is the fourth proposal and is only a modified form of the old Madhopur scheme. This is the fourth scheme which has been put forward by Mr. Sarma in the name of Rai Bahadur Ralia Ram. This scheme. . .

Professor Ruchi Ram Sahni : Is Mr. Ralla Ram incompetent to frame a scheme of this kind? Is that the implication?

Lieutenant Sardar Sikandar Hayat Khan : As a matter of fact, the figures have all been cooked. I submit, Sir, that even a layman like myself, and others who have studied Hydro-Electric problems when they see these figures will have no hesitation in coming to the conclusion that the figures are fictitious. The figures taken by the framers of the fourth Madhopur scheme are based on a load factor of 100 per cent. It is all very well to take a load factor of 100 per cent. in theory. You can certainly say on paper that a power station will work for 24 hours during all the 365 days in a year. But in actual practice we find that the biggest Hydro-Electric works in the world, the Niagara works, which are electro-chemical works and which have got the biggest load factor have got a load factor of 75 per cent. As regards the other Hydro-Electric works which supply energy for industrial purposes and for house consumption, we find, Sir, that the biggest have only a 55 to 60 per cent. load factor. At Los Angeles where there are 20 hydro-electric stations working all linked together, and in San Francisco where there are 30 stations working together all linked up, the load factor does not exceed 60 per cent.; yet we find that Rai Bahadur Ralla Ram has in framing his scheme taken a load factor of 100 per cent. Taking this into consideration it will be found that the figures are wrong, and that the figures for capital expenses per unit for the Madhopur scheme should be more than double, while those for the Uhl and Mandi schemes have to be reduced considerably. Sir, the figures for the Mandi scheme are based on 50 per cent. load factor and not on a fictitious 100 per cent. load factor, which is the basis of the Madhopur scheme. The one-sided exposition by the sponsors of Madhopur scheme in the pamphlet referred to by the honourable member is obvious; when we turn to end of the report there are given some of the speeches which were delivered in favour of the scheme. But the speeches against the scheme are omitted. For instance, I made a speech against the scheme which does not find a place there. Similarly it conclusively shows that the figures in the pamphlet are not correct.

Professor Ruchi Ram Sahni : Is it not a fact that Lieutenant-Colonel Battye's speech is given in full, also the speech of Mr. Sangster is given in full. Similarly there are only two speeches given on the other side, namely, mine, and that of Dr. Gokul Chand Narang and for the other non-official side that of Mian Muhammad Shah Nawaz.

Mr. President : I wish to point out to the honourable member that he can intervene only for making a personal explanation, but he cannot introduce new matters in his side remarks.

Lieutenant Sardar Sikandar Hayat Khan : Mine was the only inconvenient speech which was against the resolution at that time. I think, my speech was omitted intentionally.

Doctor Gokul Chand Narang : It will be added as a supplement to the report.

Lieutenant Sardar Sikandar Hayat Khan : Now, Sir, on page 16 of the pamphlet which the honourable member has supplied to all members, but which I got from him only when this resolution was going to be moved, you find that the figure of output for the Mandi scheme at the final stage is given as 44,400 kilowatts. As a matter of fact, the real figures are 118,000 kilowatts

Professor Ruchi Ram. Sahni : And what was the load factor ?

Lieutenant Sardar Sikanar Hayat Khan : Fifty per cent. and not 100 per cent. Consequently, Sir, the capital cost per kilowatt, which is given as 2,716 lakhs is reduced to 926 lakhs, which is about one-third of what is estimated by the friends of the honourable gentleman opposite. Then again the Madhopur figures are instead of 2,35 lakhs—2,50 lakhs, and the total cost is 16,80 lakhs instead of 15,68, which is nearly double that of the Mandi figure.

Then, Sir, another point which you notice in this pamphlet is that the framers of this scheme also depend upon steam help. They have included here for 10 per cent. steam help and 26½ per cent. steam help. If you take the practical figures based on experience gained in other parts of the world, then 26½ per cent. steam help becomes 76 per cent. In that case I do not see why we should bother about the Hydro Electric scheme at all. We can obviously concentrate on the present steam plants in our towns and can extend the one which is being built at Shabdara. Our friend wants steam plant instead of a Hydro-Electric scheme.

Then, Sir, another point which was pressed by some gentlemen in this Council during the last discussion was that the Madhopur scheme would interfere with the irrigation works and it was opposed by some members on the ground that there will be real differences between the Irrigation Department and the Hydro-Electric Department, and that we could not make the Irrigation Department dependent on the Hydro-Electric Department or *vice-versa*. The honourable gentleman has ignored this point again.

There is one thing which I do not understand, Sir. The honourable member has said again and again that Government is rushing through the scheme and Col. Battye is trying to rush the scheme through without giving it proper consideration. I do not see why Col. Battye or Government should rush a scheme through which they believed was neither profitable nor useful for the Province. If they thought that the Madhopur scheme was better, they would certainly take up the Madhopur scheme instead of the Mandi scheme. It is because the Government consider the Mandi scheme better that they have taken it up. I therefore hope that this House will strongly oppose this resolution and once for all show the honourable member that he cannot come to the charge whenever he likes.

Mr. W. P. Sangster (Chief Engineer, Irrigation) : Sir, the resolution is one which recommends an immediate enquiry into two schemes. One of these schemes is what is called the Madhopur-Subera Hydro-Electric scheme. This is a scheme which is going to interfere with one of the biggest of our irrigation canals in the Punjab—a canal covering nearly two millions of acres of irrigated land. I am sorry to see that there are so few of the members representing the cultivators in the House at present. I wanted to appeal to them not to allow a scheme which is going to interfere with an important irrigation canal. Even if there were the slightest risk of interference, would they allow it ? I am sure they would hesitate before they accepted such a risk. This is a scheme which proposes to use the same headworks, the same weir, the same head regulator and the same canal. It is going to take the water out of the existing canal and disturb its permanent *régime*. It is going to divert it into a new channel and is going to drop it down through a fall of 90 feet into a deep cutting. There are to be two other similar drops of approximately 70 feet each. These are entirely artificial con-

[Mr. W. P. Sangster.

ditions. They are taking the water out of a scientifically designed channel, a channel which has been improved year after year throughout the last forty years and more. They are going to take water out of this old and seasonal channel and put it into a new channel. I warn the members who represent the cultivators or those members who own lands on that particular canal, that they would be running great risks if they voted for such a scheme as this or allowed such a scheme as this to go through.

Professor Ruchi Ram Sahni : May I just ask one thing ? In order to help us to arrive at some conclusions, may I request Mr. Sangster to explain how cultivation would be injured ? So far he has not thrown any light on this point. If it can be shown that cultivation would be affected, we will have nothing to do with it.

Mr. W. P. Sangster : This channel in which the canal already runs has been scientifically made to flow down without depositing any silt. The channel which is going to be used by the Hydro-Electric Scheme is another channel altogether. It will allow the silt to deposit because of the diurnal storage arrangement which requires two storage reservoirs, each of which will get silted up. I do not know whether it requires any further explanation.

There is another kind of interference. This is not exactly a physical interference, but there will be a clash of contending interests. There will be the interests of the cultivators who use water for irrigation purposes and there will be the interests of those for whom the power is generated. We know that in time it will become the old question of rural against urban interests. The representatives of urban interests are powerful and in time the interests of the irrigators will be sacrificed to the interests of the users of the power.

The members, who represent the rural interests, would not be justified in allowing a scheme like that to go through. If there was the slightest suspicion of risk, they should not allow it.

The Madhopur scheme is not a power site at all. It seems a pity to waste the time of the House on a long debate over a question which was thoroughly discussed in March last, and the proceedings of which have been carefully recorded in the official report of the debates. It is a pity to go over the whole question again. There are the same arguments on both sides. I do not wish to repeat them again. One of my points is that the Madhopur scheme is entirely artificial. It has no power site at all. There is a whole volume describing various natural power sites in the Punjab. Why choose an entirely artificial site which is already devoted to the interests of irrigation ? I think it would be only waste of the time of the Council if I referred to matters which have already been fully debated on in the House in March last, and if any members who represent the cultivators interests want any further information they may simply glance through the debates of March last which have been fully and carefully recorded.

Professor Ruchi Ram Sahni : May I ask the honourable member to say something about the temperature. I pointed out that his statement was quite wrong. (A voice : What has not been denied is admitted).

Mr. W. P. Sangster : I am only referring to that aspect of the question which affects irrigation interests. Other points will be answered by Colonel Battye.

The Council then adjourned till 2 p.m. on Tuesday, the 8th December 1925.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 8th December 1925.

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

QUESTIONS AND ANSWERS.

HALF RATE TUITION FEES FOR BOYS OF AGRICULTURISTS.

2231. Lala Bodh Raj: (a) Is it a fact that instructions have been issued by the Education Department to charge half rate tuition fees from the boys of agriculturists in the districts of Muzaffargarh, Dera Ghazi Khan and Mianwali in spite of the fact that the parents of the boys are not cultivating the land themselves or are in Government service?

(b) Is it a fact that the above concession is being allowed only to Muhamadans and not to Hindu boys even if the parents of the Hindu boys are cultivating the land themselves or are proprietors of land?

(c) If the answers to (a) and (b) are in the affirmative, will the Government please state in what sense the term 'agriculturist' is being used for the above purpose?

(d) Will the Government please lay on the table a statement showing the number of boys by community in the several Government schools in the above said districts who are enjoying the said concession?

Sir George Anderson: (a) No.

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

PROVINCIALIZATION OF THE DISTRICT BOARD MIDDLE SCHOOL AT SHUJABAD.

2232. Lala Bodh Raj: (a) Is it a fact that the Government contemplates the provincialization of the District Board Middle School at Shujabad?

(b) Is it also a fact that there is already one High School, namely, Hari Bhagwan A. S. High School, in that place?

Sir George Anderson:

(a) The proposal has not been considered by Government.

(b) Yes.

MUSLIM CANDIDATES FOR THE POSTS OF TAHSILDAR AND NAIB TAHSILDAR.

2233. Rana Firoz-ud-din Khan : (a) Will the Government please lay on the table a statement showing the names of candidates from the Rohtak district accepted for direct appointment for the posts of Tahsildar and Naib-Tahsildar during the period of last ten years?

(b) Is it a fact that during the said period no Muslim candidate from that district was accepted for the said posts?

(c) If the answer to (b) is in the affirmative, will the Government kindly give reasons for not accepting even a single Muslim candidate of the Rohtak district and also please state what measures it proposes to adopt in order to ensure that adequate representation is given to the Muslim community in the Revenue Department?

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

COMMUNAL REPRESENTATION IN THE PANIPAT MUNICIPAL COMMITTEE.

2234. Rana Firoz-ud-din Khan : (a) Is it a fact that a system of separate representation prevails in all the municipal committees in the Karnal district, except that of Panipat?

(b) Is the Government aware that Panipat is the biggest town in the Karnal district, and that the relations of Hindus and Muslims there are highly strained?

(c) Has the Government received representations from the Muslims of Panipat, asking for the introduction of separate representation for them in that municipal committee?

(d) Does the Government propose to consider the desirability of introducing the system of separate communal representation in the Panipat Municipal Committee?

Mr. J. G. Beazley :

(a) Yes.

(b) Yes.

(c) Yes.

(d) No.

INDIAN SYSTEMS OF MEDICINE.

2235. Lala Mohan Lal : (i) Will the Government be pleased to state the amount of money collected by public subscription or private contribution for the King Edward Medical College, Lahore?

(ii) What is the Punjab Government's annual grant for the King Edward Medical College and what is the Government of India's annual grant, if any, for this college?

(iii) Will the Government be pleased to state the names of institutions teaching indigenous medical systems in the Punjab and the amount of grant made by Government for each of them?

(iv) Will the Government be pleased to state what progress has been made in the research work, if any, undertaken for standardising indigenous medicines?

(v) Is the Government aware that the Madras Government has opened a school of Indian medicines after examining the report of a committee of experts appointed to go into the question?

(vi) If the reply to (v) be in the affirmative, will the Government be pleased to state if it proposes to consider the advisability of appointing a similar committee of experts with a view to take steps to encourage the study of indigenous medicines?

(vii) Has the attention of Government been drawn to a long list of questions (published in the *Pioneer* of the 24th June) issued by the Government of the United Provinces of Agra and Oudh and circulated amongst distinguished personages inviting their opinion as to the best way of helping and promoting the study of Indian systems of medicines? If the reply be in the affirmative, will the Government please say whether they propose to consider the desirability of taking similar steps in the Punjab?

Mr. J. G. Beazley : (i) Out of the public subscriptions raised in connection with the King Edward Memorial Scheme a sum of Rs. 18 lakhs was spent on the King Edward Medical College, Lahore.

(ii) The college is maintained solely from provincial revenues, and the annual expenditure is between Rs. 4 and Rs. 5 lakhs.

(iii) The Islamia and D. A.-V. Colleges at Lahore have classes for the teaching of the Unani and Ayurvedic systems of medicine respectively. No grant is made by Government in connection with these classes, but the University gives grants-in-aid to them.

(iv) A scheme for research in indigenous drugs has lately been initiated in the Medical College under the direction of the Professor of Materia Medica.

(v) Yes.

(vi) Particulars are being obtained from the Government of Madras with regard to their school and the question of any further action to be taken will be considered on their receipt.

(vii) No.

CREATION OF A NEW BRANCH OF THE PUBLIC WORKS DEPARTMENT.

2236. Lala Mohan Lal : Will the Government be pleased to state—

(a) If it is a fact that a new Department with a Chief Engineer at the head is going to be created by Government?

(b) If so, will Government please state what will be the cadre of Superintending Engineers, Executive Engineers and Assistant Engineers separately in this Department?

(c) How many of each class will be Indians and how many Europeans?

[Lala Mohan Lal.]

(d) Is it a fact that two Junior Executive Engineers of the Irrigation Department are going to be appointed as Superintending Engineers in this Department over the head of several senior and capable officers?

(e) Is it a fact that owing to this proposed selection of junior officers there is a great heart-burning among the senior officers of the Irrigation Department, especially as there is said to be a block in the promotion to Superintending Engineers' grade in that Department?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a), (b) and (c) Having given administrative approval to the Uhl River Hydro-Electric Project, Government is taking steps to create, for the period the work is likely to occupy, a separate branch of the Punjab Public Works Department, to execute the work. It will include one appointment of Chief Engineer, three of Superintending Engineers, and others of lower ranks the precise number being now under consideration. It is not known in what racial proportion qualified candidates will offer themselves for appointment in the new branch, nor the extent to which officers in the existing branches possess special experience in this class of engineering. Hence it would be premature to tempt a sub-division of the kind suggested by the honourable member.

(d) A proposal of the kind is under consideration but no decision has yet been reached in the matter.

(e) Government is not aware of any such feeling.

HINDU-MUSLIM FRACAS IN THE PROVINCE.

2237. Chaudhri Ram Singh : Will the Government please lay on the table a statement showing—

(a) the places in the Punjab where Hindu-Muslim fracas broke out during the period of three years ending September 1925;

(b) the number of Hindus and Muslims who died or were wounded as a result of the fracas and the amount of losses suffered by each community?

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

WATER-LOGGING IN THE GOVERNMENT CANALS.

2238. Chaudhri Ram Singh : Will Government please state if any compensation is paid by the Canal Department to those persons whose houses suffer on account of the overflow of or waterlogging in the Government canals? If the answer be in the affirmative, will it please state the rate at and the mode in which it is paid?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Question of payment for damages is covered by Sections 8 to 10 of Part II of the Canal and Drainage Act VIII of 1873. Each case has to be decided on its merits depending on local circumstances.

"THE MUSLIM OUTLOOK" OF LAHORE.

2239 Chaudhri Ram Singh: (a) Has the attention of the Government been drawn to the fact that in the issue of the *Muslim Outlook* of Lahore, dated the 19th September 1925—

(a) Muslims have been asked to declare war (*Jehad*) against non-Muslims;

(b) the abduction of non-Muslim boys and their conversion to Islam has been justified?

(ii) If the answers to the above be in the affirmative, will the Government please state if it proposes to take any steps against the editor and proprietor of the said paper?

The Honourable Sir John Maynard: The actual terms of the article do not seem to constitute an offence against the law.

PATWARIS AND LAMBARDARS OF TAHSIL NURPUR.

2240. Chaudhri Ram Singh: (a) With reference to the answer to question No. 1454,* put on the 3rd March 1925, will Government please state whether the Patwaris of Tahsil Nurpur prepare the *adana* statements of Shah Nehr and whether Lambardars of the Tahsil collect it from the proprietors?

(b) If the answer to the above be in the affirmative, will it please state whether it proposes to grant an allowance to the Patwaris and *Panjotra* to the Lambardars of Tahsil Nurpur?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Attention is invited to the answer to part (b) of question No. 1454 as printed on page lxiii of Appendix V, Volume VIII of Council Debates.

EXPENDITURE BY GOVERNMENT ON THE DEVELOPMENT OF INDUSTRY
IN THE PROVINCE.

2241. Rai Sahib Lala Ganga Ram: Will the Government please state the actual amount spent by the Government on the development of industries in the province during the period 1924-25?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The honourable member is referred to the statement showing details of the budget and actual expenditure of the Department of Industries for the year 1924-25, which is included as Appendix A in the report of the Department of Industries for the year ending the 31st of March 1925.

PERCENTAGE OF ZAMINDARS IN GOVERNMENT DEPARTMENTS.

2242. Chaudhri Afzal Haq: With reference to the answer to part (d) of question No. 1559,† put on March 12, 1925, will the Government be pleased to lay on the table a statement showing the percentage of zamindars in the Government departments if it has since been compiled?

*Vol. VIII-A, page 236.

†Vol. VIII-A, pages 408-415.

The Honourable Sir John Maynard: The honourable member is referred to the reply given in Council questions Nos. 1961 to 1975.*

LAND REVENUE BILL.

2243. Chandhri Afzal Haq: With reference to the answer to my question No. 1740,† put on 1st May 1925, will the Government be pleased to say whether the Government of India has since given their assent to the introduction of the Land Revenue Bill?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The Bill has gone to the Secretary of State whose sanction is awaited.

DAMAGES BY FLOODS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.

2244. Chaudhri Afzal Haq: Will the Government be pleased to lay on the table a statement showing—

- (a) the names of those villages in the Hoshiarpur District where the lands have been flooded in the year 1925;
- (b) the names of those villages in the Ludhiana District where the lands have been flooded in the year 1925; and
- (c) the relief that was given to the people of the flooded area?

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

LIBRARIES AND READING ROOMS.

2245. Chandhri Afzal Haq: (a) With reference to the answers to my question No. 1742,‡ put on the 1st May 1925, and to question No. 1949,§ put on the 6th July, will the Government be pleased to say whether they have since devised any scheme and estimated the cost of establishing libraries and reading rooms in small towns and selected villages in the next financial year?

(b) Is it not a fact that nearly all towns in the province have got reading rooms whether opened by municipalities or by private enterprise?

(c) Is it the intention of the Government now to turn to the needs of rural population in the matter of reading rooms and libraries?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) No new scheme has been inaugurated, but Government announced in 1920 that they were prepared to make a grant of Rs. 500 for the establishment of a library in a small town on certain conditions and to pay a maintenance grant of Rs. 50 per annum.

(b) It is believed that a large number of towns have reading rooms.

*Appendix VIII.

†Vol. VIII-A, pages 871-72.

‡Vol. VIII-A, page 872.

§Pages 1162-63 ante.

(c) Government are considering a scheme for providing libraries for the rural population and provision has been made in the Budget for 1926-27 for the purpose. A portion of this grant will be under consideration in the present session.

GOVERNMENT ASSISTANCE TO LIBERAL LEAGUES, ETC.

2246. Chaudhri Afzal Haq : (a) Will the Government be pleased to lay on the table the Government orders, if any, asking the District and Tahsil authorities to help in the organisation of the Liberal Leagues, Aman Sabhas and Sudhar Sabhas ?

(b) If no such order was issued, will the Government please say whether they prohibited Government officials from taking part in those political bodies ?

(c) If the answer to part (b) of the question is in the negative, will the Government be pleased to say whether they will not object to the Government officials participating in the activities of those societies whose object is to gain *Swaraj* by all legitimate and peaceful means ?

(d) If the answers to parts (b) and (c) of the question are in the negative, will the Government be pleased to state why they permit the participation of Government officials in Sudhar Sabhas, Aman Sabhas and Liberal Leagues ?

The Honourable Sir John Maynard : (a) No orders have been issued by Government regarding Liberal Leagues or Aman Sabhas. As regards Sudhar Committees, the instructions to which I subsequently refer were issued to certain district officers defining the attitude which they should adopt towards these committees. Government is not prepared to lay these instructions on the table.

(b) Under Rule 23 of the Government Servants' Conduct Rules, Government servants are prohibited from taking part in any political movement in India save under the express instructions of the local Government.

(c) This does not arise.

(d) So far as Aman Sabhas and Liberal Leagues are concerned, the honourable member is referred to the answer given to part (a). As regards Sudhar Committees, certain district officers were instructed to encourage their formation on the clear understanding that the aims of such committees should be to aid the Sikhs to secure the proper management of the Gurdwaras and their endowments by constitutional means. They were, however, prohibited from taking a direct part in the formation of committees, from becoming members or from attending their meetings.

DAMAGE TO LANDS IN VILLAGE NALOIAN.

2247. Chaudhri Afzal Haq : (a) Is it a fact that some of the lands of village Naloian near Hoshiarpur have been flooded by chos this year and the crops have been damaged ?

(b) Is it a fact that the lands of this village have been washed away by chos some time before ?

(c) If so, will the Government be pleased to say what they intend to do by way of relief to the owners of the lands and prevention of the damage in future ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
(a) Yes.

(b) Yes, to some extent.

(c) Government do not consider special measures necessary. But it is proposed to give ordinary relief by the remission of land revenue on the lands actually washed away.

EXPENDITURE ON THE MAINTENANCE OF LAW AND ORDER.

2248. Chaudhri Afzal Haq : (a) Is it a fact that nearly 40 per cent. of the revenues of the province is being spent for the maintenance of law and order?

(b) Will the Government be pleased to state whether they intend to cut down this percentage?

(c) If so, will the Government please state—

(i) whether they propose to revise their policy with regard to the Congress, Khilafat and Gurdwara movements; and

(ii) whether it is proposed to take steps to get the Arms Act repealed?

(d) If the Government does not propose to reduce this expenditure on the maintenance of law and order by the methods referred to in (c) above how else does the Government propose to curtail this expenditure?

The Honourable Sir John Maynard : (a) No. The estimated total Revenue Receipts for the current year exceed Rs 10½ crores; the allocation for Civil Administration (which includes other services besides the Administration of Justice, Jails and Police) is slightly over Rs. 3 crores.

(b) No demands are made with regard both to administrative necessities and to financial economy. The state of crime and the strength of establishments do not justify a reduction in expenditure.

(c) and (d) do not arise.

NOMINATION OF MUHAMMADANS TO KARTARPUR MUNICIPALITY.

2249. Chaudhri Afzal Haq : With reference to the answer to question No. 2010,* put on the 6th July 1925, will the Government be pleased to say why no Muhammadans were nominated to the Kartarpur municipality?

Mr. J. G. Beazley : When the appointments were made no suitable Muslim candidate was forthcoming.

CORRUPTION IN THE PROVINCE.

2250. Chaudhri Afzal Haq : With reference to the answer to my question No. 2007,† put on the 6th July 1925, will the Government be pleased to say when they are going to assemble a committee of officials and non-officials to advise Government on the subject of corruption?

*Page 1195 ante.

†Page 1194 ante.

The Honourable Sir John Maynard: A committee consisting of Mr. Lumsden, lately a Judge of the High Court, Mr. Cocks, lately Inspector-General of Police, and a non-official, will meet about the beginning of January. Mr. Cocks is already engaged with the assistance of L. Gaure Dayal, Deputy Superintendent of Police, in collecting materials and it is hoped that Mr. Lumsden will join the Committee after the Christmas vacation. The terms of reference to the Committee are :—

- (1) To consider the existing police establishments of each district and of the railway police and to report if they are sufficient for the duties they are called upon to perform. To make proposals for increase or reduction where such appear necessary or feasible.
- (2) To make suggestions regarding possible reductions in the duties now allotted to the Police, *e.g.*, in service of processes, escorts over treasure, etc.
- (3) To examine the question of the protection afforded in towns and cantonments where police are now employed, and to make any recommendations that seem called for in reference to the substitution of police for town-watchmen in other towns.
- (4) To consider the adequacy of the ordinary 15 per cent. reserve and to ascertain if it suffices to provide for ordinary casualties due to leave, sickness, vacancies, etc.
- (5) To examine and report regarding means for improving the efficiency and integrity of the Police force.

WATER-SUPPLY IN HOSHIARPUR AND JULLUNDUR DISTRICTS.

2251. Chaudhri Afzal Haq: With reference to the answer to my question No. 1789,* asked on 5th May 1925, regarding the water supply in Hoshiarpur and Jullundur districts :

- (a) Will the Government be pleased to say whether they have since received any suggestions from the district officers or have devised any workable scheme?
- (b) If so, will the Government be pleased to lay it on the table?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The enquiries so far made, based on information supplied by district officers, suggest that there has not been any diminution of the supply in wells of the Hoshiarpur District, but there has been a considerable diminution which continues in the Jullundur District. Dr. Wilsdon, who has been responsible for the enquiry, is of opinion that the diminution in the Jullundur District is due to excessive irrigation from wells, and the remedy would seem to be to forbid the excavation of any more wells in that district. A copy of Dr. Wilsdon's note on the Jullundur District is laid on the table.

HYDRO-ELECTRIC SCHEME AND ZAMINDARS OF THE HOSHIARPUR DISTRICT.

2252. Chaudhri Afzal Haq: (a) Will the Government be pleased to say whether the zamindars of the Hoshiarpur District will be benefited by the Mandi Hydro-Electric Scheme?

[Ch. Afzal Haq.]

(b) If not, will the Government be pleased to say whether they are now considering the advisability of so preparing the scheme that the zamindars may get electricity for their agricultural purposes?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) The Zamindars of the Hoshiarpur District will not benefit by the Mandi Hydro-Electric Scheme as the transmission line does not traverse the district.

(b) Arrangements could be made to provide a branch line to the district if the Zamindars in question would give an assurance that a sufficient demand for power will exist to justify the construction of such a branch line. At present the demand in this district is negligible.

PROVINCIAL SERVICE MEN OF THE FOREST DEPARTMENT.

2253. Chaudhri Afzal Haq : Will the Government be pleased to lay on the table a statement showing the names and the number of all the Provincial Service men of the Forest Department with their respective term of service, their educational qualifications, their grade and pay and also whether they are agriculturists?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The honourable member is referred to pages 87 to 87-b of Punjab Quarterly Civil List. Of the 34 officers in the Provincial Forest Service whose names will be found there, 16 are agriculturists.

NEWSPAPER AND GOVERNMENT ADVERTISEMENTS.

2254. Chaudhri Afzal Haq : (a) With reference to the answer to my question No. 2002,* put on 6th July 1925, and the supplementary questions and their answers, will the Government be pleased to say if they are aware of the fact that *Bombay Chronicle*, which is particularly virulent in attacking the Government, gets Government advertisements?

(b) Are the Government also aware that *Comrade* and *Handard* of Delhi are not excepted in the matter of Government advertisements?

(c) If so, will the Government be pleased to say whether they now propose to reconsider their decision in the matter of giving Government advertisements to *Zamindar*, *Siyasat* and *Bande Matram*?

The Honourable Sir John Maynard : (a) and (b) relate to matters which are not the concern of the Government of the Punjab.

(c) Does not arise.

FOREIGN CAPITAL INVESTED IN THE PUNJAB.

2255. Chaudhri Afzal Haq : Will the Government be pleased to state whether they have got information as to the amount of foreign capital invested in this Province, and if not, whether they will now get this information?

The Honourable Sir John Maynard : The attention of the honourable member is invited to paragraph 8 of the Report of the External Capital Committee, 1925. Government agrees with the Committee that no practical purpose would be served by attempting to get the information.

MINING INDUSTRY IN THE PUNJAB.

2256. Chaudhri Afzal Haq : Will the Government be pleased to lay on the table a list of those places in the Province where metallic ores, coal, minerals or other ingredients are being dug from earth or from mountain, also stating whether the capitalists who have invested their money in these works are Indians or foreigners ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The list asked for is laid on the table. The Khewra and Ka'abagh Salt Mines (Nos. 20 and 26) belong to Government. The other mines, quarries, etc., are being worked by Indian firms with the exception of No. 24 (in which one European is partner) and Nos. 39 and 40, Nos. 29 and 33—36 are worked by Companies ; Government has no information as to the share-holders of these companies.

Serial No.	Name of Mine.	Postal address of Mine.
1	Nos. 1 and 2, South Chittidand Colliery.	Branch Office Chittidand, District Jhelum.
2	Nos. 1 (west) and 4 (south) of Chittidand Colliery.	Ditto.
3	Dandot Colliery ...	Branch Office Dandot, Jhelum District.
4	Ghambrala Colliery ...	Ditto.
5	Ara Colliery ...	Post Office Ara, Jhelum District.
6	Mines Nos. 7½ and 13½ ...	Ditto.
7	Mines Nos. 2, 2½, 3½, 4½, 7, 9 and 18.	Ditto.
8	Mines Nos. 2, 3, 3½, 4 and 5, Ghandala Colliery.	Ditto.
9	Chohanwala Colliery ...	Ditto.
10	No. 2, Chittipich ...	Ditto.
11	No. 1, Rajun ...	Post Office Choa Saidan Shah, Jhelum District.
12	No. 1, Dhair Manhiala ...	Manhiala Post Office Choa S., Jhelum District.
13	No. 1, Diwan ...	Post Office Choa Saidan Shah, Jhelum District.
14	No. 1, Choa Ganj Ali Shah ...	Choa Ganj Ali Shah, Post Office Salai, Tahsil Pind Dadan Khan, Jhelum District.
15	No. 1, North Colliery, Ratucha ..	Post Office Choa Saidan Shah, Jhelum District.
16	No. 2, North and No. 3, North Ratucha Colliery.	Ditto.

[Hon'ble S. B. S. Suadar Singh, Majithia.]

Serial No.	Name of Mine.	Postal address of Mine.
17	Chaniala Colliery ...	Salai Post Office, Jhelum District.
18	No. 2, South Krishna Colliery...	Dandot, Jhelum District.
19	Sharulat Wahali ...	Wahali, Jhelum District.
20	Khewra Salt Mines ...	Khewra Post Office, Jhelum District.
21	Tajuwala Nos. 2 and 4, and Jhakar Kot.	Dhak, North-Western Railway, Shahpur District.
22	Behot Colliery, Nos. 1 (south), 1 (west), 1 (east).	Padhrar, Shahpur District.
23	Warcha ...	Post Office Warcha, Shahpur District.
24	Lumshiwal Maclagan ...	Sultan Khel, Post Office Trag, Mianwali District.
25	Southern Lumshiwal ...	Trag, Mianwali District.
26	Kalabagh Salt Mines ...	Post Office Kalabagh, Mianwali District.
27	Limestone and Kankar Mine ...	Berampore, Hoshiarpur District.
28	Kathlag Slate Quarry ...	Dalhousie, Gurdaspur District.
29	Naguni and Thatri ...	Khunyara Post Office, Kangra District.
30	Khetal and Nand ...	Sidhbari Post Office, Kangra District.
31	Bhagsu Nath ...	Upper Dharamsala, Kangra District.
32	Manchti Slate Mine ...	Post Office Kund, Gurgaon District.
33	Rewari Slate Co. Kund Mine I	Kund, Gurgaon District.
34	Rewari Slate Co. Kund Mine II	Ditto.
35	Rewari Slate Co. Manchti Mine III.	Manchti, Gurgaon District.
36	Thobia and Kikar Kund ...	Kund, Gurgaon District.
37	Padla Slate Co. ...	Ditto.
38	Imperial Slate Co. Kund Kanchni Slate Mine.	Ditto.
39	Attock Oil Co. (4 square miles)	Khaur, Tahsil Pindigheb, District Attock.
40	Attock Oil Co. (2 square miles)	Ditto.

MEETINGS OF THE STANDING COMMITTEES OF THE LEGISLATIVE COUNCIL.

2257. Chaudhri Afzal Haq : Will the Government be pleased to state —

- (a) the number of times each of the Standing Committees of the Punjab Legislative Council excepting the Finance and the Public Accounts Committees met (i) in the year 1924-25, (ii) from April 1925 to October 1925; and
- (b) the number of non-official members who attended each of the meetings?

Mr. H. D. Craik : A statement containing the information asked for by the honourable member is laid on the table.

Name of the Standing Committee.	(a).		(b).	
	(c)	(d)	Number of Non-official members who attend the meetings.	
	Number of meetings held, 1924-25.	Number of meetings held from April to October 1925.	1924-25.	April 1925 to October 1925.
Canals	2	1	6 and 8	4
Jails	2	Nil	2 and 1	Nil
Industries	1	3	1	1 and 2
Co-operative Societies ...	Nil	Nil	Nil	Nil
Excise	1	Nil	5	Nil
Local Self-Government ...	1	Nil	3	Nil
Public Health	1	Nil	5	Nil
Agriculture	Not known	3	...	1st meeting not known, 2nd 4, and 3rd, 3.
Education	1	Nil	6 (The committee was adjourned three times, i.e., it met on 4 occasions to consider the same agenda).	* Nil
Local Revenue	1	Nil	The meeting was held on two consecutive days, e.g., 18th and 19th March 1925. On the 18th four members attended and on 19th three members attended.	Nil
Police	2	Nil	8 and 3	Nil

GRANT FOR REPAIR OF ROADS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.

2258. Chaudhri Afzal Haq : (a) Will the Government be pleased to state what grant, if any, was allotted to Hoshiarpur and Ludhiana Districts for metalling the roads in the years 1923-24, 1924-25 and 1925-26 ?

(b) Is it a fact that the roads of these two districts are very often broken by the constant floods of rivers, nalas and chos ?

[Chaudhri Afzal Haq.]

(c) Will the Government please state whether they are considering the desirability of enhancing the allotment for metalling the roads of these two districts?

The Honourable Rai Sahib Chaudhri Chhotu Ram :

(a) None. But the Communications Board proposed to allot Rs. 30,000 to Hoshiarpur in 1924-25, and again in 1925-26, for improving certain Chowcrossings, and an allotment will be made as soon as fair estimates are received duly approved by proper authority.

(b) Damage by floods and torrents is naturally more pronounced in sub-montane districts.

(c) Hoshiarpur is being sub-idized by the transfer from the District Board to Government of the Hoshiarpur-Bharwain Road. It is also receiving the special grant mentioned above. No other special action is being taken in either district, both of which will benefit substantially by the recent reclassification of roads.

CONGRESS, KHILAFAT, ETC., WORKERS AND THE POLICE.

2259. Chaudhri Afzal Haq : (a) Will the Government be pleased to lay on the table the names of those Congress, Khilafat and other political and social workers whose movements are watched by the police?

(b) Is Government aware of the complaint that instead of watching their movements, police officers generally harass them and also their friends and relatives in whose places they put up?

(c) If so, what steps has the Government taken to put an end to this complaint?

The Honourable Sir John Maynard : (a) No. (b) Government has no reason to believe that any foundation exists for such complaints;

(c) Does not arise.

REPORT OF LALA BODH RAJ AND SARDAR GURBAKHSI SINGH IN REGARD TO MULTAN CENTRAL JAIL.

2260. Chaudhri Afzal Haq : Will the Government be pleased to state whether their attention has been invited to the joint report of Lala Bodh Raj and Sardar Gurbakhs Singh, M.L.Cs., who made a surprise visit to the Multan Central Jail recently?

If so, what action have the Government taken on this report?

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

ADDITIONAL SITTINGS OF THE COUNCIL.

Mr. President : As it does not appear to be possible that the official business of the Council may be finished on the 10th or the 11th, one more day, that is the 12th of this month has been allotted for official business. The Council will accordingly meet on that day also.

RESOLUTIONS.

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE
RELATIVE MERITS OF THE MADHOPUR-SUBERA AND THE MANDI
HYDRO-ELECTRIC SCHEMES.

Mr. President : The Council will now resume the discussion on the resolution re appointment of a Committee to enquire into the relative merits of the Madhopur-Subera and the Mandi Hydro-Electric Schemes.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan) Urban] : Sir, when the Council considered this question on a previous occasion I spoke on the subject and dealt with a number of points of a more or less technical character in order not to show whether one scheme as such was better than the other, but to establish as far as I could that there was a case for reconsideration. Unfortunately, the Government were not convinced of this and it became necessary for my learned friend Professor Ruchi Ram, Sahni, to bring the matter again to the notice of this House for reconsideration. Sir, it will naturally be asked whether any case has been made out for a reconsideration and I shall confine myself again to this subject only. It would not at all be necessary to go into the details of the subject this time and I shall restrict myself to show that a case for reconsideration has been made out. In the first place, one of the greatest obstacles in the way of Government adopting the view of the private syndicate was that it was not considered safe in public interests and in the interests of agriculture and other industry that such a big enterprise should be left in the hands of private individuals. Although I tried to show that it would ultimately be in the interests of industrial enterprise that private individuals should be allowed to put forward and control even such big schemes, yet it was not considered proper by most of the speakers at the time that such a big enterprise should be left to private enterprise. An important ground for review, if I may use a legal expression, has been furnished by the fact that the private syndicate express their readiness to give up all claims to whatever they have spent on developing the scheme over which they have been engaged for the last three or four years. This would clearly show that private individuals who are interested in this scheme had no axe of their own to grind. In fact, it is entirely in the interests of the province that they are now asking this question to be reconsidered. Not only are they prepared to give up any claim for compensation for what they have spent on the development of this scheme but they are prepared to withdraw altogether from the management of the scheme if the Madhopur scheme is adopted by Government. In this they are led by the purest and noblest motives and here I cannot but recall the ancient story which is connected with the name of that great King and Prophet Solomon. As you know, Sir, two mothers came to him quarrelling over a child, the one was saying that it was her child, while the other was claiming the child to be her own. King Solomon was wise and understood human nature very well. He said : " All right, there is no other way of settling this dispute. The child should be cut into two pieces and both claimants should be awarded a decree for one half of the child". Of course the false claimant rejoiced over it and said : " Yes, it is a perfect judgment ". I do not know, Sir, whether Daniel preceded Solomon or followed him but that false mother might well have exclaimed that a Daniel had come to judgment. But the real mother at once cried and said : " No, I forego my claim. Let this child go to the other claimant. It should not be cut into two pieces ".

• Professor Ruchi Ram (Sahni : But who is the Solomon in the present case ?

Dr. Gokul Chand, Narang : Yes, we have also to see that. We have to see whether there is a Solomon who will judge with the same wisdom as the great ancient Prophet did. So far as the framers of the scheme are concerned, rather than allow 18 crores of the money of this province to be wasted, they are prepared to forego all claim to the money that they have spent and they are prepared to sacrifice all the interests that they might have in this enterprise and all the profits that they may very well hope to make if it becomes a success and in addition to that they are prepared to give up their right of interference or participation in this scheme provided the Government adopts their views. This is one very important ground for review of the decision of the Government. This should be taken in connection with the fact which has not been denied, but in fact was admitted by responsible authorities that the Mandi Scheme was the only scheme considered by experts.

My honourable friend Lient.-Col. Battye in his last speech referred to some 17 experts who had considered the Mandi Scheme, but, Sir, he forgot that an *ex-parte* judgment could not be considered a judgment on merits. It is all very well to say that my horse is the best in the world when there is no other horse present but when other animals are also brought for comparison it is only then that it can reasonably and validly be decided which horse is the best. If the experts in London or in other parts of the world who were consulted had only one scheme before them and they were asked whether this scheme was feasible, whether the cost was proper and whether the scheme would be a useful one, whether the objects which the framers of the scheme had in view would be achieved by this scheme, I am quite prepared to take the statement of the Honourable Minister that they went into the question most thoroughly. Yet it does not mean that the Mandi Scheme is superior to the Madhopur Scheme, because the Madhopur Scheme was never brought to their notice. I really do not understand how it can be claimed as an absolutely superior scheme when no other scheme is placed along with it for the consideration of experts. You know the anecdote of a person who drew a line and said : " Make it shorter without cutting it". The other person simply drew a longer line than the first line and thus the first line became smaller without being touched at all. Similarly if the Madhopur Scheme was placed before the experts at London, the Mandi Scheme might have looked very small indeed. If an opportunity were given to the experts of Europe or America to consider both the schemes together, then the merits of the Madhopur Scheme would have been quite patent.

Again, Sir, this province has been kept entirely in the dark as to the details of the Mandi Scheme. We are generally apprised of the necessity of every item of expenditure in every department of Government even though the expenditure is as small an amount as Rs. 10. Even small sums find a place in the budget and we are given an opportunity to discuss every little detail. Every little item is brought to the notice of the members of this Council. But here is a scheme of nearly 12½ crores which is hatched and developed and lakhs are spent in taking advice and a further sum of Rs. 50,000, as was said yesterday by the Honourable Minister for Agriculture is spent on the preliminaries of the scheme without the province being taken into confidence at all. All that we know about the scheme is that which we learnt from the speech of Lient.-Col. Battye or from the pamphlet which was circulated on the last occasion perhaps as a counter blast to the one-

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which was circulated by the protagonists of the Madhopur Scheme. Such a thing would not be tolerated in other countries. The country's purse would not be exploited in any free country in such a cold blooded manner without taking the people into confidence. I think, Sir, we are supposed to be the guardians of the public purse and to this limited extent, we have every right to demand that we should at least be given a hearing before a large sum of money is spent. We have every right to demand that 1 ½ crores of public money should not be spent on a scheme unless the people are satisfied through those whom they trust and in whose capacity to give sound advice they believe and that the people of this country should not be deprived of 12½ crores of hard earned money. This is another ground for reconsideration. It might be said that this was present even then, but the Government was quiet as the sphinx even on the last occasion as it is now. Although the Government was quiet then and was sitting tight over its own secret and details of the scheme on the previous occasion, we expected that Government, not in any formal manner, not in this Council, not in the form of a blue book or white paper but at least informally would take some people competent to give advice into their confidence. I appeal to the Honourable the Minister of Agriculture whether he considers himself justified in allowing such a large sum of money being spent without taking into confidence the people who claim that they are experts in this matter and that they have given three or four years of serious thought to this question. They have prepared scores and scores of charts and estimates for plotting various sorts of things (not as plotters do but as Engineers do) and yet the Government does not think it worth its while even to give them an opportunity to lay the other side of the case before them. Compare with this, or rather contrast with this the facility that the Government has. Every time an official can walk into this Council, just as he walks into his own drawing room. A man is asked to make room for an expert whenever the advice of an expert is required. One man goes out and the other walks in. I wish His Excellency the Governor had the power to bring in with the same facility experts who are not in the service of the Government. Now, for instance, how much more useful would it have been if when Lieutenant-Colonel Battye sits there, my friend Rai Bahadur Ralla Ram, had been in my place to have a talk with him and discuss the matter with him as an expert with another expert? We, retired professors of Physics or Chemistry, or lawyers or some others, graduates in philosophy or in economics or in some other subjects, are called upon to measure swords with people who have been all their lives in this special business. That seems to be extremely unfair and if the rules do not allow that non-official experts should be brought into this Council with the same facility and ease as the official ones could be brought in, then it is all the more incumbent on the authorities to give informal opportunities to non-official experts to have their say and to have a thorough discussion with the official experts on this subject. In fact, I would ask the Government, I would ask the Honourable the Minister for Agriculture and I would ask through you, Sir, through this House and through the Honourable the Minister, His Excellency the Governor to call an informal meeting, if not a formal one, of the official experts and non-official experts and ask them to discuss the whole question in his presence (Hear, hear). I can assure you, Sir, that not being an expert would not be sufficient excuse to rule out such a discussion. I can tell you, Sir, from my own experience that after an hour's discussion or two hours discussion, I could understand so much of the case of the other side as to be convinced that they had an arguable

[Dr. Gokul Chand, Narang.]

case. We may not be able to judge of the intricate technical questions but any man with average intelligence, not to speak of such able men as the Honourable Ministers of Government are supposed to be, will be able to say whether there is an arguable case for the other side or not. If experts are called and if the Honourable Minister or if His Excellency presides over that meeting, I am sure both His Excellency and the Honourable Minister will be convinced that the other side has a case and that they will be able to pass a judgment on the relative merits of both schemes. Now, Sir, here is a responsible man, a man whom this very Government, I mean the Government that rules this country, had appointed Chief Engineer of State Railways who had many executive engineers and superintending engineers, all probably men of the same status as those who are now in charge of this scheme, under him. If such a man writes a pamphlet as he has done and challenges the Government to discuss the matter with him and to show him that he is in the wrong and who claims that he can show to the Government that they are in the wrong, if such a man throws out this challenge, it is in the fitness of things that that challenge should be accepted. If the Government shirks that challenge and refuses to accept it, then certainly we shall draw our own conclusions. We know, Sir, that there is such a thing as prestige and the Government has sacrificed many a principle for the preservation of that prestige, but I think that since some years, more light is dawning on the Government and that it has come to realise that a little sacrifice of a little prestige is sometimes very useful and in this case, I think my honourable friend Lieutenant-Colonel Battye would not insist so much upon his prestige or the prestige of the Government estimates if he is asked to take these non-official experts into confidence and discuss the whole case before the Honourable Minister.

I may submit, Sir, that entertaining any idea that these people have got any selfish motives behind their scheme or behind the backs of their minds, would be doing a grave injustice to these people. I happen to know personally Rai Bahadur Ralla Ram—perhaps it would be necessary for me to say that he has not approached me in this connection and not a word has passed between us—and I know that he is one of the most honourable men that you could ever hope to meet in this Province or anywhere else. If there is any idea that any of these people have any selfish motives behind the scheme, that idea ought to be given up. The very fact that they in this pamphlet declared in such an unequivocal manner that they are prepared to withdraw provided the Government adopts this scheme would show that they have no sordid motives in their minds for hatching the scheme that they have developed. I would not go into the details and I have not done so, but even if you go into the details, I can say that you will find that Colonel Battye's speech is sometimes full of exaggerations and sometimes it is full of *suppressio veri suggestio falsi*, sometimes one side of the case is given, sometimes wrong comparisons are instituted. I do not want to go into the details of everything he has said, but these remarks would apply to more of the arguments that he addressed to this House. Yesterday we had the pleasure of hearing the honourable member Mr. Sangster, the Chief Engineer for Irrigation in this Province. I do not mean any disrespect to him when I say that after hearing his speech made even after my request to him that he should explain definitely and more clearly the point which he tried to make in his speech, he hopelessly failed to convince any member on this side so far as I am aware. In fact, we felt surprised that such an expert as the Chief Engineer of Irrigation of a Province, had so very little to say against

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the Madhopur Scheme, and that the proposition that he had laid down was so weak and that he had so hopelessly failed to substantiate his point. The only point that he took up was that it would interfere with agriculture. I asked him how it would interfere with agriculture, and the only reply that he could give was that there would be silting or rather he had a suspicion that there might be silting. Sir, there is a proverb in the Punjab which would fitly apply to this case but it would not be very proper to quote it. People who build houses also build doors, people who roof their buildings also keep parnalas and people who can build diurnal storage tanks would also know how to build them so as to prevent silting up. In my last speech, if Mr. Sangster would care to look into it, I made it clear that there is a formula for building these channels and these storage tanks and for regulating the speed of the current of water which would prevent all siltage and even if a certain amount of silt does accumulate it would not accumulate in a day, it would not accumulate in a week, not even in months and even in years, and means can be devised to obviate that difficulty. If that is the only argument that Mr. Sangster and Col. Battye had to urge against the Madhopur Scheme, my submission is that they have nothing substantial against the Madhopur Scheme.

With these words, I would again ask the members of Government to revise their decision and to give an opportunity to non-official experts to lay their case before them. Why should they fight shy of them? One more argument was urged and I cannot close my speech without referring to it and I am glad I have remembered it. Colonel Battye said in his last speech and he hinted at it yesterday when you put him a question as to how much money Government had already spent, that if the scheme is delayed for another six months the Province will have spent another 10 lakhs. And how is that 10 lakhs to be made up? It is going to be made up in the way in which Colonel Battye made up his 10 or 5 lakhs. It was in this way. The Lahore Electric Supply Company had purchased engines and other machinery worth four or five lakhs, at Jullundur some electrical machinery has been bought for so much, in some other places so much money has been spent on machinery. All that has been wasted. That is how that ten lakhs has been wasted. What Colonel Battye obviously had in view, if this consideration was delayed for another six months, was this, that other people might buy electric machinery. But even assuming that all these estimates are correct, may I ask Colonel Battye and the Honourable Rai Sabir Chaudhri Chhotu Ram whether it would really take six months? I think, Sir, the matter is not such as to take six months for revision or reconsideration. All that we require is that those non-official members who want to advise Government on this point should assemble on such and such a day and discuss the matter with the official experts. The thing should not take more than six weeks. The matter may be discussed for two days or one week and the whole thing can be settled in a fortnight's time or twenty days and at the outside within a month, and I do not think that any disaster would befall this Province if the scheme is delayed by a fortnight or by a month. If at that discussion Government is not convinced, then of course nobody will blame Government. We shall blame our experts for failing to convince the authorities and we shall have also satisfied our conscience. Colonel Battye said that he had thought that after the scheme was launched he would sleep a dreamless sleep. We shall also sleep the sleep of the righteous and the virtuous after this round table conference has been held. We shall be only instrumental in bringing them together. We are not interested in the decision on the merits. If both

[Dr. Gokul Chand, Narang]

of them are convinced that the Mandi Scheme is the best we shall be pleased, if they are both convinced that the Madhopur scheme is the best, we shall be pleased. But we insist with all the emphasis at our command that non-official advice ought to be taken by Government. The challenge that has been thrown to Government ought to be accepted and an opportunity ought to be given to non-official experts to meet the official experts, and until that has been done not a pie of the public money should be spent on this scheme.

Sayad Muhammad Hussain [Montgomery (Muhammadan); Rural]: Sir, really it is a matter of great satisfaction to me to see that people are alive to the industrial development of their Province. The Hydro-electric Scheme will be as vital to our Province as irrigation has been and will be in the future. I do not claim that technical knowledge which my friends have, but I know something about the hydro electric plant. The first of its kind has been planted in my own place Renala Khurd. I am a good deal concerned in that. All my property is irrigated by that plant. This plant combines to serve in itself both the interests of the industries and of irrigation. Supposing we come to the conclusion that the Madhopur Scheme is a better scheme, then as has been said by my friend the Chief Engineer all the vital interests both of the industrial public and the agricultural public will clash. Suppose there is a diurnal storage by which I mean that the working of the hydro-electric plant at Madhopur will be stopped during nights as much power will not be required during the night. Now in order to stop it during the nights we shall have to make two reaches, one in the front of the plant and the other at the back. If we do not want to get hydro-electric plant in motion in the night time we shall require to store the water in one reach and *vice versa*, and for the purpose of giving diurnal rotation to the canal we shall have to keep the reach on the back of a storage. Every zamindar knows that the Ravi contains more silt than any other river

Professor Ruchi Ram, Sahni: Where? At the source or here?

Sayad Muhammad Husain: At its source also.

Then, Sir, you see that in the rainy season when the floods come in, if I am wrong I hope the expert members of this House will correct me, in the rainy season in summer when the floods come in, the silt comes from the beginning. Not only does silt come, but sometimes sand also. Sand also may come and stop the free and perennial flow of the canal. If this happens even twice a year, we will have to stop the flow of canal for the purpose of removing the silt and this will cause trouble. Sir, I may tell you that the breach in the Upper Chenab Canal for a single day near Gujranwala cost the zamindars several lakhs of rupees. (A voice: What has that got to do with the present schemes?) Yes, it has got everything to do. If the canals are silted up and the drafter which is proposed as a remedy gets out of order, the result is obvious, *viz.*, the stoppage of water for irrigation for some time and consequent loss. My second reason is that the Upper Bari Doab Canal which waters the area whose interests Mian Shah Nawaz represents and where the scarcity of water is keenly felt commands two million acres of land and already the people are anxious that the water which they get is less than the areas commanded by other canals, and consequently stoppage will be detrimental to this.

Professor Ruchi Ram, Sahni: Will the honourable member kindly explain how water is going to be used up? The water after being used for

turning the turbines will be passed into canals. The amount of water that will be allowed into the canal will be always the same.

Sayad Muhammad Husain : In putting the turbine in motion water will have to be stopped for diurnal discharges. In the process of stopping silt will settle down which will involve the closure of the canal for the purpose of clearing up the silt. That is my idea. If the honourable member Professor Ruchi Ram were to go to Renala, I shall be able to explain my point by showing him what takes place there.

Professor Ruchi Ram, Sahni : Have I not been there ?

Sayad Muhammad Husain : The honourable member has not quite realised the silt that settles down there. He, probably, does not know that they require pure and fresh water without any silt to go into the plant in order that it may be in working order. If he went to Renala he went to enjoy and not to see the working of the plant.

This is my objection, Sir. Of course this objection can be overcome if the authorities say that there will be no trouble so far and that there will be no closure of the canal. If any enquiry is to be held on the relative merit of the schemes it should first of all examine this point and the objection of the zamindars must be gone into by the committee first and foremost.

Professor Ruchi Ram Sahni : Quite so.

Sayad Muhammad Husain : Now as regards the financial point of view, I would like to say that all the hydro-electric schemes have been under the consideration of Government and of this Council and not only of this Council but of the preceding Councils. Several times when the Finance Committee met this matter was fully discussed, the various schemes were investigated at the expense of several lakhs of rupees. It was only after the whole survey was made, in fact, if I exactly remember, the Nangal project was first considered and in the course of the examination it was thought that the Mandi Scheme would be more paying, because more power would be generated which would be to the interests of the taxpayers and of the Government. Government have very carefully examined the various schemes and projects and have finally entered upon this scheme. If Col. Battye were to discuss this matter for one day with Mr. Ralla Ram, I don't think any trouble will arise. I think they both can agree to a discussion and meanwhile the work can go on uninterrupted.

Lt.-Col. B. C. Battye : I have tried on several occasions to discuss with him, but he has not so far agreed.

Dr. Gokul Chand, Narang : Did you send him a message ? Let a message go from the Honourable Minister. Let it be discussed in the presence of the Minister.

Sayad Muhammad Husain : If the Honourable Minister for Agriculture were to invite Mr. Ralla Ram for discussing the scheme with Col. Battye for a day or two and if he cannot convince Col. Battye about the feasibility economically and otherwise of the Madhopur Scheme the present scheme may continue. If it is possible to arrange like that, I do not see any objection. But I wish to draw the attention of Col. Battye and every other member of this House that in any examination the interests

[Sayad Muhammad Husain.]

of the zamindar public must be the primary consideration and full consideration must be given to the fact that no interruption could possibly take place in the flow of the Upper Bari Doab Canal. (A voice: Most certainly). This must be the foremost thought in any examination of the scheme. Irrigation must be the first and most vital consideration and the supply of power for industrial purposes though equally vital must come in only next. With these words, I hope the honourable member will have no objection to withdraw the resolution after hearing from the Honourable Minister that he will have no objection to the joint deliberation of Col. Battye and Mr. Ralla Ram.

Chardhri Afzal Haq : Sir I beg to move—

"That the question be now put."

Professor Ruchi Ram, Sahni : We should like to hear what Col. Battye has got to say.

Dr. Gokul Chand Narang : It won't be necessary if the Honourable Minister agrees to the proposal.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, Col. Battye will speak on the technical points that have been raised by Professor Ruchi Ram Sahni and he will also reply to the debate generally. I just want to make clear a few points which have been raised by the various speakers. Dr. Gokul Chand, Narang, has stated that a very good case for reconsideration has been made out by the fact that the Subera Syndicate have offered to forego all claims by way of compensation for whatever money they may have spent on the development of their project. I beg to submit, Sir, that the Syndicate had never had any claim against anybody. Government never asked them to develop the scheme nor to prepare the project. No private company has any right or any power to start any hydro-electric work till after they have obtained a licence from Government. Government never gave them any licence and so there is no question of any claim arising against Government in favour of any private company which may have done anything on their own account. I also wish the House to understand that there is absolutely nothing to prevent Government from undertaking the Madhopur Scheme if it were technically sound and financially profitable. Government is ever ready to give up any scheme and take up another just as it did in the case of the Nangal Scheme. It can do the same thing in the case of the Mandi Scheme. But after making a very thorough examination of the Mandi Scheme, Nangal Scheme and the Madhopur Scheme, Government has come to the conclusion that the only scheme which is best financially and technically is the Mandi Scheme (Hear, hear).

Dr. Gokul Chand has also misinformed the House on the point that the relative merits of the two schemes, namely the Mandi Scheme and the Madhopur Scheme, were never compared.

Dr. Gokul Chand, Narang : By English experts, that is what I said.

The Honourable Rai Sahib Chaudhri Chhotu Ram : I don't remember whether the doctor sahib qualified his statement by saying that.

Professor Ruchi Ram, Sahni : It was definitely said that the schemes were not examined by English or American experts.

The Honourable Rai Sahib Chandhri Chhotu Ram: Anyhow, it does not matter. In the first quarter of this year, I appointed a committee, a very representative committee, of this House drawing members from every section of this House and had the question discussed by them. As all the members were laymen they made over the consideration of these two schemes to a committee of experts. That committee of experts consisted of Sir Frederic Gebbie, the Consulting Engineer with the Government of India, a representative of a Norwegian firm of Electrical Engineers to whom the Subera Syndicate proposed to give their custom and who was a foreigner, and the third, Captain Whittakar, the Principal of the Mechanical and Electrical Engineering College, Mughalpura. These three gentlemen considered the two schemes side by side and gave the fullest possible opportunity to Mr. Sharma who is the sponsor of the rival scheme to explain his own scheme and then came to the definite conclusion that the Madhopur Scheme was technically unsound. In the face of the conclusions arrived at by this committee I do not think it is at all fair to say that the merits of the two schemes were not considered side by side. The two schemes were considered and every opportunity was given to the representatives of the Madhopur Scheme. That committee submitted its report to the committee of this House and made a recommendation in favour of the Mandi Scheme being undertaken at once without any delay.

In order to convince the House that the Mandi Scheme has been thoroughly scrutinised by a number of committees, I will just enumerate the examinations which this scheme has undergone. (1) it was examined by the Geological Department, (2) it was twice examined by the Meteorological Department, once only recently, (3) it was examined by a committee of two hydraulic and civil engineers, (4) the Kangra Valley Tramway project in connection with the scheme was also examined by another committee of expert engineers, (5) the revenue and financial aspects of the scheme were examined by the Managing Director of the Cawnpore Electric Supply Company, the Chief Electrical Engineer of the Mysore Darbar and the Director of Industries, Punjab, (6) the scheme as a whole was examined by Messrs. Marz and McLellan of England and (7) then jointly by the firm of Sir Alexander Gebbie and Partners, (8) it was also examined on many occasions by our Finance Department, (9) it was then again examined by a representative committee of this House to which I have already alluded (10) again it was examined by a committee of experts to which I made reference just now, (11) & (12) it was only after the report of these committees and after this House had voted money for the Mandi Scheme, that I had this scheme examined over again on two points, on the question of discharges and on the question of a dam. This makes the number of examinations through which this scheme has passed a full dozen. What further examination is really required? Is the House really satisfied that another enquiry is needed? I beg to submit that this curiosity for having an expert committee will only delay things and will cost us a good deal of money and precious time. If I had really any doubt as to the soundness of the Mandi Scheme or as to its superiority over the Madhopur Scheme, I would not have allowed any considerations of dignity or prestige to stand in the way of another enquiry. But I am satisfied on the strength of the reports that have been made from time to time by various committees that really speaking no further inquiry is needed.

[Hon'ble R. S. Ch. Chhotu Ram.]

Then, Sir, on the question of its interference with Irrigation, I should also like to say a few words. Some of my honourable friends have not understood or appreciated the very great likelihood—to me it seems almost a certainty—of the interference of the Madhopur Scheme with irrigation. Anybody who has had anything to do with lands and irrigation understands the working of canals well enough. In the rainy season when we do not require water and when the water is charged with a very high proportion of mud and silt, canals are closed and the necessary repairs are made. Now the Madhopur Scheme depends for the generation of power on daily supply of water. This necessitates that water must be constantly flowing in the bed of our canals every day. Obviously if a power station were to be located at Madhopur, the result would be that we shall not be able to close our canals if we want to make any necessary repairs

Professor Buchi Ram, Sahni : No, there are arrangements for allowing the water to pass into the river when it is not wanted.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Perhaps the Professor does not know that these escape channels go back again to the bed of the same canal. Now, I beg to submit, Sir, that if on account of the power station being located at Madhopur we are prevented from closing our canals from time to time to make the necessary repairs or to prevent the bed of the canal being silted up, there will be a very serious danger of interference with irrigation. If a conflict of interests between the factory owners who will depend for the working of their factories on a constant supply of power and the interests of irrigation which will demand occasional closures of canals, arises, I know which set of interests will have to go to the wall. The factory owners will have a powerful press at their back and they will be very vocal. The interest of irrigation and of irrigators, namely the poor zamindars who have no press behind their back and are practically voiceless, in case of a conflict of interests arising, as I see very clearly that it will, will suffer without any doubt. I refuse to believe that this House will ever agree to any scheme which will cause any danger of interference with irrigation and thus imperil the agricultural prosperity of the zamindars (Hear, hear).

Sayad Muhammad Husain : I move :—

" That the question be now put."

Mr. President : The mover of the resolution will reply to the discussion and then the Government side will give a general reply.

Professor Buchi Ram, Sahni (Punjab University) : Sir, there is one thing which has disappointed me very much in the course of this debate, that is, systematic attempts which have been made by high members of the Government to import prejudice and passion into its discussion. The honourable member Mr. Sangster and the Honourable Minister for Agriculture have both tried to appeal to passion and built the whole structure of their argument on passion and prejudice alone. One gentleman says, and he said the same thing also in his private canvassing, some of which I happen to overhear at a party, in plain words to his colleagues in this Council : if you sanction the Madhopur scheme, irrigation will suffer and you will get not a drop of water. The Honourable Minister for Agriculture, again, raises the old, old cry, the only cry that he can raise, of the industrialists pitted against the agriculturists. Well, Sir, this cry was raised on the last occasion also in March or April, when this debate took place and I then said that we would not object if it could be made a rule that the agriculturists should

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have the first choice of current. Not only that, but when the consumers of the current for lift irrigation and various other purposes of an agricultural description want water, provided they took a certain fixed amount of current, they should be charged five per cent. less than the rate charged from industrialists. I hold no brief for the industrialists or for any other class of men. All that I am concerned with is that, first and foremost, all the people of the province should equally profit by any scheme which is put forward. If it is necessary, I can make it a part of my resolution on the present occasion, or on a subsequent occasion, that the agriculturists, provided they take "bulk" current or "mass" current, shall be charged a certain percentage less than the industrialists, and that they shall have a prior right to the use of the current. As for the other objections, I would only say they concern technical matters, why not then go to other properly qualified people and consult them? Here is a gentleman of the standing of Rai Bahadur Ralla Ram who has expressed his opinion in black and white about this problem of diurnal storage which has been so much talked about in this Council. He says most definitely—he does not make an *ex cathedra* statement as has been done by the honourable member Mr. Sangster but he goes into the reasons and the arguments for it. He says on page 24 of his pamphlet:—

"It is not quite clear, how it has been apprehended that the supply will be stopped intermittently for 12 hours every day. Diurnal storage has been arranged for, both above and below each power station. The lower one is designed to keep an uninterrupted uniform supply into the canal. The assertion that supply will be stopped intermittently for 12 hours a day is apparently based on the mis-conception that only one reservoir is provided upstream of the power house, or that the water is actually consumed in a power station, which of course is not the case."

Then he goes on:—

"As regards the silting up of the canal, it should not be forgotten that it is not at all necessary to completely close off the supply at any time. Only a portion of the supply is intended to be headed up for a few hours for the purpose of providing the storage needed; thus there will be no stagnant water at any time."

Well, Sir, when a gentleman of the standing, position and experience of Rai Bahadur Ralla Ram comes forward and says what he has said in this pamphlet on this as well as on other points, I do not see how any one can have the hardihood to deny a proper enquiry into this matter on the question of diurnal storage, or any other question that might be raised. No one has said a word about the silting up of the dam provided for in the Mandi Scheme and the land slide which might take place during an earthquake. I gave a reference to the case of a dam in America. Here is the reference to one case which might usefully be cited. This was also in America. A dam was built up like the one which is now proposed to be built at Mandi, a high dam and it gave way and led to a great disaster, killing a very large number of persons and causing serious loss and damage in various other ways. The whole position was examined afterwards by a committee of four engineers. This is what they say: I am reading from page 146 of *Engineering News Record*, dated 22nd January 1925:—

"Briefly they report that the planning was in competent hands and was carried out ably and conscientiously that the work was not

[Prof. Ruchi Ram, Sahni.]

done unlawfully, but on proper verbal authorisation of the Government (written authorisation being delayed by red-tape);

just as it is delayed in our own Government; they can find such consolation as they may that there are other Governments than their own also which suffer from the evils of red-tape.

" that the contractors were competent; that the materials were good; that the preparation of the foundation was thorough and satisfactory; that the hydraulic lime, the cement and sand used were excellent; that the workmanship was good; and finally, that thorough and competent technical supervision was provided throughout the work in addition to repeated inspection by the technical authorities of the Government. "

Now, that being so, the dam gave way. I put it to Government, whether a dam so high as the one which it is proposed to build at Mandi—something like 25 per cent. higher than the Qutab Minar at Delhi—a dam so high as that, whether there is not a chance of such a huge wall sliding down under certain circumstances, specially when we remember that this locality is situated at an altitude of 6,000 feet and in the earthquake zone. That is the question. The Geological Department may say anything they like, but the commonsense point of view would be that it will be a very serious matter to take a risk of that kind. They cannot contradict a commonsense statement of that sort. Then, again, Sir, I do not know if I am expected to reply to all the experts. There are so many experts here. The honourable member Lieutenant Sikandar Hayat Khan pointed to the miscalculations, or the so-called miscalculations, which he has discovered in this pamphlet. There are four schemes compared there. Now, the load factor let me tell him, of these four schemes or any schemes can be compared one with the other under similar conditions only, and therefore, in order that the comparison should be a legitimate comparison, it is necessary, to reduce the conditions to a common denominator. The load factor of each one of these was taken to be at the maximum figure, *vis.*, 100. If that is done, then alone the schemes can be compared with one another. Not one scheme was taken like that, but all the schemes were taken under the same conditions, and thus it was shown what their respective capacity really was; because, as I have already said, it is in this manner only that various schemes can be compared with one another.

There are other matters also of the same kind, but it will take me too much time to go into all of them. Not a word has been said about the temperature. It is a very serious matter as the whole present discussion arose out of my memorandum on minimum temperatures. I have not had time yet to refer to this memorandum. When I was at Simla last May, I went into the question of minimum temperatures as affecting the Mandi Schemes, as I told the Council yesterday, and I discovered some very serious things. I discovered for instance that in all these 22 previous years that is previous to last three years, on an average, in sixteen years out of the twenty-two, at the various observing stations, the minimum temperature had been very much below the minimum temperature which had been recorded during the past three years. We were told by the honourable member Mr. Sangster that the minima for the last twenty years had been recorded. I wanted to know where these records of the last twenty years were and what was their worth. I have examined all the recorded observations for the

last twenty-five years for thirteen stations. I tabulated them and I sent a copy to Colonel Battye with a copy of my memorandum discussing the whole question of temperature. It was then that Colonel Battye was prepared to have any informal discussion with me, Rai Bahadur Ralla Ram, Sir Ganga Ram and one or two others. It was out of these conversations that the idea of an informal committee arose. I wrote to Colonel Battye twice or thrice when this informal meeting was coming off. I had no mind to refer to this, but I could not get any assurance as to when the committee was coming off or whether it was coming off at all. When I returned from Simla I waited here for three weeks in order to attend this conference if it was coming off at all but it did not. It was not because of any fault on our side that the informal conference has not been held. If it is held now, so much the better. I understand Colonel Battye has agreed to an informal conference being held as soon as this Council is over. That will be all right, but what I want to know is, what will be the value of this conference. It should be put on some kind of definite basis. The Council might authorise the holding of the conference. The proceedings should be properly recorded, and, if necessary, a larger number of men may be called. Anyway, Sir, that is the position. I do not see any reason whatsoever why Government should shirk proper investigation of this question. I do not mean the kind of investigation to which the Honourable Chaudhri Chhotu Ram referred—in sending a letter for example to the Geological Department and getting their opinion whether Madhopur is as liable to earthquakes as Mandi and calling it investigation. What will be the result of an earthquake to the high dam and works at Mandi as compared with the same earthquake to the installation at Madhopur? That is the question which should be considered, similarly about the Meteorological enquiry. I do not know what the Meteorological Department thinks of my memorandum which I wrote after a month's labour devoted to the investigation of the subject with which it deals. Upto now, although I have asked Colonel Battye about it, I do not know what the opinion of the Meteorological Department is, and whether they have controverted the statement which I had prepared giving the facts and their discussion. I submit, Sir, that unless we are brought face to face with so-called experts and have an opportunity of discussing the questions in their various aspects, mere *ex cathedra* statements will not do. I hope, Sir, that in the interests of the development of the whole province all along the line, industrial as well as agricultural—or if they prefer to put it this way, the agricultural and also the industrial development of the province in the interests of the progress and prosperity of the whole province, I beg that something should be done by this Council to see that a proper enquiry is made into the various aspects of the two schemes, one against the other, by a properly constituted and able and independent committee on which the representatives of the Madhopur Scheme shall be properly represented.

Lieutenant-Colonel B. C. Battye (Superintending Engineer, Hydro-Electric Circle) : In replying to this debate I will deal with the matter from three points of view :—

- 1st—what would this resolution cost us if adopted ;
- 2nd—what are the advantages to be gained by its adoption ; and
- 3rd—what likelihood is there of these advantages maturing.

[Lt.-Col. B. C. Battye.]

First, with regard to the cost, it is proposed that no further expenditure should be incurred on the Mandi Scheme. This means that the whole of our staff which we have collected together at considerable cost during the last 4 years—and trained)—will have to be disbanded immediately. It would be impossible to collect this staff together again under 6 months. Moreover the arrangements for these two projects to be investigated by expert Consulting Engineers in America and England would alone take six months, and I doubt if the examination could be completed and work restarted under one year. The services of men of this standing cannot be secured at a moment's notice. It was just because we had to have this question settled in a few weeks before the Council meeting last March that we had to make use of engineers who were available in India at the time. We were extremely fortunate in securing the services of Sir Frederick Gebbie and Mr. Webb, who is not a Government servant and is familiar with hydro-electric developments in Norway and Sweden and in a large number of other countries, and was called largely due to the references made by Mr. Sharma to and on account his (Mr. Webb's) acquaintance with Swedish plants.

Again, we have entered into an agreement with the North-Western Railway. If we were to ask them to stop all work and they have already spent over half a lakh in preliminary arrangements—when the time came a month later (as it certainly would come) to renew our agreement with them, it is extremely unlikely that they will be agreeable to a renewal on the same terms. They would certainly ask us to recoup them for all the losses incurred and we should probably have to submit to a new agreement on far less advantageous terms. If on the other hand we allow the railway to proceed and construct the line and then the Syndicate's proposals for the development of Madhopur Scheme were taken up instead, the whole cost of our guarantee for the next 18 years would have to be met out of the revenues of the province instead of out of the revenues of the Mandi Hydro-electric Scheme.

If in addition to these costs we add the loss of revenue resulting from the delay in the completion of the project, for the reasons explained in the debate last March, it is no exaggeration to say that the total cost when capitalised would amount to many lakhs. That is the responsibility which this House has to face when asked to pass a resolution of this nature, and the cost involved should therefore, be carefully borne in mind when voting.

As regards the advantages—if the Subera Syndicate's proposals are rejected (as they most certainly would be) what advantage should we have gained? This, that we might have been successful in convincing the Honourable Professor that he is wrong—but of this personally I am doubtful. If, however, the Syndicate's proposals were accepted what should we gain? The honourable member has succeeded in getting this debate agreed to by the President by saying that this province will be saved 18 crores. This statement as far as I see is incorrect. I find on referring to the report of Sir Frederick Gebbie's committee on page 21, that the cost of the Madhopur Scheme will be 487 lakhs, whereas the cost of the first stage of the Mandi Scheme—which is all that we are discussing to-day and which has a greater capacity than the Madhopur Scheme—as estimated by them, will be 60 lakhs. Instead of effecting a saving of 18 crores, therefore, there will be a loss of 27 lakhs, to which must be added the other losses already enumerated. This is an example of the reliability of the figures that have been placed before the House.

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Now lastly, what likelihood is there of these so-called "advantages" actually maturing. None whatever and I will now proceed to show why. This involves a discussion of certain alleged technical defects in the Mandi Scheme on the one hand and certain definite disadvantages connected with the Madhopur Scheme on the other.

Before however, proceeding with the technical discussion, there are one or two points raised in the Honourable Member's speech that I should like to dispose of:

He has attempted to prejudice the whole discussion from the commencement by casting aspersions upon the honesty of intent and integrity of the Hydro-Electric Department, by suggesting that we are anxious to conceal facts. Now the following are the real facts of the case:—

About 18 months ago, when Mr. Sharma came to our office and requested to see our project, we gave him the only available copies of the reports and allowed him to study them in the office. Within a very few weeks he published a statement containing a number of misleading and false statements regarding the Mandi Scheme.

Dr. Gokul Chand, Narang: Will the honourable member give us some illustration of the false figures given in the pamphlet, so that we may take the Engineer to task for it. I will be obliged if the honourable member will give specific instances.

Lieutenant-Colonel B. C. Battye: The figures for output and a large number of other data regarding the Mandi Scheme were misquoted in the statement issued by Mr. Sharma.

Dr. Gokul Chand, Narang: That is not the answer to my question. The honourable member must point out, the information given was this and the information has been published by Mr. Sharma like this, the figure of Rs. 75,20,429 under a certain head has been wrongly published as Rs. 3,26,321 and so on. I want facts like this. The general accusation that wrong information was published really does not do him justice.

Lieutenant-Colonel B. C. Battye: I have not got statements like that prepared.

Dr. Gokul Chand, Narang: Then 'false' is a very strong word to use. I think the honourable member must withdraw that word. He may use some milder word.

Lieutenant-Colonel B. C. Battye: I have not the actual documents with me at the moment, but as far as I recollect both the head and discharges were falsely stated. There is also a reference to this in Sir Frederick Gebbie's report, and the same were again published in a pamphlet over the signatures of Professor Ruchi Ram. This resulted in our having to spend 2 months, dealing with the position of the Madhopur Scheme and setting matters right. Is it surprising that we have hesitated before supplying the members of the Syndicate with further information? As a matter of fact last summer we received a request from the Secretariat to supply a copy of the gauge readings and discharges of the Uhl River to Professor Ruchi Ram. We pointed out that this involved the copying out of a very large number of documents and would require clerical assistance as I only had a small nucleus staff. This morning I made a calculation of the actual number of figures involved (which amount to 10 (ten) per day)—so that the actual

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quantity of figures to be copied amount to 5,460. The information required is contained in a large file which I have here. We also suggested that it might meet the case if we placed the file on the table of the House provided that we could be safeguarded against anything being removed from the file or the file itself disappearing. We heard nothing further with regard to this matter. Some months later Professor Ruchi Ram came to my office and asked if we could let him have some information with regard to the minimum discharges each month. We had these copied out and handed to him the same day. On the same occasion I took the Honourable Professor into the office and told him he could have any information he required and asked him what he exactly wanted. He told us that all he wanted was a copy of the discharge as recorded each day. I asked for Government sanction to supply him with a copy and received this sanction after a month and sent him the information within 48 hours. The attached document is actually what we sent him. It contains an extra column in which we entered the temperature readings for each day as we thought it might be of assistance to him to have this extra information in making his investigations. If the Honourable Professor thinks that we have over charged him for this work, I will gladly refund him half the cost of the bill out of my own pocket and here it is if he wants it.

I will now deal with the technical objections raised against the Mandi Scheme. First of all there is the question of the silting up of the reservoir. In our estimates we thought it advisable to make provision for the cost of a large tunnel to bye-pass the floods during the monsoon season, as we were uncertain how much silt would be carried, and designed and estimated for arrangements similar to those proposed for use on the Bhakra Dam. We pointed out, however, that it would be quite probable that such arrangements would not be found necessary owing to the nature of the catchment. The Consulting Engineer, Sir Alexander Gebbie pointed out that in his opinion these arrangements would not be necessary and that they were complicated and expensive and suggested that it would be found perfectly feasible to allow the reservoir to remain full always and arrange for the floods to go over the top of the dam. We pointed out that until we had further information with regard to the characteristics of the river, it would be inadvisable to make a decision. Since then, however, we have been able to collect fortnightly samples of the water brought down by the river during the recent monsoon and we find that with the exception of the very few occasions on which we had large floods—the water is quite clear and carried no silt. During the last 3 years there have been six floods exceeding 1,000 cusecs—one of over 12,000, one of 6,500 and the remaining four under 5,000 and of these the only one that carried large quantities of *débris* are those exceeding 12,000. It is therefore, clear that Sir Alexander Gebbie's suggestions were justified and will in all probability be adopted.

Next with regard to the discharges and temperatures—in preparing our project we pointed out that the site was midway between the two meteorological stations, i.e., Simla and Leh. As you know Simla is located in the Sub-Himalayas on a hill top about 200 miles from the nearest snows. Leh on the other hand is surrounded by high peaks and is situated in a valley about 11,000 feet high. Our own catchment is situated at an average level of 10,000 feet and is surrounded by perpetual snows, varying in height from 15 to 17 thousand feet. We pointed out that in our opinion it was probable that our conditions would be more similar to those of Leh than Simla. We

also pointed out that according to the temperature records in Simla it was not a cold year, but that according to the temperature conditions at Leh this was actually the coldest year recorded. When I received Professor Ruchi Ram's memorandum, I at once took the whole thing over to the Meteorological Department, consulted them fully and asked them for a report—placing the whole of the information and data available in front of them. The first result of this discussion was that the Meteorological Department pointed out that we had been quite wrong in attributing the sudden fall in discharge that took place in January 1923 (the details of which I described in my discussion in Council last March, when the discharge suddenly fell to about half, remained half for about 24 hours and recovered again as suddenly) to a reduction in temperature. We were unable to obtain any temperature reading from Leh for these days and naturally assumed that this was due to the excessive storm that took place. As a matter of fact the Meteorological Department have since obtained these figures the telegraph lines had been smashed and the figures were only able to come through by post at a later date—and these figures reveal the fact that there was not a particularly low temperature on that occasion. They also pointed out that on the contrary we had a spell of about a week or ten days in January 1925 when the temperature conditions approximated very closely to those pertaining in the very cold year in 1904-05 and that during this period the discharge did not fall below about 140. They have proved to our satisfaction that the cause of this sudden drop was not due to the temperature but was due to the very heavy snow fall that took place, which blocked the small rivulets, absorbing the surface run off for a few hours and then releasing it later on. They also pointed out that frost and snow only tend to block the surface run off but do not affect the supply from springs and that our discharges in the cold spell referred to above probably fell to that of the spring discharges which remain steady. The sum total result of this investigation has been that we now find that instead of having to design our first stage on a minimum of 112½ cusecs we can rely upon 140 or thereabouts, and that whereas we expected to have to deal possibly quite frequently with short and sudden drops in discharge to the neighbourhood of 100, these will now be quite infrequent and can moreover be met by emergency storage. For this information we have to thank Professor Ruchi Ram for having taken the trouble of investigating these and compelling me to refer the matter to the Meteorological Department. Personally I am grateful to him for having done so and these results are entirely due to his interest and enthusiasm. In addition to the above, I should explain that the Consulting Engineers when suggesting alterations in our proposals for the dam also suggested that we move the site of our headworks about a mile upstream, so as to be above the top level of the dam when the reservoir is filled. This modification is being adopted. We, however, also find that as a result of this modification we can nearly treble the capacity of our diurnal reservoir thereby giving us emergency storage very nearly double that of the diurnal storage originally provided. This enables us to tide over any possible shortages in demand such as those already discussed.

Another objection to the Mandi scheme has been raised in the pamphlet published by Rai Bahadur Ralla Ram, to which frequent reference has been made in the debate although the actual point has not been raised by the honourable member—that is with regard to the capacity of the Mandi Scheme. In this pamphlet I see that the capacity of the first stage of the Mandi scheme is quoted as 18,200 kilowatts instead of the 36,000 suggested by the Consulting Engineers, and in its final stage 44,000 kilowatts instead of 118,000.

Professor Ruchi Ram, Sahni : I rise to ask for a piece of information, Sir. Is it not a fact that this has been calculated on the basis of the factor which was given and it is on that basis that this lower calculation has been arrived at?

Dr. Gokul Chand, Narang : On a point of order, Sir. Professor Ruchi Ram did not discuss these questions. Is the honourable member justified to refer in his reply to matters which were not dealt with at all? I think the speaker should confine himself to replying to the points urged by previous speakers.

Lientenant-Colonel B. C. Battye : I will now deal with some of the objections connected with the Madhopur project. I have prepared a list of the objections cited by Sir Frederick Gebbie's committee, which are as follows :—

- 1st.—The general question of combining hydro-electric power development with irrigation ;
- 2nd.—The question of shingle and silt ;
- 3rd.—The question of deep cuts without rivetment ;
- 4th.—The question of bye-passing ; and lastly
- 5th.—One or two matters connected with the consequences of development by private enterprise.

I will deal later with the question of combination of hydro-electric power and irrigation.

As regards shingle and silting—and in this connection I would remind you of the difference between shingle and silt. I will try and make clear what the difficulty in connection with this matter really is. First of all I must make it perfectly clear that Sir Frederick Gebbie's committee went into this question very thoroughly and thoroughly understood what the proposals were and the objections connected therewith. In this connection I want to be perfectly frank with you. When Mr. Sharma's project first came to me I did not realise that he proposed to have a second diurnal storage below the last power station. This was not clearly stated in the report, nor shown on the drawings. After preparing my original memorandum on the subject, which was prepared in a great hurry, I realised that he had some such proposal in mind and after discussion with Mr. Sharma I discovered that this was his intention. I, therefore, wrote a revised memorandum, and when Sir Frederick Gebbie's committee met, I took the precaution of pointing this out and drawing their attention to it, lest they should overlook this feature as I had. This committee thoroughly understood that two diurnal storages of this nature were required and this I think is fully explained in their report. I also explained it in my speech last year. Now for the benefit of the zamindar members present, I will explain why silting and shingle will interfere with irrigation.

An electric power scheme does not operate continuously because people do not require the same amount of power in the day time as in the night time. This being the case, arrangements are made to store up the water which cannot be used in the night time and make use of it for the very heavy loads next day. To store up this water requires a diurnal storage reservoir above the power station. If, however, only this were provided the flow of water in the irrigation channels would be shut down at night time. To get over

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this difficulty a second diurnal storage is provided below the power station in which the excess water used for electrical purposes during the succeeding day (which is in excess of that required for irrigation purposes) is stored up in another diurnal storage reservoir situated in the tailrace. Now these diurnal storage reservoirs are provided by enlarging the channels leading to and from the power station. The Syndicate contend that when they required storage, i.e., in the winter months, the water will be clear and carry no silt. This, however, does not meet the following three objections:—

First of all there will be floods in the winter when the water comes down very thickly charged with silt, especially so in the winter as the bulk of the run off then is from the Siwaliks which are very new and soft and erode very easily. During and also during the few days following these floods these reservoirs will have to be filled up with this silty water.

Again, these storages have also to serve the purpose of channels in the summer months when there is sufficient water to meet the peak demand of the station and no necessity for storage. Under these conditions, the diurnal storage reservoirs will be acting as channels for silty water. Now it is a very difficult problem indeed, if not almost impossible, to design a channel to satisfactorily serve the combined purpose of a storage reservoir in winter and a non-silting channel in the summer, especially if the discharge in the summer has of necessity to fluctuate in amount, or the nature of the silt tends to vary in size and weight. A completely steady velocity can only be ensured provided the amount of water passed through to the power station does not fluctuate, which in turn means that all the surplus water not required in the night time will have to pass over the bye-pass. The bye-pass has therefore, to be designed to be capable of taking a discharge which at times may amount to 10,000 cusecs for 12 hours daily for every day during the 6 months of the summer. The amount of money provided in the project, as pointed out by Sir Frederick Gebbie was totally inadequate for such a purpose, moreover there are no hydro-electric schemes in operation at present, in which such large volumes of water have to be dropped through such high heads so continuously for many months at a time. The problem of dissipating the energy contained in such falls is a very difficult one and has not yet been satisfactorily solved. Where floods have to be bye-passed as often happens, these can usually be passed through gates down a natural channel and this only for a short period at a time. For these reasons it may be necessary to arrange for a fluctuation in the discharge throughout these diurnal storage reservoirs when acting as channels for silty water during the summer months, and such fluctuations will inevitably result in silting. The second difficulty regarding the nature of the silt is even greater. Being a hydro-electric power scheme, we shall have to continue to taking water out of the river and put it into these channels under all flood conditions. Imagine the situation, a pitch dark night, a pouring rain and a roaring flood after 3 days' continuous rain: the river bringing down trees, corpses, logs, timber, boulders, shingle and everything imaginable. Every Irrigation Engineer knows that under these conditions it is absolutely essential to close the headworks of a canal. There is not a single headworks so far designed in this province capable of operating satisfactorily under such conditions. The Irrigation Engineer in-charge comes up and insists upon the headworks being closed, in order to prevent thousands of tons of silt being carried into these headreaches. The Hydro-Electric Engineer refuses to do so, and says he cannot possibly do so as he would plunge the whole of the Punjab into

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darkness. They telegraph to Mr. Sangster, who goes over to the headquarters of the hydro-electric scheme and an acute clash of interests at once results. Now what will have happened next morning? The whole of that upper diurnal storage reservoir will have been filled with shingle and stones near the headreach, the coarse sand further on and fine sand and silt near the power station. Next day when the peak discharge is required, the velocity will have to be increased, the whole of these materials will be picked up and carried on and deposited in the lower reservoir blocking that also and in a few days' time there will be no diurnal storage left either above or below the power station. The blockage above the power station will prevent the water being stored next night for power the following day and the blocking of the reservoir below the power station will prevent the water being stored for irrigation purposes next day and being available for use during the following night. Thus neither the irrigation nor the hydro-electric power scheme could continue to operate satisfactorily together.

Now if we turn to Rai Bahadur Ralla Ram's pamphlet on page 25, we find that he says :—

" However, if actual experience in working shows that there is any possibility of the channel silting up, diurnal storage can be given up and additional steam help installed for coping with the peak load."

We thus see that in actual practice Rai Bahadur Ralla Ram has dropped the proposal to use diurnal storage and has now produced a fourth project in which diurnal storage is not provided for and the whole scheme is based upon steam help in order to provide the additional power required, owing to the absence of the diurnal storage. Moreover he has also based the whole of his project on the understanding that all the plants installed will operate at full load continuously every second of the year night and day without intermission, i.e., the average load exactly equals the peak load capacity of the plant installed. Now under these conditions it stands to reason that all the water available is being used and that there is none available for storage during the night; hence it is not possible to fill or make use of any diurnal storage and diurnal storages are not needed.

Now this complete shift of ground has involved him in a most astounding inconsistency: Sir Frederick Gebbie in his report, page 16, points out that Mr. Sharma's Madhopur project proposes the use of $3\frac{1}{2}$ times the recorded minimum flow of the river by falling back on diurnal storage in the headreach of the canal, the calculations for which have been based on an annual load factor of 37 per cent. and upon the daily load curve of a scheme supplying the domestic demand of a single town instead of the industrial load of a district.

Now 6 months after having themselves been criticised for having designed their own project on a 37 per cent. load factor, instead of 50 per cent. they have the temerity to criticise the Mandi Scheme because it has not been designed for a 100 per cent. load factor—see page 21, paragraph 56 in which Rai Bahadur Ralla Ram says :—

" While the subject was before the Punjab Legislative Council in March last, Colonel Battyé published a pamphlet in which he has tried to show the superiority of Uhl, by multiplying the average output by $100/37\frac{1}{2}$, calling this the peak load capacity. He has then worked the rate per

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kilowatt year on this increased output, altogether forgetting that the peak load output cannot be available for the entire 24 hours, and that, if the peak load 100/37½ times of the average output is continued say for 6 hours, the average output for remaining 18 hours will be reduced to 100/225 of the average. This manipulation of figures will not help to increase "the total possible output of the day in any way which must remain constant.

And yet in the next paragraph he refers to diurnal storage and says :—

"There is no difficulty regarding providing diurnal storage at Madhopur, without interfering with uniform flow in the canal for irrigation requirements."

Why raise this question of diurnal storage if the plant is going to operate at 100 per cent. load factors, under which conditions diurnal storage is both useless and impossible ?

I will now deal with some of the figures quoted in this pamphlet from which frequent quotations have been made by the honourable member. I have examined the tabular statements contained in this pamphlet very carefully and have found it difficult to find any figure which is substantially accurate. First of all with regard to the capacity of the Mandi Scheme, he quotes 13,200 kilowatts for the capacity of the first stage instead of 36,000 kilowatts as recommended by the Consulting Engineers and 44,400 kilowatts for the ultimate stage instead of 118,000 kilowatts. He has arrived at these figures because he has based the whole of his comparisons on the assumption that all these plants will operate at full load continuously for every second night and day throughout the year, in other words that the average load on the plant would equal its peak load capacity which in technical parlance we call "100 per cent. load factor."

Professor Ruchi Ram, Sahni : The honourable member is discussing figures which I myself did not discuss in my speech. I do not mind this personally but I merely bring it to the notice of the House that he is doing it and he is thus placing me at a great disadvantage after I have exercised my right of reply. I do not mind this personally in the least. But it will give an opportunity of knowing how inconsistently and how wrongly the honourable member interprets plain facts found in the pamphlet.

Mr. President : This point has twice been urged to-day by honourable members in the course of the debate. Where the last speaker is a Government member, he has not only the right to reply and confine his remarks to what his previous speakers have already said, but he has also got the right to speak on the resolution. A reference to article 61 would make it quite clear that while the mover of a resolution has only a right to reply, the Government member has a right to speak on the resolution and while his right of reply is limited only to the points raised by the previous speakers, his right to speak on the resolution may go beyond the speeches previously made or even beyond the speech given by the mover of the resolution.

Lieutenant-Colonel B. C. Battye : Now, Sir, in actual practice we know that people do not consume electric power in the night time as heavily as in the day and in practice we find that the actual load is about half the peak load, in other words the load factor is 50 per cent. There are no power

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plants operating at 100 per cent. in the world at present. The load factors obtained on some of the electro-chemical plants at Niagara Falls are about 80 per cent. The actual figures obtained in practice on some of the largest power systems in the world, such as that in North California, in which there are 32 power stations on the system is between 50 and 60 per cent.

Professor Ruchi Ram, Sahni: Is it not a fact, Sir, that the Mandi Scheme contemplates a load factor of 37½ per cent.?

Lieutenant-Colonel B. C. Battye: We have based our project on a load factor of 50 per cent. This enables us to store up the water not required in the night time and use it during the following day. Now I contend that a comparison based upon purely imaginary conditions which will never be attained in practice is misleading. The honourable member has contended that the Madhopur project could operate at a 100 per cent. load factor because of the large quantity of power that could be used for pumping irrigation water from tubewells. Now this question of irrigation from tube wells has been very carefully investigated by a committee consisting of:—

- (1) D. Milne, Esquire, I. A. S., Director of Agriculture, Punjab,
- (2) H. C. Calvert, Esquire, C.I.E., I.C.S., Registrar, Co-operative Societies, Punjab,
- (3) T. A. Miller-Brownlie, Esquire, I. A. S., Principal, Punjab Agricultural College, Lyallpur,
- (4) H. R. Stewart, Esquire, Professor of Agriculture, Punjab Agricultural College, Lyallpur, and
- (5) Myself.

Paragraph 13 of the report of this committee reads as follows:—

"The meeting was satisfied that under these conditions tube-wells irrigation could be supplied at an "average cost not exceeding Rs. 22 per acre crop. Of this the cost of maintenance and standing charges on the capital cost of the equipment represents about 75 per cent., the remaining 25 per cent. represents the cost of power."

This means that even if electric power were available from the Madhopur project for nothing, it would not be possible to reduce the cost of tube-well irrigation per acre crop to less than Rs. 17. Now to absorb 102,000 kilowatts of power in tube-well irrigation would require about 340,000 acres. Is there any likelihood of this quantity of land coming under tube-well irrigation at Rs. 17 per acre crop within the next few years?

Again Rui Bahadur Ralla Ram talks of 10 per cent. and in some cases 26½ per cent. steam help. The Madhopur project is stated to be capable of giving 27,750 kilowatts when depending upon water alone. He however, proposes to develop it for 102,000 kilowatts. Now if we subtract 27,750 from 102,000, the difference is about 75,000 kilowatts, which as far as I can see is about 75 per cent. of the capacity of the station and not 26½ as stated. As a matter of fact the actual figures quoted are not for the capacity of the steam stations required,

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but are the percentages of the number of units to be actually generated by steam, the figures as expressed however are misleading. In actual practice for his Madhopur project he has therefore, had to provide a station of 75,000 kilowatts capacity in Lahore which will cost him 800 lakhs at least and for which he has had to provide. In this connection we must not forget that he will occasionally have to shut down his plant altogether in order to keep out shingle and silt during the heaviest floods, and to meet these conditions he will have to have 100 per cent. capacity of steam plant in reserve which will cost him about 400 lakhs. His proposals therefore, amount to steam development assisted by water and are in effect a complete abandonment of hydro-electric development in principle.

There is also an under-estimate as to the cost of this Madhopur development amounting to 400 lakhs. In order to enable us to dispose of 118,000 kilowatts on the ultimate development of the Uhl, it is necessary to distribute that power to about 30 towns extending from Sialkot to Delhi and this transmission system will cost us 556 lakhs. In his estimate after deducting the cost of a steam station he has only provided 180 lakhs for this purpose and the cost of power distribution from the Madhopur project will be practically the same as distributing the same amount from the Uhl, as both will have to extend their transmission systems as far as Delhi. This being the case some 400 lakhs will have to be added to his estimate in order to make the comparison on a fair basis. This increases the cost per kilowatt by 50 per cent.

Again in stating the cost per kilowatt of the Mandi project in its ultimate development, he has adopted our estimate of 1,200 lakhs for the cost of developing and distributing 118,000 kilowatts and he has applied that same estimate to a project which according to him is only capable of producing 44,400 kilowatts. It stands to reason that if we were only developing 44,400 kilowatts we should not be required to put in a machinery for 118,000 kilowatts and a transmission system capable of distributing 118,000 kilowatts.

Finally in the table on page 19, the whole of his estimates of the cost per unit are based upon the number of units that would be generated if the plant were operating at full load continuously, i. e., at a 100 per cent. load factor. As the number of units will only be half this and the cost remains the same, the actual cost per unit will be doubled and in the case of the Madhopur Scheme in its ultimate development, on account of the under-estimate of 50 per cent.—trebled. On the other hand when the Uhl River figures have been adjusted to the correct capacity, the figures quoted will be reduced by 25 per cent. in the case of the first stage and nearly 40 per cent. in the case of the final stage, thereby completely reversing the relative cost per unit as stated by him.

In closing I now want to deal with another aspect of the matter which cannot be reduced to mathematics. It is a fundamental principle of all public administration that you cannot combine two primary public utilities in one undertaking. By a primary public utility I mean a public service which is an essential and a necessity to the well being of a community and which is at the same time entirely independent of others and capable of standing on its own legs without outside help. Now this has never been accomplished in any other country in

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the world at the present time. It is true that there are quite a large number of power developments on irrigation systems, but in every case it will be found that the power development is capable of being entirely closed down and its place taken by some other power station with which it is linked up electrically. The city of Los Angeles has a large 200 mile aqueduct supplying it with irrigation and water supply, on which there are three large hydro-electric power developments supplying the city: but every one of these developments can be closed down owing to their being interconnected electrically with the South California Edison Company: which has over 20 stations connected to its system, without any body in the city being any the wiser. Now this difficulty of combining two public utilities in this province is aggravated by three factors:—

1st—And this may possibly be a point which could be disputed (but I think it would be difficult to avoid it)—the two public utilities would have to be operated by two separate departments, one the irrigation and the other the hydro-electric department.

2nd—These two public utilities serve two entirely separate communities, whose interests already tend to conflict agricultural and urban—and finally:

3rd—The two communities in question are divided largely on religious lines thereby tending to aggravate those very divisions which we in this province so justly deplore.

I contend Sir, that the whole of this discussion is merely wasting the time of the Council, as it is dealing with a proposal which is utterly impracticable of accomplishment and would never be put into effect by this Government.

Mr. President: The resolution before the Council is:—

“This Council recommends to the Government that a committee of independent and impartial Electrical Engineers be appointed to enquire into and report on the relative merits of the Mandi Hydro-Electric Scheme and the Madhopur-Subera Hydro-electric Scheme, and that no further expenditure be incurred on the Mandi Hydro-electric Scheme till the report of the committee has been examined by the Government.”

The question is that that resolution be adopted.

The motion was lost.

RESOLUTION RE EMPLOYMENT OF ZAMINDARS IN PUBLIC SERVICE.

Chaudhri Duli Chand: [Karnal (Non-Muhammadan), Rural], (Urdu):
Sir, I rise to move my resolution which runs thus:—

“This Council recommends to the Governor in Council that they will be pleased to lay down the following principles:—

- (i) That the Government Circular of October 1919 re employment of zamindars in Government departments shall be strictly followed by the various Government departments;
- (ii) that so long as the deficiency of zamindars in the various Government services is not made good, the recruitment of non-zamindars shall be stopped;
- (iii) that preference should generally be given to a statutory agriculturist.”

Before I address myself to the aspects of the resolution I wish to point out, Sir, that I have been trying my best for the last two days that I may get a chance of placing this important resolution before the House. To achieve my object sometimes I moved motions for closure and also enquired of the Chair about the time-limit of the speeches of the Government members. After all, thank God, the time has come that I am now able to put this resolution before the honourable members of the House. I should, through you, Sir, request the honourable members to refrain from delivering lengthy speeches because to-day is the last day assigned for non-official business and as it is now close upon 5 P.M. I wish that this important resolution is not unfortunately talked out.

The fact of the matter is that since the zamindars have been given an opportunity of coming into these Councils we have all along complained of the small numbers of our brethren in Government departments. Sir, if these facts are taken into consideration, that we have rendered valuable services to the State and that we pay large sums of land revenue and water-rates, then one would see that our representation in the Government service is negligibly small. From the standpoint of necessity and propriety this representation in the Government service should not only be a just and satisfying one but also to some extent it should be enjoyed by the zamindars as a monopoly. As regards the population of the province the zamindars are 90 per cent. in addition to those who are in a way dependent upon zamindars. From this point of view, Sir, I beg to say that the rights of the zamindars are far superior to those of all other communities. My second observation is that about 66 per cent. of the whole income of the province comes from the pockets of the zamindars, namely, two-thirds of the whole income is collected by way of land revenue and water-rates, etc. From this standpoint also, I have to remark that the claims of the zamindars for getting more representation in the services are quite just, proper and reasonable.

As regards the war-services I would like to point out that although the population of the Punjab is about 1/25 of the population of India yet our province supplied over one-third of the total number of recruits enlisted in India during the great war. All these recruits belonged to zamindar classes and were enlisted from among the village people. To give an instance, this fact has already been acknowledged in the following words by the Government in its Review:—

“There is nothing more remarkable in the annals of Indian recruiting than the sustained ardour and enthusiasm which has been displayed by the great Jat clans of the south-east Punjab.”

Sir, it is a matter of common knowledge that the zamindars of this province whether they be Sikhs, Hindus or Muslim have shed their blood and rendered yeoman services to the State during the Great War. Their population is large and still larger is the sum that they pay to the Government by way of land revenue and water-rates. It may be said that zamindars are not educated people. Sir, I make bold to say that this statement is wrong to a great extent and that zamindars have got a fair number of educated men among them now. In spite of all these facts the number of zamindars in the Government departments is very small. Sir, in army where there is a danger of life, zamindars exclusively do soldiering but in the civil departments where there is the question of ruling the monopoly is enjoyed by non-zamindars. It is said that the services have been Indianised.

[Ch. Duli Chand.]

I think that is not correct. The population of the rural India is about 90 per cent. The real India, therefore, lives in villages and not in towns and cities. This India has been deprived of the benefits of Indianisation. The persons who have derived any benefit from the Indianisation of services are those who are living in urban areas and who are non-zamindars and non-combatants. I would like to call this Indianisation nothing but Urbanisation, because the urban people have taken exclusive advantage out of it. Despite the fact that Government was pleased to issue Circular re employment of zamindars in Government departments the fact remains that there is still a deplorable paucity of zamindars in Government services. The condition is practically the same as it was during the pre-reform days. My honourable friend Chaudhri Lal Chand has described this state of affairs in his Council speech, which he made in 1919, in the following words :—

“The members of the classes which have a distinct partiality for a comfortable seat in an office chair, an insuperable aversion to a seat in the saddle whose youngmen will swoon at the sight of blood and be frightened out of their wits at the sound of the gun, enjoy undisturbed monopoly of all civil employments. On the contrary, the youngmen of the classes which have borne the brunt of the battle on a hundred stricken fields and have shed their blood to maintain the might and glory of the Empire, have their applications returned or rejected on some one ground or other.”

Sir, these words are quite applicable in these days also. Whenever a zamindar submits his application for a Government post, the same is returned to him with some remarks which amount to refusal.

I think, Sir, that I have fairly dealt with the circumstances which have led me to put forward this resolution before this Council. My resolution consists of three parts. The first part is that the Government circular of 1919, re employment of zamindars in Government departments shall be strictly followed by the various Government departments. In this connection, Sir, I may be allowed to refer to a Council question which was put on the 9th of February 1919 by my friend Chaudhri Lal Chand, who in his question, drew the attention of the Government towards the meagre representation of zamindars in the Government departments, and the Government in response to his question, was pleased to appoint a committee of official and non-official members to go into the matter. Later on the Government also issued a circular and fixed a separate percentage of zamindars for each department. But I am sorry to say that the Heads of the departments have not cared to act strictly upon the circular. I should crave indulgence of the House to be allowed to go into some details about the facts and figures relating to the representation of the zamindars in the Government departments. To say nothing of the reserved departments, there is a deplorable paucity even in the departments which are administered by our Ministers. During the first three years the Honourable Ministers could not do much for the betterment of the zamindars because they were afraid of . . .

- Maulvi Mazhar Ali, Azhar: Why were they afraid of supporting zamindars.

Chaudhri Duli Chand (Urdu) : Because they were afraid of the press which is an urban monopoly and which passes criticism indiscriminately. Let me proceed with the number of zamindars in the various transferred departments. Sir, in the Excise, the number is about 40 per cent. and in the Education Department, it is about 80 per cent. In the Public Works Department the percentage is about 25, while in the Medical and Sanitation it is

about 20. In the Punjab Educational Service the zamindars are only 20 per cent. in number but with regard to special posts their representation amounts to 5 per cent. only. For these reasons I have put in the second part of my resolution which runs thus:—That so long as the deficiency of the zamindars in the various Government services is not made good the recruitment of the non-zamindars shall be stopped." I had no mind to put this clause in my resolution but after pondering over the matter and giving due consideration to the facts and figures, I have quoted above, I thought it extremely necessary to insert this clause in the resolution because of the fact that by doing so we can urge the matter upon our Ministers who are holding charge of Transferred Subjects. The third part of the resolution is as follows:—that preference should generally be given to a statutory agriculturist." My reason for incorporating this portion in the resolution is that when the Committee, I have referred to above, considered the question of the representation of zamindars in the Government departments there was difference of opinion as to the definition of the term "zamindar." The majority of members thought that only statutory agriculturists can be taken as zamindars, but the president of the committee observed that the term 'zamindar' meant any body owning land. Later on the report of the committee was placed before the then Lieutenant-Governor, who agreed with the president of the committee in this respect. I do not say in any way that the action of the Lieutenant-Governor was wrong. He might have done so out of good will. But the result was that the object of the Government resolution was defeated altogether. Everybody who owned a bigah or two of land came forward and enlisted himself as a zamindar. A number of people also pretended to own land. Sir, my main object in moving this portion of the resolution is that the term zamindar might be clearly defined or only statutory agriculturist be deemed as zamindar. With these remarks I commend this resolution to the House for its acceptance. I do not wish to make any remarks further as the time is very short and it is my humble desire that this resolution should get through so that the poor zamindars may be able to get their due share in Government services.

The Honourable Sir John Maynard : Sir, there is one point which I did not quite catch. In dealing with this resolution does the honourable member want that those persons should be treated as zamindars who are members of the notified agricultural tribe? Is that what he said?

Chaudhri Duli Chand : Yes, Sir, I meant the notified tribes.

Mr. President : The resolution before the Council is:—

"This Council recommends to the Governor in Council that they will be pleased to lay down the following principles:—

- (i) that the Government Circular of October 1919 re employment of zamindars in Government departments shall be strictly followed by the various Government departments;
- (ii) that so long as the deficiency of zamindars in the various Government services is not made good the recruitment of non-zamindars shall be stopped;
- (iii) that preference should generally be given to a statutory agriculturist."

The question is, that that resolution be adopted.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu) : Sir, I wish to elicit a piece of information from the Government. Chaudhri Duli Chand has referred to a committee and its report. May I know whether Sir Edward Maclagan agreed to the proposal of the committee and whether both the Ministers and the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, also agreed that the term 'zamindar' includes any body who owns land?

The Honourable Sir John Maynard (Finance Member) : The honourable member seems to be under a misapprehension. This circular was issued in 1919 before the Reforms. Therefore there was no question of asking the Ministers or the Members of the Executive Council whether they agreed or not. This is one point. The second point is that the honourable member who moved this resolution, has rather misquoted the orders in the circular. I think he said, if I caught him correctly, that every one who has lands is included in the term "zamindar." That is not the definition given in the circular.

Chaudhri Afzal Haq (Urdu) : My submission is that whether in August last His Excellency the Governor in Council made any consultation with the Ministers and Members of the Executive Council, and if there was a consultation what was that and if the term "zamindar" was defined, what was the definition?

Mr. H. D. Craik (Chief Secretary) : Sir, judging from the very thin House, this resolution hardly commands the interest which I should have expected and I am sorry that the honourable the mover of the resolution has not developed his theme rather more fully than he has. I will have to deal with this resolution in its various parts. As regards part I, which asks that the Government Circular of October 1919 regarding employment of zamindars in Government departments shall be strictly followed by the various Government departments, I may say at once that Government accepts that part of the resolution. It will interest the House to know that quite recently the Government has taken steps that will, I hope, ensure that greater effect is given to the resolution of 1919. The resolution of 1919, broadly speaking, lays down that in various departments of Government we should aim at obtaining varying percentages of zamindars. Here, Sir, I may turn aside for a moment to clear up a point about the definition of 'zamindar'. The honourable mover said that Government in 1919 accepted the suggestion that the word 'zamindar' should mean anybody who owns lands. That, Sir, is not accurate at all. The actual definition which Government accepted in 1919 and which it embodied in the resolution was as follows :—

"The term 'zamindar' shall include all hereditary proprietors and tenure holders of agricultural land mainly dependent thereon and residing in rural areas as well as actual cultivators of such lands."

I lay special stress on the word "hereditary," for persons who acquire land themselves could not under any circumstances come within the terms of that definition.

Now, Sir, to resume the thread of what I was saying : we have quite recently issued orders to all heads of departments which will, I hope, secure that more full effect is given to the resolution of 1919. I admit at once that full effect has not yet been given to that resolution, though I think the honourable member has unduly minimised the actual effect of the resolution.

I believe that if the figures of the various departments before and after 1919, and up to the present year are examined, it will be found that in every department of the Government without exception the proportion of zamindars employed is substantially higher than it was in 1919. I am not in a position at the moment to quote the actual figures though I shall be pleased to show the honourable member, if he ever applies to me, such figures as are available, though I admit that they are not complete and that they are not in all respects accurate. It was only with the object of securing a greater compliance, or a more full compliance with the resolution of 1919, and also with the object of enabling the Government to know exactly what proportions not only of zamindars but of the various religious communities are employed under it, we have recently issued a circular which I will explain in some detail. The circular, which went out to all heads of departments in the province and to all Commissioners and Deputy Commissioners at the beginning of November last, began by stating that Government had reason to believe that the instructions contained in the resolution of 1919 had not been fully carried out and that the statistics sent to them by the various departments were not altogether accurate or complete. The circular went on to say that the members of this Council and the public generally showed a considerable interest in this matter and it was important that Government should have accurate statistics and should be in a position to know at any given moment exactly what class of people were employed in its various departments. We therefore, Sir, have instructed all heads of departments and all officers subordinate to this Government to hold a regular census of all persons in the employment of the Local Government at the beginning of next January and every person in the employment of this Government, with the exception of menials, will be classified, not only according to his religion but also according to the fact whether he is a zamindar or not. I hope, Sir, that the honourable mover of this resolution will be satisfied by that assurance that the Government is making a real effort to ensure that the principles laid down in its resolution of 1919 are in future fully complied with. When we get that information, we will be in a position to communicate to the House a complete statement for every department under Government. I think I am right in saying that not only every department as a whole but for the various grades, ranks and posts in each department, information will be available in a statement that will be made available to the House. The instructions which were issued last month have also given a closer definition of the term 'zamindar' than was given in the resolution of 1919. We pointed out that we had some reasons to believe that in compiling the statistics that had been sent to Government in the past the definition of zamindar—the one I mean of 1919 which I have just quoted to the House—had been employed with some laxity and that some persons had been entered as zamindars merely on their own statement without any responsible official taking the trouble of verifying their statements. The honourable mover will appreciate the consequence of that laxity. If our surmise is correct, it means that the statistics show that Government employ more zamindars than it actually does employ. It is therefore important to see that the definition should be more accurately worded and should be more carefully followed. The circular directs that in order to avoid such mistakes in future, heads of department should follow the principle which is explained in the circular. When a Government servant who is not a member of a tribe notified as an agricultural tribe under the Alienation of Land Act says that he is a zamindar, he must satisfy the head of his department that he does actually fall within the

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definition. In other words the onus of proof will be upon any Government servant who is not a member of the notified agricultural tribe to show that he satisfies the terms of the definition. If he fails to discharge that onus, if he fails to satisfy the head of the department that he is a zamindar within the terms of the definition, then he will be entered in the statement as a non-zamindar. We further define the expression 'hereditary proprietors' as meaning not a man who merely inherits land from his father, but a man who has inherited land from his grandfather or some more remote ancestor. That will exclude from the definition of 'zamindar' those persons who either themselves or whose fathers have purchased land. We have also asked the heads of departments to see that the statements made to them are in all cases verified and tested by some responsible officer and I hope when we get a return of this census, which I have explained to the House will take place early next year, we shall get really accurate figures and shall be in a position to say of every department of Government exactly how many zamindars it employs at the moment. I trust that the honourable mover will accept that assurance and that statement as showing that Government is genuinely anxious to give effect to the resolution of 1919.

But part II of the resolution moved by the honourable member, Chaudhri Duli Chand, goes considerably further and asks that so long as the deficiency of zamindars in the various Government services is not made good, the recruitment of non-zamindars shall be stopped. I find it a little difficult to appreciate what exactly the honourable mover meant by that part of his resolution. In his speech he did not give me very much enlightenment. I can hardly think that he means exactly what the words connote. But he cannot surely desire that in, say, an expert department like the medical department if the percentage of zamindars falls short of what is prescribed in the orders of Government we should thereupon cease to recruit non-zamindars altogether because the effect of that might be that we might have vacancies which we should never be able to fill up at all. It is therefore for that reason impossible for Government, while giving its assurance that it is genuinely anxious and it has recently made fresh efforts to give effect to the orders of 1919 to accept Part II of the resolution.

As regards Part III of the resolution, I think I have already explained, I hope, to the satisfaction of the honourable mover, exactly what is meant by the term 'zamindar' in the resolution of 1919 and in our recent instructions. I hope that in view of that explanation, the honourable mover will not press Part III of the resolution, which I take to mean that the term zamindar should be applied to the very much narrower definition of a 'zamindar' as a member of a tribe notified under the Alienation of Land Act. I hope I have satisfied my honourable friend Chaudhri Duli Chand as to the intentions of the Government on that point.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan) Urban] : Sir I had understood that after the speech by a responsible officer of Government probably the resolution would be withdrawn and I would not have to take part in the debate. In fact I thought that it was probably arranged between the honourable mover of the resolution and Mr. Craik that on an assurance being given by the Government the resolution had to be withdrawn. However, it does not appear that my honourable friend Chaudhri Duli Chand is satisfied with this assurance.

Sir, I am really very sorry that such a question has been raised in this Council. With so many points of clavage already existing in the Punjab I thought Chaudhri Duli Chand could have spared us the further pain, and trouble and the possibility of further dissensions by refraining from moving such a resolution. Chaudhri Duli Chand has frequently been described as the protagonist of a certain policy so far as the deliberations of this House are concerned and it seems that his resolution is nothing but a recasting of the resolution which stood in the name of my honourable friend, the member from Amritsar, resolution No. 4 on the list which runs as follows:—

"This Council recommends to the Government—

- (a) that in future for a period of 30 years all non-competitive posts in the Punjab be filled, as far as possible, according to the population of the different communities, and that for this purpose a minimum qualification test be fixed; and
- (b) that for all competitive posts candidates be accepted by competition according to the population of each community: provided that if in case of competitive appointments the representation of any community in a service falls below 60 per cent. of what that community is entitled to according to its population ratio, then the Government shall make up such deficiency by holding competition amongst candidates of that very community."

The present resolution if anything is worse than the resolution which Shaikh Muhammad Sadiq intended to move in this Council because that resolution did not go so far as the present resolution does. This resolution in fact introduces a new division of the population of this province. There is no doubt that in certain respects a classification by occupation or profession, is less open to objection than a classification according to creed or religion but in essence, Sir, I do not find any difference, and if there was any doubt with respect to the nature of this classification that doubt has been removed by the third part of this resolution which refers to the definition of an agriculturist as being a statutory agriculturist. In fact I may say that this third clause makes the position much worse than would appear at first sight. Supposing I am a Hindu and am desirous of getting a Government post. It may be very mean on my part but I may embrace Islam if I find that the change of religion will enable me to get Government service or if I find that Sikhs are in favour I may grow long hair and get myself baptised as a Sikh and then pass as a Sikh and may thereby get Government service, but if my learned friend's resolution becomes law or becomes a rule on which Government would act or is expected to act, then unless I am born again I can never get Government service so long as this resolution is in force. We are familiar with the principle under which we could enter the Kingdom of Heaven because we find in the Bible "unless ye be born again ye cannot enter into the Kingdom of Heaven," but I think Chaudhri Duli Chand is now placing Government service to a certain extent on the same level as the Kingdom of Heaven because unless a person is born again as long as the Land Alienation Act remains in force no non-zamindar can become a zamindar. A Muhammadan may, wonder of all wonders, become a Hindu, a Hindu of course may easily become a Muhammadan but it is impossible for a non-zamindar to become a zamindar unless he goes through the process of re-birth and unfortunately that is not a voluntary act and is not controlled by any person howsoever desirous he may be of Government service. So that you would see that in principle the evil, the mischief that Chaudhri Duli Chand is perhaps unconsciously seeking

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to introduce into the system of administration in this country is much worse than the evil which already exists on account of communal differences and dissensions in this Province. It would have therefore been much better if such a resolution had not been moved. The nature of this resolution reminds me of what happened in a Native State. This is not fiction which I am inventing to illustrate or strengthen my point; it is a fact. A certain pleader was a great favourite of a Maharaja and when that Pleader went to see His Highness, he said: we want an Engineer, can you suggest one? The Pleader suggested a name. His Highness said, "No, cannot you take up that work?" He said, "No, Your Highness, I am a Pleader." "It is all right," answered His Highness, "you will be able to carry on the work." This is almost exactly what Chaudhri Duli Chand, if he could look forward enough, is proposing to do. The honourable the Chief Secretary has pointed out in a very sound and sweet speech (laughter) sweet because the mover of the resolution was Chaudhri Duli Chand who has always been supporting that side of the House and he certainly deserved that compliment

Chaudhri Duli Chand: I have never supported Police Department.

Dr. Gokul Chand, Narang: It has been pointed out that there would be practical difficulties in the way of Government if Chaudhri Duli Chand's resolution was to be adopted. Then we must have Jats, Ahirs, Gujars or Rajputs even for medical post and even for the posts of Engineers and other posts in which technical knowledge is required irrespective of qualifications because under this resolution we shall be debarred from admitting in Government service any but zamindars. I am fully conscious, Sir, that I am, in taking the liberty of speaking on this resolution in this strain, perhaps incurring the wrath and displeasure of some zamindars but I am not so hopeless of all the zamindars yet. I still think there are people with some amount of intelligence and good sense among them. I still believe that there are people among them who are not entirely devoid of a sense of justice, of a sense of proportion, of a sense of fairplay to other communities and therefore I have made bold to make some remarks on this resolution. I know, Sir, that the zamindars not only produce on what we live and what we wear but they also represent in these days the sword hand of the country. I also know that the ultimate sanction of all laws is the sword. I also know that with all our pretensions to civilisation and to law we are liable to revert to the good old rule:

The good old rule the simple plan
Let him have who has the power
And let him keep who can.

And I know that governments are too weak-kneed to resist the clamour of people who hold the sword in their hands. Especially would it be true in the case of a Government that is ruling in a foreign country and where it depends mainly on the sword, professedly on the sword and not on the good will of the people over whom it rules. I am therefore fully conscious of the strength from a certain point of view of the claim that is being put forward on behalf of the zamindars and it is with full consciousness of that that I am venturing to point out both to the Government and to the mover of the resolution and to those who may be in sympathy with this resolution that it may be very well to have power but it is not always useful to use that power, that it may be well to have an opportunity but it is not always

proper or useful to avail of that opportunity. We know that sagacious monarchs in the past have kept people of the sword and people of the pen in their true places. Maharaja Ranjit Singh of whom every true born Punjabi must be truly proud understood this principle very well. The history of his reign would show that whereas he employed zamindars, particularly Jats, in the Army, the work of civil administration was mostly kept by him in the hands of non-zamindars and every body knows that so long as the Sikh Government followed that principle it was safe. As soon as those who wielded the sword were aroused to this consciousness that they had the power and took the reins of government in their hands, then within ten years the Sikh empire fell to pieces, and even during those ten years 1839—49 they did not enjoy one day of peace, one day of rest. They fell foul of each other, they were flying at each others throat and murder and bloodshed reigned supreme in this unfortunate province during those years. To go back to ancient history we know that so long as civil administration was strong and was not in the hands of the military in the Eternal

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City of Rome, Rome was powerful. Rome ruled the world. But as soon as the army became stormy and the people with the sword realised that they had strength and therefore they should also have power of appointing and dismissing emperors or consuls, Rome came to grief. I would therefore submit, Sir, that even if the zamindars feel that the Government depends upon them and that they can create a chaos in this province that they can threaten the Government and intimidate Government whenever it suits them to do so it would not be proper on their part to press the advantage of their being in a majority in this Council too far, because the results will be disastrous. It is a natural principle of all social existence and of civilisation that there is division of labour. In fact the ancient Hindus devised four main divisions of humanity simply on the basis of this division of labour. Now so far as this principle is concerned it is also exemplified in the case of the different communities in this province as in other provinces of this country. We know that a large class of people are engaged in agriculture, a large class of agriculturists own their own lands, that a large class of them are in the army; in fact with very few exceptions it is these statutory zamindars who monopolise the services in the army and the police. So that, so far as even the division of services is concerned if the total of the money which goes into the pockets of zamindars and the money which goes into the pockets of non-zamindars as servants of Government are compared I think the comparison will not be against the zamindars and in favour of non-zamindars. It will be found that a larger amount goes into the pockets of the zamindars. But, Sir, if the argument be urged that non-zamindars are not taken into the army because they are not fit for the army and that they are not prepared to take risks as the other people are, my reply is if you are prepared to take risks, if you are prepared to lead a hard life, if you are prepared to work for a small pay, well you are welcome to do so and you have your reward. If you keep the army as a close preserve, if you keep the police as your close preserve, if you keep some other minor services also a close preserve, I say equity requires that you should act on the principle of living and letting live. There are the non-zamindars who have also to live by some means or other. You have taken away the land from them and so, that occupation is practically closed to them. You close the army against them, they have no scope for entering the army and earning their livelihood in that way. I am not prepared to endorse the argument that people who are now shut out from the army are not fit, or are not prepared or are not courageous enough to get

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themselves enlisted in the army. I can quote hundreds of instances from Indian History in which non-zamindars distinguished themselves as great soldiers.

Sayad Muhammad Hussain : How many enlisted in the army in the last war ?

Mr. President : I would point out that the honourable member has already taken 21 minutes.

Dr. Gokul Chand, Narang : I shall close very soon, Sir. The following words from Chaudhri Lal Chand's speech were quoted by my learned friend : " The members of the classes which have a distinct partiality for a comfortable seat in an office chair, an insuperable aversion to a seat in the saddle, whose youngmen will swoon at the sight of blood and be frightened out of their wits at the sound of the gun, enjoy undisturbed monopoly of all civil employments. "

My submission is that that argument really goes against the honourable mover, because it means that those people are the fittest for the desk work who are perhaps the least fitted for service in the army or in the police where more active service is required. Inversely people who are best fitted for the army and for active service in the police would be the least fitted for the drudgery of office work. Thus the argument goes against the zamindars.

Then, Sir, the second part of my learned friend's resolution is that until a certain time no non-zamindars should be recruited. My submission is that it would lead at least to two evils. One I have already hinted at and that is that competition would be shut out absolutely and in this respect Chaudhri Duli Chand's resolution is much worse than the resolution which Shaikh Muhammad Sadiq had intended to move. This part of the resolution shuts out a certain class of people from Government service simply because they happen to be born in that class. I put it to you, Sir, and I put it to my honourable friend, what is the difference between him and Mr. Labh Singh ? They are both graduates, both of them are teachers, at any rate. Mr. Labh Singh has been a Professor though he is now a Barrister. What is the difference between Mian Sir Fazl-i-Husain and Professor Ruchi Ram ?

Chaudhri Duli Chand : There is a great difference (Laughter).

Dr. Gokul Chand, Narang : Of course there is a great deal of difference, one is a Minister and the other is a poor professor.

Chaudhri Duli Chand : His relatives have monopolised the services.

Dr. Gokul Chand, Narang : Then again, Sir, I know I have taken a few minutes more, but in the words of Hafiz with which you are very familiar — " Qurā-e-fal banāme-mane Diwana Zadand " — the task has fallen to my lot, the task of convincing the majority of the members of the House who happen to be zamindars of the absurdity of the resolution. I was submitting, Sir, that essentially by occupation or profession there was absolutely no difference between Harkishan Lal and Fazl-i-Husain and Chhotu Ram, all Ministers,

and ask you if there is any difference between them so far as their occupation or their general intellectual outfit is concerned. Does birth make such a difference that the members of one class should be taken into service exclusively and the members of another class should be entirely debarred? Sir, we Hindus are being condemned because we have caste system, but may I ask, Sir, whether this is not the worst form of caste system? Has not Government created a new caste system which is perhaps more rigid than the caste system which prevails among the Hindus.

Among the Hindus a Kshatria can marry a non-Kshatria and even outside his own community, but is it possible for a person who is not born a zamindar to become a zamindar by any process, by marrying a zamindar girl or by any other method that the human brain can conceive so long as this statutory distinction exists. I don't want to be rude to the Government or to any member in this House, but I must point out that when the history of the Punjab comes to be written, when an independent history is written, this legislation would form one of the blackest chapters in the history of British rule in this province. If the British who are the forerunners of civilisation, who claim to possess highest culture and who belong to a country which possesses a parliament which claims to be the Mother of Parliaments, if these people create in the 20th century a caste system more rigid than the laws of Manu and any system that the laws of Medes and Persians might have created. It is time that that legislation should be knocked on the head and this blot on British administration in this country should be removed. Chaudhri Duli Chand wants the Government to add one more blot to its history in this country by asking it to shut out the doors of service to non-zamindars. If Chaudhri Duli Chand had confined himself to the point that competent zamindars should be encouraged to enter Government service so that they may be able to watch the interests of zamindars more than non-zamindars may be expected to do, there would have been some sense in it. The resolution as now put before the Council is certainly bad and it is inconceivable that a graduate of the Punjab University should have thought it fit or should have ventured to move this resolution.

Then again, Sir, look at the facts. My learned friend said that in each department the percentage of zamindars was very low. Is that the fault of the Government? Is that the fault of the non-zamindars? Chaudhri Duli Chand wants to eat his cake and have it. He would get monopoly of land, he would like his agricultural brethren to engage themselves in agricultural pursuits and he would like them to monopolise the army, he would like them to be sturdy, strong, hardy and fit for the hard work of life and at the same time he would want them to be in all the departments of public service. If the zamindars have not studied in schools and colleges and qualified themselves for Government service he cannot complain that their percentage in public service is low. I think he ought to be satisfied when the Chief Secretary told him that the number of zamindars in Government service has increased since 1919 and is daily increasing. Of course the greater the number of qualified zamindars, greater would be the number of zamindars in public service, but at present Chaudhri Duli Chand cannot complain that the zamindars have been neglected. There are four prize posts for Indians under the Punjab Government and all the four posts are held by zamindars, three of whom are Jats like the honourable mover of the resolution. Even during the period of the previous Council with the exception of one the highest posts were held by zamindars. How can he say then in the face of these glaring instances and in the face of the rising percentage of zamindars in

[Dr. Gokul Chand, Narang.]

public service that their rights are being ignored? Now luckily we are going to have also a zamindar Viceroy as my friend Doctor Bhasin points out (Laughter). I am sure that he would keep the interests of zamindars in his mind. Before I sit down I want to make it perfectly clear that I have absolutely no ill-felling against the zamindars at all. In fact within reasonable limits I am for encouraging them in Government service, because that would in a way link them up with the more advanced communities of the province and there would be less of misunderstanding and less of dissensions. But there is another point, if class distinction has to be accepted by Government if it has to accept some sort of classification which can keep the various classes or communities or tribes of this province apart from each other, then it is better that they are divided by occupations than that they are divided by creeds. I should therefore not be misunderstood. If I have spoken on this resolution in this manner, it is not that I am in any way against the interests of the zamindar. All that I want is that no community, no tribe, no sect and no caste should open its mouth too wide and try to snatch the bread from the mouths of others. It should have an equitable share in the loaves and fishes of Government service and it should act on the principle to which I just referred, namely live and let live.

Subedar-Major Farman Ali Khan [Rawalpindi (Muhammadan) Rural] (Urdu) : Sir, during the recruitment for the great war, it struck some people that they should before offering their services to the Government make some demands. But they were told that it was not proper and that it would be a blot on their loyalty. The proper thing, they were told, would be to do the duty and leave all demands till the conclusion of the war. Accordingly they underwent all sorts of sacrifices and towards the close of the war a circular was issued which the zamindars thought would end their grievances. But they were wrong in their belief. For, 66 per cent. of posts only were guaranteed for a class of people which constituted 95 per cent. of the population while 34 per cent were reserved for those who formed only 5 per cent. of the population. This in itself was a great wrong. But it did not end there. A strange interpretation was put on the word agriculturist so that even 66 per cent. share of the villagers was not secure to them. The agriculturists most of them were poor and they could not give vent to their grievances. They put their faith in the Government. But so far they have neither got their share on the basis of population nor have they got anything in recognition of their services. In times of peace they produce country's requirements and in times of war they fight for the freedom of their people and for all that they are required to make good the deficit of provincial budgets. When the time for reward comes they ignore all principles of population or services rendered to the country. Sir, there is another reason why these poor agriculturists do not get anything. It is now peace time and we do not require fighting forces to guard our hearths and homes; while on the other hand the educated urban people are very active and are moving heaven and earth with agitation. Sometime they strike work, at other times they use some other modes of making themselves heard and that is why they get everything they like. The poor villagers are quiet with the result that they get nothing and even the circular which has been issued lies inoperative. The circular in fact was meant for agriculturists only and not for every zamindar, for even the kamins in villages do possess land. If, therefore, they also fall into the category of agriculturists the resolution becomes meaningless; for these people who are not in reality agriculturists

but possess lands take away the whole of the benefit of the circular. This reminds me of a story. There was once a fight between birds and animals. The birds approached the bat for help. The bat said "I am an animal, how can I help you against my own kind." But when animals approached him for help he said that he was a bird and could not help the animals. The same is the case with these people. They claim the privileges of both. Sir, agriculturists are those who serve the Government in time of need. Thousands of them are in these days of winter and cold lying in the bleak and barren mountain of the frontier and fighting the bullets of the furious Pathan. It would be a sight to see if they were to withdraw. The whole of the country would be trodden down in a day. But it is a pity that all this service and sacrifice is not appreciated by the people of this country. In papers we read of the outrages perpetrated at Banna and Kohat. But have we ever heard of anybody offering himself for service there? They only write in paper and *bas*. It is these agriculturists who have made our country famous all over the world. It is mete that these services be rewarded. They should be given all concessions so that they might be happy and serve still more zealously. But on the contrary, we find that they are denied everything. All considerations of population and service are set aside. Considered from the population basis we are entitled to 95 per cent. If you are not willing to give our due on the strength of our numbers, then consider our services to the state. On any consideration we deserve what we demand. Any denial to us by the Council of our rights will constitute a standing shame on the fair name of the Punjab. The whole world to-day honours its soldiers. Why is it that our country does not?

During the war I proposed that a company of the non-fighting classes should also be raised. But all our efforts met with scant success. City people would not come forward to enlist. They said why should they come when they could earn their two rupees a day. Moreover they did not like to endanger their lives. They were afraid of the very sight of the sword. But, Sir, when the time of employment in civil departments comes, the application of the agriculturist is rejected in favour of some B. A., or an M. A. It reminds me of what happened once to an officer in the army. He, when he landed at Rangoon, was put up in a place where three more persons were residing. Two of these were graduates and the third had read up to F. A. These people asked the officer his pay. On hearing that it was Rs. 150 they asked him his qualifications and the degrees he possessed. The officer told them that nobody had ever obtained a degree against him. Hearing this reply they thought that he was a simpleton and began playing a fool of him. On this the military officer drew out his sword and began practising the various sword exercises and aiming points at them. This frightened the poor graduates out of their very wits and they began crying for help (Laughter). Hearing the noise, the landlord came upstairs and asked the officer the cause of all this uproar. Upon which the officer told him that these people wanted to know his degrees, and he is showing them the same. He was one and they were three and still they were crying. These were his degrees. They do not consider the sacrifices we make, nor the blood we shed. They only consider the educational qualifications a man possesses. For these reasons I strongly support the resolution and hope that other honourable members also will give it their support.

Sardar Jodh Singh (Sikh Urban) (Punjabi) : Sir, the Chief Secretary has already related what the Government is doing towards the increased employment of Zamindars in the Government Departments. I thought this

[Sardar Jodh Singh.]

would satisfy the honourable mover. The resolution before the House demands that the definition of the word agriculturist should be so narrowed as to exclude all those who do not belong to the statutory agriculturist classes. Subedar-Major Farman Ali Khan has suggested that special concession should be given to those who have fought for the country. But when he goes on to say that only statutory agriculturists offered themselves for war services, I am afraid, I must differ from him. My honourable friend Dr. Gokul Chand, Narang, has to-day complained that nobody who is not born an agriculturist can become an agriculturist. But I have the pleasure to inform him that according to the definition given by the Chief Secretary, I, who do not belong to a statutory agriculturist tribe, have this evening become a zamindar. Sir, I hail from a village in the Rawalpindi District. It is entirely a Sikh village and we have been tilling our lands since the days of Sikh rule. What we did during war would be manifest from the fact that in recognition of our services half of the revenue of the whole village was remitted for a period of five years. This distinction has been conferred upon selected localities. Now, Sir, undoubtedly under the Land Alienation Act we are not agriculturists. How do they propose to deal with us? I am I think a better agriculturist than many of those who sit here. I have handled the plough with my own hands. In what respect are we less than the statutory agriculturists. We till land as they do, we fight for the country as they do. Why then should they get concessions which we do not get? In my humble opinion it is very deplorable that such a question has been raised in this House. We already have so many divisions in this province. There are Hindus, Sikhs and Muslims. All want separate rights. I can understand Muslims demanding better representation in services for, their population is large and they started late in the field of education. I, therefore, have never opposed their demands (Hear, hear). I am also in favour of villagers getting more opportunities for similar reasons. But I fail to see the wisdom of demanding concessions for a particular caste. If it be proved that such a thing would in any way improve the lot of the country I shall be glad to support them. I am prepared to go to any length to help those who really produce the bread of the country. But demanding concessions on the basis of belonging to that caste, when gentlemen who want such concessions do not actually follow that honourable profession, is beyond my comprehension. I would like to know what sort of Government we want to establish in this province. We have already had Muhammadan as well as Sikh Government in this province. But none of them could attain the efficiency of the British rule. Muhammadans in the pride of their power took to high-handedness and gave place to Sikhs who though they were much smaller in numbers turned the Muslims out of the Government. Then came Ranjit Singh and he in his lifetime observed very carefully the principle of employing all the communities of the country in the Government of the country in their proper spheres. We had under him many Hindus and Muslims serving in very responsible posts of Commander of armies, Ministers and Diwans. But on his death his successors failed to appreciate this principle with the result that Sikh rule had to make room for the rule of a people organised on much better lines and principles. Sir, we have had similar experiences in many lands. In England during the reigns of Edward and Mary an attempt was made to govern on the basis of religion. But we all know the results that followed. If

this resolution were proposed to improve the lot of a whole class, I would have welcomed it. But its sole object is to help individuals belonging to particular castes and thus secure the ascendancy of cliques. Government service is not the only means of livelihood. The census reports show that only one in a thousand earns his livelihood by service. The number of those who do it by Government service would be still less. Communities, therefore, that are meant to be ousted will not die of starvation. But will we be wise in securing the predominance of one caste only in the administration of the country. If this is so, then poor Christians will be the greatest losers although they are the most educated amongst us. We draw all our lady teachers from that class. This principle of preferring a particular caste is wrong. Look at England where even a Jew has a fair chance of becoming a Viceroy and a Secretary of State. So, do by all means what you like to improve the lot of workers, but do not emphasise caste. Do not create parties on religious, communal or caste basis. You will fail this way. Create parties on political basis. Do not mind whether any particular community or caste of persons gains or loses thereby for the time being. For example let there be conservatives, labourites and liberals in this House. We have already the experience of many a land before us. Why repeat their mistakes? If religion or caste as a basis of Government has not succeeded before, what chance does it have of success now. I know in Europe we have agrarian parties who look to the uplift of agriculturists. But these parties are not formed on the basis of caste or birth. They only include those who work with their own hands on land. Agriculture is the only industry in the Punjab. Do everything to improve it. All right-minded persons would be with you. But my regret is that we do not try for the amelioration of those who really sweat in the profession. When their burdens are being increased in the shape of enhanced taxation, the agriculturist members keep quiet but they raise such a hue and cry over distribution of posts, which means the employment of only a few educated ones who in no way can be called belonging to that profession. By accepting service an agriculturist is no more an agriculturist. Let us leave this question of distributing loaves and fishes to executive. This question was raised in the Assembly as well. But it was decided to leave it in the hands of the Executive Government. The Government refused to give any undertaking beyond this. The assurance that has been held out now to the honourable member should be considered sufficient. Chaudhri Sahib should rest assured that as long as the present ministry lasts no non-agriculturist is likely to get undue preference over an agriculturist, and when this ministry is changed the rules will still be there for the guidance of others. Some members have laid stress on numbers. They do not know that census figures include non-agriculturists, kamins and all other villagers who depend upon rural occupations. Moreover amongst the Sikhs many families exist who have since ages been serving in the army. Do not, therefore, limit the scope of the word agriculturist, let it stand as it is. This will create unnecessary bitterness. With these words, I oppose the resolution.

(At this stage there was a demand for translation.)

Mr. President: The Assistant Secretary tells me that as he was not given notice beforehand he did not take notes of the speech and therefore he is not in a position to translate it.

Dr. Gokul Chand, Narang: Sardar Jodh Singh can translate the speech.

Mr. President : I understand that the practice is that if a translation of a vernacular speech into English is needed, timely notice has to be given.

Chaudhri Duli Chand : I beg to move :—

"That the question be now put".

Professor Ruchi Ram, Sahni (Punjab University) : Sir, if I may take this Council into my confidence and tell them what has sometimes passed through my mind in some of the saddest and most painful moments of my life.....

Chaudhri Afzal Haq : On a point of order, Sir. What was your decision on the closure motion?

Mr. President : No decision need be given. I think the importance of the question under discussion does not justify so early a closure.

Chaudhri Duli Chand : Will you then extend the time for discussion after six?

Mr. President : I cannot give any undertaking on that point at present. If the honourable member desires he can raise the question at six.

Professor Ruchi Ram, Sahni : Sir, in some of the saddest moments of my life there have been occasions during the last 5 or 6 years since I began to take some little part in the public affairs of this province when I have felt as if I would actually leave the Punjab and go and settle in some other province. (A voice: No) Sir, I want to assure this House that, on one occasion, at least I devoted a good deal of my time to revolve the whole question seriously in my mind and I even went to the length of selecting a particular place, outside this province, where I would go and settle for the rest of my life. During all the years that I was connected with the service of Government.....

Mr. H. D. Craik : Sir, on a point of order, What has all this got to do with the resolution before the House? (Laughter).

Professor Ruchi Ram, Sahni : I am trying to prove the painful nature of the subject which has been raised for discussion this evening, perhaps for the 10th or 12th time during the two short years that I have been in this Council. Well, Sir, that is the painful thought that is passing through my mind on the present occasion also. If on the previous occasions I suppressed my feelings, it was not because of the tyranny, that class tyranny which is now sought to be exercised by the members of a certain group taking advantage of the communal atmosphere in which the present Council is held, but it was because I felt that it would be cowardice on my part to leave my friends who were perhaps not so well situated as I am as to leave the province and go and settle somewhere else. That is something which has actually been passing through my mind. Hardly a session passes when a subject of this kind, a most painful subject, is not brought before the Council in one form or another. There are arguments, luminous arguments, but they are most voluminous than luminous, which are brought forward for a resolution of this character. The main argument, however, is that they want the loaves and fishes. Let them have the loaves and fishes, but let them not have them in the manner in which they are sought to be had. It has been said that the members of a certain community shed their blood in the last war, that

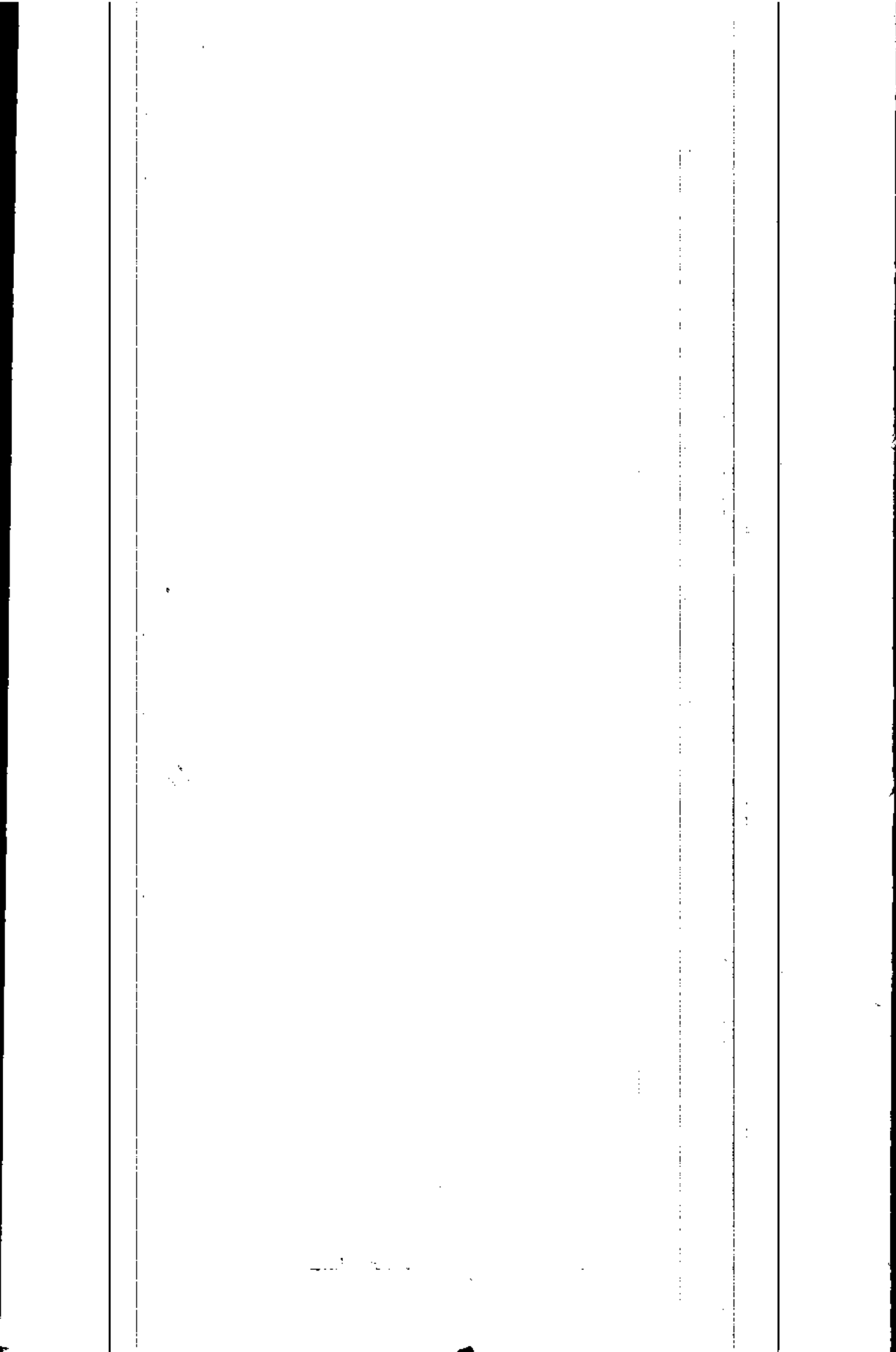
they recruited in large numbers and that they want offices as a reward for all that. Is it not a fact that the other communities also exerted their very best in the manner and to the extent they were qualified to exert themselves, by giving money and by doing such other things as they could, and by even purchasing many of the recruits for which our friend wants credit to-day? (Hear, hear). It is a matter of common knowledge that in this province the members of a certain class were purchased for Rs. 500, 600, 800 and even Rs. 1,200. (A voice: Who purchased them?) I need not mention who purchased them. The purchased groups were those who were available for the purpose, who wanted money and who were capable of going and serving in the army. (A voice: No, Sir). The members of the other group who had money gave it for the purchase of recruits.

Sayad Muhammad Husain: Did they shed their blood?

Professor Ruchi Ram Sahni: I will come to that. It will be better if I am not interrupted. Otherwise much of my precious time will be wasted. (Laughter). Well, Sir, is it our fault that we were not qualified for the kind of work for which our friend the mover of the resolution takes so much credit? Is it not a fact that time and again in the National Congress as well as outside it, resolutions were moved, even during the first session of the Congress claiming that Indians of all classes and communities should be allowed to recruit themselves as volunteers in the army? Is it not a fact that even earlier than that, in the year 1878 or 1879, when Lord Lytton first introduced the system of volunteering, the late Mr. Telang and somebody else whose name I forget, came forward and held a monster meeting in the city of Bombay demanding that Indians also should be allowed to enlist themselves as volunteers? A big petition was then sent up to the Government of India. But their prayers were not heard. So, is it their fault that the members of only certain classes, or of certain group or community were admitted into the army? Is it or is it not a fact that the others have not been lagging behind others in patriotism, in loyalty, in service to the Government in the various departments which were entrusted to them. That is the question, Sir,

Mr. President: As it is 8 p. m. now I would like to know whether the House wishes to proceed. (There were voices of 'No, no'). Is there any one who wishes to proceed? (A voice: No). The Council will then adjourn.

The Council then adjourned till 2 p. m. on Thursday, the 10th December 1925.



PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 10th December 1925.

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

OATH OF OFFICE.

The following member was sworn in :

Mr. K. G. Mitchell (Official, Nominated).

QUESTIONS AND ANSWERS.

SARDAR DAN SINGH, M.L.C., AN UNDER-TRIAL PRISONER.

2261. Chaudhri Afzal Haq : (a) Will the Government be pleased to state—

(i) the weight of Sardar Dan Singh, M.L.C., an under-trial prisoner, confined in the Lahore Fort at the time when he was first taken into judicial lock-up ;

(ii) the weight of Sardar Dan Singh in the month of September last ?

(b) Is it not a fact that he is enormously reduced in weight ?

(c) If so, will the Government be pleased to lay on the table a copy of his history ticket showing what medical treatment was proposed for him ?

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

Chaudhri Afzal Haq : Will the Government be pleased to state why the answer to this question is not yet ready ? It is a very simple question.

The Honourable Sir John Maynard : The information has not yet been received.

COURT INSPECTORS AND SUB-INSPECTORS.

2262. Chaudhri Afzal Haq : (a) Is it a fact that Court Inspectors and Court Sub-Inspectors conduct a majority of challaned cases in Magistrates' Courts ?

(b) Is Government aware that these officials work as if they are police officers whose duty is to secure conviction in each and every case and not as Public Prosecutors whose duty is to see that justice is properly administered ?

(c) If so, will the Government be pleased to say whether they are considering the advisability of changing the designations of these officials as Assistant Public Prosecutors ?

The Honourable Sir John Maynard: (a) Yes.

(b) No.

(c) Does not arise.

SUPPLY OF CLOTHING IN JAILS.

2263. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) the number of those jails where only one set of clothing is supplied at a time to the prisoners; and

(b) whether they propose to issue instructions to the Superintendents of all jails to supply two sets of clothings at a time to the prisoners?

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

SUPPLY OF CLOTHING AND BLANKETS IN JAILS.

2264. Chaudhri Afzal Haq: (a) Is Government aware of the fact that clothes and especially blankets that are supplied to prisoners on admission into jails in the province are in a number of cases quite old and unserviceable?

(b) Is Government further aware that every year several prisoners die of pneumonia?

(c) If so, will the Government be pleased to state whether they have issued instructions to the Superintendents to supply new and serviceable blankets to the prisoners on their admission into the jails?

The Honourable Sir John Maynard: (a) Old and unserviceable blankets are condemned. Used, but still serviceable blankets, after washing and disinfection, are stored and issued to newly admitted prisoners.

(b) Yes. But an inference that such deaths are due to insufficiency of clothing and bedding is not justifiable.

(c) New or serviceable blankets are already being issued to newly convicted prisoners, and no fresh instructions are necessary.

SUPPLY OF BLANKETS TO PRISONERS.

2265. Chaudhri Afzal Haq: (a) Is it a fact that the Superintendents of certain jails on their own responsibility have issued more than three blankets to each prisoner on the ground that three blankets issued to a prisoner according to the Jail Manual are not quite sufficient to protect him from cold?

(b) If so, will the Government be pleased to say whether they are considering the desirability of so amending the Jail Manual that every prisoner may get at least five blankets?

The Honourable Sir John Maynard: (a) Yes. Paragraph 969 of the Jail Manual authorises the issue of three blankets in winter, but the medical officer can issue extra blankets if he considers the issue necessary.

(b) No modification in the Jail Manual is required since medical officers have discretion to issue additional blankets, if necessary.

SUPPLY OF PERIODICALS TO PRISONERS.

2266. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) the names of those jails where periodicals have been supplied to the prisoners ; and
- (b) the names of the periodicals so supplied ?

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

PRISON LIBRARY.

2267. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) the number and the names of books issued to prisoners in each jail where prison library exists ;
- (b) the number of prisoners who availed themselves of the prison library ; and
- (c) whether the prisoners are informed of the existence of a prison library for their use and benefit ?

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

THE PUNJAB INDUSTRIAL BANK.

2268. Chaudhri Afzal Haq : (a) Is it a fact that a memorandum has been submitted to His Excellency the Governor and the Commissioner of the Lahore Division accusing the Directors of the Punjab Industrial Bank of conspiring to give more than five lakhs of rupees to Dewan Mangal Sen, the Managing Director of the Bank ?

(b) If so, will the Government be pleased to state what action has so far been taken or is proposed to be taken on this memorandum ?

The Honourable Sir John Maynard : (a) Yes.

(b) The matter is under enquiry by the local police and C. I. D.

COURT OF WARDS.

2269. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) the names of those estates and the names of minors that are under the control of Court of Wards ; and
- (b) the names and designations of the officers who are controlling the estates ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) The information will be found in Statement No. I attached to the Annual Report on the Administration of Estates under the Court of Wards.

(b) The Deputy Commissioners of the various districts, in which the estates lie, are the controlling officers. Their names will be found in the Quarterly Civil List.

MALARIA IN ILAQA BEIT.

2270. Chaudhri Afzal Haq : Is it a fact that *ilaqa* Beit, Dasuha, district Hoshiarpur, and *ilaqa* Beit, district Ludhiana, are two of the most malarial parts in the Punjab ?

If so, will the Government be pleased to say what steps they have taken this year to combat the disease ?

Mr. J. G. Beazley : Yes.

The steps taken by the District Board of Ludhiana to combat malaria comprised the free distribution of quinine and cinchona febrifuge. Medical relief was also rendered by the District Health Officer and his staff, and a travelling dispensary was despatched to the affected tract. Similar arrangements were made by the District Board of Hoshiarpur, but the request for additional supplies of quinine made by the District Health Officer were not fully complied with.

PATHAN CONVICTS IN THE PROVINCE.

2271. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) the total population of Pathan convicts in the province as compared with the Punjabi prisoners ; and
- (b) the number of Pathan convict officers as compared with the Punjabi convict officers ?

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

GRANT BY THE GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE FOR THE UPKEEP OF THE JAILS IN THE PUNJAB.

2272. Chaudhri Afzal Haq : Will the Government be pleased to state—

- (a) whether the Government of the North-West Frontier Province gives any grant for the upkeep of the Punjab jails and convict settlements ?
- (b) If the answer to (a) is in the affirmative, will the Government be pleased to say how much grant is given to this province by the Government of the North-West Frontier Province ?
- (c) (i) If the answer to (a) is in the negative, will the Government be pleased to say under what order or authority, rule or resolution, the Punjab Government spends the grant which is meant for the upkeep of Punjab prisoners on that of the Frontier Province prisoners ?
- (ii) Is it not a fact that the most needed reforms could not be effected in the Punjab jails on account of financial difficulties ?
- (iii) If so, is the Government considering the advisability of restricting the expenditure of the whole grant for jails and convict settlements to the convicts of this province only ?

The Honourable Sir John Maynard : (a) No.

(b) Does not arise.

(c) (i) The claim was waived on the condition that the Government of India do not make a similar claim for Punjab convicts confined in the Andamans and in the Delhi Province.

(ii) Finance has been one of the difficulties in the way of reform.

(iii) The Government of India are about to construct a Central Jail for North-West Frontier Province prisoners at Ferozepore.

DISTRIBUTION OF QUININE THROUGH CO-OPERATIVE SOCIETIES.

2273. Chaudhri Afzal Haq : Is Government aware of the fact that rural population of this province experiences great difficulties in getting quinine in malarial seasons in spite of the measures already adopted by Government?

If so, will the Government please say whether they are considering the advisability of distributing quinine through the agency of Co-operative Societies?

Mr. J. G. Peazley : (a) No.

(b) Steps are being taken to secure the assistance of Co-operative Societies to serve as distributing agents for quinine.

TAHT-KHAHI LESSEES IN DIPALPUR AND PAKPATTAN.

2274. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the names of those lessees of the *Taht-Khahi* in tahsils Dipalpur and Pakpattan who have not yet acquired proprietary rights; and

(b) the area which each lessee possesses?

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

ASSAULT ON THE DURBAN BY THE UNDER-TRIAL PRISONERS AT KASUR.

2275. Chaudhri Afzal Haq : (a) Is it a fact that on the 3rd October last some under-trial prisoners assaulted the durban at Kasur?

(b) Is it a fact that some police officers have been suspended in this connection?

(c) Is it a fact that the Deputy Inspector-General of Police went to Kasur to ascertain the facts of the case?

(d) If so, will the Government be pleased to state the facts of the case and also any further steps taken by the Government in the case?

The Honourable Sir John Maynard : (a) Yes.

(b) Yes.

(c) Yes.

(d) The facts are that some under-trial prisoners beat the durban early on the morning of the 30th September 1925. It was suspected that the prisoners had been instigated by some police officers who were at enmity

[Hon'ble Sir John Maynard.]

with the durban. A departmental enquiry was therefore held by the Additional Superintendent of Police on the spot. As a result of the departmental proceedings, a head constable and a constable were dismissed from the force, and another head constable was reduced to the ranks. The under-trial prisoners concerned were sent up for judicial trial and have been convicted.

—
ACCIDENT TO CERTAIN WORKMEN OF THE RAILWAY WORKSHOPS ON
ACCOUNT OF TRAIN COLLISION.

2276. **Chandhri Afzal Haq:** (a) Is the Government aware that several workmen belonging to Railway Workshop were injured on the 7th October by train collision?

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

- (i) the number and names of those who received injuries, also stating the nature of their injuries;
- (ii) whether any student of the MacLagan Engineering College was injured in the accident; and
- (iii) whether any of those so injured brought a suit against the Railway authorities?

The Honourable Sir John Maynard: (a) Yes.

(b) (i) A statement is laid on the table.

(b) (ii) No.

(b) (iii) No.

No.	Name.	Nature of injury.
1	Behari Lall, son of Duni Chand	Sustained simple fracture of both bones of the left leg.
2	Nur Muhammad, son of Nizam Din.	Sustained compound fracture of both bones of the left leg.
3	Ghulam Nabi, son of Ahmed Din.	Compound fracture of both bones of both legs.
4	Behan Singh, son of Thakur Das.	Lacerated wound of great and index toes of left foot.
5	Ramzan, son of Gaffoor ...	Slight abrasions on right calf and right knee.
6	Muhammad Bashir, son of Muhammad Hayat.	Slight abrasions on left leg.

DAMAGE CAUSED BY THE RIVER BEAS.

2277. Chaudhri Afzal Haq: (a) Is it a fact that most of the lands of village Abha, tahsil Dasuha, district Hoshiarpur, have been eaten up by the river Beas?

(b) Is it a fact that even the residential sites of the village have been washed away?

(c) Is it a fact that the inhabitants of that village sent a memorial to the Government with respect to their present plight?

(d) If so, what action has been taken or the Government proposes to take for the relief of these people?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member as soon as it is ready.

DAMAGE CAUSED BY FLOODS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.

2278. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) the names and number of those three-fourths of whose lands have been washed away by floods in the Hoshiarpur and Ludhiana districts; and

(b) the names and number of those half of whose lands have been washed away by floods and stating also the name of the village to which they belong?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member as soon as it is ready.

MOGAS OF CANALS.

2279. Chaudhri Afzal Haq: (a) Is it a fact that Mogas of canals are changed from one place to another and made big or small from time to time at the will of the Canal officers?

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

(i) whether they are aware that zamindars suffer much in consequence of this constant change;

(ii) whether they are further aware of the general belief that this change of Mogas is responsible for the corrupt practices in the Canal Department; and, if so, whether the Government is considering the advisability of issuing instructions to the Canal Department not to change the site and size of Mogas unless zamindars apply for it?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: (a) No. Outlets are not changed from one place to another unless the change is desired by the majority of the share-holders to improve irrigation.

Outlets are not enlarged unless they are irrigating less than the permissible area and they are reduced, with the concurrence of the Deputy Commissioner, only when they are irrigating more than the permissible area and taking more than their share of the supply.

Hon'ble S. B. S. Sundar Singh, Majithia.]

In every case the sanction of the Superintending Engineer is obtained.

(b) (c) Reply is in the negative.

(ii) Government are aware that this erroneous impression still exists. In view of reply to part (a) Government does not consider there is any necessity for issue of such instructions.

FLOODS IN VILLAGE PULL PUKHTA.

2280. Chaudhri Afzal Haq: (a) Is it a fact that the village Pull Pukhta, tahsil Dasuha, district Hoshiarpur, is again flooded this year?

(b) Is it a fact that the zamindars of that place have telegraphed to the district authorities praying for help?

(c) If so, will the Government be pleased to say what relief has been given to those people?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member as soon as it is ready.

INSPECTION OF FLOODED AREAS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS BY AN OFFICER OF GOVERNMENT.

2281. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) whether any officer visited the scene of the flooded areas in the Hoshiarpur and Ludhiana districts at the time of last floods, and, if so,

(b) the designation of the officer who so visited the flooded areas and the date of his visit; and

(c) what report he made of the situation?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member as soon as it is ready.

LAND REVENUE IN THE DERA GHAZI KHAN DISTRICT.

2282. Shaikh Faiz Muhammad: (a) Will Government kindly state if it is a fact that at the last settlement of the Dera Ghazi Khan district present rate of land revenue was assessed on the understanding that over sixty per cent. of the cultivated area would be irrigated?

(b) Is it a fact that the Irrigation Department has now fixed the maximum percentage of irrigation area at 45?

(c) If the answers to (a) and (b) above are in the affirmative, is Government prepared to effect a proportionate decrease in the land revenue?

(d) If the answer to (c) is in the negative, does Government propose to issue instructions to the Irrigation Department to make good the promise held out to the zamindars at the last settlement of the district?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: (a) No.

(b) No.

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

CANALS IN THE DERA GHAZI KHAN DISTRICT.

2283. Shaikh Faiz Muhammad: Will Government kindly lay on the table the following details regarding Fazilwah, Manka, Sahiban, Shoria, Kasturi canals in Dera Ghazi Khan tahsil and Karya Gamun, Soan, Islam and Muhammadwah canals in the Jampur tahsil of Dera Ghazi Khan district:—

- (a) area commanded;
- (b) area cultivated;
- (c) area irrigated; and
- (d) area matured?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The figures asked for by the honourable member are given in the statement which is laid on the table.

Name of canal.	Area commanded.	Area cultivated.	Area irrigated (annually).	Area matured (annually).
1	2	3	4	5
	Acres.	Acres.	Acres.	Acres.
Fazilwah	12,305	11,768	3,991	2,588
Manka	139,764	127,909	48,813	38,557
Sahiban	39,158	36,135	15,635	11,167
Shoria	70,388	58,161	37,864	28,663
Kasturi	25,096	23,860	5,880	4,519
Karya Gamun	10,985	10,213	5,320	4,263
Soan	15,854	14,683	9,073	6,800
Islam	16,142	15,384	7,431	5,157
Muhammadwah	10,727	10,393	1,842	1,250

NOTE.—The figures in columns 4 and 5 are based on the average of the last 3 years' irrigation, while those in column 3 represent culturable commanded areas.

FRONTIER CRIMES REGULATION.

2284. Shaikh Faiz Muhammad: (a) With reference to the answer to question* No. 1414, asked on the 2nd March 1925, will Government please state whether the report has since been received from the Committee? If so, will it please lay it on the table?

(b) If the report has not yet been received, will Government please say when it is expected to be received? Will the Government please issue a special reminder to the Committee to expedite the submission of its report?

The Honourable Sir John Maynard : The report has been received and is under the consideration of Government. Government is not prepared at present to lay papers on the table.

TRIAL OF CIVIL AND CRIMINAL CASES AT FORT MUNRO.

2285. Shaikh Faiz Muhammad : (a) Is Government aware of the fact that the Chiefs' Jirga of Dera Ghazi Khan district at their summer session try and dispose of at Fort Munro civil and criminal cases in which parties and witnesses belong to the plains ?

(i) Is Government aware of the hardship that the practice of hearing cases at Fort Munro entails for the litigants and the witnesses ?

(e) Will Government kindly consider the desirability of issuing instructions that no cases belonging to the plains should be tried at Fort Munro ?

The Honourable Sir John Maynard : (a) The Chiefs' Jirga meets at Dera Ghazi Khan in March and at Fort Munro in September. At the latter place it takes up very few cases, either civil or criminal, concerning plains people, but there are a certain number of cases which cannot be deferred till the March session or transferred to other courts.

(b) The hardship involved is inconsiderable, and every effort is made to reduce it.

(c) No.

**SALE OF PROPRIETARY RIGHTS TO NON-HORSE-BREEDING TENANTS
OF THE SARGODHA COLONY.**

2286. Malik Firoz Khan, Noon : (a) Will the Government kindly state the date when the non-horse-breeding tenants of the Sargodha colony were informed that they could purchase the proprietary rights in these lands by payments at the rate of Rs. 100 per acre ?

(b) What was the total area which the Government was prepared to sell ?

(c) Is it a fact that the tenants have represented to Government that they cannot pay this heavy price, but that they are willing to pay the same price which was charged in the case of tenants in the Lyallpur district ?

(d) Will the Government kindly state if any tenants have paid in the price of these lands ? If there are any such tenants, will the Government state the total area purchased by them so far ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) The announcement was made to the tenants immediately on the direct receipt by the Deputy Commissioner, Shahpur, of the Government orders, which are dated 15th November 1924. The price at which it was announced that Government was prepared to sell was Rs. 125 per acre, but tenants paying the first instalment of one-fifth of the total purchase money by the 1st April 1925 were to be charged only Rs. 100 per acre. Tenants making a similar first payment between 1st April 1925 and 31st March 1926 were to be charged Rs. 105 per acre, further enhancements of Rs. 5 per acre becoming due for each succeeding year of delay in deciding to purchase until the full price of Rs. 125 becomes payable in 1929-30.

(b) 99,576 acres.

(c) Yes.

(d) 1,520 acres.

Malik Firoz Khan Noon : In view of the fact that only 1,520 acres have been purchased so far, are the Government prepared to revise the price of these lands ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
No.

ELECTRICAL ENGINEER STUDENTS OF THE MUGHALPURA COLLEGE.

2287. Malik Firoz Khan, Noon : (a) Will the Government kindly state the prospects of Government service for the Electrical Engineers who pass out of the Mughalpura College ?

(b) Has the Government reserved or does it propose to reserve some posts in the Engineering Department under Government for these Engineers ?

(c) Is it a fact that the boys who pass out of the Mughalpura College have to serve as apprentices in the North-Western Railway Workshop for two years ?

(d) Is it a fact that other apprentices working in the Railway Workshops get a small allowance for the work they do ?

(e) If so, does the Government propose to induce the Railway authorities to give an allowance to the boys who pass out of the Mughalpura College and undergo apprenticeship in the Railway Workshops ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) The Departments of Government likely to require the services of Electrical Engineers are—

(i) the Buildings and Roads Branch of the Punjab Public Works Department under the Electrical Engineer to Government ;

(ii) the Irrigation Branch of the Punjab Public Works Department in connection with the generation of current from canal falls ;

(iii) the Hydro-Electric Branch of the Punjab Public Works Department which is about to be formed for the period of construction of the Uhl River Hydro-Electric Scheme ;

(iv) the Government of India, Telegraph Department (Engineering Branch) ;

(v) the North-Western Railway, Electrical Engineering Section.

The prospects of passed students of electrical engineering finding employment in any of these departments will depend largely on the capability and qualifications of the man trained at the College. As the College has only just commenced its third year of training for students of electrical engineering and therefore up to the present time no qualified electrical engineers have yet entered the professional market from this institution it would be premature to hazard an opinion on the value which they will reach.

(b) The reply just given to the first part of the question shows that there are several departments of Government service, not confined to the Punjab services, where employment is possible. In none of these, as yet,

[Hon'ble R. S. Ch. Chhotu Ram.]

have posts been reserved for passed students of the College, and in view of the unknown quality of the students it is unlikely that the departments concerned would be willing at present to make such reservations.

(c) The course of training for "A" class students extends for five years of which the first three are spent in College and the remaining two years in approved engineering works. These students are not bound as apprentices.

(d) The system by which the North-Western Railway engaged apprentices from the open market has been discontinued, and the only apprentices now working are those who remain as the residue of the former system. These residue apprentices are paid.

(e) The qualified students of the Moghalpura College if engaged by the North-Western Railway for service in their workshops are not required to undergo apprenticeship, they are engaged as journeymen or in higher posts. The question of an allowance as an apprentice therefore does not arise.

UNDER-TRIAL PRISONERS IN MUZAFFARGARH JAIL.

2288. Captain Dhan Raj, Bhasin: (a) Will the Government please state how many under-trial prisoners confined in Muzaffargarh jail had been awaiting their trial for more than three months on the 4th September 1925?

(b) What is the number of such under-trial prisoners whose cases were disposed of up to the 30th September 1925?

The Honourable Sir John Maynard: (a) Three.

(b) None.

SUPPLY OF CLOTHING TO PRISONERS OF CENTRAL JAIL, MULTAN, DURING THE HOT WEATHER.

2289. Captain Dhan Raj, Bhasin: (a) Is it a fact that some of the prisoners in the Central Jail, Multan, were supplied with less clothing during the hot weather of the current year than the usual scale laid down in the Jail Manual?

(b) If the reply be in the affirmative, will the Government kindly state its reasons and also take measures to prevent the recurrence of similar incidents in future?

The Honourable Sir John Maynard: (a) No.

(b) Does not arise.

DIETARY IN THE MULTAN, DERA GHAZI KHAN AND MIANWALI JAILS.

2290. Captain Dhan Raj, Bhasin: (a) Is it a fact that wheaten bread was allowed more than twice a week to prisoners confined in the Lahore, Rawalpindi and several other jails in the last summer?

(b) Is it a fact that such concession was not allowed to the prisoners confined in the Multan, Dera Ghazi Khan and Mianwali jails?

(c) Is the Government aware that the prisoners confined in jails referred to in (b) above have a general complaint that they cannot digest *Misri* in such hot places?

(d) If the reply to (c) be in the affirmative, will the Government please state why no change in the dietary has been made?

The Honourable Sir John Maynard : (a) Wheaten bread was issued for special reasons to the undertrials in the Lahore Fort Sub-Jail, to convicts in the Camp Jail at Khewra, and in the Rawalpindi District Jail during the cholera outbreak in August and September 1925, but in no other jails during last summer.

(b) No necessity arose in these jails to change the dietary.

(c) No such complaints have been received by the Inspector-General.

(d) No further change is necessary. The proportion of wheat and gram has already been altered from half and half to two-third of the former and one-third of the latter.

MOTION FOR ADJOURNMENT.

RE INSULTING TREATMENT METED OUT TO LALA BODH RAJ IN MONTGOMERY JAIL.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan) Urban] : Sir, I beg leave to move for the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the insulting treatment meted out to Lala Bodh Raj, M.A., LL.B., M.L.C., a member of the Jail Standing Committee of this Council and a non-official visitor of Punjab jails in the discharge of his duties as such in Montgomery Central Jail on the 9th of December 1925.

Mr. President : The honourable member asks leave to move for the adjournment of the Council to discuss a matter of urgent public importance, namely, the insulting treatment meted out to Lala Bodh Raj, M.A., LL.B., M.L.C., a member of the Jail Standing Committee of this Council and a non-official visitor of Punjab Jails in the discharge of his duties as such in Montgomery Central Jail on the 9th of December 1925. Is there any objection to leave being granted ?

Mr. J. M. Dunnett : (Home Secretary) : I object, Sir. The matter refers to an occurrence of yesterday and was brought to the notice of Government this forenoon. Government has sent for information, but has not yet received it and is not yet in a position to discuss this matter. I therefore object.

Mr. President : Will those in favour of the leave being granted, please stand in their seats ?

(More than 20 members stood up in their seats.)

Mr. President : Leave is granted to discuss this matter and the motion will be taken up to-morrow at 2 P.M. first thing.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY GRANTS, 1925-26—(CONTD.).

MISCELLANEOUS RESERVED GRANT—concluded.

Mr. President : The Council will now resume the discussion of Miscellaneous Reserved Grant.

Shaikh Muhammad Sadiq : Sir, when we adjourned on the 3rd, I was discussing the jail reforms. Now an incident has happened which naturally I will discuss later on, that is to say, to-morrow. So I will not take up that point at all.

[Shaikh Muhammad Sadiq].

Now, Sir, a civilised Government and a strong Government which wants that it should remain stable has always to build itself on surer and broader foundations. A government which wants to build a structure on a foundation which is full of prejudice and narrow-mindedness, is bound to fall to-day or to-morrow. What I say is this that in order to strengthen the structure, we must strengthen the foundation and it is for this purpose that I appeal to my friends sitting opposite to meet the wishes of the House and of the country not in a spirit of suspicion, as I said last time, but in a spirit of broad-mindedness. We are asking Government that the terms of reference should be widened, but Government's answer has been, I am sorry to say, that of decisive no. So far as the transferred subjects are concerned, in a way our wish is law, but as regards the reserved subjects we are only acting as an advisory body and we are going to act as an advisory body whether Government likes it or not. It is for Government to accept our advice or not. If it accepts it, we are all glad. If it does not accept it, we are all sorry. But if it does not accept it, the momentum will go on. It will not stop. Government will have to bow one day to the wishes of the people if it is reasonable. It is a funny thing, but I have noticed it in the case of many governments, whether in India or abroad, that when the people non-cooperate with Government, Government is prepared to cooperate with the public, but as soon as the public begins to cooperate with Government, Government starts non-cooperation. Or it is rather this way, that when the public non-cooperates in arithmetical progression, the Government non-cooperates in geometrical progression and *vice versa*, and says, why do you not cooperate, but as soon as the people begin to cooperate, Government becomes silent. For this reason I appeal to my friends, the Home Secretary and Sir John Maynard that they should come into line with the people as regards the jail reform and remove the suspicion which is lurking in the minds of the whole of the Punjab that Government is intentionally thwarting the wishes of the public. The question of Police Enquiry Committee has come as a surprise. It has come to our knowledge only in this House. So far as the terms of reference are concerned, I have no objection to the first four terms. It is absolutely necessary to examine all the points mentioned therein. But as regards the fifth item Government is beautifully vague. It reads: to examine and report regarding means for improving the efficiency and integrity of the police force. It is not clear what this term means and for that reason I want Government to come forward and say what the meaning of this term is. I want Government to mention in the reference the system by which evidence is recorded in *simnis*. The police records evidence on a *parcha* which can be easily removed and replaced by another. There is no regular book system with numbered pages. The police take evidence and somebody comes and says, please remove that *parcha* and put in another. There is no thumb impression on the *parcha*, and the result is that new *parchas* are tagged on in place of the old ones. The police admit that they are doing it. It may have been a satisfactory thing in 1877 or 1878, but it is not satisfactory in 1925. We request that Government should make an enquiry into the working of this system also. My learned friend Mr. Dunnett appreciated my point, but that appreciation does not find a place in the terms of reference.

Now, Sir, as regards the personnel, I have not to say a word against Mr. Lumsden, not a word to say against Mr. Cocks and not a word against my friend Lieutenant Sikandar Hayat Khan. But I do request Government to widen the personnel a little. There is no point in appointing gentlemen who represent the official side. Why not appoint Chaudhri Afzal Haq

who has taken keen interest in the subject, why not appoint Sardar Jodh Singh or Sardar Tara Singh? There are several others from amongst whom a good choice could be made. I say, Sir, if you are not satisfied with the members of the Council, appoint some person from outside who has some knowledge of the police work. What harm is there if that is done. Government should do all it can to take the public into confidence. There are a lot of public-spirited men who will be willing to serve on the Committee. Take an oath from them, if you like, that they will work honestly. Why not take advantage of their services for the good of their country which is naturally for the good of the Government also, because I cannot dissociate the public from Government? They are one and the same. Everyone knows that no government has come to grief by responding to public demands. On the other hand, it becomes more stable. I believe that Government has good intentions. Why not show those good intentions in actions so that the people should praise you and bless you and say that you are ready to do all you can for the good of the country?

Sir, in this House we are neither obstructionists nor bolsheviks. All members here, whether they belong to swaragist party or to any other party, have come here with honest motives and that is, to improve the condition of the public administration. So, Sir, I want Mr. Dunnett or the Honourable Sir John Maynard to tell me before I proceed with the fifth item whether that is the intention of the Government. (After a pause) I get no reply. Probably Sir John Maynard wants to reserve his right of reply after everybody else has spoken and so he is not prepared to answer my question now. Under these circumstances I want the Honourable Sir John Maynard to add this as the first item for the Police Enquiry Committee, namely, the question of transport of prisoners, I mean the undertrial prisoners from one place to another, and the housing of these undertrial prisoners while in custody in thanas. I have been a lawyer, Sir, all these ten or eleven years and I have gone to different thanas on business. What I found there is that there is a room kept for undertrial prisoners. In the month of June when one wants to be walking about in open air he is confined in a room without any open space adjoining his room. In the hot months of June and July when people want to sleep in the open the under trial prisoners are kept in a room where they have to sleep. This, Sir, is not a satisfactory way of treating the under-trial prisoners. So I want the Government to go into the whole question of proper accommodation for the under-trial prisoners to sleep in the open in summer months. With these words I resume my seat.

Sardar Tara Singh [Ferozepore (Sikh) Rural] : Sir, the speech made by my friend Shaikh Muhammad Sadiq, might have clearly proved to the Government benches that the object of raising the discussion on this subject is not to criticise Government but to help the Government sincerely and honestly to eradicate the evils which are eating the vitals of police administration. The intention of all the speakers on this side has been to lay before the Government all the defects that they have detected themselves or that have been brought to their notice by persons of responsibility and to suggest specific methods by which to redress the grievances of the public so that this might become the subject of enquiry by the Commission. It was rightly remarked that when people non-cooperate Government desires cooperation, but when this House is crying hoarse on this subject that they want to co-operate with Government and place all the grievances before the Government so as to enable it to run the machinery smoothly, Government sits adamant and hard like a rock. I will speak from my personal experience and I hope

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the honourable member of Government will listen to me attentively so that he may be able to reply to my remarks.

Now, Sir, what is the object of the enquiry. From what I have been able to gather from the reference to the Commission I infer that the Committee is to enquire into the adequacy or otherwise of the staff, because the department has been receiving numerous complaints from the different districts of the inadequacy of the staff on such and such occasions and it is in order to enable Government to have a certain data to proceed upon that they want to collect the material so that in future they may be in a position to meet their demands on a certain settled principle. It is with that object that this Commission has been appointed, if I understand the position correctly. Sir, if that is the only object of this Commission I believe one man will be quite sufficient to go round the whole province and collect material and place it before the Government for their future guidance. But as has been remarked by certain friends there are certain evils in the police department and they require to be removed. The Honourable Sir John Maynard was pleased to remark that the word 'integrity' included corruption and that this Committee is entitled to go into the question of corruption. Sir, if that is the intention of Government I think there will be no harm if the word 'corruption' is substituted for the word 'integrity'. That will allay the apprehensions of the people. Sir, I have also come to know that the Committee has already proceeded to different districts and that their enquiry has been limited and circumscribed only to the question of the adequacy of the staff. It has not moved a little bit to enquire about the corruption question. Therefore it is clear that the object of the Commission is limited purely and solely to the question of the adequacy of the staff and not to the question of corruption.

Sir, it might be said that enlarging the scope of reference and addition to the personnel of the Commission might involve a great deal of expenditure of public revenue. I may give a rough estimate of the amount of illegal earnings of the department. It may be difficult for me to produce legal evidence in support of my contention, but I can say with more or less certainty that in each district corruption is so rampant that if I estimate the amount of corruption in each district at one lakh a year I think I won't be exaggerating. (Voice of 'No'.) Taking this as the basis, the total amount that goes out of the pockets of the public in the whole province may be put at 33 lakhs every year. Sir, if you spend one lakh on this Commission for going into the question of corruption in the police department and suggesting remedial measures to Government it will save a recurring expenditure of 30 lakhs per year by the people indirectly. So the amount spent in this connection will be usefully spent and on this score I request the Government not to hesitate in broadening the reference and adding to the personnel of the commission.

Sir, a great deal of discontent which is now prevailing among the people will be mitigated if their real trouble is removed. I am living in the mofussil and I can realise the difficulties of the poor people whose houses are broken open by dacoits or whose near relatives are murdered by their enemies. I can say with certainty and positive knowledge that when a man commits murder the injured party cannot make a report to the police without paying for the munshi. In 90 per cent. of the cases the police officer will not record the report unless he is bribed. I do not make mention of this fact to vilify the police but to bring to the notice of Government the evils that

prevail among the police so that they may take action to remove them. Just imagine the condition of a man whose relative is lying in bed butchered and whose report is not taken down by the police. If he manages to make a report to the magistrate, the latter is frightened by the police. I know as a matter of fact that the magistrate who shows his independence of character in deciding police cases generally gets transferred by the manoeuvres of the police. I can say that in my own district there is one magistrate who would do justice but who could not stay there for two years. The police did not allow him to stay there any longer and would not leave any stone unturned to get the magistrate transferred. So much, Sir, is the power of the police. The police department therefore requires reform in this direction so that they may look to the welfare of the people for whose sake they are there and not for their disadvantage. That is one point which I want the Police Enquiry Committee to examine.

The second point is that if a person who is injured is fortunate enough to get the police authorities to the spot where the injury occurred, the officer will collect a number of persons around him, not only men but women also, and make them dance attendance on him for several days and yet will not record anything in his diary till the whole case is complete. He won't make any entry in his diary as to the persons he sent for in the course of his investigation. I have seen groups of persons having been asked to dance attendance on the police officer not because he feels that all of them are concerned in the case. Then, Sir, out of 20 persons he thus collects he will release about 14 or 15 after filling his pocket with money received from them and go on with the case with the remaining five or six. I bring to the notice of the Government that the police officer will not even at this stage forward his report to the headquarters.

I have actually enquired about this from police department officers. It is not on the same day that it is forwarded direct to the headquarters. They take some four or five days to do this. But the question is whether the Superintendent of Police takes notice of this complaint. No, because they are all conspiring; they all form a clique; they are all part and parcel of the same machinery. Therefore they connive at all these irregularities. If the Police Sub-Inspector sends his diary on the same day on which he makes an investigation into the case, it will be very difficult for him to alter the course of action which he takes. So he delays for some days and settles the course of action he should take and then sends it on to the headquarters. If he sends his diary immediately, he will make contradictory and inconsistent statements later on. In order to avoid the necessity of his course of conduct in investigating a case being declared irregular, he waits and sends his diary later on. In this action of the Police Sub-Inspector and the higher officers conspire and connive at his conduct. What do the higher authorities do? The District Superintendent of Police in order to show to the Government that he is very impartial and in order to give no room for being found fault with visits the scene of offence in very serious cases, such as murder or dacoity. What does the District Superintendent of Police do after going there? I am merely narrating the actual facts here for the information of the Government. The Sub-Inspector of Police as soon as he gets information that the District Superintendent of Police is going to visit the scene of occurrence collects people of his own views, people who will say ditto to whatever he says and then takes them to the spot and sprinkles water and then brings a table and puts a table cloth over it. As soon as the District Superintendent of Police goes there, he asks the

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people "where did it happen? Where did it happen." "Here, Sir," is the reply. "Oh! did it happen here?" "Yes, Sir." These are the questions he puts and the answers he gets. He is well pleased with all this and spends some time in conversation and then hurries back to the headquarters. That is the sort of enquiry that the higher police officers make even in very serious cases. Well, Sir, if the Sub-Inspector had the fear that his superior officer would come forward and would detect all his vagaries, then of course he would do things properly. On the other hand if the superior police officials do their supervision work in such a perfunctory manner what good can be expected? The Sub-Inspector is solely bent on pleasing the District Superintendent of Police somehow or other and if he is pleased, then the Sub-Inspector does not worry himself about how improperly he investigates the case. This is the second trouble.

Then the third trouble arising out of the police department is the way in which the police torture the offenders or the suspects. I concede, Sir, that in some cases if the man is not put to some trouble, he will not admit having committed the offence. But this is not the only method of investigating the case. The investigating officer should use his skill, his tact and influence to get an insight into the affairs, but so far as my experience goes, the only method pursued by the police officials in the investigation of cases is the method of torture and that system is hardly creditable to the department.

I will narrate in very vivid terms the way in which investigation is made into crimes and this will throw a flood of light on the doings of the police department. Supposing two persons, A and B, are involved in a crime of theft of property and supposing the police come to know that A is the real culprit and supposing the police find the stolen property in the house of A. If A is willing to bribe the police authorities and if B is not willing to do so, all that the police officials do is this. They take the property found in A's house and conceal it somewhere in fields and in the presence of the so-called independent people but who are really tools in the hands of the police, the police take out the property from those fields as pointed out by B who is really innocent. Thus B is challaned because he refuses to be a party to bribe the police officials. The police, as if to give a colour of fairness take the lambardars into the bargain and then in their presence shift the offence of theft from the head of A to that of B. In this way A who is the real culprit gets scot free by illegal means and B who is innocent is involved in the case and the whole burden is thrown upon B to prove that he is innocent. Now the challan goes to the higher judicial authorities. Meanwhile B who is really innocent finds that there is no way out of the difficulty except to buy off the police. The police then finding that B is willing to purchase his liberty make the witnesses for the prosecution who are really under their thumb give evidence against the prosecution so that B might escape for want of proper evidence. B, as it were deposits some money with the police officials for his acquittal and the police cleverly manage the case with the result that the accused is acquitted and the money is digested by the police. Thus the police get money not only from the real offender, namely A, but also from the innocent person B by bringing false charge against him and then making the witnesses who are the creatures of the police depose against the prosecution. In any case the challan is filed whether the investigation is true or not. Thus the police department has become very corrupt. This conduct of the police greatly interferes with the efficiency of the administration of justice in this province.

There are numerous cases which could be cited in order to convince the Government of the vagaries of the police officials. The cases are so numerous that people have begun to rise up in arms against the Government because these tortures and difficulties have become a matter of every day occurrence. It is because that there is a widespread feeling of discontent, I appeal to the Government benches to remove the causes of these discontent. It is the duty of the Government to remove all the legitimate grievances. I appeal to the Government that they should include these things in the terms of reference to the Committee so that they might investigate into these irregularities and suggest remedies. If these grievances are put forward before the Committee and if on enquiry the Committee finds that these grievances are real, then the members of the Committee will really feel thankful to honourable members of the House for bringing forward such grievances to their notice. It may be said that though corruption prevails in the department, the people themselves do not come forward to make complaints against corrupt officials. Here, I may state to the House that there are two kinds of law prevalent in the province, the one is the written law and the other is the unwritten law. Taking bribe has become the unwritten law of the province. It has become such a well-established practice in the province that people can hardly get rid of it. People find that they can achieve their objects only by having recourse to bribery. If there is any man who is bold enough to make a complaint to the higher authorities, what is the procedure adopted by the Government? I will explain the procedure for the information of the House. Supposing a person gets a petition written against a Sub-Inspector of Police charging him with corruption. This petition is sent to the Inspector-General of Police. The Inspector-General of Police does not depute a special officer to enquire into the allegations. He sends it on to the Deputy Inspector-General of Police who sends it down to the Superintendent of Police and who in his turn sends it on to the Inspector of Police. All the police officials from top to bottom do not want to expose one of their own colleagues, because all of them are privy to the irregularities and corruption and so the Sub-Inspector of Police against whom a complaint is made by any man escapes. The Sub-Inspector manages to convince his superior who may be entrusted with the task of enquiring into his conduct that everything is all right. Thus the poor man who makes bold to send a petition against the Sub-Inspector is astonished to see that the petition is sent for investigation through the various official channels to the very person against whom the complaint is made. The only trouble that the Sub-Inspector is put to is that he has to pay more than his usual share of money to the officials in order to effect his escape. In this way the Government practically discourages people from bringing forward complaints against the police officials, because their complaints are sent to the very persons against whom the complaints are made for investigation and report. I do not deny, Sir, that there may be some cases in which people might make frivolous complaints against police officials; but after all the law provides that in case of frivolous complaints and in case of spurious petitions against public servants, the complainant may be prosecuted for preferring such complaints. If on the other hand all complaints are discouraged the idea gains ground that the Government itself encourages bribery among its subordinates. I will go further and ask, if Government is really anxious to eradicate this evil of corruption from the police department, can they not know that such and such an officer is honest and that such and such an officer is corrupt? My only wonder is that when the Government machinery is so vast as to be able to prepare a history sheet for lakhs and lakhs of individuals from the masses who take

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part in various movements, can they not find out who among their subordinates are honest and who are corrupt? The Government machinery is extensive and so very resourceful as to watch the movements of lakhs of persons working in certain movements and yet it is astonishing that the Government cannot find out the movements of its subordinates. I am sure that if only the Government is anxious to remedy this evil, they can easily do it. Cannot the Government ask those people in a district who are really anxious and willing to help them to find out the true state of affairs in a particular branch of their administration? Why should the Government leave the impression on the people that the Government are not willing to root out corruption from the police administration? That impression may be right or wrong, but yet that impression prevails. I can assert with confidence that the impression which has been created in the minds of the people in the rural area is that the Government does not want to encourage complaints against their subordinates. I concede, Sir, that if these complaints become numerous and frivolous they might interfere with the prestige of the subordinates; but to ignore all these complaints altogether in every case is sure to create a wrong impression in the minds of the people that the Government does not care to encourage honesty among its subordinates, and that it is not prepared to listen to the complaints made against its subordinates. There is this widespread impression among the masses and this is certainly injurious to the fair name of the Government and also to the efficiency of the police administration and I think this impression should not be allowed to become permanent. Therefore I again appeal to the Government that the terms of reference to the Committee should be widened so as to include all the above irregularities in the scope of enquiry of the Committee. These items should certainly be incorporated in the terms of reference.

Then, Sir the question of personnel has to be considered. It was said by a certain friend of mine at a debate that if the Government was really anxious to eradicate this evil and if the Government wanted to do justice to the people and if it wanted to convince the people that justice would be done to them and if it wanted to inspire confidence in the mind of the public, then it should appoint on the Committee members who would carry weight and whose findings would inspire confidence in the minds of the public that the Government was really anxious, earnest and serious to listen to the grievances of the public against their police administration and to redress those grievances. From this point of view, it is absolutely necessary and essential that those persons who represent the public mind and in whom the public has got confidence should be co-opted in this Committee. If such public men are co-opted on this Committee, they will be really helpful to the Committee and they will mark out all the black spots in the administration and suggest practical remedies for the eradication of the evil and thus they will help the Government in establishing their fair name and in inspiring confidence in their administration in the minds of the public.

In conclusion, I will appeal once more to the Government both to extend the terms of reference and also to add to the number of persons working on this Committee. The question of expenditure should not seriously stand in the way of adopting my suggestions. It is not a recurring expenditure every year.

Then, Sir, as regards jails I need not say anything in great detail. The defects of the jail administration have been clearly pointed out by previous speakers and a great deal more will have to be said about this branch of

administration when we discuss the motion for adjournment to-morrow. In the case of Jail Committee, I will say this much that the terms of reference should be widened in that case also and more members may also be co-opted.

Maulvi Mazhar Ali, Azhar [East and West Central Towns (Muham-madan, Urban) Urdu] :—Sir, I have been listening very attentively to the speeches delivered by honourable members to-day and the other day when this motion was debated upon. As far as I could understand them I found that the chief objection, though there are other objections as well, was against the terms of reference of the Poice and the Jails Enquiry Committees. They are not wide enough to allow thorough investigation with a view to eradicate the evils. Sir, my submission is that there is no use objecting to the terms of reference. The main question is not whether the terms are wide enough or not but the question is whether Government wants to do anything real to improve the administration of the departments. They can do that even without these Committees. There have been committees before and we know their achievements too well. We can, therefore, very well expect what is going to follow. Everything depends upon the willingness of the Government. The latitude of the terms of reference is im-material.

I would now consider separately the terms of reference of the two Committees. The Jails Committee has been appointed to enquire into allegations of the practice of unauthorised punishments and indulgences. Seen superficially, these unauthorised punishments do not exhibit any capacity for sub-division. But Sir, they do contain a very subtle sub-division. Apparently these unauthorised punishments mean punishments which are against the jail rules. But Sir, even the authorised punishments though they may be quite in accordance with the rules may also be unauthorised in certain cases. Now ordinarily grinding is quite an authorised form of punishment. But Sir, it will at once become unauthorised if it is awarded to a man who does not deserve it or who is not able to bear it. This form of punishment which is in every respect authorised by jail rules is likely to become unauthorised if awarded with indiscrimination or unfairness and although it may not be technically unauthorised it may be unmerited.

Now, Sir, the same is true of unauthorised indulgences. The same indulgences may be authorised in the case of one and unauthorised in the case of another. The question before us is not what is an authorised or unauthorised punishment or indulgence but the question is what evils exist which lead to these unauthorised practices. No good will accrue unless the Government is prepared to revise the present rules very liberally. Just imagine, a man is convicted and he is given grinding. Let us take a concrete case. In 1919 when the Editor of the Tribune Mr. Roy was convicted he was given grinding work. Now how can you imagine such a man to do such hard labour? Throughout his life he never had done anything even approaching that. How can he be expected to grind? . . .

Sayad Muhammad Husain : Were you made to grind?

Maulvi Mazhar Ali Azhar (continued in Urdu) : I did not like to enter into that question. However, now that I have been asked, I must explain. I had the chance of living in jail twice, once in 1919 for 2½ months as an under-trial prisoner and the second time for a year to undergo simple imprisonment. I, therefore had no reason to be asked to do grinding.

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Now, Sir, when the editor of the *Tribune* is, asked to grind 18 seers of wheat it is authorised no doubt, but the question is, if the person can be expected to undergo it. In such a case, there can be only two alternatives—one that the task masters themselves take compassion on the poor prisoner and do not take work from him and the second way is for the prisoner to get out of the difficulty through bribery and illegal gratification. Thus you see how an absolutely authorised punishment must give rise to an unauthorised indulgence. I take another case. During interviews, the rules lay down that there must be some jail official within earshot to watch the prisoner. Now when a man is interviewed by his parents, sisters, daughters or wife, these relations find a stranger by their side to hear whatever they say. The result is that they cannot carry on their talk without any reservation in the presence of a stranger even though he may be a respectable Jai or. This is only one difficulty. I do not like to digress on the search which is made before the interview. Under such circumstances there are only two things that happen. Either the Jailor himself considers it his duty as a gentleman to remove himself away or the other unnatural method, though it is actuated by very natural feelings on the part of the convict of bribing the official has to be adopted. Sir, these things are natural consequences of the present rules and unless Government amends the present authorised punishments and labours, these unauthorised indulgences must follow.

Then Sir, there are so many objections that can be raised against dietary. We want the dietary to be improved. Everybody outside the jails in the Punjab is in the habit of taking some sugar as a part of the meals. How can, therefore, a man pass years of confinement in jails without getting the taste of sugar. Naturally a man would like to have it and if he is forbidden to do so corruption will follow and a thing which the Government could do with a very little expense, will be obtained by the prisoners with great expense out of their own pockets. Corruption will settle the bargain. People in order to get a taste of sugar try to be admitted into the hospitals and thus the officials in charge of the hospitals obtain illegal gratification. The consequences are that a poor prisoner who cannot pay them money rots in barracks even though he may be ill, while a richer prisoner enjoys the conveniences of a hospital even in perfect health. As long as the dietary is not improved these unauthorised indulgences must go on.

There is another very serious thing which requires notice. It is rather obscene. I hesitate to mention it. But dictates of duty demand that I should draw your attention to it. The Jails Commission of 1918 has also referred to them. This evil is prevalent in the Indian Jails. Population in jails mostly consists of youngmen who have very often to reside in jails for long years during which they get no chance of satisfying their carnal passions. Sir, this gives rise to a very great evil. I do not want to dilate upon it, and though jail officials keep a watch day and night prisoners do manage to find a chance of indulging in it and the jail officials, convicts and others do not object to it. I wish that something, if possible, may be done to remove this evil as well which falls in the list of unauthorised indulgences.

I do not know how far I should go on discussing these unauthorised indulgences. You find it everywhere in the jails. A convict wants to become a convict officer. Now even though he be very honest, obedient and of unblemished character in the jail, he has no chance to be raised

to the officer grade unless he bribes the officials and as often as not a worse man is promoted. Now as long as remedies are not followed in a liberal spirit to stop malpractices these evils are likely to thrive. You have centred your hopes round the Jails Committee. I submit the Jails Commission of 1919 also made certain recommendations about labour. Read paragraphs 190-203 of the said report. They are full of recommendations. See if Government has acted upon any of these. If anything has been done it is very halting and insufficient. It is the characteristic of all foreign Governments. They move very slowly in the way of reforms and that even at a time when still greater reforms have already fallen over due. I would now close this subject of terms of reference with the remark that my fears are that mountains of labour may not result in the digging up of a poor little mouse. If the remedies that are to be proposed are to be only in the form of increases in the pay and allowances of officers, then I submit there is no use undertaking all the mountain of labour. It will be harmful. I therefore ask the Government if they are willing to do anything. I attach no great importance to the report of the Committee. Let it submit whatever it likes. The question is whether Government is willing to do anything. Government has not done anything so far to afford even protection to those who appear as witnesses before the committee.

The Honourable Sir John Maynard : This is an error, Sir.

Maulvi Mazhar Ali, Azhar : What is the error ?

The Honourable Sir John Maynard : The statement just made by the honourable member that Government has not made any arrangement is an error.

Maulvi Mazhar Ali, Azhar : May I know what the Government has done ?

The Honourable Sir John Maynard : I shall say in my speech what exactly Government has done.

Maulvi Mazhar Ali, Azhar : We shall have no time to criticise it then. (Continued in Urdu) If Government had something favourable to the people to announce, I am sure, its spokesman would not have abided the time when he could make any statement without being criticised. I therefore conclude the Government have nothing important to say.

The Honourable Sir John Maynard : If the honourable member desires that I should interrupt his speech to give this information I shall be happy to do so.

Maulvi Mazhar Ali, Azhar : I think it would be better because I may then be able to withdraw some remarks of mine.

(At this stage the Honourable Sir John Maynard rose to make a statement.)

Mr. President : I do not think the honourable member will be in order to make a speech in the middle of another member's speech.

Maulvi Mazhar Ali, Azhar (Continued in Urdu) : From what has already been done it is manifest that Government hesitates to take any steps towards reform of the administration. Therefore there is no use complaining of the terms of reference.

[Maulvi Mazhar Ali Azhar].

I would now come to the question of personnel. If I am not divulging any secret it was at first intended to confine this Committee to two members and it was only on my objection that a third was added. The other two members were all officials and it was necessary to add a third person who may be able to put the popular point of view before the Government. They have added a non-official member and I am obliged for that. I have nothing to say against Shaikh Abdul Qadir. We all have full faith in his ability, intelligence and fairmindedness. But yet I must submit my view has been entirely ignored. My objection still exists. I know that all the present members of the Committee are abler than myself and they will work honestly. But they do not understand the popular view. In my opinion Government was afraid of appointing such a member lest he should strike a note of discord in the Committee and submit a note of dissent. If it is so and the Government is really afraid of such a note of dissent, I am afraid, no good will come out of it.

I now come to the Police Enquiry Committee. We have been hearing of many complaints in this House against the police administration. Even the staunch supporters of the Government have objected very violently against the methods of the police. I, therefore, in view of the speeches of those honourable members, do not feel the need of repeating the old arguments. The question is whether this Committee has the power of redressing these grievances. Term No. 5 only, if any at all, can be stretched to cover such grievances. The other four contemplate enquiries only into certain departmental problems. Nothing directly refers to the grievances of the public. I do not mean to say that these departmental questions do not need consideration and if you need a committee to report on them, do appoint it. But I ask if this Committee can in any way remove the grievances referred to by Subedar-Major Farman Ali Khan and Chaudhri Duli Chand. Term No. 5 is "to examine and report regarding means for improving the efficiency and integrity of the police force," and it has been said that this covers corruption as well. This reminds me of the saying:—

"Maani fi batni shair."

When the meaning of a verse was not discernable from its language, it was said that the meaning of the verse is in the belly of the poet. Similarly the language of the term does not bear any such interpretation and I do not know if this is hidden in the mind of the Government. The terms of reference indicate no intention on the part of the Government to remove the grievances. I, therefore, request that they may now be so amended as to make it clear. But I am afraid Government does not mean to redress these grievances, and that is why only such a limited scope has been given to the Committee. This Committee will be useful only if these grievances are to be enquired into. The matter of bribery should form a special subject of inquiry. Methods of investigation should be another subject. Torture another. Guilty and innocent are all treated in the same way. We cannot allow even torturing the guilty and we can still less tolerate any annoyance caused to the innocent.

Then comes the complaint made by Shaikh Muhammad Sadiq about the lock-ups. These lock-ups, Sir, are worse than the cells in jails. Though in these lock-ups you do not feel solitary you have no air, light or sun and

the nasty smell is the only thing which you get in abundance for all these things. I remember when in 1919 after a stay of about 2 months in Lahore Central Jail we reached Gurdaspur after midnight and were told to get into the lock-up, the nauseating smell of the room was simply intolerable. I, therefore, submit that better arrangements should be made in these lock-ups. I do not make unreasonable demands. I only want to humanise the two departments. The treatment accorded to human beings in jails and in police custody is such that a man comes out worse than when he went in. Having seen the worst hell with his own eyes he casts off all fear of jail from his mind. He is hardened and thus neither the number of crimes is reduced nor are the people reformed. As far as the personnel of the committee is concerned I have to repeat what I said about the Jails Committee. Here again, it was intended to appoint only two members but a third one was added subsequently. I have no complaint against any of the members. But they do not represent the popular view. It is possible to get persons on the Police and Jails Committees who are better able to lay the public standpoint before the Government. It is also possible that any such person, if appointed, would have differed from other members. But the minority report is not an undesirable thing. The world will know both the sides of the shield and will be in a better position to judge for themselves which view is the correct one. If such a member had suggested impracticable ideals, they could have been treated accordingly. I, therefore, suggest that the membership may be enlarged.

The third part of the demand concerns the Waterlogging Enquiry Committee. This is in response to a long standing demand of the agriculturists and zamindars. This is beneficial both to the people and the Government and this Committee can certainly do some useful work

Malik Firoz Khan, Noon : Sir, can the honourable member touch this Committee on a motion for reduction of Re. 1 regarding the other two only.

Maulvi Mazhar Ali, Azhar : The honourable member is mistaken. There is no motion of reduction before the House and I am discussing the demand as a whole.

Mian Abdul Aziz : The honourable member should first be sure of his remarks.

Maulvi Mazhar Ali, Azhar (continued in Urdu) : I have nothing to say against the appointment of the Committee. The demand is not such as can be objected to. But it has been whispered that this Committee has been appointed to afford employment to certain persons. Yet as there is nothing known to support such an allegation I do not subscribe to it. Therefore, I would in the end say to the Government "If you want to do something real, do spend the money, but if you want to white-wash the whole thing then I submit you need have no trouble." I, therefore, request the House not to reject the demand. Give the Government another chance of redressing the grievances of the people and if they do not do so, even this time, I assure you, our voice will gather force and rise in a greater volume when next we have occasion to criticise what is done.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural] : Sir, I have listened with great attention to the debate which has been going on and I have given the matter my thorough consideration. I am disposed to think that the matter of jail reformation is not so simple as certain honourable members of this House think. It is really a very complicated problem and in the solution of this problem the co-operation of the Govern-

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ment and the people is necessary. It is true and it is gratifying to think that during the last three or four years the jail problem and the police problem have come to occupy prominent attention of the public. It was but natural that those people who had been in the jail during the Martial Law days or during the non-co-operation movement should get acquainted with the difficulties and the hardships of jail life, and that they should thus acquire first hand knowledge of those hardships or difficulties from which persons generally or let us say in most cases suffered. On the other hand it is also gratifying to note that the Government has shown a desire to listen to the grievances of the public and make an effort to remove these hardships to a certain extent. But while we have heard criticisms of the Government during the last two days, we have not yet suggested any method by which these grievances could be removed to any great extent. I refer first of all to the corruption which prevails amongst the jailors and other officers of the jail department. It is a fact and it is within the knowledge of the Government officials as well that the jail officials are generally corrupt. There are instances no doubt to show that there are jail officials who are as honest as officers in any other Government department, but there is not the least doubt that corruption prevails in the police and jails departments to a much greater extent than in any other department. What is the remedy that has been suggested so far? It may be said that we should employ better men and that we should give them more attractive salaries and certain honourable members were careful enough to say that even then, even with the payment of higher salary we are not likely to remove corruption from amongst the jail officials. Nobody will seriously contend that the jailors who are now paid Rs. 100, or Rs. 150 or Rs. 300 should be paid Rs. 500 or more. What is then the remedy for this state of affairs? What is the remedy to remove corruption from amongst the Jailors and the policemen? My submission on that point is that we should arouse the conscience of the community. These people who are daily taking bribes and amassing huge fortunes should be socially boycotted by all of us. I have not yet seen a movement amongst the popular leaders or amongst the citizens of the Punjab where these people who have amassed wealth by illegal means are treated in the proper manner in which they deserve to be treated. *The Honourable Sir John M. L. M. : Hear, hear.* I have seen these people who have amassed fortune by corruption and other illegal ways being honoured by the people. When such people come to any assembly, the ordinary people get up and do honour to them and show them all kinds of respect. I submit, Sir, that so long as our standard of public virtue and public morality is that the rich man and the person who possesses the greatest number of good things of the world should be respected and given the place of honour in any assemblage, so long as that standard prevails, there can be no hope of bringing about reform in the jail or police administration. Therefore it is our bounden duty that we should as leaders of public opinion see that those men who have notorious careers or who have amassed wealth in various illegal means are treated in the manner in which they deserve to be treated. They should not be respected in society. They should be looked down upon. We should tell such people in plain words that unless they mend their ways and unless they reform themselves, we are not prepared to treat them as respectable members of society. Unfortunately the attitude of Government has not been sympathetic either. Whenever a newspaper takes such a jailor to task, Government comes

to the help of such a jailor. It supplies the jailor with funds to file and fight cases. It does in various other ways help such men. Government owes its duty to the public. I do not say that Government should punish the man even before a crime is proved against him, but what I submit to Government is that they should see that those who are notorious on account of bad conduct or against whom they receive any complaints, that such people should not be kindly treated by Government. They should not be given titles, they should not be given promotions, and it should be an unwritten law that unless a man has a reputation for honesty, unless a man is known to be honest to his fellowmen, he shall not receive any promotion. It may be a very hard thing to do, but that is the only thing which should be done under the present circumstances. Government should see that those newspapers or public men who bring these erring individuals to book are not harassed and exposed to lot of trouble. What I submit is that in order to deal with this problem there must be a thorough co-operation between Government and the leaders of public opinion. Unless that co-operation is given on both sides, I do not think that there can be any reform in the jails administration or in the police administration.

Sir, with regard to the personnel of the Jail Enquiry Committee, I have not got much to say. But I do not agree with those gentlemen who have stated that those men should have been associated with this Committee who have been in jail for a very long time or who have got a first hand knowledge of jail affairs. Surely my friends do not mean that those officials who are now on the retired list should have been members of this Jail Enquiry Committee. I do not think that they could have meant that, nor do they mean that all those who have been in jail for any political offence or any offence against the State should be members of this Jail Enquiry Committee. The gentlemen that have been chosen are men in whom we have full confidence and full faith, and we know that they will do their work honestly and fearlessly, but Government ought not to ignore the public demand as it is being put forward to-day. If Government could satisfy the public by associating with this Jail Enquiry Committee such men as Lala Lajpat Rai or men of his stamp, men who have got a knowledge of the law, men who know how to sift evidence, men who can distinguish between what is relevant and what is irrelevant, had such men been associated with this Committee, it would have satisfied the public demand and Government would have gone a long way in winning the confidence of the people. But the Committee as it stands to-day, I do not think can be criticised to the extent to which some of my friends have done.

Then coming to the terms of reference of this Jail Committee an assurance was held out by one of the Government members that complaints as regards food and clothing could be laid before the Committee. I hope that Government will be prepared to allow full scope to those who want to give evidence before this Committee so that they should bring before it all legitimate grievances from which the prisoners suffer. While this can be said with regard to the Jail Enquiry Committee, I think the personnel of the Police Enquiry Committee is not at all satisfactory. There is no judge excepting Mr. Lumsden who can really sift evidence in the proper manner, and it is absolutely necessary that some lawyer or some judge of high standing should have been one of the members of this Police Enquiry Committee, I mean an Indian judge or an Indian gentleman. I submit, therefore, that it is yet time that Government either associated

[Pandit Nanak Chand.]

with this Committee a man who has been in the forefront of public life as well as a lawyer or a judge, such as Mr. Jai Lal or Shaikh Abdul Qadir or my friend Mr. Abdul Aziz or Dr. Gokul Chand, Narang. I suggest that one of these gentlemen should have been associated with this Police Enquiry Committee. There is a standing grievance against the police, and it is necessary that a thorough and exhaustive enquiry in all matters connected with it should be made. Now that Government has taken this step, it is necessary that it should call upon the people and say that it is prepared to listen to their just grievances, and is ready to remove the complaints of the people.

One other point to which I will refer before I sit down is with regard to the harsh treatment and tortures which sometimes the police inflict on the under-trial prisoners. It is undoubtedly a fact that many times people are maltreated and tortures are inflicted. I had once a very intimate talk with one of the police officials, and he told me that it was impossible to get to the source of crime from the persons who had committed the crime unless some sort of harsh treatment was resorted to, and I think there is some truth in that statement. But harsh treatment or tortures cannot be justified by any means. The only way to remove this practice is to strengthen the detective force, and to employ such able men and educated men who are very intelligent and who are acquainted with detective work. It may be found necessary to send some men to England or some other European countries to be trained as detectives. That may be done. So long as there is no proper detective agency, it is impossible that there should be no harsh treatment, and if Government is anxious to remove harsh treatment and tortures to which the policemen generally resort, they should try to strengthen the detective agencies. These are the few thoughts which I wished to place before the Council.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural]: Sir, the question under discussion is the terms of reference of the Police Committee and the Jail Committee and the Waterlogging Committee, and I shall be failing in my duty if I do not make a few observations on these.

As regards the Police Committee much has been said that corruption prevails in the police. I admit, Sir, that there is a good deal of corruption in the police, but is there no corruption in any other department of Government? Is the Canal Department free from corruption? Is the judiciary free from corruption? Are the Revenue Departments free from corruption? Is it not a fact that zamindars pay money to the *masil baghi nawis*? I am not an exception (Laughter). I can show you the records of 25 years that I have been paying fees on land revenue. Rather it is to the credit of the police department: that they have done more to put down corruption than any other department: they have dismissed so many Sub-Inspectors and Inspectors. I should add that when these Sub-Inspectors and Inspectors are dismissed, they make the life of members of this Council a misery. They approach the members of this Council and ask them to do something for them to have them reinstated. My friend Mian Shah Nawaz will testify to what I am saying. A Sub-Inspector once approached him and said: Either have me reinstated, or you will not be re-elected to the Council.

Mian Muhammad Shah Nawaz: I deny this, it is absolutely false.

Sayad Muhammad Husain: Did you not tell me that some time ago?

Mian Muhammad Shah Nawaz : No, it is untrue. I never told you that.

Sayad Muhammad Husain : Very well, Sir, let it be supposed that it is wrong, but I tell you that many a time I have been approached, not only myself but other members also, and some of the leading residents of my district have told me definitely either to recommend such and such a man or else they will not give me their votes. This is the way in which men who have been summarily dismissed have harassed members of this Council. My friend Mr. Dunnet will probably remember that last year members approached him in connection with a most corrupt Police Sub-Inspector who had been dismissed.

Mr. J. M. Dunnett : Was it the case of the Sub-Inspector whose application for reinstatement was pending with me, and the honourable member asked me to reject ?

Sayad Muhammad Husain : Yes, yes, that is the one. I submit, Sir, that there are only three ways of dealing with corruption. One is the dismissal of corrupt officials, the second is to give them more pay, so that there should be no temptation, and the third is the question of right choice. The pay of the police department has been enhanced, the Sub-Inspector is now getting a very decent pay, so decent that it would attract even graduates. Recently the Deputy Inspector-General of Police associated with a professor of the Government College had to choose a candidate out of 100 applicants. These are the three ways in which corruption can be stopped, and the police has done that. Sir, one of the terms of reference of the Committee must be the co-operation of the general public and how to secure it. The general public must co-operate with Government in the checking of crime. The difficulty which I notice is that respectable people do not associate with the police officers. Let the Police Department take a leaf out of the book of the Canal Department. They will see how the Chief Engineer associates with people. These are the lines on which the Police Department should proceed.

4 P.M.

So one of the terms of reference should be how to secure the co-operation of the public in the prevention of crime.

tion of crime.

Now, Sir, fortunately or unfortunately I have been a non-official visitor of the Montgomery Jail, having been nominated as such by the Deputy Commissioner of the district. I was very careful in my duty and I performed it with great tact, because otherwise my fate would have been the same as that of my friend Lala Bodh Raj (Hear, hear and laughter). I always made friendship with the jail authorities. I would appeal to them to their sense of honour and justice and mercy, and I would ask them to respect the reversionary rights of humanity. I always befriended them lest anything should happen to me afterwards. But I think it is my duty to tell this House about what I came to know about the happenings in jails. I have been in touch with these unfortunate people who are in jails. I must say that corruption is very rampant in jails. In every central jail there is what is usually called *tarik*, that is, prisoners who want special consideration to be shown to them have to pay Rs. 100 annually regularly. I don't know the exact population, but I believe there are at least three thousand in each central jail and at least one half of them pay Rs. 100 to the jail authorities, which means from the Superintendent downwards. The Superintendent does not take this money directly but by way of *dali*. This was brought to my notice some time ago. The result of this

[Sayad Muhammad Husain.]

is that by paying Rs. 100 the prisoner is spared such work as *chakki* grinding, and this work is passed on to another prisoner who may not have paid a similar amount. Thus a prisoner who does not pay the bribe has to do more work than he will normally have to do. Just imagine a prisoner having to grind 18 seers of makki or gram every day. Even a very strong European will not be able to grind it. I do not think, with all the strength that I possess, I can do it if I were to share the fate of these unfortunate persons who are weaker than myself. The result of this is that the labour which ought to have been taken uniformly from all those who pay this *tarikh* is taken away from them and is given to those who are too poor to pay such bribes, and thus the latter class of prisoners have to do greater quantity of labour than they would normally have to do. This practice must be put an end to, though I do not know how it can be done.

The second thing which was brought to my notice was that the full quantity of food which has been prescribed for these prisoners is not supplied to them. I have had several complaints of this nature not from those who are in jail but from those who had come out after release. This serves as another source of income to the jail authorities. Another method of getting income by the jail authorities is like this. A friend of mine, an honorary magistrate, had to go to jail unfortunately for having tried to commit murder. (Laughter). He was a Sikh gentleman and required tobacco. He was supplied this article on payment. For a rich man opium, tobacco, cocaine everything goes into the jails. This is an open secret. (A voice: Was there a supply of liquor?) No, it was not brought to my notice.

The next point is about the cells. No human being can live in those cells. There is no distinction between condemnation cell and solitary cell. The building is the same and ventilation is the same, but they are absolutely uninhabitable in summer days. This is not a desirable state of affairs. You must have some consideration for the reversionary rights of humanity. (A voice: What do you mean by reversionary?) I mean those who may have to revert. Well then, Sir, these prisoners are shut up in such cells. No man in a civilised country can live in those cells. It is only an Indian that has to bear the life which he has to do in such cells in the hottest temperature of summer in a hottest place like Montgomery, and even grind 18 seers in a *chakki* without any relief whatsoever. This is horrible, it is insulting both to the country and the Government if they do not make any improvements in the structure of the solitary cells. After all you have to teach the prisoners to lead a better life, you have to reclaim them. You should not therefore be vindictive. The prisoners are from us, they are unfortunate in being convicts, yet they are our brethren. Let somebody start a relief home for the released convicts as was done in England. Let some Government member, say Mr. Dunnett, start a home for them. After all these prisoners are human beings.

Another point that was brought to my notice was in connection with the performance of *janoza*. My Muhammadan friends here know that *janoza* is a right which every dacoit and even a murderer can claim for in humanity. When a man dies it is incumbent that the last prayer must be offered. Therefore arrangements must be made when a convict dies in a jail for their fellow prisoners to offer the last prayers and participate in the funeral ceremony. This is only their birthright.

Again there is no arrangement for religious preachings. My advice will be that instead of these jailors you may have religious preachers whether they

be Sikhs, Hindus or Muhammadans who will treat these prisoners as children. They may even be highly paid. I ask the Government to extend their paternal hand and have these paid agents who will treat the prisoners like children, who will give religious teaching to them and who will sympathise with them.

The next important subject I should like to refer to is the Waterlogging Committee. Waterlogging has taken a firm root in the province. It is a most difficult problem which has been threatening us for the last 15 or 16 years, and if left uncared for may overwhelm the whole province. We may learn from what had been the condition in America. Unless we take this problem in right earnest more than half of our lands will be destroyed. If my surmise is correct America has lost one-fourth of her cultivable lands in this way. In our country it is only just beginning. I have seen several waterlogged areas, and it is my solemn conviction that waterlogging can be cured. Of course, it is a costly affair. I am very glad that Government has appointed a Committee about the personnel of which I have no complaint. Only I should like a non-official to be associated in that Committee, because the question affects the public as well as the Government. The Government loses its revenue by these waterloggings, and the public loses its lands. The condition prevailing in Hadzabad and Wazirabad and in some other parts owing to this waterlogging is very horrible. In many villages the people have lost their lands. When the Honourable the Revenue Member along with the Financial Commissioner went to see the condition of that place in connection with the enhancement of land revenue which was proposed by the Settlement Officer he received thousands and thousands of applications from the weeping public complaining that their lands had been destroyed. The waterlogging assumes different shapes, either the water comes over the surface of the land or the saline comes upon the land and makes it unfit for cultivation. I should be sorry to learn that the Government had separated the question of *kallar* which is part and parcel of waterlogging from the waterlogging problem. My contention is that *kallar* and waterlogging are two phases of the same problem. Both must be dealt with together. The Committee which has been appointed to examine the question of waterlogging should also be asked to consider the case of *kallar* lands and submit proposals as to how those lands can be reclaimed and how the *kallar* can be washed. These two problems must be considered together as part and parcel of the same evil, namely, waterlogging. Otherwise the work of that Committee will be only half finished and the result will be that more money will be wasted.

Sardar Jodh Singh : Sir, I beg to move—

“That the question be now put.”

The motion was carried.

The Honourable Sir John Maynard (Finance Member) : Sir, the discussion has ranged over a very wide field, and I will be as brief as possible in replying to the most important points. In the first place, I take the question of the Police Committee and here I will only make mention of those matters in which I may be able to do something to make some sort of concession. In the first place, I should like to say that I regret that there was delay in publishing the terms of reference. The terms of reference should have been inserted in the note which was put before the Council, and by my own oversight which I regret they were omitted from it. On that point I have to make amends to the Council. In the second place I note that some

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gentlemen think that the references to integrity and efficiency are not sufficiently specific to cover the whole of the ground. I, therefore, have decided to give this assurance to the Council that all the various points which were mentioned by individual speakers in the debate in March last and all those which were mentioned by speakers to day in so far as they bear on the subject of reference are to be specifically referred to the Committee as suggestions of particular methods by which the object in view might be attained (Hear, hear and applause).

The next thing to which I ought to draw attention of the House is that certain members appear to have ignored, in connection with this subject the fact that a great amount has already been done by the Inspector-General of Police in connection with the matter of corruption in his department. There was at least one member who said quite definitely that nothing whatever had been done. Well, that member must have been, for some strange reason, unaware of the fact which has been very frequently repeated to members of this Council: something between 88 and 100—I cannot give the precise figure, it is more than 88, and I think it is less than 100—cases of corruption have been dealt with by the Inspector-General of Police (hear, hear), and in all these cases suitable disciplinary action ranging from dismissal downwards has been taken. It is therefore very incorrect indeed to suggest that there has been no attention paid to the matter of corruption in the police.

Now, Sir, I turn to a matter on which I must speak at somewhat more length, that is, the question of the proposed Jail Committee and I will begin with the subject which caused what I think the newspapers were pleased to describe as a breeze in the House upon the last occasion when these matters were discussed. It was suggested at that time that there is a practice in the Punjab prisons of fastening prisoners together at night, a practice known as bel-chaining. Sir, if honourable members who have interested themselves in this subject merely mean that there was a practice of that sort in the jail department, there did exist such a practice in 1919, and later on up to 1922, then I do not join issue with them at all. We all know that that is perfectly true. We all know that that practice did exist. If any of us were disposed to deny it there is a certain report in existence, a published report in which the All-India Prisons Committee have actually described and commented upon that system. No one denies that that system did exist, but what I say and maintain is that Government has put an end to it (hear, hear). Let me say a word of the personal share which I have had in endeavouring to stop this practice, an endeavour which I believe to have been very largely, if not entirely, successful. An endeavour to stop the practice was made not merely by altering the rules, for alterations of rules do not always bring about an alteration of practice, but by eliminating those causes which had in the past led to this particular practice. The practice existed because there was a danger of prisoners escaping when they were confined under conditions which did not provide for security. Thus, whenever the jails were overcrowded, and it became necessary to put prisoners in tents outside the jails, then the practice of bel-chaining was resorted to because it was very nearly impossible to guard prisoners otherwise at night. But during the overcrowding, which has occurred of late years, a totally different system has been followed in the jails of the province. When there is overcrowding and when it is necessary to establish so-called camp jails, they are no longer located in tents outside the walls of the prison, but they are placed in tents inside the

factory enclosure or some suitable part of the jail. That is one mode. But of course it is possible that even from within the walls of the jail, prisoners could effect their escape at night. Therefore another change in the system was made, that is to say, whenever it was necessary to make use of an insecure part of the jail, such as the factory, for the purpose of shutting up prisoners at night wire enclosures are made which have the effect of securing prisoners without recourse to this system of bel-chaining. Such are the actual steps which have been taken with the object of stopping this practice which we all dislike and condemn. Of course in grave emergencies, exceptional measures would have to be resorted to. If, for instance, half the jail were to be burnt down or if there should be an attempt on the part of a large number of prisoners, jointly to escape, then it is conceivable and would be justified that exceptional measures, even that of bel-chaining should be resorted to. But, I understand the gravamen of the charge to be this, that the practice as a practice is actually followed. I say that this practice is not followed unless grave emergencies which would justify the taking of such a course occur. If the practice does occur in contravention of the rules and measures which have been taken to stop it, all I can say is that no one will welcome, more than I do, information from any honourable member which would enable me to investigate the charge made.

Professor Ruchi Ram, Sahni (Panjab University) : Will the honourable member kindly say from what date this practice has been stopped ?

The Honourable Sir John Maynard : From the date on which the proposals of the All-India Prisons Committee came under review by the Government. It should be approximately 1923. I have observed that a large number of the cases which have been instanced in the Press are cases of martial law days in 1919 or later up to 1922, but no one hitherto has made any allegation about a date later than 1922. In so far as the complaints are of the past, I have already said I do not join issue with honourable members who have made these statements. Now, Sir, I feel I have dwelt sufficiently on that particular point, and I must go on to other matters more immediately under discussion, namely, the appointment of the Jail Committee. In the first place, however, I must speak very briefly on the subject of certain ideal arrangements which various members of this House have suggested as appropriate to the administration of jails in this province. Sir, there was a thinker of the nineteenth century who drew up a picture of an imaginary state of society in which crime was no longer treated as we treat it to-day. It was treated as a sort of illness which ought to be cured by means of hospital treatment. On the other hand, any person who was ill or sick was treated as a grave offender. The result was that those who were sick pretended that they were not really sick but had committed some excesses, such as drinking too much or some sort of crime or offence and justified themselves for being sick by reason of the fact that they were not really sick but only naughty. On the other hand, those who committed crimes were treated in a kindly and hospitable manner, very much as we should treat persons in convalescent homes. All that happened to them was that a certain gentleman who was known as a "straitener" was sent to effect curative treatment upon them. As I listened to the pictures drawn by honourable members of this House—one spoke of the desirability of making jail look like a hotel, another of them spoke of asking the prisoners in the morning whether they were strong enough to get up and go out, and a third one spoke of adjusting their food to their delicate

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appetites and giving them one chapati, or $1\frac{1}{4}$ or $1\frac{1}{2}$ or $1\frac{3}{4}$ or possibly two of more—when I heard others talk about the ugly clothes which the poor prisoners wear, and when I heard yet others say that we ought to remove all the jailors and send inside kind gentlemen who would treat them as mothers treat their little children, then I must say, Sir, that I said to myself: well, here at last is a career worthy of a reformer, and I began to picture to myself the kind of building which I would erect, a combination of a cinema, palace, a convalescent home, a kindergarten school and all the rest of it and I said to myself: this is what I will do; I am converted by the noble sentiments which I have heard expressed. But, Sir, as sometimes happens to one, a fresh wave of feeling swept over me suddenly, and it occurred to me that in addition to the prisoners inside the jail, there was also a public outside, and possibly the public outside may occasionally suffer from the misconduct of some of these people who are to be treated as a kind mother treats her little dear children, and I realised that possibly if all your prisoners and cheats, your dacoits, your thieves and your ravishers were treated quite so kindly as this, possibly somebody else outside might be tempted to emulate their actions, and the poor public might find that they were being harassed by more criminals than before, and then there came to my mind the wise saying of a certain Persian poet:—

Rahm bar dard zulm bar karwan ast.

“Mercy to the thief is tyranny to the caravan.”

Now, Sir, as to the specific complaints regarding this Jails Committee. In the first place, it was attacked because of the terms of reference. Let me explain that there was no intention and there could not have been any intention to duplicate the work of the All-India Prisons Commission. If there had been that intention, it would have been necessary to give a year or more, possibly two years, to the task. If there had been any such intention it could not have been merely a Provincial Committee, it must have been again an All-India Commission. Those matters that involve far-reaching changes cannot be dealt with as mere matters of provincial concern; they must be treated as matters affecting the whole country. If only honourable members have considered the matter carefully, they will find that what I am saying is quite reasonable. If it was intended to make a wholesale alteration of the whole principle upon which our jail administration is founded, surely you could not make over that task to a mere Committee. The way to accomplish that alteration would be for the Government itself to decide the basis of the policy upon which any change should proceed, that is to say, if we really intended to make the jail system a curative one in which the ideal should be to treat the poor dacoits and cheats as a kind mother treats her little children, dressing them prettily and all the rest of it, then it would be for the Government itself to lay down new principles. But at present in this wicked world, as we know it, Government and I do not believe that it would be wise to abandon that principle of deterrent treatment upon which our jail system is at present based. Here again I call upon all reasonable men to listen to me and to say whether in their own hearts they do not feel that what I am saying is reasonable. This Jail Committee came into existence because of certain specific allegations made in a particular case. It is true that this Committee was not appointed to investigate those particular local allegations which are under judicial inquiry, but it came into existence in order to investigate allegations of a specific kind, and those allegations were that it was the habit of the jail staff to beat prisoners and otherwise

indict unauthorised punishments upon them and that it was the practice of the jail officials to accept corrupt indulgences in order that the prisoners might get things to which they were not properly entitled. What, I ask, could be more natural than that Government for those specific purposes should appoint a Committee of this character to investigate these allegations, and these allegations alone? And that brings me to the question of the personnel.

If it be granted that it was reasonable to limit the enquiry to those particular allegations which have been elicited in consequence of a particular judicial trial, was it not reasonable that the personnel of the Committee should be judicial in its character, in order to enquire into and ascertain certain specific facts. Some honourable gentlemen seem to think that because somebody else has certain specific information therefore he ought to have been associated with the judicial and *quasi-judicial* officers who are investigating this question. I suggest that in saying that they are confusing two very different things. They are confusing the expert witness with the judge. The gentlemen who are acquainted with the inside of the jails are more suitable as expert witnesses and the Jails Committee will welcome them and will hear all that they have to say with the greatest interest and respect but an expert witness is not the man who should be the judge.

Now, I am nearly coming to the end. I have taken a good deal of the time of the House, but I shall be very brief. Another point which has been criticised is the term of employment of this Committee. We put in an estimate for financial purposes before the House in which we calculated that six weeks would suffice. We have not limited the period of enquiry to six weeks. My friend Mr. Dunnett has already stated that — and I will simply repeat what he has stated — we have in no way limited the time which this Committee is entitled to take for the enquiry.

One more matter which I have been asked already in the course of this afternoon to deal with, but the Honourable President thought I should postpone the matter until I made my speech. It was suggested that Government has done nothing to protect witnesses who might come forward before this Committee. As to that we have provided that the Committee will hear prisoners apart. Prisoners will be heard alone, that is to say they will not be heard in the presence of jail officials. In order to protect other witnesses Government has decided that it will not institute a prosecution against any witness in respect to any offence committed or attempted to be committed by him in jail or by way of abetment of an offence to be committed or attempted to be committed in jail, not being an offence punishable with death, which his evidence may disclose that he has committed, attempted, or abetted. That is one undertaking and the second is this. (This was intended to deal with the fear of certain witnesses being liable to defamation proceedings.) A witness who wishes to make any statement implicating any jail official shall be at liberty to make it before the Jail Committee in camera. The Jail Committee will not disclose to any person, other than to Government, statements made to it in camera, and Government will not communicate or publish such statements and will not itself institute prosecutions for defamation or civil proceedings for libel in respect to such statements.

Mr. President : The question is. . . .

Dr. Gokul Chand, Narang : Sir, before you put the motion to the House, may I just with your permission ask the Finance Member whether these provisions have been made public, whether they have been conveyed to prisoners.

The Honourable Sir John Maynard : They have been communicated to the Committee.

Dr. Gokul Chand, Narang : With a request that they would communicate them to the prisoners?

The Honourable Sir John Maynard : Yes.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 54,359 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Reserved)."

The motion was carried.

MISCELLANEOUS (TRANSFERRED) GRANT.

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

"That a supplementary sum not exceeding Rs. 2,34,969 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Transferred)."

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 2,34,969 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Transferred)."

Sardar Jodh Singh (Sikh, Urban) : Sir, it is with a very heavy heart that I rise to move the out standing against my name. Just imagine the feelings of a man who came into this Council or rather I should say, was sent into this Council with the express object of having a Gurdwara Act passed, just imagine his feelings that when a demand is made to put the Gurdwara Act into practice he is obliged to get up to move this out. It is a very painful duty, but it is with the object of requesting Government to repair a little rift in the lute that has been left.

Mr. J. G. Beazley : Sir, may I rise to a point of order? The honourable member has not yet moved his amendment.

Sardar Jodh Singh : Sir, I think I am right in moving my amendment after the speech or before the speech. That has been the practice in this House.

Mr. President : I think the honourable member will be quite in order in moving his amendment at the end of his speech. He may either move his amendment and then speak on it or he may make his speech and move the amendment at the end of the speech.

Sardar Jodh Singh : Sir, the Gurdwara Bill became an Act at Simla. Congratulations were showered from all sides of the House upon the Sikh members for getting a satisfactory solution of the trouble that prevailed in the community at that time. We all expected that matters relating to that trouble will also be settled within a few days of the passage of that Act. On the 9th of July when the terms of settlement were announced by His Excellency the Governor our enthusiasm was a bit damped. I do not question the right of Government to impose any conditions that they like on the release of prisoners, nor do I say that the information that they had at that time did not entirely or in part justify that precaution which they then took, though my own personal feeling is that had unconditional release of prisoners been announced at that time, there would have been such a revulsion of feeling that extremist propaganda would have found no foothold in the Sikh community after that announcement. But, Sir, granting for the sake of argument that there was any justification for that precaution at that time, I submit events have happened now which certainly justify that Government should review that decision and announce unconditional release that is anxiously awaited by the whole community. At the time of the passage of the Gurdwara Bill there were still four questions pending. There was the Jaito *morcha* that was going on, there was a *morcha* at Bhai Pheru, acceptance of the Act by the Shromani Gurdwara Parbhandak Committee was yet to come and, fourthly, there was the question of the release of prisoners. At the time of His Excellency's announcement all these matters were still pending. Happily for us all the Jaito affair has been settled to the satisfaction of both the Government and the Sikh community. The *morcha* at Bhai Pheru has been stopped. Under the advice of the leaders in the Lahore Fort Jail the Shromani Gurdwara Parbhandak Committee has not only passed a resolution accepting the Act but is actually working it. They are busily engaged in preparing the list of properties of the gurdwaras that have come under Schedule I and they are busily engaged in persuading the Sikhs to register names as voters. And if there is any complaint it is that Government patwaris are too lax or they have begun their work too late and not on November 1st when it was announced that they would begin their work. Every day or at least once or twice a week, I get a bundle of letters asking me to bring to the notice of the Election commissioner that the patwaris are not doing their work briskly and I have to trouble him once or twice a week and to request him to issue orders to the patwaris to attend to their work more carefully than before. And all that is being done is done under the advice of leaders in prison or under trial. Sir, they went even so far as to ask their community not to take their release into consideration but to work the Bill, because the Bill was giving the Sikhs what they had been fighting for. Under these circumstances I ask whether it is still necessary that that undertaking should be taken from individuals as was announced on the 9th July. Government may say that there are still a few people who are talking of taking forcible possession of gurdwaras. In the first place Government knows that when the Bill was before the select committee there was a party among the Sikhs who went by the name of Gargaj Akali party who actually opposed the Bill. But in spite of all the strenuous opposition that they could put forward the Sikhs did not mind them and the Shromani Gurdwara Parbhandak Committee supported the passage of the Bill. Therefore even if one or two such prisoners are released, I say that for the sake of argument, who are against this Bill, their advice will not be heeded.

[Sardar Jodh Singh.]

Sir, I would like to bring another point of view to the notice of Government. When I was a young student studying in my sixth or seventh class, in a mission school I read the Bible and I read of the story of destruction of Sodom and Gomorrah and there when the Lord God communicated to the Prophet that He was going to destroy those two cities, the Prophet interceded on behalf of the unfortunate inhabitants and the Lord God said: 'If there are one hundred righteous people in these two cities I shall not destroy them'. The Prophet interceded still further and the Lord God said: 'If there are ten people I shall not destroy them' and ultimately He said: 'If there is one righteous man I will spare these two cities'. But somehow or other Government is just doing the reverse thing. They are keeping the prisoners in jail knowing full well that the majority of the leaders not only helped in the preparation of the Bill but are now prepared to work it and have even taken active steps to work it. They are keeping them in jail simply because they fear that one or two persons if released may come forward and say something against the Bill. I think that is not the attitude that Lord God at least has advised us to assume in the Bible. There is one point of view more which I may present. Now when the Sikhs have definitely girded up their loins to work the Act, the longer you keep them in jails the greater martyrs you make of them, I mean those imaginary people whom the Government is afraid of letting out lest they should preach to the people to oppose the Act. But I may assure the Government that this will not be the case, because even if they appeal to the people to oppose the Act, the people will not listen to them because they have definitely resolved to carry it out and coming out they will turn into quite inoffensive idealists. Then there is another point which I may bring to the notice of the Government and of this House. It has been often said 'Government has done so much to settle the question, but what have the Sikhs done?' Sir, as I expressed at Simla, we do not deny that it was with Government help that we were able to settle this question, but if I review the history of the whole affair, I think the House will admit that the Sikhs too were doing their bit to settle this question on legal lines. Was it not the Sikhs who in the very beginning of 1920 asked the Government to frame a Bill? Unfortunately for us Government was not prepared at that time to make that alteration in the Bill which it did after two years in the Bill known as Sir Fazl-i-Husain's Bill. But in 1922 the Sikhs did not want a temporary solution of their difficulty. They thought that the permanent solution of the trouble should be effected. At that time a temporary solution was given in spite of the fact that Government was in possession of the Bill that was prepared by the Chief Khalsa Dewan advocating a permanent solution of the difficulty. Sir, the Shromani Gurdwara Parbhandak Committee had passed a resolution that they would not talk of a Bill before the prisoners were released. But when His Excellency in November last announced certain principles in the Council which the Sikhs thought would provide a basis for negotiations, did not the Shromani Gurdwara Parbhandak Committee allow the Sikh members here, their nominees in this Council, to proceed with those negotiations without insisting on the previous release of prisoners? The Government at that time did inform that they were only talking of the Bill and not of anything else. Even after that, even after the Bill became an Act the Shromani Gurdwara Parbhandak Committee have accepted the Act and are now working it without insisting on that resolution which they had passed before. If the Government has extended its hand to solve the

difficulty, I submit that the Shromani Gurdwara Parbhandak Committee also have helped in the solution of the difficulty by grasping that hand.

There may be one fear in the minds of some officials, namely, that if the prisoners are released some people may crow over their victory. In reply to this, I submit that the prisoners are to be released anyhow some day. Majority of them who are in jail, will, I think, be released by March next and only a small number will be left. Possibly this case which has been going on for the last two years may linger still further. Therefore, Sir, with the exception of the leaders of the movement who are being tried and with the exception of about a hundred people in other jails, the rest will come out in March. If there is to be crowing it will be there all the same, if not now at least in March. But the Government, I should say, should not look to these petty things. They should take a broader and statesmanlike view of the whole affair. What was the cause of putting these people in jails? It was because the law was defective and the Sikhs took to direct action. The Government did not like this. Now that a basis of settlement has been found and the Sikhs have accepted it and are ready to work the Act and are registering themselves as voters and even when the prisoners in jails are ready to register themselves if proper facilities are afforded, is there any necessity for keeping them further in confinement?

There is only one question that may be put to me and I will attempt to answer it now. If they are prepared to work the Act and if they are prepared to accept it, where is the harm in signing the undertaking? That of course is a question which has often been put and one friend of mine even went so far as to say that Englishmen cannot understand this attitude of mind. Englishmen are more practical than we are. We are a bit more sentimental than Englishmen. But there is not only sentiment that lies behind it. There is something more. If they come out after signing the undertaking and then support the Act people will say, 'You are doing it because you were released on that promise'. But if they are released unconditionally, they would then be in a position to lead the people in this movement of settling the whole question by legal methods just as they were able to lead the Gurdwara reform movement before. There may be no immediate fear but a time may come when the political situation in the country will demand the assistance of all right-minded persons to solve it and at that time to lose the assistance of people who are ready to help Government in the solution of the difficulty will not be a wise step. Therefore, Sir, I request the Government to review the whole situation and announce to us that they have come to the conclusion of releasing all the prisoners unconditionally and if they have not made up their minds about those who are in jails to announce to us that with a view to their release the whole case will be reviewed and the situation will be clarified. I hope, Sir, this appeal of mine will not be lost on the Government benches. With these words I move for the reduction which is merely a nominal one meant to express the wish of this House on the question of the release of the Akali prisoners.

(After the member had resumed the seat.)

The Honourable Sir John Maynard: May I point out, Sir, that the honourable member has not moved his amendment?

Sardar Jodh Singh: I am sorry, Sir, for the omission. I beg to move—

"That the grant be reduced by Rs. 1."

Mr. President: Grant under discussion, reduction moved—

"That the grant be reduced by Rs. 1."

The question is that that reduction be made.

Sardar Gurbakhsh Singh [Ambala Division (Sikh), Rural]: Sir, after the speech of my honourable friend Sardar Jodh Singh who moved this amendment, I think it is hardly necessary for me to dilate on the points which have been very ably dealt with at length by him. But because this is a question which has been engaging the attention of the public ever since the Gurdwara Bill was put on the statute book and because the gravity of the question is so intense and the feeling that exists in the minds of the Sikhs about this question is so genuine and sincere, so I cannot refrain from taking a few minutes out of the valuable time of this honourable House in bringing to the notice of the Government that the time is long past when they should have removed all the grievances of the Sikhs. The great delay that has occurred on the part of the Government has frustrated the very object with which the Government and the Sikhs entered into the solution of the Gurdwara reform movement. I am, Sir, quite positive that when we entered into negotiations about the drafting of a Gurdwara Bill the spirit which animated both sides was one of friendship. The Government themselves admitted it and the Sikh members also openly declared that it was not a question of victory or defeat on either side. The Government and the Sikhs had long been friends and though there had been some slight and temporary estrangement between them yet they both strongly felt to come closer together once again and, because that hand of fellowship was extended to us by responsible people on the side of Government and also because we were willing and desirous to grasp that hand firmly, we at once fell into these negotiations and we were successful in arriving at certain results which are now before the Government and the public. I need not refer to the speeches of His Excellency the Viceroy or to the speeches of the then Home Member of the Government of India, nor of our worthy Governor to substantiate the statement that it was always in a mood of friendship and fellow-feeling that we wanted to discuss this Gurdwara reform question. Every member both inside and outside the House who has been in touch with the affairs knows this very well. I have before me extracts from those speeches but I will not weary the House by reading them. However, Sir, everybody is shocked to see that the Government has not taken steps to fulfil its part of the obligations. All along the Sikhs who have been fast friends of the Government were anxious to rebuild those associations and those connections and they wanted to cement the friendship which was revived between the Government and themselves by working the Gurdwara Bill. When the Government wanted to settle the Gurdwara question they admitted in principle, in spirit and in word the legitimacy of the principles on which the agitation for the Gurdwara reform was being conducted by the Sikhs for over five years. It was only after the Government admitted the basic principles of our agitation and they fell in line with us to frame a legislation on these principles that the drafting of a Gurdwara legislation became feasible. Even a cursory reading of the history of this agitation will show that the leaders of the Sikh movement were always ready, they were always prepared to take and work the reforms when once the Government agreed to the basic principles of the Sikh agitation and admitted the righteousness of such an agitation. It was always at the eleventh hour of the previous stages of negotiation that either arrests were made or certain other steps were taken which roused the ill-feeling between the two sides and thus extended the period of agitation over five long years. This was the cause of loss of so many lives and the cause of so many sacrifices on the part of Sikhs and it was only reasonable

to expect that at a time when the problem was about to be satisfactorily solved there should be a general amnesty and all the prisoners who were confined in the prison for taking part in the Gurdwara agitation should have been set at liberty without imposing any conditions on it. It is a well known fact, Sir, that in matters which were far more complicated and serious and in which bloodshed was caused and in which several other terrible events happened, there was a general amnesty when they arrived at a solution. Throughout the history of the Gurdwara reform agitation no such serious things happened and yet we are not given an unconditional amnesty. Sir, we know that the fighters for the Irish freedom who committed so many murders and who committed all sorts of serious offences were all set at liberty unconditionally when once the principle underlying their agitation was admitted. When the Irish Free State was evolved into existence, all the rebels who waged war against the King were given unconditional amnesty. Coming nearer home, we know that all the martial law prisoners were allowed unconditional amnesty just on the eve of the Indian National Congress at Amritsar. But in regard to the Sikhs, the Government has been very loud in proclaiming that they were the real friends of the Sikhs but when the time comes to put their professions into practice, they miserably fail. Those responsible leaders who are the soul of the Gurdwara reform movement and who have sacrificed their all for this noble cause and who have by their noble examples caused others to follow in their wake and bring about the wonderful results which has since been achieved are still rotting in jails to the utter disappointment of the entire public. Certain very responsible people have described this apathy on the part of the Government in much stronger terms but I do not wish to do so. But I am constrained to remark that it is not in consonance with the friendship which was revived not long ago and it practically amounts to backing out of the situation that should have been created. The Government has failed in the test and they now want to get out of this problem leaving it half solved and they want to leave us alone at a time when we need their friendship most. The only reason why the Gurdwara problem was not solved much earlier was that there always had been difference of opinion among the parties concerned as regards the release of the prisoners. This question of release of prisoners was troubling us all through, but this time we agreed that so far as the release of prisoners was concerned, it might follow and need not precede legislation. We did not insist on any undertaking on the part of the Government beforehand. We did not want it as a condition precedent to any legislation being passed. But as reasonable people we all expected and strongly expected that the Government would not be so unkind as not to allow the prisoners to come out of the jail and work the Gurdwara Bill to success as soon as it became law. At a time when all the mutual misunderstandings were removed, it was not reasonable to keep the prisoners on in jail. Perhaps the Government would reply by saying that we did not know the secrets of administration and only do a lot of talking. The Government might say that they knew much better than anybody else what good underlay the terms of the undertaking insisted on by them from the prisoners. Well, Sir, we have read all the criticisms about the undertaking demanded by the Government. This undertaking has been criticised both in the Press and the public for the last five months. No responsible leader has as yet supported the Government in this aspect. Everybody has been adversely criticising the Government about its perversity in insisting on an undertaking being taken from the prisoners. They say that the Government should have generously

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come forward and released all the Gurdwara prisoners as soon as the Gurdwara Bill was passed into law. By lengthening the period of torture and agony in the minds of the Sikhs, the situation is being worsened rather than eased. Any action that the Government might take hereafter would lose all its significance and would lose half its value. Well, Sir, you cannot keep a very big majority of the Sikh prisoners in jail for a very long time as they are shortly due to be released after completing their respective terms of imprisonment. Before the Gurdwara Bill is put into actual working it is only proper that the Sikhs should have all their responsible leaders in their midst to work it. Otherwise the friendship which was revived between the Government and the Sikhs will not materialise and it will not last long. By preventing these responsible leaders from coming out of the jails and joining us, the Government is simply widening the gulf between ourselves and the Government and the estrangement is becoming more and more day by day. Unless these prisoners are released immediately, the rancour will increase. Does the Government really believe that the Sikhs will be friendly to the Government if we do not have Sardar Kharak Singh and Sardar Babajur Sardar Mehtab Singh and his colleagues amongst us to guide us in working the measure. On the day when we set the machinery provided in the Gurdwara Act into working operation and we find that we do not have these leaders in our midst, then all the old memories of suffering and sacrifice which we underwent during the past five years will be revived and bad blood created. If we do not have our long cherished desires fulfilled the Sikh agitation will not subside and there is a reasonable chance of the gulf between the Government and the Sikhs ever becoming wider and wider. This unrest and agitation among the Sikhs may not necessarily come on the surface in the form of a *morcha* or direct action. That is immaterial. If the minds do not join together, then there is a possibility of difficulties coming to the forefront at the very first available moment. Lest such a thing should happen, I appeal to the Government to be cautious and guard against such a contingency. I appeal to the Government to leave no room for doubt in the minds of the Sikhs. The Shromani Gurdwara Parbhandak Committee has played its part worthily in seeing the Gurdwara Bill passed into law. Will not the Government do its part of the work, namely, the release of the prisoners which it should have done on the 9th July 1945, the day on which this House passed the Gurdwara Bill into law.

Coming now to the undertaking itself, Sir, I understand that it is fresh in everybody's mind and I will not therefore read it. Briefly put, however, it is that the Act will be worked and that people will not resort to direct action for taking possession. Now, Sir, according to the very statements of Government made on the floor of this House the Shromani Gurdwara Parbhandak Committee has been acknowledged to be the representatives of the majority of the Sikh opinion. That is the sense of the words of Government, although we say that the Shromani Gurdwara Parbhandak Committee is the representative and spokesman of the entire Sikh community. The individual certainly merges into the representative body. We have experienced the representative character of the Shromani Gurdwara Parbhandak Committee. We have seen how the orders of that Committee have been followed by millions of people. Government with all its resources of the army, police and the treasury may not be able to have its orders and commands carried out in the way the Shromani Gurdwara Parbhandak Committee has been able to get during the last five years. Sir, the Shromani Gurdwara Parbhandak Committee has already decided that it will work the Act and in fact it has already set itself working it. Communiqués are being issued

by the Committee that voters should have their names registered. They have even complained that reasonable facilities have not been given for the registration of names. Do you, Sir, in the presence of these hard facts now believe and expect others to believe with you that an individual undertaking is necessary? Sardar Jodh Singh said that at the time Government made its announcement it might have been justified in not releasing the prisoners. I beg to differ from him. Government was not justified even at that time because we expected of Government to be magnanimous. For that reason I say that Government was not justified even at that time in not releasing the prisoners and that it committed a mistake. . . .

Sardar Jodh Singh: I did not say that Government was justified. What I said was that Government might have been satisfied according to the information at its disposal at that time.

Sardar Gurbakhsh Singh: If Sardar Jodh Singh differs, I too differ. Therefore we both agree. The position of Government remains the same, that it committed a mistake at that time. Sir, I maintain that the individual undertaking is not necessary at all. The Shromani Gurdwara Parbhandak Committee has passed a clear resolution. It is having that resolution put into effect. The leaders in the Lahore fort have passed a resolution in favour of the working of the Act, and my information is that they have got their names registered in the electoral rolls. In the face of it all, do you really believe that any Sikh prisoner is going to give an individual undertaking after these five months? The thing has been so thoroughly threshed out that no individual prisoner will give any undertaking and get his release. If you want to try that experiment, you may. You have tried us for the last five years but we have not failed. We feel Sir, that the undertaking is unnecessary because the Shromani Gurdwara Parbhandak Committee has given it and therefore no responsible man, no man of common sense will consider it necessary. We say that this undertaking is unjust. Why? Because our representative body has got the thing put on the statute book, and is having it worked. Therefore getting this individual undertaking from the prisoners who have not even seen the Gurdwara Act and who do not know what the Act is, is unjust. If Government wanted an individual undertaking, was it not its duty to provide each and every prisoner with a copy of the Gurdwara Act in the language in which he could understand it? Has Government done anything to have the Act explained to the prisoners? And yet it wants a blind undertaking, a thumb-marked paper or a signed paper. Even if a man does give an undertaking like that, is that worth anything at all? According to the ordinary canons of law, a document like that is a void document. It is not a document worth any consideration whatsoever. Then if you get such an undertaking, it will be worthless. I do not see any wisdom in having an undertaking like that.

Then, Sir, I also feel that this undertaking is humiliating. There is nothing behind this undertaking except that you want to humiliate those who fought the honourable fight of Gurdwara reform and who got the principles for which they fought, admitted. Surely, Sir, these men are not of the stamp that would give this undertaking easily. Had they not been made of tough fibre, you would not have seen such agitation and such sacrifices. The Sikh fibre is a very hard one and it will not yield to anything unjust and humiliating. The history of Sikhs is full of sacrifices. Our Gurus gave their lives, our saints allowed their joints to be cut to pieces, but never yielded. You have seen in your own *regime*, you have personally gone into

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an experience that even an illiterate, raw Sikh youth will not do anything humiliating, though he may have to sacrifice his life. Did you not see the shooting at Jito.....

The Honourable Sir John Maynard: Sir, I rise to a point of order. The honourable member is referring to an incident which took place in a Native State, therefore he is out of order.

Mr. President: I hope the honourable member will confine his remarks to the subject before the House.

Sardar Gurbakhsh Singh: Sir, I was only giving an illustration. Sir, if you think that the Sikh prisoners will give an undertaking, you are in a bazy green. We realise that there is no objective behind it, except the humiliation of our workers so that they may not get back to their public life with bright faces. You want them to feel and realise that they purchased their freedom by giving undertakings to Government. Sir, the undertaking is very humiliating and we are not going to give it.

Then, Sir, I submit that it is futile also for the very object for which Government wants it. Government wants it for the easy working of the Gurdwara Act and while all of us are anxious for the smooth working of the Act, this undertaking demanded by Government is a great obstacle in that way, and the very object of Government is bound to be frustrated. So, I submit, Sir, that from that point of view, your object will not be realised. If these gentlemen come out with this undertaking and there is a certain party outside which begins to expound the demerits of the Act, and certainly there are certain demerits, then that party will get into power. Most of the prisoners are very responsible men who have great followings, but when they come out of jail after giving the undertaking, and start propaganda in support of the Bill, the party in opposition will succeed in thwarting their object merely by saying that they came out conditionally and their influence will thus be decreased.

Then, Sir, there is another aspect of the undertaking, viz., that nobody will resort to direct action or show of force for trespass or taking possession, etc. There exists your law, there are all the sections of the Penal Code, there are the various provisions of the Criminal Procedure Code. If you release these prisoners unconditionally and they commit any offence, the provisions of the Criminal Procedure Code and the Indian Penal Code can be put into motion. If there are one or two or even half a dozen or a dozen people of that stamp, cannot you bring them to trial under the ordinary law and have them sent back to jail? You have been keeping hundreds and thousands of people down under those laws during the last five years. Where is the difficulty with a handful of people who may not work the Bill and still go on preaching the old practice? I do not, therefore, see how this undertaking is of any material good. I therefore appeal to Government that now it is high time, when the Act is going to be worked and the representatives have to be elected, that the prisoners be released. Even if the matter has been delayed it can be remedied and there is the possibility of everybody being satisfied. I therefore appeal to Government to release all these prisoners unconditionally and see that the Gurdwaras Act is worked and worked with greater fervour, and with greater zeal than it will be under the present atmosphere. Watch the results and see if the community and Shromani Gurdwara Parbandhak Committee do not keep their word. After all it is wise to give one a test and then defeat him on his very word.

Chaudhri Afzal Haq (Hoshiarpur-onm-Ludhiana, Rural) (Urdu): Sir, the well-known speech delivered in the last session of the Council by His Excellency the Governor of the Punjab in connection with the passage of the Gurdwara Bill, laid down certain conditions for the release of the Sikh prisoners. The effect of the speech was that the entire Sikh community was divided into two sections of people holding quite contrary views. One consisted of men whom we call extremists and the other consisted of those who are known as moderates. The former were those people who had lost all confidence in the Government while the latter considered every action of the Government wise and reasonable. Sir, I leave the views of the extremists aside and tell you what were the views of the moderates at the time. They were of opinion that the conditions laid down by the Government were reasonable. They further held that the Government had given sufficient proof of its *bona fides* by giving Gurdwara Bill to the Sikhs and expected that they would also give similar proof of their intentions by successfully working out the Act. Most of the moderates considered that the Government offered conditional release to the Sikh prisoners in order to test the *bona fides* of the Sikh community. Moreover the Government was perhaps under the impression that the extremist section of the Sikhs would, after getting the Gurdwara Act, take to violence. But, Sir, within a short time, the Shriyani Gurdwara Parbhandak Committee proved that these fears were imaginary. The extremist members of the committee began to have their names registered in accordance with the provisions of the Act. Now, Sir, when this is the state of affairs, why is the Government so persistent to have those conditions fulfilled? Perhaps the Government apprehends disturbance in case the Akali prisoners are released unconditionally. But when the committee, under whose instructions a large number of Akalis went to the jail, assures the Government that no such disturbance, which the Government apprehends, shall take place in case the Sikh prisoners are released unconditionally and further guarantees that they would be responsible for successfully working out the Act, I would advise the Government that it would be in the fitness of things to accede to the wishes of the Sikh community by offering unconditional release to the Sikh prisoners. And if the Government is still persistent in getting that undertaking from the prisoners we would draw our own conclusions. We submit that either the Government desires that the so released Sikh prisoners should not take part even in the constitutional deliberations in respect of the Act or that it wants to humiliate them. Sir, if the Government has either of these objects in view I would say that it is trying to undo what it has done so far in re-establishing good relations with the Sikhs. Why should the prisoners give an undertaking to the effect that they would not criticise the Act? Let them criticise it in a lawful manner. It is their right to do so. They had gone to the jail for the cause of their Gurdwaras. It would work great injustice if they are precluded from offering lawful criticism to the Act. And if the Government simply wants to humiliate them I would submit that it is not becoming of it to treat with such contempt a community which had been so loyal and faithful to it for years. Look at the case of Ireland where hundreds of thousands of people were murdered mercilessly, lakhs of women became widows in consequence of public unrest. But when finally the order was maintained in the country the Government set all the prisoners free. I hope our Government would also follow the foot-steps of the Government of Ireland in this respect. I expect from the Government that just as it did its best to make us forget the occurrences of 1919 by issuing *communiqués* and releasing all martial law prisoners, it would release the

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Sikh prisoners unconditionally so that we might forget the unfortunate events of the past five years. Sir, there can be another consideration of the Government. This is to keep up its prestige. Surely this is the chief obstacle in the way of the Government to accede to the wishes of the people. The Government has yielded to some extent and now it wants the Sikh to yield in turn. Just like the monstache of the proverbial Khan Sahib the Government keeps foremost the question of prestige but it never cares what disastrous results would follow otherwise. If the Government really wishes to extend its hands of friendship to a community which has always been faithful to it I would advise it to offer unconditional release to the Sikh prisoners. It would produce wholesome effect on the community.

Now, Sir, I appeal to all those honourable members of the House who had so kindly helped the passage of the Gurdwara Bill in the last session of the Council held at Simla, to express their honest and sympathetic views in connection with this amendment. When the Sikhs accepted the Gurdwara Bill it seemed that they had yielded to the will of the Government. But in reality it was not their defeat. It was their victory in so far as they acted on the principle they had already accepted. They kept their words. I would request these members to support the amendment under consideration and make it clear to the Government that the time has come when this agitation should be put an end to and the old memories of close friendship should be revived. Sir, we earnestly desire that good old relations should be re-established between the Sikhs and the Government. I would also request the honourable members of the House to join with me in the appeal to Government that it should do all that lies in its powers to reconcile the Sikhs to its policy.

Professor Ruchi Ram Sahni (Punjab University) : Sir, when five months back almost to a day the Gurdwara Bill was passing through its last stage, I ventured to congratulate everybody who had been concerned in one way or another with the Bill or who had endeavoured to create an atmosphere of peace and reconciliation which was so necessary for piloting a Bill of that kind through this Council. Most of all I said that the congratulations of the people were due to His Excellency the Governor who despite his earlier declaration of a different kind and in a different tenour had thought fit to take the Sikhs once again into the confidence of the Government and bring about a reconciliation between the Government and the great Sikh community. I said that the Sikhs had done great things and that there might arise shortly occasions in the future as had arisen in the past when the Sikhs would be called upon to do equally great things on the side of the Government. Sir, it is a matter of very great regret to me that five long and weary months have passed or have been allowed to pass by without that atmosphere of reconciliation having been created which is very necessary for the successful working of the Act. As a matter of fact the good effect of the earlier endeavours is being largely destroyed by the delay which is taking place in creating that condition of peace and harmony which is very necessary, I might almost say indispensable, condition for the working of the Gurdwara Act in the spirit and in the manner in which that Act ought to be worked. May I ask, Sir, how an Act of this kind can be put into working order without those who have suffered for the religious liberty of the panth and who have made enormous sacrifices, sufferings and sacrifices which are unique, taking part in the administration of the machinery set up by this Act? There was a time, Sir, when I in my heart of hearts refused to believe

some of the things recorded about the Sikh martyrs in their histories but things which I saw not once or twice but day after day being borne patiently, nay almost cheerfully, made me a convert. When I saw all these things, then I said to myself, here is a people, a heroic people, a people who with all the short comings common to mankind can still achieve such unique results in the name of religion and for the sake of their religious principles, surely their Gurus and martyrs must have borne and suffered all those things that are recorded of them. That being so, I thought that the very men who initiated this great movement, this great Gurdwara reform movement should have been set at liberty long ago, and allowed once again to be at the helm of affairs. Without the release of these leaders who are rotting in the jail, it would be impossible to give proper effect to the Gurdwara Act. I said so at that time when the Act was passed. At that time there were elements, troublesome elements, a small community or a small section of the Sikh community, was dissatisfied with the Gurdwara Bill as it then was. But since the Bill became law, from the leaders inside the jails came a mandate as it were that whether they were released or no, the Act should be worked. But the Government said that these leaders could not come out of the jails and lead the panth themselves unless they gave an undertaking to work the Act successfully. The leaders said that the Act should be worked regardless of the fact that they themselves were inside the jails. Here was a reform granted by the Government in a generous and statesmanlike spirit. But the Government said that the Act should be worked whether the leaders are inside or outside the jails. Their presence or absence should not make the slightest difference. Is the Act workable on these conditions? Luckily the leaders also sent a most noble message, a most courageous message to their followers that the Act should be worked no matter whether they are released or confined in prisons. I would say, Sir, that the Sikhs have thus done their part most nobly. What has the Government done to fulfil its share of the duty? I have no doubt that the Government has failed to do its part of the duty during the long period of five months that have elapsed. The greatness of heart and the statesmanship on the part of the Government lay in the fact that early this year they asked certain Sikh members of this Council to meet certain members of the Government and consider ways and means to bring about a reconciliation. That act on the part of the Government has lost or at any rate if it has not already lost is losing a good deal of its grace and the spirit of generosity which inspired it. I would appeal to the Honourable the leader of the House and the Government to take the same courageous stand that they took when they thought of asking the non-official Sikh members to confer with the Government in order to solve the Gurdwara problem. People outside this House, ignorant people or suspicious people, call them by whatever name you like, were saying at that time and are still saying that the Government climbed down then and wanted to bring about a reconciliation with the Sikhs, because there was the possibility, nay a probability, of the Sikhs being called upon for service in large numbers at that time. At that time there were troubles in China and something more was said in reference to those troubles. Possibly what was then being said is wrong and I will not refer to that here. I do not want to stir up bad feeling by saying all that was freely said at that time. Certain it is that I heard very many people say at that time, and possibly the same things are being said even now, that the reason why the Government wanted to bring about a reconciliation with the Sikhs at that moment was that there were strikes and shootings and other troubles in China. There were other dangers imminent in other places also and it was thought that it

[Prof. Ruchi Ram, Sahni.]

might be necessary to send some Sikh troops there. Possibly some Sikh troops were actually sent in anticipation of greater troubles arising. I do not know if they were actually sent or not. I am not taking any responsibility for the accuracy of these facts. All I do say is that these things were said at that moment. Let bygones be bygones. So far as it is humanly possible, let us wipe out the memories of those bitter days, the memory of resentment and suffering and bitterness. Let us endeavour to obliterate that page of history altogether and turn over a new leaf. Will the Government do that? That is the question. The Sikhs have suffered a lot and the Government has suffered a lot also. Both parties have suffered and now both are in a chastened mood. Let them approach this great question in a genuine spirit of reconciliation and of give and take. In the same spirit I would request the Government to see to it that those memories are not revived. You may take it from me that the people who are inside the jails are not going to come out by giving the undertaking that is required of them. That is quite certain, whatever the reason for that may be. It may be that they feel that the Government is trying to humiliate them. It may be that they feel that their usefulness as leaders of the panth, so far as the working of the Act is concerned, will be gone if once they buy their liberty by giving that undertaking. Possibly there are other reasons also. Whatever the reasons that are weighing with them in refusing to give an undertaking, it is clear, it is obvious and it is certain, that not one of them is going to give the undertaking and buy his liberty by signing a deed of pardon as it will be called and as it is being called.

Well, Sir, that is the real situation. I make an earnest appeal to the Government to let things that have happened to be forgotten. Let the Government make their own contribution towards the successful working of the Gurdwara Act. The speeches made to-day by the honourable members representing the Sikh interests in this Council show that they are ready to grasp the hand of fellowship offered by the Government. Let the Government do its part and see to it that they respect the feelings of the Sikhs and thus establish an atmosphere of peace and reconciliation in this province.

6 P.M.

The Council then adjourned till 2 P.M. on Friday, the 11th December 1925.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Friday, the 11th December 1925.

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

OATH OF OFFICE.

The following member was sworn in :—

Mr. B. H. Dobson, C.B.E. (Official, nominated).

MOTION FOR ADJOURNMENT.

RE INSULTING TREATMENT METED OUT TO LALA BODH RAJ IN THE MONTGOMERY JAIL.

Mr. President: The Council will now proceed with the motion for adjournment for which leave was given yesterday.

The Honourable Sir John Maynard (Finance Member): Before this debate commences, I rise to a point of order. Yesterday Government received information that criminal prosecutions are being instituted against the persons who assaulted a member of the Legislative Council on the 9th of December. In these circumstances the matter is *sub-judice* and the Council, I submit, is debarred from discussing it.

Mr. President: The objection raised by Sir John Maynard, I am afraid, does not justify me to say that the case falls within the purview of Article 104, Vol. II of the Constitutional Manual. All this Council is told is that the proceedings *are being instituted*. If the honourable member is in a position to state definitely that the proceedings have actually been instituted, I will disallow the motion and its discussion. The wording of the Standing Order is quite clear. It says: a matter which is under adjudication by a court of law. Now, no matter can be said to be under adjudication by a court of law, unless it is under judicial consideration, that is to say, unless proceedings have been actually instituted and a court of justice has taken cognizance of the case. Therefore unless the leader of the House is in a position to make definitely, a statement to that effect, I am afraid the Council will proceed to discuss the motion for adjournment.

The Honourable Sir John Maynard: My only information is that cases are being instituted. I telegraphed for further information, but I have not yet received that information. If during the course of the debate a telegram giving further information is received, I trust that I shall be permitted then to draw the attention of the Honourable President to it.

Mr. President: I may state for the information of the honourable members of this House that 15 minutes is the maximum duration of a speech on a motion for adjournment and that I shall have to enforce the time limit very strictly. Therefore more than fifteen minutes will not be allowed to any honourable member.

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

“That the business of the Council be adjourned for the purpose of discussing a definite matter of urgent public importance, namely the insulting treatment meted out to Lala Bodh Raj, M.A., LL.B., M.L.C., a member of the Jail Standing Committee of this Council and a non-official visitor of Punjab jails in the discharge of his duties as such in Montgomery Central Jail on the 9th of December 1925.”

I may at once say, Sir, that the object of moving this motion for adjournment is not personal. It is absolutely in the interests of reform in jail administration, and I hope that Government will take this motion in that spirit. The incident to which reference is made in this motion happened day before yesterday in the Montgomery Central Jail when Lala Bodh Raj paid a visit to that jail. He arrived at the jail gates at 12-10 shortly after-noon and immediately intimated his arrival to the Jailor by sending in his visiting card. The visiting card was sent to the Superintendent and the Superintendent wrote on the visiting card that Lala Bodh Raj was at liberty to pay a visit to the jail after the recess hour which terminated at 1 P.M. Lala Bodh Raj thereupon wanted to know if there was any rule which stood in the way of his admission into the jail at that hour and the reply that was received from the Superintendent was this :—

“The Jail Manual sets down certain hours for recess during which visitors are not permitted in the interest of the health and welfare of the prisoners. You are at full liberty to go round at and after 1 P.M. and until lock up arrangements, namely 5-20 P.M. or you may visit the Jail any morning you like.”

The rule was not quoted to him in spite of his insistence. He had to wait till 1 P.M. and when it was 1 P.M. he was admitted into the jail. He was attended by a warder named Muhammad Khalil who is, I believe, one of the chief warders there. He paid a flying visit to the kitchen and then straight away started to visit the Central Jail. While he was proceeding there he was followed by another person Muqarrab Khan by name and Lala Bodh Raj asked him what business he had in following him and the warder who was accompanying him. Lala Bodh Raj knew this man as the personal orderly of the present Jailor of the Montgomery Jail and therefore he had some sort of uncanny feeling at the time. To his question Muqarrab Khan replied that he was not accompanying them but that he was going for some other piece of business. Lala Bodh Raj could not stop him and went his way to the solitary cells block. He was admitted into it along with his warder and he spent about two hours visiting various cells in the solitary cell block. He came out with the warder. The door was opened for him by the warder on duty at the door. Lala Bodh Raj and the warder came out together, the warder following him out of the door. Lala Bodh Raj while coming out of the door noticed two persons sitting outside the door, one on each side. He did not know what their purpose was, but he had hardly gone a few steps when one of them said : “I have also a *swal*, I have also something to say.” Lala Bodh Raj just turned back and as soon as he turned his face back the man who had called him threw mud at his face. Lala Bodh Raj was just in the process of wiping the mud from his face when the other prisoner who had been sitting on the other side of the door came out and emptied a pot of dirty liquid, which afterwards the lambardars said was urine, over his head into his turban. When this happened, Lala Bodh Raj

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hastened to the tower which stands in the centre of the large circle and took his seat in the chair. He told the seven or eight lambardars who were there what had happened, and yet the two men were not caught and no questions were put to those two prisoners and Lala Bodh Raj is still in the dark as to what happened to those two men and where they went after having committed this assault on him.

Lala Bodh Raj tried to enquire the names of both these two prisoner and one of the men present there blurted out the name of one something like Budhia, but nobody told him the name of the other and Lala Bodh Raj is not certain even of the name of one. Nobody on being asked told Lala Bodh Raj where these prisoners were housed and what work they were doing, under which warder or convict lambardar they were placed for the day and what business they had to be there at that time, because apparently they were not doing any thing there and as soon as the assault was committed upon Lala Bodh Raj they disappeared with one or two persons who were probably warders keeping watch at some doors opening into the large circle. After Lala Bodh Raj had taken his seat he sent the warder who had been accompanying him to inform the jailor of what had happened and to request him to come over there to make an enquiry. The warder came back saying that the darogha sahib was saying his prayer at that time. It was then 3-20 P.M. Lala Bodh Raj waited for about forty minutes, still neither the jailor nor the deputy jailor nor the assistant jailor nor any one else on their behalf turned up. In the meantime Lala Bodh Raj had his turban washed. In these circumstances Lala Bodh Raj left the place and went straight to the Superintendent, Major Truter, to inform him of what had happened. He found that the jailor was already sitting there with the Superintendent. He told them of what had happened and the first thing that the jailor said was Lalaji, 'there is nothing on your face now'. Evidently the jailor expected that Lala Bodh Raj would walk through the lanes in the Central Jail before the jeering eyes of the warders and the convict lambardars and the prisoners with his face soiled and bespattered with mud. This was the sympathy that he received from the jailor. When he spoke to the Superintendent, the Superintendent said "Well, I have already written to the Government that these non-official visitors insist upon going to the jail unattended by warders and therefore I would not be responsible for anything that may happen to them". Lala Bodh Raj said that he did not go to the jail unattended but went attended by a warder in fact a chief warder of the jail. Thereupon the Superintendent had nothing else to say. So far as my information goes all he said was "Well, I shall see what I can do in the matter." There was no alternative left to Lala Bodh Raj but to leave that place sadder but a wiser man. These are the circumstances.

The question now is whether this was the doing of those two prisoners who were sitting outside the door of the solitary cell block or somebody else had a hand in the affair. We have only circumstantial evidence to go upon and as you know, Sir, circumstantial evidence is very often more convincing. It is now necessary to go into certain facts to see whether there is any circumstantial evidence to show that anybody else had a hand in this affair. To begin with I may submit that Lala Bodh Raj is a person who has made himself obnoxious to the jail authorities, because during the last five or six months he has paid 20 visits to the various jails in ten different districts and with some exceptions his remarks have been more or less adverse to the jail

[Dr. Gokul Chand, Narang.]

authorities of the jails he visited. In the present case there is something more definite than the mere fact of his being obnoxious to the jail authorities, because we know that both these gentlemen with whom we are concerned in this case had something to do with Lala Bodh Raj on previous occasions. You know, Sir, in the case against "Bandematram" filed by one of the ex-jailors of Multan certain reflections contained in that paper were probably taken to be not only against Rai Sahib Lala Jannadas who was the plaintiff but against his predecessors also of whom the jailor of the Montgomery Jail was one. Another point in that case was that Major Truter appeared as a witness and was cross-examined by Lala Bodh Raj for three hours and during the course of the cross-examination Major Truter, according to my information, felt very much upset by one of the questions put by Lala Bodh Raj, namely, whether he was approached by the plaintiff in the case to give evidence. This question was seriously objected to by Major Truter and at the end of the cross-examination Major Truter asked the Commissioner who was recording the evidence to ask Lala Bodh Raj to withdraw this question and to tender apology to him. Lala Bodh Raj refused and Major Truter is reported to have carried away with him some rancour against Lala Bodh Raj. Besides, in the very same case when certain prisoners of the Montgomery Jail were being examined as witnesses, Major Truter wanted to watch the proceedings while the prisoners were being examined and Lala Bodh Raj objected to this, on the ground that the prisoners under the charge of the Superintendent would not be able to give free and unbiassed evidence in his presence. That objection of Lala Bodh Raj also was probably taken to heart by Major Truter. Then again, Sir, we know that Lala Bodh Raj had made some reflections against the jailor which were placed on the table in answer to a question on the 30th November. In his report on the Multan Jail he had made some animadversions against the jailor who is now in Montgomery. In another case which was brought by this very jailor against four Akali prisoners, Lala Bodh Raj defended those prisoners and during the cross-examination of this jailor he elicited from the jailor an admission that he had broken some rules inasmuch as he had allotted extra clothing to some prisoners which of course was entirely against the Jail Manual. (At this stage Mr. President sounded the bell to indicate that the time was up). Does it mean, Sir, that my time is up? I would then finish my speech by saying that in these circumstances it is necessary that this motion for adjournment should be passed.

Mr. President: The Standing Order on the subject of time limit is imperative. No speech can exceed 15 minutes in duration. I have no option in the matter.

Dr. Gokul Chand, Narang: I only asked that question because some of your predecessors used to ring the bell as a warning that the member speaking was approaching his time limit.

The Honourable Sir John Maynard (Finance Member): Sir, I rise at this early stage of this debate because I want at the outset to make it plain that Lala Bodh Raj has the complete sympathy of Government in this unpleasant and very dirty outrage to which he has been subjected (Hear, hear). It is a matter of the greatest distress to me that such an incident should occur. I must regretfully draw the attention of the House, however, to the fact that this sort of unfortunate occurrence is a fairly common incident in the life of our jails. There was one very famous historical instance in which the Viceroy of India, Lord Mayo, was actually murdered while he

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was going round the jail in the Andamans. There have been unfortunately many other cases, but what is immediately to the point is that during the last two or three days in this particular jail of Montgomery where a large number of dangerous prisoners are confined there have been two assaults upon the jail officials. One was within the last two days, it was against the Sub-Assistant Surgeon and the other, also within the last few days, against the Superintendent of the Jail himself. I merely draw attention to these facts as showing that no one is completely exempt in our jails from the danger of possible assault by the prisoners. I have already said that this case is either or is on the point of becoming a matter of investigation by the judicial courts. I am unfortunately not in a position to say that the case has actually been instituted, but it is on the point of being instituted. I know that the case will be tried by the judicial court and I have extremely little information about the facts at present. If I had them I should very much hesitate to cite them now for the simple reason that I know the court must necessarily pronounce upon this matter. I therefore cannot say anything else on this incident. I can only say that these two assailants of Lala Bodh Raj are being sent up for trial by a magistrate. I have no information as to what the jailor said or did or as to what the Superintendent Major Truter said or did. This much, however, I can say that until a suitable enquiry has been held, I must deprecate insinuations against the character of any officer and pending the results of that enquiry I must emphatically repudiate those suspicions which have been suggested by the speaker who has just sat down.

Dr. Gokul Chand, Narang : May I ask for a piece of information, Sir? Will the Honourable the Finance Member be pleased to state whether any non-official visitor visiting any of the jails in the interests of the prisoners has ever been assaulted by a prisoner?

The Honourable Sir John Maynard : That is a matter which I shall have to look up although I am not aware of any such case.

Captain Dhan Raj, Bhasin [East and West Central Towns (Non-Muhammadian) Urban] : Sir, I thank the Honourable Sir John Maynard for the sympathy that he has shown towards Lala Bodh Raj, but we should consider it absolutely a lip sympathy if the definite suggestions we now place before the Government are not accepted. A serious incident has happened in the Central Jail, Montgomery, and one cannot sit quietly over it. Jails which have become a place of pilgrimage for those who want to do any national service in the extraordinary conditions of India and where the best products of the soil have been lodged from time to time should be thoroughly reformed, but, Sir, any attempt at reform is usually met with unpracticable suggestions and ends in the appointment of official committees which having biased mind make the matter still worse and thus encourage those who are responsible for mal-practices. When within the four corners of a prison untold misery is inflicted on innocent persons and unauthorised and inhuman punishments are meted out Government refuses to believe even the best of us and with a view to hush up the matter comes out with an Enquiry Committee. Enquiry committees such as are appointed by Government are mere waste of time and energy resulting in wasteful expense of public finances. These enquiries are particularly engineered to whitewash the public injuries.

Sir, when the motion of adjournment was moved yesterday I was astonished to see a Government member rising and taking objection to it. His plea was that official enquiries were not completed yet. Is this not a most amazing objection?

Mr. J. M. Dunnett : I rise to a point of order, Sir. That was not my objection. My objection was that information of the occurrence was brought to the notice of Government only an hour or so before the leave for moving the adjournment was asked for and that Government had no information which they could lay before the House and so they were not in a position to discuss the matter.

Captain Dhan Raj, Bhasin : Sir, so far as I understand the whole statement of facts have been already given to the Government members before the adjournment motion was moved in this House. Even after giving the whole facts the Government says that no motion for adjournment should be moved, it is rather amazing. An honourable member of the reputation of Lala Bodh Raj is insulted in the meanest manner and on receiving all the facts in detail from him Government disbelieves him and waits for official version. What is the value of the official version? Official version in this case cannot be unbiased as it is really the version of the culprits.

The Honourable Sir John Maynard : On a point of order, Sir, there is no official version at present. We have no information.

Captain Dhan Raj, Bhasin : Whatever information Government gets from the Montgomery Jail would be really the information from the culprits, that is, those who are responsible for the injury done to Lala Bodh Raj. I therefore say that most importance should be attached to the statement of the honourable member and not to the statement of those who are responsible for this assault. I ask Government whether this is not a case which calls for immediate action and suspension of all those responsible officials within whose jurisdiction the cowardly deed had been done.

I have not the slightest doubt from the circumstances of the case so ably marshalled by the honourable mover and from my knowledge of details given to me by the honourable member who has been the victim of this reprehensible treatment that the whole thing has been the result of a conspiracy by the Superintendent, the jailor and the assistant jailor. It is for this reason that we ask that these officers should be forthwith suspended till they produce the miscreants. Can any one believe that the same persons for whose benefit a non-official visits the jails will resort to such methods. Obviously this work has been done by prisoners bribed by gods of the jail and prisoners who put all law and punishment at naught by bribing the jail officials profusely. I again entreat, Sir, that this is a case where Government should be guided by the statement of the honourable member and not by the statement of the culprits. Nothing short of executive action will satisfy the public opinion as any magisterial enquiry is sure to give an adverse decision when the misdeed is committed within the four corners of the jail colony, all the inmates of which want to please their immediate jail officials who otherwise are likely to subject them to unlearnable tortures without being noticed by the public at large. The only other way to arrive at the truth is to transfer the jail officials immediately and for the Honourable Sir John Maynard to go personally to the spot along with one of us and make enquiries about the matter from individual prisoners after giving them necessary assurance. If this course is adopted, I am sure we can get at the real truth. If the Government is really anxious to do justice, what possible objection can it have to adopt the course suggested by me? If Government does not agree to this extremely moderate demand, then the public at large will understand that the Government does not care a fig for public opinion and that it wants to encourage such occurrences.

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Then, Sir, I may refer to one other important matter. However insulting and disgraceful this act may be I want to assure the Government that we, who have sprung out of a batch of non-co-operators are not to be frightened by such incidents. Although Lala Bodh Raj once threatened to leave the work of inspection of jails unless the Government gave him the necessary protection to discharge his duties. I do not think he will shirk the grave responsibility for prison reform which he himself has inaugurated at a great personal sacrifice. I am one of those who welcome such indignities as nothing else will bring us nearer to Swaraj. I hope that Government realises that honourable members sitting on these benches are made of quite a different mettle and are not so pliable and Ji Hazur as some on the opposite benches and if there is a work for them which inaugurates public reform they would even risk their lives, what to say of these indignities. I may also tell the Government that the non-co-operators have taken up the challenge and have made up their mind to reform the prisons at any cost. I, as one of these members, am going to offer my services for jail committee at the next committee election and will visit all the important jails thoroughly and repeatedly even at great personal sacrifice and shall expose the existing inhuman conditions in a more scientific and accurate manner. So Government should not be surprised when it finds: "*Yak na shud do shud.*"

The jail department even within the boundary of its territories will have somebody watching their misdeeds and constantly bringing them to light. So, Sir, let the Government do anything they like regarding the matter before them. We are pledged not to take rest till these inhuman, indecent, cruel and abhorring mal-practices cease. With these words, I commend the motion to the House for acceptance.

Mian Abdul Aziz [Lahore City (Muhammadian) Urban] (Urdu): Sir, we have to-day before us a question of great import. It does not concern merely my honourable friend Lala Bodh Raj. In the words of the Honourable Sir John Maynard, if to-day Lala Bodh Raj has been the victim of this dastardly act of official petty-mindedness, the day is not far when Europeans will be treated even worse. The only redeeming feature in this whole episode is the assurance given to-day by the Honourable Member for Finance and I welcome it. Sir, it is welcome because an enquiry is about to be held in the matter and though it is about to be a subject of a judicial pronouncement, I doubt if judicial action alone will have the desired effect, if it is not accompanied by any immediate departmental action. It is possible that there may not be enough legal proof forthcoming which the criminal law requires for the conviction of the offenders. A departmental enquiry does not need that rigid proof because moral conviction of the higher officers is enough to take action.

Now, Sir, the Honourable Sir John Maynard consoles us with the statement that there is nothing new and surprising in the whole affair, for, as he quoted in old days there have been incidents when high officers even were attacked by the convicts in jails. We are told that even in this very jail within the last few days a Sub-Assistant Surgeon and another high officer have been assaulted

The Honourable Sir John Maynard: The other is the Superintendent of the Montgomery Jail.

Mian Abdul Aziz (continued in Urdu) : Thank you, Sir, we are told that a Sub-Assistant Surgeon and the Superintendent of the jail have been assaulted. But, Sir, I hold this attack standing prominently apart from all those that have been quoted to-day. This attack is evident and the guilt of the persons concerned is floating flat on the surface. Prisoners may and do have grievances against officers and there is nothing strange if anybody out of desperation attacks any officer. But it is beyond the bounds of reasonable conception that a prisoner would attack the very person who seeks to remove his grievances, share his misery and end his troubles. Sir, Lala Bodh Raj does not visit these jails to profit thereby. He takes all this pain in the interest of the prisoners themselves. He has never said any word that may be construed to mean that he injured the cause of the prisoners. Not a single event can be pointed out in the various reports of his visits that he ever tried to do injury to the prisoners. In the absence of such a thing we absolutely fail to perceive the motive for the assault. No prisoner would ever try to smite the very hand which saves him from official high-handedness. I, therefore, Sir, am forced to the conclusion that this attack lies out of the category of attacks on officials. On the other hand, there exist many facts which have been so ably marshalled by my honourable friend Dr. Gokul Chand, Narang, to prove the guilt of the officers. Their motive is clear and their guilt either of abetment or connivance or of prompting is obvious. This is a thing which requires investigation. These prisoners have no cause of complaint against Lala Bodh Raj. They do not belong to his locality. They bear no grudge against him. No action of Lala Bodh Raj can be construed to have been actuated by ill-will against the prisoners. Why should they, then have attacked him?

Now, Sir, you need evidence of the spot to prove a man's guilt and there is not the ghost of a chance of necessary evidence coming forth in this particular case especially if the two officers are concerned in the affairs directly or indirectly. You should, therefore, take departmental action which is sure to be more effective in this case, even before any action is taken in a court of law. You do not require that rigid proof in a departmental action. Again, Sir, what is the good of starting a case only against those two prisoners. The real people should be prosecuted who instigated the attack. Now, if this is what is intended to be done by the Government then, I am in perfect accord with the Honourable Sir John Maynard. But if it is intended to prosecute those two prisoners only then I submit it is useless to do so. What does it matter if another 6 months or so are added to their already long terms of imprisonment. It is the real culprits, the abettors or instigators of the crime who should be proceeded against and brought to book. An abettor is as bad as the principal offender. *Prima facie* the statement of Lala Bodh Raj is incontrovertible and there is a strong case against the jail officers themselves. They made light of the whole incident and ridiculed the honourable member. Again, Sir, we know what happened during the cross-examination of the Superintendent in the "Bandematiam" case by Lala Bodh Raj, we also know as stated to-day in the Council the threat given by the Superintendent to Lala Bodh Raj. This clearly shows the motive behind the assault. In the presence of all this it is imperative that also the two officials should be proceeded against along with the two prisoners. To-day Lala Bodh Raj has met with such a treatment to-morrow it will be some body else. If Lala Bodh Raj had been a jail official or if the prisoners had any grudge against the gentleman the assault by the prisoners independent of any outside instigation could have been explained.

As I said before I am not in favour of judicial enquiry but if the Government is bent upon instituting judicial inquiry and if it is really anxious to sift the truth, it must allow the prisoners to make statements in the absence of the jail officials and from these statements whosoever is found out to be guilty whether it is the Superintendent, or the jailor or the prisoners, the offenders should be hauled up in the Court at once. What I fear and what other members fear is that this judicial inquiry may not be used as a means to whitewash all that has been apparently done by the jail officials and it is because of that fear, that I insist that departmental enquiry be instituted by a person who is not interested in either of the parties.

Before I close, I would like to inform my friend Captain Dhan Raj, Bhasin, that I do not at all agree with him when he says that next time he will also offer himself for election as a member of the Jail Standing Committee and will visit the jails very often and also welcome such treatment as has been meted out to Lala Bodh Raj. I must tell him that he will find very few persons of his type who will gladly put up with such treatments. It is, therefore, highly necessary for the Government to take disciplinary action in this case if it is anxious, as it professes, to have reforms carried out in the jails of the Province, for if occurrences like this continue it will be very difficult for the Government to avail of the services of useful men, and members of this Council who would inspect the jails for the sole object of reforms and make *bond fide* criticisms.

Diwan Bahadur Raja Narendra Nath [Panjab Landholders (General)]: Sir, I agree with the honourable members who have preceded me in holding that a judicial enquiry in a case like this will not be sufficient. A judicial enquiry is restricted by the rules of evidence. The judicial court has to determine the guilt or innocence of the persons who have been prosecuted and brought before the court; persons who are not before the court are not subject to enquiry. A peculiar feature of the case is this that a non-official visitor is a very different person from a jail official, so far as assaults have been committed on jail officials. I admit that prisoners are an ignorant class, but they know who works for their good and who for their injury. The indifference shown by the jail officials—and I believe the facts as stated by Dr. Narang based on the version of Lala Bodh Raj—the indifference shown by the jail officials proves or at least indicates that there was something more at the bottom than the guilt of those persons who committed the assault. Dr. Bhasin has suggested the transfer of the principal jail officials, the Superintendent of the jail and the jailor. I believe that the demand is perfectly reasonable. Where the point to be inquired into is the innocence or guilt of the officials themselves, I do not think that they should be allowed to continue in authority. It seems to me that the Council will be perfectly satisfied if the Honourable Member in charge of the portfolio of Jails himself goes to the place and makes an enquiry. I do think that a more independent and impartial enquiry cannot be thought of or suggested. I need not say anything further but I hope that this prayer on the part of the members of Council will receive serious consideration because the event which has been described is a most regrettable one and its repetition should be prevented.

Dr. Gokul Chand, Narang: 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 question is—

"That the Council do now adjourn."

The motion was carried.

Mr. President: The Council will now proceed to consider the disposal of to-day's business.

The Honourable Sir John Maynard (Finance Member): Sir, no opportunity was given to any Government member to reply at the end of the last discussion. Government member was ready to reply and got up for the purpose but he was not successful in catching the eye of the Chair. I wish to draw attention to the fact that no opportunity was given to a Government member to reply at the end of the debate.

Mr. President: In the first place it is not the duty of the Chair to call upon any member to stand up and reply.

s.p.m. In the second place, in this particular case, that is, in the case of a motion for adjournment, I wish to point out that the Government member had no right of reply after the closure motion had been carried.

QUESTIONS AND ANSWERS.

VISIT OF THE MEDICAL OFFICER TO EVERY PRISONER IN THE MULTAN CENTRAL JAIL.

2291. Captain Dhan Raj, Bhasin: Will the Government please state if the Medical Officer or his subordinate visits once a day every prisoner confined in a cell in the Central Jail, Multan? If not, why not?

The Honourable Sir John Maynard: Yes, twice a day.

Lala Bodh Raj: Is the Government sure that these medical officers do visit the solitary cells twice a day?

The Honourable Sir John Maynard: The Government has no reason to suppose that its subordinates are not doing their duty. If the attention of Government is drawn to any specific case of failure on the part of any of its servants in the discharge of his duty, action will be taken thereon.

Lala Bodh Raj: Is the Government aware that representations have been made by the prisoners to the Jail authorities that the medical officers do not attend to them?

The Honourable Sir John Maynard: No, Sir.

VISIT TO THE CENTRAL JAIL, MULTAN, BY LALA BODH RAJ AND SARDAR GURBAKHSI SINGH, M.L.Cs.

2292. Captain Dhan Raj, Bhasin: (i) (a) Is it a fact that Lala Bodh Raj, M.A., LL.B., M.L.C., and Sardar Gurbakhs Singh, B.A., LL.B., M.L.C., members of the Standing Jails Committee, paid a joint visit to the Central Jail, Multan, on 23rd September 1925?

(b) If so, will the Government please lay on the table their report of the visit on that date ?

(ii) (a) Is it a fact that Lala Bodh Raj and Sardar Gurbakhsh Singh went on 25th September 1925 to pay another visit to the Central Jail, Multan, and they were not allowed admission ?

(b) If so, what were the reasons for not allowing them the admission ?

(c) Is it a fact that the prisoners had not been confined for the night hours by the time the members reached the jail gate ?

(d) Is it also a fact that the evening meals had not been distributed to the prisoners at the time when these members reached the jail ?

(e) Will the Government please lay on the table the copies of the complaints of the honourable members and also state what action has been taken against the persons complained of ?

The Honourable Sir John Maynard : (i) (a) Yes.

(b) The report* is laid on the table.

(ii) (a) Yes.

(b) The visitors arrived at the jail after 6 P.M. the time for lock-up.

(c) Lock-up was in progress.

(d) Enquiries are being made.

(e) Copies of the remarks recorded by non-official visitors are laid on the table. The Jail Manual provides that no visit shall be made after the prisoners have been locked for the night. Government has not considered any action against the jail staff to be justified.

Lala Bodh Raj : With reference to the answer to part (d) will the Government please state what enquiries are being made ?

The Honourable Sir John Maynard : Part (d) asks whether the evening meals had been distributed to the prisoners at the time when these members reached the jail. As a matter of fact I am aware that the evening meals had not been distributed to them.

Lala Bodh Raj : Is it a fact that at the time the non-official visitors arrived at the jail gate a few camels with bags of wheat on their backs were going inside the jail for about 15 or 20 minutes ?

The Honourable Sir John Maynard : If the honourable member makes that statement, I must presume it is true. I have no other information than the honourable member's statement. I have also seen such things happening myself.

PRISONER INDER SINGH OF THE MULTAN CENTRAL JAIL.

2293. Captain Dhan Raj, Bhasin : (a) Is it a fact that one Akali prisoner Inder Singh was given thirty stripes by the Superintendent, Central Jail, Multan, on or about the 26th of September 1925 ?

(b) Is it a fact that the said Inder Singh had been complaining to the non-official visitors, before he was flogged that he was being mal-treated by the jail officials ?

(c) Is it a fact that the non-official visitors recorded in the minute book that whichever prisoner complained against the jail officials to the non-official visitors was mal-treated after the non-official visitors left the jail compound ?

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

Lala Bodh Raj : Will the Government please state why the answers to these questions are not ready ?

The Honourable Sir John Maynard : The answer to this particular question is not ready, because the particulars have not yet been communicated to Government.

ILAH BUX, AN UNDER-TRIAL PRISONER IN THE DISTRICT JAIL, MULTAN.

2294. Captain Dhan Raj, Bhasin : (a) Is it a fact that one Ilahi Bux, an under-trial prisoner confined in the District Jail, Multan, complained to the trying magistrate through his counsel that as an under-trial prisoner he was being confined in a separate cell and was made to do labour ?

(b) Is it a fact that some non-official visitor recorded in the minute-book that the said prisoner had complained to him that he was threatened with flogging and taken to the triangle for the purpose so that the prisoner might retract from the statement made by him in his complaint to the trying magistrate ?

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

LOANS UNDER THE PUNJAB INDUSTRIAL LOANS ACT.

2295. Lala Bodh Raj : Is it a fact that thirteen applications for loans were made to Government under the Punjab Industrial Loans Act during the last year, but no loan was actually granted ?

If so, what were the reasons for not granting any loan ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The honourable member is referred to the answer given to question No. 1881 * in the May session of the Punjab Legislative Council.

TRAINING OF APPRENTICES IN THE GOVERNMENT TANNERY AT SHAHDARA.

2296. Lala Bodh Raj : (a) Will the Government please state if the scheme for the regular training of apprentices in the Government Tannery at Shahdara has been put into operation? If so, how many apprentices have been taken and how many more the Government contemplates to take in the current year?

(b) If the reply to the first part of (a) above be in the negative, will the Government please state when the scheme is likely to come into operation?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) A scheme for the training of apprentices in the Government Tannery at Shahdara was sanctioned in August, and has now come into operation since the 1st of December, 1925. Under this scheme thirty workmen at one time will be given a course of eighteen months' training as working tanners; five apprentices will be admitted annually to the three-year course of instruction for foremen, and three each year to the higher course of technical instruction, the duration of which will be four years. Prior to the 1st of December, eleven persons were under training as working tanners.

(b) The second part of the question does not arise.

NON-OFFICIAL VISITORS TO JAILS.

2297. Lala Bodh Raj : Is it a fact that in the year 1921 or thereabout a circular or an ordinary letter was issued by the Jail Department that the non-official visitors have the right to obtain any information from the jail registers or other jail records, and that they can see and examine those registers?

If so, will the Government please lay a copy of that letter on the table?

The Honourable Sir John Maynard : No. The examination of jail registers and records by a non-official visitor is provided for in paragraph 53-B (c) of the Punjab Jail Manual.

INVESTIGATING POLICE OFFICERS AND PERSONS SUSPECTED OF HAVING COMMITTED CRIME.

2298. Chaudhri Afzal Haq : (a) Is it a fact that the investigating police officers in the course of investigation detain for several days the persons whom they suspect of having committed crime?

(b) Is it also a fact that in the rural police stations sometimes the whole adult population of the village is detained under the pretext of having their help in the investigation of crimes?

(c) If the Government has no information, does it propose to make confidential enquiries in the matter?

(d) If the answers to (a) and (b) are in the affirmative, will the Government be pleased to state—

(e) what steps it has taken to put an end to this inconvenience to the villagers; and

[Ch. Afzal Haq.]

- (12) whether they are considering the desirability of directing the police officer to record the arrival and departure of every person in the case diary when the investigating officer calls for help in the investigation of crime and likewise to provide the person so called with a certificate of the time of his arrival and departure and directing the Circle Inspectors to occasionally verify this record with the statements of those persons who are called for by the investigating officer?

The Honourable Sir John Maynard: (a) Under section 54 of the Criminal Procedure Code, investigating officers have the power to arrest and detain in custody persons suspected of the commission of cognizable offences. These essential powers are naturally freely utilised by investigating officers, subject, of course, to provisions of the Code relating to remands and bail.

(b) Under section 161, Criminal Procedure Code, investigating officers are empowered to examine orally any persons supposed to be acquainted with the facts of the case under investigation, and under section 160 investigating officers are entitled to order in writing the attendance of such witnesses. Abuse of these powers is guarded against by Police Rule 25-13 (3) which forbids the unnecessary detention of persons from whom inquiries are made. Cases of abuse are infrequent.

(c) Does not arise.

(d) (i) is answered in (b) above.

(ii) In view of the fact that crowds of interested and curious persons appear at investigations, it is obviously impossible for record of their names etc., to be maintained in case diaries. But under Police Rule 25-14 all orders in writing for the attendance of witnesses have to be attached to the Final Report or Charge Sheet and this appears to serve the purpose indicated in this question.

Chaudhri Afzal Haq: This is not the answer to my question. What I wanted to ask was whether the investigating police officer detained several of those persons whom they suspected, but the answer is that the investigating officer has power to arrest and detain them in custody. My question refers only to those who are detained and not to those who are arrested and kept in custody.

The Honourable Sir John Maynard: The honourable member got the answer to the question as he put it and not to the question as he intended to put it.

Chaudhri Afzal Haq: I put the question as follows: "Is it a fact that the investigating police officers in the course of investigation detain for several days the persons whom they suspect of having committed crime?" but the answer is that under section 54 of the Criminal Procedure Code investigating officers have the power to arrest and detain in custody. That is not the answer to my question. My question is clear.

The Honourable Sir John Maynard: The answer to the honourable member's question is as given in the answer.

Mian Abdul Aziz: Is the Government aware that the police officers under colour of investigation detain and actually arrest these people without showing them that they have been arrested?

The Honourable Sir John Maynard: I have no doubt that police officers like other people are sometimes guilty of breaches of rules, but if specific cases are brought to the notice of Government disciplinary action will be taken.

Chaudhri Afzal Haq: Will the Government please state whether they are again prepared to answer part (a) of my question?

The Honourable Sir John Maynard: No, Sir.

THE PUNJAB BORSTAL BILL.

2299. Chaudhri Afzal Haq: Will the Government be pleased to say—

- (i) whether the attitude taken by the Honourable the Finance Member in not proceeding with the motion that the Punjab Borstal Bill be passed into law was approved by the Governor in Council; and
- (ii) whether the Government is considering the desirability of again presenting the Bill before the Council?

The Honourable Sir John Maynard: (i) The action taken by the Honourable Member for Finance was taken on behalf of the Governor in Council.

(ii) No.

TRANSFER OF PUNJAB PRISONERS TO JAILS OF OTHER PROVINCES.

2300. Chaudhri Afzal Haq: Will the Government be pleased to state why some of the Punjabi prisoners who were tried and sentenced in this province have been transferred to jails of other provinces?

The Honourable Sir John Maynard: It was considered desirable in the over-crowded condition of Punjab jails to remove certain dangerous prisoners from association with the jail population and from the province.

NON-OFFICIAL VISITORS OF CRIMINAL TRIBE SETTLEMENTS.

2301. Chaudhri Afzal Haq: (a) Will the Government be pleased to say—

- (i) whether they have appointed any non-official visitors to visit criminal tribe settlements; and
 - (ii) whether the members of the Jail Standing Committee can visit these settlements or not?
- (b) If the answers to (i) and (ii) are in the negative, will the Government be pleased to say whether they are considering the desirability of appointing non-official visitors to all such settlements?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) (i) and (ii) and (b). No.

KATAR DHAR JUNGLE IN THE HOSHIARPUR DISTRICT.

2302. Chaudhri Afzal Haq: With reference to the answer to question No. 1400* asked on the 2nd March last, will the Government be pleased to say whether it is now in a position to publish the report on the Katar Dhar jungle in the Hoshiarpur district? If so, will it please lay the report on the table?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: A copy of the report is laid on the table.

Government is examining the question of amending the Land Preservation Act, II of 1900, so as to remove the objection that it tends to extinguish proprietary rights and to make it clear that the powers of Government shall only be exercised temporarily for the good of the people. It is also proposed to accelerate the work of re-afforestation by increasing the supervising staff and by substituting Forest Chaudkars, appointed in much the same way as village Chaudkars, for the existing Forest Guards. It is probable that the number of Forest Chaudkars will have to be considerably larger than the number of Guards. Government is also examining the question of extending to areas reserved by villagers from grazing and sown with *Sanatha* seed the existing orders under which land revenue can be remitted on areas devoted to tree-planting. The possibility of starting training works in the Dholbaha Cho will be examined by the Drainage Board, which is already carrying out a professional survey in the Dasuya Tahsil.

Chaudhri Afzal Haq: Will the Government please state whether a copy of the report has been circulated to members

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: It is being placed in the Council Library and it will be available to any member who wishes to see it.

Chaudhri Afzal Haq: Will the Government please state whether they will now circulate it to members?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The reason why I did not place it on the table is that it has got lots of photographs which require printing and a lot of material to be printed if they are to be laid on the Council table. I am, therefore, placing it in the Library of the Council so that it may be available to members who wish to see it.

Mian Abdul Aziz: Will the Government please circulate it amongst the members after it is finished?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Which members?

Mian Abdul Aziz: To the members of the Council.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: It is available in the library and any member who cares may see it there.

Mian Abdul Aziz: My question is whether the Government has any objection to circulate it to members.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Any member who wishes can have it from me.

Sardar Jodh Singh: Will the Government consider the advisability of circulating such reports of the several departments at least to the members of the Advisory Standing Committees of those departments?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Does that question arise out of the answer already given?

Mr. President: No.

REPRESENTATION OF LABOUR INTERESTS IN THE LEGISLATIVE COUNCIL.

2303. Chaudhri Afzal Haq: (a) Will the Government be pleased to state whether it received any communication from the Government of India, asking it to look to the labour interest in making nominations to the Legislative Council?

(b) If so, what steps has it taken to comply with the instructions of the Government of India?

(c) Will the Government be pleased to lay that communication on the table?

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

(b) The communication received from the Government of India did not contain any instructions, but asked for the views of this Government.

(c) Government is not at present prepared to lay the correspondence on the table.

UNDER-TRIAL PRISONERS IN THE MIANWALI JAIL.

2304. Captain Dhan Raj, Bhasin: (a) Will the Government please state the number of under-trial prisoners confined in the Mianwali jail on 9th September 1925 that had been awaiting their trial for over two months?

(b) Will the Government please state the number of such prisoners whose cases were disposed of up till the 30th September 1925?

The Honourable Sir John Maynard:

(a) Under-trial prisoners awaiting their trial for over 2 months on 9th September 1925	...	...	32	} 49
Under-trials committed to Sessions awaiting their trial for over 2 months on 9th September 1925	...	...	17	
(b) Under-trials whose cases were disposed of by 30th September 1925	...	...	...	21

MUNICIPAL COMMITTEE, MUZAFFARGARH, AND WATCH AND WARD ESTABLISHMENT.

2305. Lala Bodh Raj: (a) Is it a fact that the municipal committee, Muzaffargarh, is maintaining the establishment of chaukidars for the watch and ward of the town?

(b) Is it a fact that in the year 1911 or thereabout a notification was issued by the Education Department of the Government of India that the municipal committees should be relieved of such a charge by the Local Government?

(c) Is it a fact that the municipal committee referred the matter to the Deputy Inspector-General of Police, Rawalpindi, who replied in his office letter No. 9736, dated the 24th September 1923, that the matter was referred to the Government in 1922, and that no orders had been received by him till then?

(d) If the answers to (a) and (b) are in the affirmative, will the Government please state the reasons why this committee is not being relieved of this charge?

(e) Is it a fact that the financial condition of the committee has been deteriorating for the last few years?

[Lala Bodh Raj.]

(f) Will the Government please lay on the table the names of other municipal committees in the province that are still maintaining similar watch and ward establishment?

The Honourable Sir John Maynard: The case of Muzaffargarh is not peculiar, and a reply is given which refers to the minor municipalities of the province generally. In 1911 the Government of India in a letter to this Government sanctioned the relief of municipalities in the Punjab of all liabilities then imposed on them on account of police establishments and buildings. In accordance with that sanction Government undertook liability for the payment of police establishments employed in municipalities, but chaukidar establishments were not affected. The question of substituting chaukidars paid from local funds by police paid from general revenues was later taken up and the circumstances of each town were examined. Proposals for carrying out this measure were elaborated, with the intention of relieving minor municipalities of the maintenance of chaukidars. These proposals included Muzaffargarh which then entertained and still entertain chaukidars but they could not be financed and were held in abeyance. They will now be reconsidered. It is not intended to take up individual cases separately. But the honourable member will be pleased to know that the committee in which he is interested is going to take this up among other things.

**INSPECTION OF THE MULTAN CENTRAL JAIL BY THE HONOURABLE
THE FINANCE MEMBER.**

2306. Lala Bodh Raj: (a) Is it a fact that the Honourable the Finance Member of Government, Punjab, paid a visit to the Central Jail, Multan, on or about the 22nd October 1925?

(b) Will the Government please state what complaints were communicated to him by the Akali prisoners against the Jail officials, and what action has been taken by the Government thereon?

The Honourable Sir John Maynard: (a) Yes.

(b) A copy of his remarks recorded in the visitors book has been sent for but has not yet been received. They will receive the attention of the prison authorities including Inspector-General of Prisons in due course.

GRANT-IN-AID TO SCHOOLS.

2307. Lala Bodh Raj: Will the Government please state—

(a) the number of unaided high schools in the province?

(b) how many of them have applied for aid?

(c) for how many such unaided schools does the Government contemplate sanctioning grant-in-aid during the current year or during the next year?

(d) how many of those referred to in (c) are being conducted by the Muslim community and how many by the Hindus and Sikhs?

Sir George Anderson: (a) Information is given in the Education Department Circular No. 5, serial No. 8324-G., dated 13th July 1925.

(b) 16 applications have been received in the Education Department.

(c) In regard to the current year, attention is directed to the statement of grants sanctioned for aided schools for the years 1923-24, 1924-25 and 1925-26. Copies of this statement have been circulated to Members. In regard to next year, it is not possible to prophesy until the necessary information has been received.

(d) The following numbers of schools have been placed on the Grant-in-aid list this year:—

(a) Hindu ... 6

(b) Muhammadan ... 5

(c) Sikh ... 4

CONFERENCE OF THE INSPECTORS-GENERAL OF PRISONS.

2308. Lala Bodh Raj: (a) Is it a fact that there was held an informal conference of the Inspectors-General of Prisons in India and Burma on or about the 24th October 1925 in Madras Presidency to consider the question of jail reform?

(b) Will the Government please state if the Inspector-General of Prisons in the Punjab was invited for the conference, and if he attended the conference?

(c) If the answers to the above are in the affirmative, will the Government please state the result of that conference?

The Honourable Sir John Maynard: (a) Yes.

(b) Yes.

(c) The report of the proceedings of the conference has not yet reached Government.

SALE OF NAZUL LAND BY THE PRESIDENT, MUNICIPAL COMMITTEE, MULTAN.

2309. Lala Bodh Raj: (a) Is it a fact that Khan Bahadur Sayad Rajan Bakhsh Shab, the President, municipal committee, Multan, applied on 27th January 1920 and 14th March 1922 to the Nazul Officer for the purchase of a narrow strip of Nazul land lying between the city Alang wall and the shops of two timber merchants?

(b) Is it a fact that the Deputy Commissioner, Multan, recommended to Government on 3rd September 1924 the sale of the land at Rs. 5 per square yard?

(c) Is it a fact that the Government suggested the sale of the land to the owners of adjacent houses in which the timber trade was being carried on under the licence from the municipal committee, Multan?

(d) Is it a fact that one Suleman, the owner of the adjoining houses, bid Rs. 18 per square yard for the land?

[Lala Bodh Raj.]

(e) Is it a fact that on 29th April 1925 the municipal committee, Multan, decided not to renew the licence for carrying on the timber trade in the houses adjacent to the strip of Nazul land, and that on the same date Khan Bahadur Sayad Rajan Bakhsh Shah, the President of the committee, also bid Rs. 18 per square yard for the Nazul land in question?

(f) Will the Government please state to which of the two bidders the piece of Nazul land has been sold or the Government contemplates to sell and at what price?

Mr. J. G. Beazley: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

Lala Bodh Raj: Will the Government please state why the answer is not yet ready?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Because the information has not yet been received.

FREE RAILWAY PASSES TO DISCHARGED PRISONERS.

2310. Lala Bodh Raj: (a) Is it a fact that the *Akali jathas* have now stopped proceeding to Gurdwara Bhai Pheru?

(b) If so, will the Government please state, with reference to the answer to question No. 274* asked on 13th March 1924, whether it has cancelled its notification No. 2404-Jails, dated the 22nd January 1924, relating to the issue of free railway passes to discharged prisoners or whether it now contemplates cancelling it?

The Honourable Sir John Maynard: (a) Yes.

(b) Yes.

2311. Lala Bodh Raj: Will the Government please lay on the table the list of districts notified under proviso to clause 2 of paragraph 528 of the Punjab Jail Manual?

The Honourable Sir John Maynard: No districts were notified.

VERNAICULAR CLERKS IN THE CIVIL AND CANAL DEPARTMENTS.

2312. Lala Bodh Raj: (a) With reference to the reply to question No. 1927† asked on the 20th June 1925, will the Government please state if any educational standard is fixed for the appointment of vernacular clerks in civil department?

(b) Is it a fact that there are vernacular clerks in the Canal Department possessing the same educational qualifications as those in the Civil Department, and that they are not drawing the same grade of pay as those in the Civil Department, if so, what are the reasons for such distinction?

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

SELECTION OF AN ENGINEER FOR THE MUNICIPAL COMMITTEE,
MULTAN.

2313. Lala Bodh Raj: (a) Is it a fact that the municipal committee, Multan, has selected a Muhammadan candidate for the post of Engineer and that he is not qualified for the post?

(b) If the reply to the latter part of the question (a) above be in the negative, will the Government please state what qualifications he possesses?

(c) Is it a fact that under the rules the sanction of the Chief Engineer, Public Works Department, is necessary for appointing candidates of his qualifications? If so, was such sanction obtained in the above case before his appointment?

(d) If the answer to (a) be in the affirmative, and the answer to the second part of (c) be in the negative, will the Government please ascertain and state why the necessary sanction was not obtained?

(e) If the necessary sanction was obtained, will the Government please say under what circumstances the necessary sanction was given while candidates duly qualified for the post and possessing higher qualifications than the one selected were available?

Mr. J. G. Beazley: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ADVANCE OF TAKKAVI LOANS TO THE STENOGRAPHER OF THE DEPUTY
COMMISSIONER, MUZAFFARGARH.

2314. Lala Bodh Raj: (a) Is it a fact that Mr. Ghulam Mustafa, the Stenographer of the Deputy Commissioner, Muzaffargarh, was advanced Rs. 500 as takkavi loan for the purchase of a house, and that he did, as a matter of fact, purchase a house from an Extra Assistant Commissioner at or about the same time when takkavi loan was advanced?

(b) If so, will the Government please state if the takkavi loan can be advanced for such purposes?

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

ADVANCE OF LOAN BY GOVERNMENT TO MALIK QADIR BUX.

2315. Lala Bodh Raj: (a) Is it a fact that the Deputy Commissioner, Muzaffargarh, advanced a loan of Rs. 1,000 to Malik Qadir Bux, Examiner of the Copying Department, for the purpose of sinking a well?

(b) If so, is it also a fact that the loan was not used for the purpose for which it was sanctioned but was used for his studies in the Law College?

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

UNLAWFUL CONFINEMENT OF SUCHA SINGH.

2316. Lala Bodh Raj : (a) Is it a fact that one Sucha Singh, prisoner No. 5636, was released from the Central Jail, Multan, on 12th October 1925?

(b) Is it a fact that at the time he was released he was serving out the sentence in lieu of his fine and that his substantive sentence had already expired?

(c) Is it a fact that the amount of fine was deposited on behalf of the prisoner on 9th October 1925 and that it was credited in the Jail Register on 10th October 1925?

(d) If the answers to the above be in the affirmative, will the Government please state what action it has taken against the officials concerned for having unlawfully confined the prisoner for three days from the 10th to the 12th October 1925?

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

ADDITIONAL DISTRICT MAGISTRATES IN THE PROVINCE.

2317. Lala Bodh Raj : Will the Government please state how many officers have been attached as additional district magistrates to the various districts in the province?

Mr. J. M. Dunnett : Nine.

TRAVELLING ALLOWANCE OF HONORARY SUB-JUDGES AND HONORARY MAGISTRATES.

2318. Lala Bodh Raj : (a) Is it a fact that honorary Sub-Judges are not allowed the travelling expenses incurred by them in the performance of their duties as such for the inspection of the subject matter of dispute or for recording evidence at the place where the cause of action arose?

(b) Is it a fact that the honorary magistrates are allowed the travelling expenses that they may incur for the above mentioned purposes or for the trial of any case pending before them?

(c) If the answers to parts (a) and (b) be in the affirmative, will the Government please state the reasons for such distinction?

The Honourable Sir John Maynard :

(a) Yes.

(b) Actual expenses are not allowed. The scale is given in Rule 18 in Appendix A of Volume III of the Fundamental Rules. The previous sanction of the District Magistrate is necessary.

(c) The distinction is based on a very old rule of all India applications. Government have not had occasion to examine it since the passing of the Devolution Rules, and in view of the wide powers conferred on civil courts by order XXVI of the Civil Procedure Code for the appointment of Com-

missioners to make local enquiries, Government are not prepared to raise the question on their own motion. If the refusal of travelling allowance to Honorary Subordinate Judges is a cause of administrative or judicial inconvenience, the matter will no doubt be represented by the Honourable Judges of the High Court.

ASSISTANT SURGEONS.

2319. Mr. Labh Singh: (a) Will the Government please state if five medical graduates have been lately appointed as assistant surgeons in the Punjab Civil Medical Service?

(b) If so, will the Government please say if the appointments have been made on the basis of merit or on some other basis?

(c) If any other basis than that of merit has been adopted in making these appointments, will the Government please indicate the same?

(d) Will the Government be pleased to state if one of the appointees was a person who took as many as eight years to get an ordinary pass in the Medical College, and that another was a person who had stood ninth in the order of merit in the examination held in 1924 and belonged to a Native State?

(e) Will the Government please state if the other available candidates included persons who had stood first in the University Examinations in the years 1921 and 1924 and were possessors of medals and certificates of special merit?

(f) Is the Government aware that there is a good deal of public resentment against making appointments in the medical service on considerations other than those of merit?

Mr. J. G. Beazley: (a) Yes, provisionally.

(b) and (c) In making the appointments consideration was had to the desirability of increasing the proportion of Muslims in the service.

(d) Yes.

(e) Yes.

(f) Government are aware that their efforts to make the number of medical men of one community approach any where near adequate proportions have excited some resentment in other communities.

AKALI PRISONERS IN THE CENTRAL JAIL, MULTAN.

2320. Captain Dhan Raj, Bhasin: (a) Is it a fact that Akali prisoners in the Central Jail, Multan, are generally given the hardest forms of labour to perform such as, grinding while confined in separate cells, pumping well, manj beating, surkhi beating and oil pressing and that they have not been allowed any light labour? If so, what are the reasons for such exceptional treatment?

(b) Is it a fact that the non-official visitors to that jail have drawn the attention of the Government to the above fact? If so, will the Government please state what action has been taken in the matter.

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

SUPPLY OF WASHING MATERIALS TO SIKH PRISONERS.

2321. Captain Dhan Raj, Bhasin : Is it a fact that Sikh prisoners confined in the Central Jail, Multan, represented to the non-official visitors that washing materials supplied to them for washing their clothes and oil supplied for their hair are insufficient to serve their needs and that their quantity should be increased? Was this complaint embodied in the report of non-official visitors?

If so, will the Government please state what action has been taken to remove their grievance?

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

SUPPLY OF PARNAS TO AKALI PRISONERS.

2322. Captain Dhan Raj, Bhasin : Is it a fact that the attention of the Government has been drawn by some non-official visitors to the fact that the *parnas* (loin cloth) supplied to *Akali* prisoners to serve for changing *kachekras* after taking bath are not of sufficient length to be used for the purpose for which they are meant?

If so, what action has been taken by the Government?

The Honourable Sir John Maynard : The honourable member is referred to the answer given to Council question No. 2199.*

SUPPLY OF INFORMATION TO NON-OFFICIAL VISITORS OF JAILS.

2323. Captain Dhan Raj, Bhasin : Is it a fact that some of the non-official visitors of jails have made a complaint to Government that the jail officials of the Central Jail, Multan, do not supply necessary information to them when they (the non-official visitors) are visiting the jail?

The Honourable Sir John Maynard : No.

SUPPLY OF CLOTHING TO AKALI PRISONERS IN MULTAN CENTRAL JAIL.

2324. Captain Dhan Raj, Bhasin : (a) Is it a fact that the *Akali* prisoners confined in the Central Jail, Multan, are given only one set of clothing at a time, while some of them when they were in the district jail had been given two sets of clothing at a time?

(b) Will the Government please state how many sets of clothing is a prisoner allowed at a time?

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

PRIVILEGE OF AKALI PRISONERS TO WRITE OR RECEIVE LETTERS.

2325. Captain Dhan Raj, Bhasin : Is it a fact that the *Akali* prisoners in the Central Jail, Multan, are not allowed the privilege of writing or receiving letters to which they are entitled under the jail rules, until and unless they give full details of their residence?

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

AKALI PRISONERS.

2326. Captain Dhan Raj, Bhasin : (a) Is it a fact that *Akali* prisoners sentenced to imprisonment for one year or more and confined in the Central Jail, Multan, were not supplied new cotton clothing as required by paragraph 981 of the Jail Manual, but were given such clothing as had been previously in use, and that no note to that effect was made on their history tickets ?

(b) Is it a fact that some of these *Akali* prisoners were supplied worn-out blankets and subsequently a few of them were punished by the Superintendent on the plea that they had carelessly allowed their blankets to be eaten by worms ?

(c) Is it a fact that the *Akali* prisoners on their transfer to Central Jail, Multan, from the District Jail in August 1925 were supplied worn-out blankets, and that they drew the attention of the non-official visitors to this fact ?

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

FEEDER ROAD BETWEEN THE IRRIGATION BUNGALOWS ATHKARIAN TO SHER-WALA.

2327. Khan Muhammad Saifullah Khan : (a) Has the attention of Government been drawn to the fact that the feeder road between the irrigation bungalows Athkarian to Sher-Wala, which is used to carry agricultural produce to the market at Chichawatai, has been in a dilapidated condition for the past 3 years, and that the district board, Montgomery, which is responsible for its proper maintenance, has paid no attention to put it in proper repair in spite of the repeated request of the public ?

(b) If so, will Government be pleased to state what action it has taken to get the road in question repaired ?

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

MUNICIPAL BOARD ANGLO-VERNACULAR LOWER MIDDLE SCHOOL AT MIANWALI.

2328. Khan Muhammad Saifullah Khan : (a) Is it a fact that there is a proposal to close the two middle classes of the Municipal Board Anglo-vernacular Lower Middle School at Mianwali ?

(b) Is the Government aware that the school in its present status of a Lower Middle School is doing very useful work and is on account of its situation and good education a very flourishing institution attracting the largest number of agriculturist boys, as compared with the other two local High Schools ?

[Khan Muhammad Saifullah Khan.]

(c) Is Government aware that the existing building of the school belongs to Government and was handed over to the local municipal committee only in 1913 and that half of this building and the whole of its boarding-house will fall vacant if the two classes are closed?

(d) Does Government propose to consider the advisability of making the two middle classes of the school in the present building a branch of the Government High School?

(e) Will the Government please state whether new expenditure will have to be incurred to provide additional accommodation and staff in the Government High School for boys that will be released from the Lower Middle School if the two middle classes are closed?

Sir George Anderson : (a) Yes, but no action can be taken at present as there is no accommodation elsewhere for the boys now enrolled in the two middle classes of the Municipal Lower Middle School. The decision rests with the municipality.

(b) This is the case at present, but this state of affairs may alter in the future owing to the introduction of compulsion, by the extension of the buildings of the Government High School, and by the proposed new building of the Ram Mohan Roy High School.

(c) Yes; the buildings referred to belonged to Government, but have been transferred to the municipality. As the municipality intends to introduce compulsion, the buildings of the Lower Middle School will probably be required for that purpose.

(d) No, but the whole matter is under consideration.

(e) Such extension will probably be required in any case by the normal expansion of the Government High School.

CATTLE DISEASE IN THE FEROZEPURE DISTRICT.

2329. Sardar Tara Singh : Will the Government be pleased to say—

(a) what disease among cattle was prevalent in the Ferozepure district during August 1925;

(b) what was the number of cases that had occurred; and

(c) what was the number of cases of the same disease in the month of August 1924?

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

CONTRIBUTION TO THE "MUSLIM OUTLOOK".

2330. Diwan Bahadur Raja Narendra Nath : (i) With reference to the answers given to questions Nos. 2009,* 2059† and 2545‡ on the 9th

* Vol. IV, pages 585-86. † Vol. IV, pages 717-18. ‡ Vol. V, page 63.

November 1922, 16th November 1922 and 20th October 1923, respectively, will the Government be pleased to state—

- (a) on what dates the annual contribution of Rs. 5,000 was paid to the Proprietor of "Muslim Outlook" out of the Court of Wards Fund of Mamdot estate,
 - (b) whether each payment was made with the concurrence of the Financial Commissioner who is the Court of Wards of the province and whether he objected to the payment for the second or third year; and
 - (c) if he did object, whether the Honourable Minister for Education exercised his influence with the Government in obtaining the grant, and whether the grant was made in deference to the Minister's wishes?
- (ii) Will the Government be pleased to state—
- (a) what is meant by the expression "reliability of the promoters of the newspaper" used in part (d) of the answer to question No. 2050 asked on the 16th November 1922; and
 - (b) whether financial reliability was guaranteed by the Honourable Minister for Education or whether any assurance was given as to the policy of the paper also?

(iii) (a) With reference to the answer to part (c) of question No. 2009, asked on 9th November 1922, has the Government been satisfied "with the manner in which the paper has been run" throughout the period for which the grant was made?

(b) Was it brought to the notice of Government that the Honourable the Minister for Education wrote a letter to the Agent to the Governor-General for the Punjab States recommending the paper for a grant from Bahawalpur State?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
 (i) (a) Three donations of Rs. 5,000 each were paid in May 1922, July 1923 and January or February 1924. If by "annual contribution" is meant that a similar sum was payable or paid in 1925 this is not the case, and no donation has been given this year.

(b) & (c) It is not the practice of Government to disclose the advice it receives from its members or its officers.

(ii) (a) The expression quoted bears the ordinary meaning attaching to the words used.

(b) No.

(iii) (a) This is a matter of opinion. The period lapsed last year.

(b) No.

MACLAGAN ENGINEERING COLLEGE, MUGHALPURA.

2331. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state whether it is a fact—

- (a) that in the MacLagan Engineering College, Mughalpura, there are two classes—Officer class and Subordinate class ;
- (b) that in the Officer class there is a majority of Indians and in the Subordinate class there is a majority of Anglo-Indians ;
- (c) that the students of both the classes attend workshop for practical work ; and
- (d) that the students of the Subordinate class are paid daily wages for doing practical work in the workshop, whilst those of the Officer class are not paid, and if so, what are the reasons for the differentiation ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) There are two classes in the College. The "A" Class for training students as Electrical and Mechanical Engineers, and the "B" Class as Mechanics.

(b) This is not so. There is a majority of Indians in both Classes.

(c) Yes.

(d) The students of the "B" Class are boys who if they were not undergoing training at the MacLagan Engineering College as mechanics would be serving as workshop apprentices, and would be paid as such.

The students of the "A" Class are boys who if they were not undergoing training at the MacLagan Engineering College as mechanical and electrical engineers would not be serving as workshop apprentices and the question of paying them for the benefit they receive from the facilities offered by the North-Western Railway workshops for their practical training does not arise.

ASSISTANT EXECUTIVE ENGINEERS IN THE IRRIGATION DEPARTMENT.

2332. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state—

- (a) whether paragraph 32 of Public Works Department Code prescribes that an Assistant Executive Engineer in the Irrigation Department before being promoted to the rank of an Executive Engineer should have put in nine years' service in the Department as Assistant Executive Engineer ;
- (b) whether this rule prescribing the required length of service has been deviated from in giving promotion to certain Assistant Executive Engineers who have not put in nine years' service as Assistant Executive Engineers with the result that certain senior officers have been reverted ; and
- (c) whether amongst the officers so reverted there are any men who have done war service and whose work has earned for them titles, for meritorious work ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

- (a) Yes, but he must first be reported fully qualified for charge of a Division.
- (b) No.
- (c) Does not arise.

RAIN WATER DRAIN AT MUKTSAR.

2333. Lala Mohan Lal, Bhatnagar : (a) Is it a fact that the town of Muktsar was flooded by rain water in 1909 and 1916 and heavy damage was caused to the property ?

(b) Is it also a fact that a drainage scheme was drawn up in 1916 or 1917 to save the town from future floods ?

(c) Is it also a fact that necessary funds were sanctioned by Government for the said scheme more than six years ago, but the work has not yet been taken in hand ?

(d) If the answers to (a), (b) and (c) are in the affirmative, will the Government be pleased to state the reasons for the delay and whether any action is proposed to be taken against those who are responsible for the delay ?

(e) Will the Government be pleased to state what action is proposed to be taken for the early execution of the said scheme ?

Mr. J. G. Beazley : (a), (b) & (c). Yes.

(d) A dispute arose between the municipal committee and the B. B. and C. I. Railway regarding the cost of an embankment, and the scheme was apparently dropped by the municipal committee and a water supply scheme and an intra-mural drainage scheme (which were considered of greater urgency) were taken up instead : a grant of over Rs. 1½ lakhs was made by the Sanitary Board towards the cost of the water supply scheme.

(e) The municipal committee will no doubt revive the storm water drainage scheme when its financial position permits.

TRAVELLING ALLOWANCE OF SUBORDINATES IN THE PUBLIC WORKS DEPARTMENT.

2334. Lala Mohan Lal, Bhatnagar : (a) With reference to the reply given by Government to my question No. 1659,* asked in this Council on the 23rd March last, will the Government please lay on the table a statement, showing the average amounts of travelling allowance earned per head per month, by the members of the following services, in the Irrigation Branch, Public Works Department, viz.:

(1) Executive Engineers, (2) Assistant Executive Engineers, (3) Assistant Engineers, (4) Deputy Collectors, (5) Zilladars and (6) Sub-Overseers and Overseers during the financial year 1924-25, under the working of the new Travelling Allowance Rules now in force, comparing these figures with those of the corresponding period in the year 1922-23 as regards decrease or

[Lala Mohan Lal, Bhatnagar]

increase and state if the percentage of decrease in the case of Sub-Overseers and Overseers as compared with other services is not the greatest or nearly so?

(b) If the answer to the latter part of (a) above is in the affirmative, will Government please take early steps to distribute the retrenchment effected in travelling allowance proportionately amongst all services in the Public Works Department so as to ensure an equitable treatment to all the Subordinates of the Engineering Service?

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

TRAVELLING ALLOWANCE OF SUBORDINATES IN THE PUBLIC WORKS DEPARTMENT.

2335. Lala Mohan Lal, Bhatnagar : (a) With reference to part (b) of the reply given by Government to question No. 1283,* put on the 17th January 1925, will the Government please state if it has come to any decision in the matter? If so, what is the decision come to?

(b) If the reply to the above is in the negative, when is the decision expected to be arrived at?

(c) Is it a fact that the Secretary to Government, Finance Department, in his letter No. 2421, dated 31st July 1924, suggested to the Chief Engineer, Irrigation Branch, Public Works Department, that all Overseers and Sub-Overseers should be treated like Tahsildars and given fixed travelling allowance in place of the allowances at present drawn by them?

(d) If the reply to (c) above is in the affirmative, will the Government please state what has so far prevented it from giving effect to the suggestion?

(e) Is it a fact that before coming into force of the present travelling allowance rules, the Chief Engineer, Irrigation Branch, recommended fixed travelling allowance for the Overseers and Sub-Overseers? If so, what was the amount proposed by him for these subordinates and why could not the suggestion of the head of the department be adopted at that time?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) The reply is in the negative.

(b) The necessary information has been collected and the matter is under consideration. It is hoped a decision will be arrived at before April 1926.

(c), (d) and (e) Government does not think it proper to disclose the correspondence that takes place between its several Departments.

CYCLE ALLOWANCE TO SUBORDINATES OF THE PUBLIC WORKS DEPARTMENT.

2336. Lala Mohan Lal, Bhatnagar : (a) Is it a fact that the fixed cycle allowance in the Buildings and Roads Branch of the Public Works Department is Rs. 30, Rs. 15 and Rs. 6 for Residue Upper Subordinates, Lower Subordinates and the members of the Subordinate Engineering Service, respectively?

(b) Is it a fact that all these classes, while in charge of sections, perform the same duties as regards touring and maintain the same kind and number of cycles?

(c) If the replies to (a) and (b) above are in the affirmative, will Government please state how it justifies the varying rates of cycle allowance for these subordinates?

(d) Is it a fact that the Subordinate Engineering Service brought these invidious rates to the notice of Government and sought their revision? If so, what does Government propose to do in the matter, and when is the case expected to be decided?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (e) The residue of the Upper Subordinates are entitled to a horse allowance of Rs. 30 per mensem and the same allowance is made if a bicycle or motor bicycle is kept instead of a horse.

The residue of the Lower Subordinates are entitled to a horse allowance of Rs. 30 per mensem and if a bicycle or motor-bicycle is kept instead of a horse, the allowance is Rs. 15 per mensem.

The members of the Subordinate Engineering Service are also entitled to a horse allowance of Rs. 30 per mensem if a horse is kept and to Rs. 15 if a motor-bicycle is kept instead of a horse, and to Rs. 6 if an ordinary bicycle is kept instead of a horse.

(b) The duties as regards touring are similar for all these classes of subordinates, but Government has no information as to the kind of cycle kept nor is Government concerned with the number of such cycles provided one is kept where the allowance is claimed.

(c) Under the Civil Service Regulations members of the Upper and Lower Subordinate Services were granted a conveyance allowance of Rs. 30 and Rs. 15, irrespective of whether a horse, pony, or other means of conveyance was maintained. When the question of revising the rates of conveyance allowance was considered by Government for all Services it was considered inadvisable to withdraw the concession which members of these services had enjoyed in the past, since no further recruitment was being made and these services would in course of time automatically become extinct. There was, however, no such justification for granting to members of the newly formed Subordinate Engineering Service a rate higher than that allowed in other Departments and Government decided that Rs. 6 per mensem was sufficient to maintain a bicycle.

(d) The reply is in the affirmative. Government does not propose to take any action in the matter.

TRAVELLING ALLOWANCE OF SUBORDINATES OF PUBLIC WORKS DEPARTMENT.

2337. **Lala Mohan Lal, Bhatnagar:** (a) Is it a fact that Tahsildars and Naib-Tahsildars have been earning the same amount of travelling allowance or more per month under the revised rules as before, while the travelling allowance of the subordinates of the Irrigation Branch (Sub-Overseers and Overseers) have been reduced under the revised rules?

[Lala Mohan Lal, Bhatnagar]

(b) If the reply is in the affirmative, does the Government propose to take steps to set right the differences in the travelling allowance of the several classes of subordinates referred to in (a) above? If so, when?

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

NOTIFIED AREA COMMITTEE, NANKANA SAHIB.

2338. Lala Mohan Lal, Bhatnagar : (i) Is it a fact that the town of Nankana Sahib got the notified area committee after the establishment of a *mandi* here by the sale of land by the Mahants?

(ii) Is it a fact that neither the Government nor the Mahants spent anything on the *mandi* or on its improvements?

(iii) Is it a fact that the Government has, as a rule, helped all the local Self-Government institutions established in colony towns with landed property yielding handsome income?

(iv) If so, does the Government propose to give the notified area committee, Nankana Sahib, also some landed property?

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

TAXATION SCHEME, NANKANA SAHIB NOTIFIED AREA COMMITTEE.

2339. Lala Mohan Lal, Bhatnagar : (i) Is it a fact that the Minister for Local Self-Government has had before him a taxation scheme sent up by the notified area committee, Nankana Sahib, some years ago?

(ii) How long will the Government take to give its final assent to the scheme and to get the scheme executed?

(iii) Has the Honourable Minister received any representation re the abolition of professional tax from the Citizens' Association, Nankana Sahib? If so, what action does Government propose to take on it?

Mr. J. G. Beazley : (i) No: certain proposals were submitted by the local officers in August last and were sanctioned in September.

(ii) does not arise.

(iii) Yes. The representation has been sent to the Commissioner.

NANKANA SAHIB DRAINAGE SCHEME.

2340. Lala Mohan Lal, Bhatnagar : (i) Has the Government under consideration any scheme for the drainage system for Nankana Sahib?

(ii) If so, how long has the scheme been under the consideration of Government and when is it expected to mature?

(iii) Has the Government received any representation on the matter from the Citizens' Association, Nankana Sahib?

Mr. J. G. Beazley : (i) No.

(ii) Does not arise.

(iii) Yes.

CONVERSION OF NOTIFIED AREA COMMITTEE, NANKANA SAHIB, INTO SMALL TOWN COMMITTEE.

2341. Lala Mohan Lal Bhatnagar : (i) Has the Honourable Minister in charge of Local Self-Government received any letter from the Citizens' Association, Nankana Sahib, representing that the time has come for the elevation of the notified area committee, Nankana Sahib, into a small town committee?

(ii) Was this question raised ever before in the Legislative Council also?

(iii) Does the Government propose to grant this town a small town committee? if not, why not?

Mr. J. G. Beazley :

(i) } Yes.
(ii) }

(iii) The matter is under consideration.

ZILLADAR CANDIDATES.

2342. Chaudhri Nur Din : (a) Will Government please state the number of candidates accepted for the posts of zilladars during the last seven years, and the number among them who were already in the department?

(b) Is it a fact that only candidates from outside the department are now accepted for the posts? If so, has the Government considered the advisability of selecting each year equal number of men from both the classes?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) The figures are as follows :—

Year.	Number accepted.	Number of which already in department.
1919	32	14
1920	42	23
1921	30	2
1922	1	...
1923	2	2
1924	...	...
1925	...	...
	107	41

[Hon'ble S. B. S. Sundar Singh, Majithia]

(b) The only source of recruitment for the Zilladar Establishment which is open at present is from the Agricultural College at Lyallpur. Passed students of this College are not considered as candidates and they are first appointed as Apprentice Zilladars on Rs. 30 per mensem while undergoing the necessary training, and on completion of this training, if their results are satisfactory, they are appointed Zilladars on probation. They obtain guaranteed appointments.

The advisability of selecting equal numbers of Departmental and outsider candidates will be borne in mind when such recruitment for the Zilladar Establishment is re-opened.

ALLOWANCE OF KHARABA TO MILITARY GRANTEES IN KHANEWAL TAHSIL.

2343. Khan Haibat Khan, Daba: (a) Is it a fact that almost all the Muhammadan and Sikh Military grantees have been given lands at the tail of the minors, and furthermore on the tail of watercourses in the Lower Bari Doab Colony in the Khanewal tahsil?

(b) Is the Government aware that in the Khanewal tahsil the cotton crop has suffered considerably on account of scarcity of water and especially the Military grantees have a general complaint of insufficiency of water?

(c) If so, does the Government propose to allow *Kharaba* for the said crop?

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

RAVI FLOODS IN KHANEWAL TAHSIL.

2344. Khan Haibat Khan, Daba: (a) Is it a fact that in Chaks Nos. 9-A/3-R, 9 B/3-R, 11-B/3-R and 11/3-R of Khanewal tahsil both houses and crops were washed away by the recent Ravi floods? If so, has the Government considered the question of granting compensation to the land-owners of those Chaks? Does the Government also propose to remit the revenue of mixed crops as well as other crops in the area so flooded?

(b) What steps has the Government taken to safeguard the property in the above-mentioned Chaks against future floods of the Ravi?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) Houses and crops in the Chaks mentioned were damaged by floods in the absence of the owners. No question of granting compensation to the owners of those Chaks is under consideration as a much larger area than that damaged has been benefited by the floods and has been sown with rabi crops. The assessment leviable on cotton crops has been remitted. Fodder crops grown with the cotton as mixed crops were harvested before the floods and so no remission was granted for the fodder crops.

(b) The Irrigation Department contemplates—excavating a Rajbah from Chughatta Pahuhana to Abdul Hakim Railway Station, and if this scheme develops, the Chaks in question will in all probability be saved from future floods.

TIME LIMIT FOR KHARABA APPLICATIONS.

2345. Khan Haibat Khan, Daba : (a) Is there a time limit fixed for *khara* applications in the Lower Bari Doab Colony? If so what is the time limit for such applications? Has the Government considered the advisability of removing this time limit and ordering the authorities concerned to inspect *khara* while the crop is standing?

(b) Does the Government propose to make a provision that in future the zamindars shall get a written note if the *khara* is given to them?

(c) Has the Government considered the desirability of providing for the speedy inspection of the crops the zamindar wants to remove for the preparation of the same land for some other crop?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Except in the case of Special Claims, Canal *khara* applications on the Lower Bari Doab must be made while the crop is standing and at least 10 days before the date fixed for the commencement of *khara* inspection. Otherwise there is no time-limit.

(b) The Zilladar as far as possible informs all cultivators present at the inspections of his decision on their claims and gives them every opportunity of representing their cases.

Moreover the Zilladar is required to record his decisions on the "Fard Darkhwast" presented by the cultivator and to return it to him after the *khara* inspection.

(c) It is not practicable to begin *khara* inspections earlier than the dates now fixed nor to conduct them more rapidly than is now the practice.

GRANT OF CERTAIN CONCESSIONS TO ZAMINDARS OF MAILSI.

2346. Khan Haibat Khan, Daba : Is it a fact that Government gave certain concessions to Taht Khahi zamindars of Pakpattan tahsil? If so, is the Government prepared to consider the claims of the zamindars of Mailsi tahsil for the grant of similar concessions?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : If the honourable member will specify the concessions to which he is referring, it may be possible to furnish a reply to his question.

ABDUL HAKIM CANAL IN THE MULTAN DISTRICT.

2347. Khan Haibat Khan, Daba : (a) Is it a fact that Abdul Hakim Canal in the Multan district is excluded from the Haveli Project Scheme? If so, why?

(b) If the answer to the earlier part of (a) above is in the affirmative, is it a fact that the area under Abdul Hakim Canal will be included in the Lower Bari Doab Colony for purposes of irrigation?

(c) Will there be no permanent irrigation arrangement for the area under Abdul Hakim Canal if it is not included in the Haveli Project or the Lower Bari Doab Canal?

[Khan Haibat Khan Daba]

(d) Is it a fact that some portions of old villages under the Abdul Hakim Canal have now been included for irrigation in the Lower Bari Doab Canal, while the remaining portions of the same villages are not so included?

(e) Is the Government aware that putting a single village under two canals entails difficulties to the owners of the lands in the village? If so, has the Government considered the advisability of putting the entire village under the Lower Bari Doab Canal?

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

INTERVIEW WITH CERTAIN PRISONERS IN THE CAMPBELLPORE JAIL.

2348. Sardar Dhira Singh: Will the Government be pleased to state whether—

(a) Sardar Sajjan Singh applied to the jail authorities of Campbellpore on the 16th July 1925 for permission to have an interview with—

(i) S. Manmohan Singh, *Akali* convict, No. 3519, village Pindicheri, district Sheikhupura;

(ii) S. Jagjit Singh, son of Bela Singh, village Dhuud (Amritsar); and

(iii) S. Udbam Singh, convict No. 3670, and whether the application was rejected?

(b) Is it a fact that the said three convicts were entitled to hold interview with their friends on the said date under the jail rules?

(c) If so, will the Government please state why the application of S. Sajjan Singh was rejected?

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

ESCORT OF DISCHARGED PRISONERS TO RAILWAY STATIONS.

2349. Sardar Dhira Singh: Is it a fact that the practice of sending police guard to escort the *Akalis* after their release from the Campbellpore jail has been ordered to be stopped? If so, will the Government be pleased to state why the *Akalis* are still escorted by the jail warders to the railway station after their release at the expiry of their full sentence?

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

PUNITIVE POLICE. MARGUNDPURA.

2350. Sardar Dhira Singh: (a) Is it a fact that the Sub-Inspector, Police, one head constable and some constables have been withdrawn from the punitive police, Margundpura (Makhi), District Lahore, in April 1925, and that no new men have been put in their places?

(b) If the answer to part (a) is in the affirmative, will the Government be pleased to state why the wages of the said officers amounting to Rs. 4,000 have been realized from the villagers?

The Honourable Sir John Maynard: (a) No.

(b) The question does not arise.

EPIDEMICS IN JAILS.

2351. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

- (i) the jails wherein epidemics broke out during the last twelve months?
- (ii) the nature of the epidemics;
- (iii) the number of cases of each epidemic;
- (iv) the deaths from each of such epidemics;
- (v) the cases where there was doubt as to the cause of death?

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

MANDI HYDRO-ELECTRIC SCHEME.

2352. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

- (i) what progress has been made with the Mandi Hydro-Electric Scheme;
- (ii) what progress has been made with the construction of the tramway;
- (iii) whether any difficulties have arisen in respect of the scheme; and if so, what; and how the Government proposes to deal with them?

The Honourable Rai Sahib Chaudhri Chhotu Ram:—

- (i) Organisation proposals for the execution of the scheme have been considered, and the sanction of higher authority has been sought where required by the rules. Where no such sanction is needed the organisation details are in progress of settlement as they arise.

- (ii) Negotiations with the Railway Board with regard to the construction of the railway have now been completed as a result of which it has been decided that the tramway should be constructed by the North-Western Railway as an integral part of its railway system. The North-Western Railway have prepared a project which has been submitted to the Secretary of State and are completing the location of the line on a 2 per cent. grade and on a route which will serve the town of Kangra. Active construction of the tramway will be started when telegraphic sanction to the railway has been received from the Secretary of State which is understood to be awaited daily.

[Hon'ble R. S. Ch. Chhotu Ram.]

- (116) It must be expected that difficulties common to any large engineering undertaking will arise from time to time, and to overcome them Government is dependent on the skill and resource of the engineers in charge of the scheme. Government has not received any report from the engineers in charge that any special difficulty has arisen in connection with the first stage of the scheme which is now being started.

TRANSFER OF PATWARIS IN THE SHAKARGARH TAHSIL.

2353. Maulvi Mazhar Ali, Azhar : (a) Is it a fact that a few weeks ago about a dozen patwaris were transferred by the Tahsildar of the Shakargarh tahsil in the Gurdaspur district by his own order?

(b) Is it a fact that under the rules only the Deputy Commissioner can order the transfer?

(c) Is it a fact that this rule was brought to the notice of the Tahsildar, and is it also a fact that some of the patwaris concerned refused to hand over charge unless the orders of the Deputy Commissioner were received?

(d) Is it a fact that the patwaris who refused to hand over charge were threatened that the police force would be used against them if they did not hand over their charges and that the charges were delivered under this threat?

(e) Is it a fact that the Tahsildar reported to the Deputy Commissioner that action should be taken against the said patwaris for insubordination?

(f) What action has been taken in the matter, against whom, for what reasons and after what enquiry?

(g) If no action has been taken in the matter so far, is it proposed to take any action? If so, what? If not, why not?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) }

(b) }

(c) } Yes.

(d) }

(e) }

(f) The transfer orders were cancelled. The Tahsildar was warned.

(g) A further report has been called for by the Financial Commissioner.

VISIT OF JAILS BY THE MEMBERS OF THE STANDING COMMITTEE ON JAILS.

2354. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

- (i) the names of the members of the Standing Committee of the Legislative Council on Jails who visited the jails since their appointment as *ex-officio* non-official visitors of jails ;

- (i) the jails visited by them ;
- (ii) if any jails have been visited by any of them more than once, and if so, which jails have been so visited, how many times and at what intervals ?

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

RELEASE OF AKALI PRISONERS.

2355. Maulvi Mazhar Ali, Azhar : (a) Will the Government be pleased to state—

- (i) how many *Akali* prisoners have given the undertaking referred to in His Excellency the Governor's speech in the Legislative Council on the 9th July last and have thus secured their release from jail ?
- (ii) how many of the *Akali* prisoners who could secure their release by giving the required undertaking have not given such undertaking ?

(b) Has Government reasons to believe that the Shiromani Gurdwara Prabandhak Committee and a vast majority of the *Akalis* in particular and the Sikhs in general are prepared to work the Sikh Gurdwara Act if the prisoners are unconditionally released ?

(c) Is it a fact that even the *Akali* leaders in the jails have informed the Government that they are prepared to work the Act, but are not prepared to sign any undertaking to procure their release ?

(d) If so, has the Government reconsidered the question of imposing the condition regarding the undertaking required ? If not, does it propose to do so now ?

The Honourable Sir John Maynard : This question is the subject of an amendment now pending and cannot at present, therefore, be answered.

CO-OPERATIVE SOCIETIES IN THE PROVINCE.

2356. Maulvi Mazhar Ali, Azhar : (a) Will the Government be pleased to state—

- (i) the number of co-operative societies, (1) urban and (2) rural formed in each of the tahsils in the province since the commencement of the co-operative movement in the province ;
- (ii) the number of societies as they stood on October 31st, 1925 ;
- (iii) the number of societies that had gone into liquidation on or before that date ;
- (iv) the names of places where societies have, after the liquidation of old societies been started afresh ;
- (v) the attempts made by Government to start fresh societies in places where they have broken down ?

[M. Mazhar Ali, Azhar.]

(b) Whether any enquiry was made by Government to find out the causes of the breakdown of the societies and whether any remedies were found and adopted to establish the credit of the co-operative system where once it had been shaken?

(c) Is it a fact that so far the Government has been encouraging the co-operative movement in new areas without attempting to retrieve the failures in areas where the movement has failed?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The honourable member is referred to the Annual Reports on the working of Co-operative Societies in the Punjab, where he will find all the information he requires. Copies of the Reports are in the Council Library. He will find in the Reports full discussions of the matters contained in parts (b) and (c) of his question.

DIVERSION OF CHAKKI CHANNEL.

2357. Maulvi Mazhar Ali, Azhar : (a) Is it a fact that the river Chakki was a tributary of the river Ravi before the construction of the canal system flowing from the Madhopur head?

(b) Is it a fact that to protect the canal system, the Chakki channel was diverted from the Ravi to the Beas?

(c) Is it a fact that in the Kangra district compensation was granted to those zamindars whose land suffered from the Chakki diversion, and a number of them are receiving annual sums by way of compensation?

(d) Is it a fact that the villages on both sides of the Beas have suffered considerably since the diversion of the Chakki channel?

(e) Is it a fact that on the Gurdaspur side a bund about 7 feet high was erected in the beginning to safeguard against floods, and is it a fact that since long the said bund has never been repaired and now practically does not exist?

(f) Is it a fact that no compensation was given to the people in the Hoshiarpur and Gurdaspur districts on account of the injury done to their lands?

(g) Is it a fact that the floods have destroyed and are destroying in some places temporarily and in others permanently the utility of vast areas of land in the Hoshiarpur and Gurdaspur districts and a large number of zamindars have been making complaints to Government in the matter?

(h) Is it a fact that in the Gurdaspur tahsil in the beginning the land revenue in places affected was remitted, but later on the system of suspension was introduced?

(i) If so, does the Government propose to make a special and extensive enquiry into the mischief done, by the diversion of the Chakki channel on both the banks of the Beas in the Hoshiarpur and Gurdaspur districts and find out means to redress the grievances of the people?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
(a) No, but one of the several branches of the Chakki was a tributary of the River Ravi,—*vide* reply given to question No. 2037.*

- (b) No, but the above branch was diverted in 1860.
- (c) Compensation was paid by Government during the period 1860—1865, but no annual payments are being made by way of compensation.
- (d) Records fail to substantiate this.
- (e) Numerous works have been constructed from time to time in the vicinity. They are kept in repair and still exist. It is not known to which particular bund the honourable member refers.
- (f) The reply is in the affirmative. No compensation has been paid because damage, if any, is not due to any Government works.
- (g) Floods have injured certain areas in the Hoshiarpur and Gurdaspur Districts. Complaints have been received from certain zamindars. These complaints have been and are being enquired into and the reports received are under consideration.
- (h) No.
- (i) Complaints regarding damage have already been enquired into.

PRIMARY SCHOOLS IN ILAQA BEIT.

2358. Chaudhri Afzal Haq: (a) Is it a fact that Ludhiana district board is opening new primary schools?

(b) Is it not a fact that in ilaqa Beit, Ludhiana, there are very few primary schools at present?

(c) Is it not a fact that in the new scheme of opening new schools, ilaqa Beit has been neglected?

(d) If so, does Government propose to consider the desirability of directing the district board, Ludhiana, to open sufficient primary schools in this ilaqa?

Sir George Anderson: (a) Yes.

(b) The statistics, which have been received, do not appear to support this contention.

(c) Does not arise.

RESOLUTION OF THE AMRITSAR DISTRICT BOARD RE ITS DISTRICT ENGINEER.

2359. Chaudhri Afzal Haq: (a) Will the Government be pleased to state if it is a fact that the district board of Amritsar adopted a resolution that the District Engineer, Amritsar, be discharged after the expiry of three months?

(b) If so, is it a fact that the Deputy Commissioner, Amritsar, set aside the resolution?

(c) If so, will the Government be pleased to state what led the Deputy Commissioner to set aside the resolution?

Mr. J. G. Beazley: (a) No: the district board resolved that the Chairman of the Board should be asked to dispense with the services of the District Engineer.

[Mr J. G. Beazley.]

(b) No: the Chairman of the district board declined to comply with the resolution as he considered that the District Engineer was a useful and honest servant of the board.

(c) Does not arise.

SMALL TOWN COMMITTEES AND THEIR BUDGET.

2360. Chaudhri Afzal Haq: (i) (a) With reference to the third paragraph of Government circular letter No. 21654 (L. S.-G.—Small Towns), dated 12th October 1925, will the Government be pleased to say if it is a fact that some small town committees have even before the issue of this circular letter prepared their Budget fixing a high rate of taxation which is contrary to the spirit of the circular?

(b) If so, will the Government be pleased to state whether they are considering the desirability of directing all such small town committees to reconsider and revise their Budget in accordance with the spirit of this circular letter?

(ii) Will the Government be pleased to state—

(a) the names of those small towns which have budgetted for more than Rs. 4,900;

(b) the names of those small town committees which have already reconsidered their Budget in the light of Government letter No. 21653 (L. S.-G.—Small Towns), dated 12th October 1925?

Mr. J. G. Beazley: (i) (a) The honourable member appears to have misunderstood the intention of the third paragraph of the letter referred to, which was not meant to prevent the imposition of a high rate of taxation if such a rate were desired by the committee of a small town, but merely to indicate that in places where there is strong objection to any form of taxation the town rate form of taxation is the most suitable form with which to make a start, as the amount to be collected can be pitched low to begin with and gradually raised as a demand for increased amenities and improved conditions is created.

(b) In view of the explanation given in the reply to part (i) (a), this question does not arise.

(ii) (a) Government are not in possession of the information asked for and as the request for this information was apparently prompted by the misunderstanding referred to in the reply to part (i) (a) it is not proposed to collect it.

(b) The letter referred to required no reconsideration of their budgets on the part of town committees: it may, therefore, be presumed that no such re-consideration has taken place.

DISPENSARY IN VILLAGE SHAH NAWAZ KHAN WALA.

2361. Chaudhri Afzal Haq: Will the Government be pleased to state—

- (a) whether they are aware of the fact that late Khan Bahadur Shah Nawaz of village Shah Nawaz Khan Wala, tahsil Dipalpur, district Montgomery, had deposited Rs. 6,000 with the district board, Montgomery, for the upkeep of a dispensary in his village?
- (b) Is it a fact that after 25 years or so after the opening of the dispensary in village Shah Nawaz Khan Wala, it was closed down in war time?
- (c) Is it a fact that the money deposited has not yet been returned to the heirs of the late Khan Bahadur Shah Nawaz Khan?
- (d) Is the Government also aware that all the influential persons of that ilaqa, seven or eight years ago waited upon the District Magistrate who was also the President of the district board with the request that the dispensary might be re-opened at Shah Nawaz Khan Wala village?
- (e) If so, does the Government propose to consider the advisability of directing the district board, Montgomery, to open a dispensary at Shah Nawaz Khan Wala?

Mr. J. G. Beazley: (a) Yes.

(b) The dispensary was closed in 1920 as the old building was unfit for the purpose and other medical relief was available at a distance of 5 miles.

(c) No, the money has been returned to the heir.

(d) No, though the heir of the donor applied for the dispensary to be re-opened.

(e) Government do not propose to interfere with the discretion of the district board in this matter.

SUPERINTENDENTS OF THE DEPUTY COMMISSIONERS' OFFICES.

2362. Chaudhri Afzal Haq: (a) Will the Government be pleased to say if it is a fact that out of five Superintendents of the Deputy Commissioners' offices in the Jullundur division, none is a Muslim?

(b) If so, does Government propose to consider the advisability of appointing some suitable Muhammadans as Superintendents of Deputy Commissioners' offices in the Jullundur division?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) Yes.

(b) Government does not think it advisable to interfere with the Commissioner's discretion in the matter.

ILLEGAL TRADE IN COCAINE.

2363. Chaudhri Afzal Haq : (a) Will the Government be pleased to lay on the table a statement showing the number of cases challaned for illicit sale and possession of cocaine during 1924 and during 1925 up to October ?

(b) What steps does Government propose to take in addition to those already taken to put down the illicit sale of cocaine ?

(c) Will the Government be pleased to state whether they are considering the following proposals to put a check to illicit sale and possession of cocaine, namely :—

(i) to seek the co-operation of Temperance Societies and other social bodies ; and

(ii) to appoint Chaudhris in the bazaars and mohallas who may be helpful in putting down the sale of cocaine ?

(d) (i) will the Government be pleased to lay on the table a statement showing the number of cocaine smugglers whose movements are watched by the police and excise officers in each district ; and

(ii) the number of Temperance and other societies that were asked by the Government to help in bringing to book the cocaine smugglers ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) The information is as follows :—

Year.	No. of cases.	No. of persons involved.
1924	17	40
1925 (up to 31st October 1925)	31	56

(b) Government is fully aware of the evils of the illicit traffic in cocaine. It is not politic to publish the methods Government intends to adopt to suppress an illegal traffic of this nature. If the honourable member has any method for the suppression of this noxious drug which he would like to bring to notice he is invited to communicate it privately to the Financial Commissioner.

(c) (i) Yes. A reference is invited to paragraph 36 of the Report on the Excise Administration of the Punjab for the year 1924-25.

(ii) No.

(d) (i) The number of persons (ring leaders) who are being shadowed by the Excise staff for illicit traffic in cocaine in the Punjab stands at 121. It is not in the public interests to give the figures for each district.

(ii). See reply to (c) (i).

UNDER-TRIAL PRISONERS.

2364. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the number of under-trial prisoners in each jail of the province on 15th October 1925 ;

(b) the number of those under-trials who have been in the jails for more than three months ;

(c) the number of those under-trials who are being tried for dacoity ;

(d) the number of those under-trials who are being tried for theft ;

- (e) whether they have taken any step to decrease the population of under-trials in jails;
- (f) whether the attention of the District Magistrates has been drawn to the existence of a large number of under-trials in each district?

The Honourable Sir John Maynard: (a) to (d) The information required is not available. Periodical Lists of all unconvicted prisoners other than those committed to sessions, who have been detained in jail for more than fourteen days are submitted by Superintendents to the District Magistrate. If the honourable member so desires, Government will be prepared to lay on the table statistics of such information as these lists afford for the date nearest to 15th October 1925.

(e) The duration of proceedings in court is primarily the concern of the Hon'ble Judges, but Government takes constant steps to expedite prosecutions to secure the attendance of witnesses, and generally to avoid delays. The recent amendment of Criminal Procedure Code has also made more generous provision for the grant of bail.

(f) The forms already mentioned have been devised with the special object of bringing this matter with regularity and frequency to the notice of the District Magistrate. In the districts where the number of under-trials is largest, the attention of District Magistrates has from time to time been drawn specifically to the figures.

VISITS OF JAILS BY THE MEMBERS OF JAIL STANDING COMMITTEE OF THE COUNCIL.

2365. Chaudhri Afzal Haq: (a) Is it a fact that several members of the Jail Standing Committee of the Council have from time to time visited several jails of the province and have made remarks about them?

(b) Is it a fact that the action taken by the Government on the remarks of the members has not been communicated to them as laid down in the jail rules?

(c) If so, will the Government be pleased to state whether they propose to do so now?

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

PROMOTION OF CLERKS FROM A LOWER TO A HIGHER GRADE.

2366. Chaudhri Afzal Haq: (a) Is it a fact that very recently a circular letter has been issued to all the Deputy Commissioners of the Punjab to the effect that the clerks in the grade Rs. 30-1½-70 should not be promoted to the higher grades of Rs. 40 to Rs. 90 and Rs. 75 to Rs. 125?

(b) If so, is Government aware that great dissatisfaction has been caused among the clerks of the lower grade by this circular?

(c) Does Government propose to consider the advisability of cancelling this letter?

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

REWARI MUNICIPAL COMMITTEE.

2367. Rana Firoz-ud-Din Khan : With reference to the answers to my questions Nos. 1450* and 1820† asked on the 3rd March and 6th May 1925, respectively, will the Government please state what steps it has taken to increase the Muslim representation in the Rewari municipal committee commensurate with their population and voting strength in the area?

Mr. J. G. Beazley : This matter will be taken into consideration at the next reconstitution of the municipal committee.

APPOINTMENT OF AN AHIR AS REVENUE ASSISTANT IN THE GURGAON DISTRICT.

2368. Rana Firoz-ud-din Khan : (a) Is it a fact that a deputation of Ahirs recently waited upon the Financial Commissioner, Panjab, in connection with the appointment of an officer belonging to that tribe as a Revenue Assistant in the Gurgaon district?

(b) Is the Government aware that Ahirs constitute a small tribe and by no means represent the wishes of the agricultural tribes of the Gurgaon district?

Mr. J. M. Dunnett : (a) No, so far as Government is aware.

(b) This is a matter of opinion.

MURDER OF ONE GHULAM ALI OF VILLAGE SAGBAN.

2369. Chaudhri Sahib Dad Khan : Is it a fact that nobody has so far been challaned in connection with the murder of one Muhammadan named Ghulam Ali of village Sagban in the Bhiwani tahsil which occurred in last August? If so, why?

The Honourable Sir John Maynard : Yes. He was a well-known cattle thief. He appears to have been killed inadvertently in an attempt to prevent him riding off with a stolen camel.

Chaudhri Sahib Dad Khan : Was the man killed on account of his being a notorious cattle thief?

The Honourable Sir John Maynard : He was killed while he was trying to get away with stolen property. He was killed inadvertently.

SUPERINTENDENT OF POLICE, HISSAR DISTRICT.

2370. Chaudhri Sahib Dad Khan : (a) How long has the present Superintendent of Police been serving in the His-sar district?

(b) Is there any maximum period fixed for Superintendent of Police to serve in a district before he can be transferred to another district? If so what is that period?

(c) Is it a fact that since the posting of the present Superintendent of Police to the Hissar district in the beginning of 1922, several Muhammadans have been murdered and all the prosecutions in these cases have failed?

(d) If the answer to (c) is in the affirmative, did the Superintendent of Police move for revision or appeal in the cases referred to?

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

*Vol. VIII.-A, pages 233-34.

†Vol. VIII.-A, page 1025 and page lxxi, Appendix V.

IRRIGATION OF LANDS IN THE SIRSA TAHSIL.

2371. Chaudhri Sahib Dad Khan : (a) Is it a fact that when in 1896, Ghaggar water was proposed to be collected for irrigation purposes by means of a dam at Otu in the Sirsa tahsil it was agreed to by Government that 55 per cent. of the canal water was to be utilised for the irrigation of lands in the Sirsa tahsil and 45 per cent. of the water for irrigating the lands in the Bikaner State ?

(b) Is it a fact that since then, the said agreement has been contravened and most of the canal water goes to the Bikaner lands on account of the silted bed of the canal having been raised and certain distributaries having been stopped altogether in the Sirsa tahsil ?

(c) Is it a fact that the bed having been silted the Otu bridge allows only a short flow of water in the canal ? If so, does the Government propose to raise the said bridge and have the silt cleared ?

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

ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES IN THE HISSAR AND GURGAON DISTRICTS.

2372. Chaudhri Sahib Dad Khan : (a) Will the Government be pleased to state whether it is a fact that both the Hindu and Muhammadan zamindars complained to Government or to any officer under it against the Assistant Registrar of the Co-operative Societies in the Hissar and Gurgaon districts ? If so, what action has been taken against the said officer ?

(b) Is it a fact that all applications for the registration of Muslim Co-operative Societies in the Sirsa tahsil were rejected by the said officer ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) Certain Hindus and Muhammadans of Sirsa complained against the Assistant Registrar of Gurgaon, who had recently transferred from the neighbourhood a Hindu and a Muhammadan subordinate. The transfers were made under the orders of the Registrar, and the complaint against the Assistant Registrar was groundless.

(b) No.

ASSISTANT SURGEON AT SIRSA.

2373. Chaudhri Sahib Dad Khan : (a) Is it a fact that complaints have been received by Government or any officer under Government alleging that the Assistant Surgeon at Sirsa takes active part in communal matters ? If so, what action has been taken thereon ?

(b) Is it a fact that the Assistant Surgeon at Sirsa has been there for more than two years ?

(c) Is it a fact that this Assistant Surgeon has not charged any price for medicines given to the income-tax paying persons at Sirsa ?

Mr. J. G. Beazley : (a) Yes : a report has been called for.

(b) No.

(c) Government have no information on the point.

Lala Mohan Lal, Bhatnagar: Will Government please state whether it is a fact that this Assistant Surgeon at Sirsa has been awarded a gold medal by the public, both Hindus and Muhammadans united, for excellent services rendered by him during the epidemic?

Mr. J. G. Beazley: I must ask for notice of this question.

SUB-INSPECTOR OF POLICE AT REWARI.

2374. Chaudhri Sahib Dad Khan: (a) Is it a fact that several complaints have been received by Government or the officers under it against the Sub-Inspector of Police at Rewari? If so, what action has been taken thereon?

(b) Is it a fact that the Sub-Inspector has been at Rewari for more than three years?

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

OFFICERS IN THE GURGAON DISTRICT.

2375. Chaudhri Sahib Dad Khan: Is it a fact that all the officers in the Gurgaon district belong to one community (Hindu)?

Mr. J. M. Dunnett: No.

CONSTRUCTION OF A BUND AT KHANWAH, TAHSIL ALIPUR.

2376. Khan Muhammad Abdullah Khan: Will the Government be pleased to state if it is a fact —

(a) that a new bund has been constructed at Khanwah, tahsil Alipur, district Muzaffargarh;

(b) that certain contractors were employed for supplying earth for the said bund; and

(c) that the Canal Department of district Muzaffargarh paid Rs. 4-12-0 per 100 cubic feet of earth to one contractor, while the rest of the contractors were paid at the rate of Rs. 4-8-0? If so, what are the reasons for this differential treatment?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) Yes.

(b) Yes.

(c) Yes. Rates were given according to the nature of the soil.

GARDENS ATTACHED TO THE CANAL BUNGALOWS.

2377. Khan Muhammad Abdullah Khan: Will the Government be pleased to lay on the table —

(a) a statement showing the income derived from each of the gardens attached to the canal bungalows and canal regulators of the Muzaffargarh district for the years 1922, 1923, 1924 and 1925;

- (ii) a list showing the names and sites of the various gardens mentioned in (i) above?

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

SALE BY AUCTION OF SHISHAM TREES IN MUZAFFARGARH TAHSIL.

2378. Khan Muhammad Abdullah Khan : Will the Government be pleased to state if it is a fact —

- (a) that the Canal Sub-Divisional Officer, Muzaffargarh, has sold the *shisham* trees on the following Nalas of tahsil Muzaffargarh viz., Khanwah, Nurwah, Muzaffargarh, Pirwah and Sohrwah :
- (b) that all the trees were sold by auction to only one person ? If not, will Government be pleased to ascertain and state the names and places of residence of the various purchasers and also the number of trees sold to each one of the purchasers ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
(a) No trees on the channels named have been auctioned by the Sub-Divisional Officer, Muzaffargarh.

(b) Tenders for the trees on the channels named in part (a) were called by advertisement in three Newspapers and the highest tender was accepted by the Superintending Engineer on the recommendation of the Executive Engineer.

No sale was effected by auction.

The second part of the question does not arise.

PACHOTRA.

2379. Khan Muhammad Abdullah Khan : Will the Government be pleased to state if it is a fact—

- (a) that the lambardars collect the mutation fees along with the instalments of land revenue ;
- (b) that the lambardars are not allowed *pachotra* or any other kind of remuneration for collecting the mutation fees ? If so, why ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The attention of the honourable member is invited to the answer given to Council question No. 2054*.

TAHSILDARS.

2380. Shaikh Faiz Muhammad : (a) Will Government kindly state if it has raised the status of Tahsildars by giving them gazetted rank ?

[Sh. Faiz Muhammad.]

(b) If the answer to (a) is in the affirmative, does the Government propose to increase their pay also so as to bring the Tahsildars on a level with other gazetted officers in the provincial service?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) No.

INTERMEDIATE COLLEGE AT DERA GHAZI KHAN.

2381. Shaikh Faiz Muhammad : (a) Is it a fact that Government proposes to open a number of intermediate colleges next year?

(b) If so, will Government kindly name the towns in which the new colleges will be located?

(c) Is it a fact that there are at present six high schools in the Dera Ghazi Khan district?

(d) Does Government propose to consider the claims of Dera Ghazi Khan for an intermediate college next year?

Sir George Anderson : (a) Yes.

(b) Jhang and Dbarmsala.

(c) Yes.

(d) The places named in (b) above were selected after a careful consideration of the claims of other districts, but these (including the claims of Dera Ghazi Khan) will be considered again next year.

ESTABLISHMENT OF THE IRRIGATION DEPARTMENT, DERA GHAZI KHAN.

2382. Shaikh Faiz Muhammad : (a) Will Government kindly state if they are aware that of the three Canal Sub-Divisional Officers in Dera Ghazi Khan district, two are Hindus and one Sikh?

(b) Is it a fact that in recent transfers the above arrangement has been maintained?

(ii) (a) Will Government kindly state how many Canal Overseers and Sub-Overseers in charge of sections there are in the Dera Ghazi Khan district? How many of these are Mussalmans and how many Hindus or Sikhs?

(b) How many years' service has each one of these Overseers and Sub-Overseers put in the section to which they are at present attached?

(c) Are Overseers and Sub-Overseers liable to transfer? If so, under what circumstances and after how many years?

(d) Will Government kindly state how many Canal Overseers and Sub-Overseers in the Dera Ghazi Khan district have already spent more than three years in the sections to which they are at present attached? Has the Government any intention of forthwith transferring such Overseers and Sub-Overseers as have completed three years in a particular section?

(iii) Will Government lay on the table a statement showing community-wise the number of employees drawing over Rs. 30 in the offices of Executive Engineer and the three Sub-Divisional Officers of the Irrigation Department in the Dera Ghazi Khan district?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(i) (a and b). Yes.

(ii) (a). Fifteen.

Musalman.

Hindus.

Sikhs.

1			11			3		
<i>Musalman.</i>			<i>Hindus.</i>			<i>Sikhs.</i>		
Y.	M.	D.	Y.	M.	D.	Y.	M.	D.
2	2	16	1	0	0	5	4	13
			1	4	16	9	6	0
			0	3	26	2	0	2
			2	11	5			
			0	1	10			
			0	5	0			
			0	1	3			
			0	4	8			
			0	3	26			
			0	1	2			
			0	2	24			

(c) Yes. They are transferred whenever the exigencies of the public service require it. No fixed period.

(d) Please see reply to (ii) (b) above.

They will be transferred whenever the exigencies of the public service so require.

(iii) The information is as below :—

Musalman.

Hindus.

Sikhs.

7

10

1

Shaikh Faiz Muhammad : As regards (i) (a) and (b) may I ask a supplementary question? Is it a fact that Musalmans are precluded from holding this office as a matter of policy?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : No.

Shaikh Faiz Muhammad : With regard to (ii) (c), will Government kindly explain the phrase "exigencies of the public service?"

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The phrase is quite clear. Any dictionary will explain it.

WATER SUPPLY IN VILLAGES IN SIRSA TAHSIL.

2383. Lala Sham Lal : (i) Will the Government be pleased to state whether it is a fact —

(a) that in almost all the villages round about Guda Kalan in Sirsa tahsil the water in wells is brackish and cannot be used for drinking purposes ;

(b) that the people of those villages live upon village ponds and when they are dried up they have to bring water on camels from distant places with much hardship and at great expense ?

(ii) If the answers to (i) (a) and (b) are in the affirmative, will the Government be pleased to state what action it has taken or proposes to take to provide good water supply to these villages ?

[Lala Sham Lal.]

(iii) Has the Government considered the advisability of providing water supply from the river Ghaggar by means of pipes? If so, with what result?

Mr. J. G. Beazley: (i) (a) & (b) Government is aware of the shortage of drinking water in parts of Sirsa tahsil.

(ii) The honourable member is referred to the answer given to part (a) of Council question No. 502* in which it was stated that the Sanitary Board would be glad to consider and to assist financially any scheme put up to it by the district board to remedy the scarcity of drinking water in the tahsil. No proposals have, however, yet been received from the district board.

PACHHADAS IN SIRSA AND FATEHABAD TAHSILS, HISSAR DISTRICT.

2384. Lala Sham Lal: (i) Will the Government be pleased to state whether it is a fact --

(a) that in many villages of Fatehabad and Sirsa tahsils of the Hissar district, there lives a class of Rajput Musalmans commonly known by the name of Pachhadas or Rathis;

(b) that these Pachhadas are reported to be thieves and cattle-lifters by their habits and not good cultivators;

(ii) If the answers to questions (i) (a) and (b) be in the affirmative, will the Government be pleased to state what steps they propose to take in future to civilise these people and how they propose to protect the peaceful and law-abiding population of the villages against aggressions made by these Pachhadas?

(iii) (a) Will the Government be pleased to state whether the object of Government in enacting the Punjab Alienation of Land Act, 1900, was to protect such tribes and communities as were by their habits agriculturists and were of use to the State in its civil and military departments?

(b) Is it a fact that the Pachhadas ceased to be either of these?

(c) If so, does the Government propose to exclude them from the list of agricultural tribes for the purposes of the Punjab Alienation of Land Act?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(i) (a) Yes.

(b) Many Pachhadas have the reputation of being cattle-lifters. Many are not good cultivators.

(ii) No such necessity has arisen for Government to take action as suggested.

(iii) (a) The object of the Punjab Alienation of Land Act is to prevent the expropriation of agricultural tribes.

(b) No.

(c) Does not arise.

AMBALA DISTRICT BOARD.

2385. Rai Sahib Lala Ganga Ram: Will the Government be pleased to state the number of elected and nominated members separately in the Ambala district board and the number of Sikh, Muhammadan and Hindu members among them and also the number of agriculturists and non-agriculturists separately among them?

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SALE OF ADULTERATED GHEE.

2386. Rai Sahib Lala Ganga Ram : (a) Is the Government aware of the fact that the vegetable ghee adulterated with genuine ghee is sold in the market as genuine ghee ?

(b) If so, does the Government propose to adopt such measures as will put a stop to this practice ?

Mr. J. G. Beazley : (a) Yes.

(b) Persons induced to buy articles by a misdescription of their character already have their remedy in law.

GRANT OF LAND IN CHAK-NAULA KOTGARH TO GOPAL DAS.

2387. Rai Sahib Lala Ganga Ram : (a) Is it a fact that a piece of Government land measuring one bigha, fifteen biswas, situated in Chak Naula Kotgarh, district Simla, was given to one Gopal Das and the villagers made a strong protest against this grant ?

(b) If so, will the Government please state what action has been taken on this protest ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The question has necessitated enquiries which are not yet complete. I will send the answer to the honourable member as soon as it is ready.

REWARI MUNICIPALITY.

2388. Rai Sahib Lala Ganga Ram : (i) Is it a fact that the new voters' list prepared for the Rewari municipality has been objected to by the Hindus on the ground that it is not correct ? If so, does the Government propose to direct the revision of the list in order to get a correct list ?

(ii) (a) Is it a fact that the number of Hindu seats in Rewari municipality is six at present, while that of Muhammadan seats is only four ?

(b) If so, does the Government propose to increase the number of Muhammadan seats ? If so, why ?

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

OBSTRUCTION BY MUHAMMADANS OF HINDU PROCESSIONS.

2389. Rai Sahib Lala Ganga Ram : (a) Has the attention of Government been drawn to the fact that the bier of a respectable Hindu lady was stopped on the way by the use of criminal force by a Muhammadan mob at Rewari on 26th September 1925, while it was being carried to the cremation ground and the procession of a Hindu leader with music was also, while passing along a thoroughfare, stopped by certain Muhammadans at Rewari on 27th October 1925 ?

(b) If so, has it taken any steps to obviate similar occurrences in future ? If not, why ?

The Honourable Sir John Maynard: (a) Allegations to this effect have been made and 32 persons are under trial for the offences alleged.

(b) The cases in question are under trial. It is understood that the local Hindu and Muhammadan communities have arrived at a compromise on the subject of religious processions which should minimise the risk of similar occurrences.

RELIGIOUS PREACHING AND PRAYERS IN JAILS.

2390. Rai Sahib Lala Ganga Ram: (a) Is there any provision for religious preaching and prayers in district jails?

(b) If the reply is in the negative, does the Government propose to provide for such religious preaching and prayer for one hour in the jails?

The Honourable Sir John Maynard: The orders on the subject of religious devotions are contained in paragraph 600 of the Jail Manual of which a copy will be found in the Council Library. Paid religious teachers are attached to the Tubercle Jail at Shahpur.

ADMISSION AND TREATMENT OF PATIENTS IN THE MAYO HOSPITAL, LAHORE.

2391. Diwan Bahadur Raja Narendra Nath: (a) Will the Government be pleased to state—

(a) whether there are any rules or departmental instructions regarding the admission for free treatment of patients both indoor and outdoor in the surgical, medical and eye wards (General) in the Mayo Hospital of Lahore;

(b) whether there are any restrictions against the admission of well-to-do persons in the General wards of the hospital or their treatment as outdoor patients;

(c) if so, whether the medical officers in charge of such wards or their assistants are empowered to refuse arbitrarily, admission in the General wards or treatment as outdoor patients to persons whom they may deem to be capable of paying medical fee or defraying the charges of family wards; and

(d) whether any record is kept of such refusals?

(ii) If no rules exist regulating admission, has the Government considered the desirability of—

(a) laying down definite rules as to what class of people are entitled to free admission to various General wards and to free treatment as outdoor patients;

(b) fixing a scale of fees for surgical operations in the family wards; and

(c) prescribing a register in which to record reasons for refusing admission to General wards for free treatment as indoor patients?

Mr. J. G. Beazley: (i) (a) Yes.

(b) No, provided that the persons admitted do not refuse to be examined by students of the Medical College.

(c) No, except when accommodation is not available.

(d) No.

(ii) (a) does not arise.

(b) a scale has already been fixed.

(c) No, as the refusals are few and are only made when no accommodation is available.

Diwan Bahadur Raja Narendra Nath: Am I to understand that the general rule is "First come, first served"?

Mr. J. G. Beazley: I imagine so.

ASSISTANT SURGEONS.

2392. Diwan Bahadur Raja Narendra Nath: Will the Government be pleased to state—

- (a) the number of new Assistant Surgeons appointed in 1925;
- (b) how many of them were Hindus and how many Muhammadans;
- (c) whether it is a fact that only five appointments were made of which only one went to a Hindu;
- (d) whether a Hindu who stood first on the pass list was superseded by persons who stood much lower on the list;
- (e) whether the proportion prescribed for admission to the Medical College of students of various communities is still enforced, viz., Muhammadans 40 per cent., Hindus 40 per cent., and Sikhs 20 per cent.
- (f) whether in the appointment of Hindus as Assistant Surgeons this year the same proportion as is fixed for admission of Hindus to the Medical College was not kept up; and
- (g) if so, why?

Mr. J. G. Beazley: (a) Five provisional appointments have been made.

(b) One Hindu, 4 Muslims.

(c) Yes.

(d) It is a fact that the Hindu who was first in the examination, was not offered an appointment.

(e) Yes.

(f) & (g) The proportion of Muslims in the Provincial Medical Service being inadequate, it was considered desirable to take steps to increase it.

Diwan Bahadur Raja Narendra Nath: The proportion of appointment of persons other than Muhammadans is less than forty.

Mr. J. G. Beazley: The proportion of appointments in the last year is given in answer to part (b) of the question.

Diwan Bahadur Raja Narendra Nath: It is less than forty per cent.

Mr. J. G. Beazley: The honourable member is quite capable of making his own calculation.

DACOITS IN THE LAHORE DISTRICT.

2393. Diwan Bahadur Raja Narendra Nath: Will the Government be pleased to state whether it is a fact that two or three gangs of dacoits consisting of notorious Surain Singh and others are committing desperate crimes in the district of Lahore? If so, what steps has Government taken to arrest these outlaws and bring them to justice?

The Honourable Sir John Maynard: Yes. Continued and exhaustive efforts have been made to arrest the gangs, by the Police of Amritsar, Sheikhpura, Ferozepore and Lahore districts. Shahabu, the leader, was killed last month, while six members of another gang headed by Kamru have recently been arrested.

ATTACK OF SARDAR ATA MUHAMMAD BY SOME OUTLAWS.

2394. Diwan Bahadur Raja Narendra Nath: Will Government be pleased to state whether it is a fact that a few months ago Sardar Ata Muhammad, son of Sardar Wazir Ali of Ganga Kalan, tahsil Chunian and one of his servants while shooting in the jungle of Bhagukae were attacked and carried away by some outlaws and so far the fate of the unfortunate victims of the crime is not known? If so, will Government be pleased to lay on the table a full statement with regard to this case?

The Honourable Sir John Maynard: Atta Muhammad, the son of Wazir Ali, late Zaildar and a big landowner of Usmanwala, has disappeared under circumstances which give rise to the probability that he has been murdered. On the evening of the 19th of July he went shooting in Rakh Jajjal accompanied by a trusted servant, by name Umra (Mochi). Both men disappeared and have not been heard of since. It is known that the desperate gang of dacoits, headed by Shahabu (Teli) and Mukhan Singh, were in the rakh on this day, near the place where Atta Muhammad went to shoot. It is strongly suspected that he and his servant were captured and disposed of, for the sake of the gun he was carrying. The gun was a twelve bore hammer shot gun of Belgian manufacture and its number is 30,360. The investigation of this case has been pursued with great vigour, one Assistant Superintendent of Police, one Deputy Superintendent of Police, one Inspector and two Sub-Inspectors have taken part in the investigation and all have visited the spot. There is, up to now, no trace of Atta Muhammad or his servant and until the suspected gang is captured and enquiries made from them it is unlikely that any clue will be obtained. Shahabu, the leader of the gang, was unfortunately killed before enquiries could be made from him. Vigorous efforts to arrest the gang are being made by the Criminal Investigation Department and the Police of several districts.

REWARD FOR CAPTURE OF DACOIT SULAKHAN SINGH.

2395. Diwan Bahadur Raja Narendra Nath: Will Government be pleased to state whether it is a fact that in October 1921, one Sulakhan Singh a notorious and dangerous dacoit was captured by a Magistrate and a Police Sub-Inspector at the risk of their lives? If so in what way does Government propose to reward the services of these officers?

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

But I can say that it is the consistent policy of Government to give suitable rewards in case of such captures.

TRAMWAY SERVICE BETWEEN SHAHDARA AND NAROWAL.

2396. **Sardar Buta Singh :** (a) Is Government aware that a large and extensive tract between Shahdara and Narowal is devoid of means of communications such as pacca or even kacha roads ?

(b) Is it a fact that Government intends to start tramway service between Shahdara and Narowal ?

(c) If the answer to (b) be in the affirmative, will the Government please say when the tramway service is likely to come into working order ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) There is an unmetalled main road connecting Narowal and Shahdara.

(b) Negotiations are in progress between the North-Western Railway and the Punjab Government for the construction of a light railway on the 5'-6" gauge between Shahdara and Narowal.

(c) If these negotiations are satisfactorily concluded, it may be possible to start construction from May 1926, and to open the line for traffic within 18 months of the date when construction is started.

WATER RATE FOR FODDER CROPS.

2397. **Sardar Buta Singh :** (a) Is Government aware that crops such as Chari, Gowara, Moth, etc., are primarily used by the zamindars as fodder for cattle ?

(b) Is Government prepared to issue instructions to the patwaris that water rate for such crops when used as fodder be charged at concession rates ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) The crops named are charged at the fodder (concession) rate.

RUNNING OF SPECIAL TRAINS ON FESTIVAL OCCASIONS.

2398. **Sardar Buta Singh :** (a) Is Government aware that pilgrims leaving Nankana Sahib by rail after the Pura Mashi Fair are put into different compounds and locked there on the railway station preparatory to their getting into the train ?

(b) Is it a fact that sometimes such pilgrims have to pass whole of the day in such compounds and are thus put to great hardship and trouble ?

(c) Is it a fact that on the occasion of last Pura Mashi Fair, females were separated from their male companions and put into different compounds ?

[Sardar Buta Singh.]

(d) Is it a fact that in the case of passengers going towards Lahore side, females were allowed to board the train while their male relations and companions were not allowed to do so, thus causing great deal of inconvenience and trouble to the pilgrims?

(e) If the answer to the above questions be in the affirmative, does Government propose to suggest to the railway authorities that the latter should on such occasions run special trains after every two hours and should not huddle together hundreds of pilgrims in the compounds referred to above for several hours?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The question has necessitated enquiries from the Railway Department. As soon as information is received the necessary reply will be communicated to the honourable member.

VETERINARY HOSPITAL, SHEIKHUPURA.

2399. Sardar Buta Singh : (a) Is it a fact that the Veterinary Assistant in charge of the Veterinary Hospital, Sheikhupura, is carrying on most successfully his experimental treatment of Surra cases?

(b) Is it also a fact that in consequence of this, many animals suffering from this disease are sent to this hospital for treatment and there is not sufficient accommodation in the hospital for their treatment?

(c) If so, does Government propose—

(i) to extend the hospital to meet the local demands; and

(ii) to allot enough money in the next budget for the purpose of building a separate contagious ward for the treatment of animals suffering from Surra disease?

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

REVIVAL OF THE TERM OF IMPRISONMENT OF BHAI LAKHA SINGH.

2400. Sardar Buta Singh : (a) Is it a fact that Bhai Lakha Singh, son of Jawala Singh, resident of Kurke, district Sheikhupura, was convicted under section 452, I. P. C., for one year's rigorous imprisonment in connection with Gurdwara Bal Lila and one year's rigorous imprisonment in connection with Gurdwara Kiara Sahib, Nankana Sahib, district Sheikhupura, in the year 1921?

(b) Is it a fact that the abovementioned Bhai Lakha Singh was released on his undertaking not to take forcible possession of any Gurdwara for a period of two years and to be of good behaviour for the period of two years, that is to say for the period of his original term of imprisonment awarded to him under section 452, I. P. C.?

(c) Is it a fact that he did not break the conditions mentioned above for the stipulated period of two years?

(d) Is it a fact that within two years after his conditional release, he was neither arrested nor any warrants of arrest were issued against him for his breaking the stipulated conditions?

(e) Is it a fact that he was arrested in January 1924 for the first time after his conditional release on the charge that he attended a meeting of the Shromani Gurdwara Parbandhak Committee?

(f) Is it a fact that in the case of the said Bhai Lakha Singh his original term of imprisonment of two years which was awarded to him in the year 1921 was again revived?

(g) If the answers to questions (a) to (e) above be in the affirmative, is the Government prepared to consider his case and to release him forthwith? If not, will Government be pleased to lay all the papers in connection with his case on the table?

The Honourable Sir John Maynard: (a) Yes.

(b) The conditions were that he should be generally of good behaviour to the satisfaction of the Local Government, and, in particular that he would not attempt, or encourage others to attempt, to disturb the lawful possession of persons in occupation of any religious institution, or edifice or property attached thereto. No period was mentioned.

(c) No. He broke the conditions in February 1923, less than 18 months after his release, and was warned that any further infraction would result in his being recommitted to jail or being sent for trial anew. He again offended in January 1924 and was recommitted to jail.

(d) Yes, but see (c) above.

(e) Yes.

(f) Yes, under section 401 (3), Criminal Procedure Code.

(g) No. Government is not prepared to lay papers.

GOVERNMENT HIGH SCHOOLS, PUNJAB.

2401. Sardar Tara Singh: Will the Government please state what is the total number of Government High Schools in the Punjab and how many of their headmasters are (i) Hindus, (ii) Muhammadans, (iii) Sikhs and (iv) Christians?

Sir George Anderson: The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

DISTRICT INSPECTORS OF SCHOOLS.

2402. Sardar Tara Singh: Will the Government please state what is the total number of District Inspectors of Schools in the Punjab Educational Service and how many of them are: (i) Hindus, (ii) Sikhs, (iii) Musalmans and (iv) Christians?

Sir George Anderson: The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

DISTRICT INSPECTORS OF SCHOOLS.

2403. Sardar Tara Singh: Will the Government please state what is the total number of District Inspectors of Schools in the Subordinate Educational Service and how many of them are: (i) Musalmans, (ii) Sikhs, (iii) Hindus and (iv) Christians?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

DISTRICT INSPECTORS OF SCHOOLS.

2404. Sardar Tara Singh : Will the Government please state how many Musalmans, Hindus, Sikhs and Christians have been appointed or promoted as District Inspectors from January 1922 to October 1925 and how many years of service had every one of them put in before such appointment or promotion ?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

POSTS IN THE PROVINCIAL EDUCATIONAL SERVICE.

2405. Sardar Tara Singh : Will the Government please state the total number of posts in the Provincial Educational Service and how many of them are held by the Hindus, Sikhs, Muslims and Christians, respectively ?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

EMPLOYMENT OF SIKHS IN THE EDUCATIONAL SERVICE.

2406. Sardar Tara Singh : With reference to the reply to part (c) of question No. 1318†, asked on the 19th January 1925, will the Government please state if it is a fact that three vacancies have since occurred and all of them have been filled up by non-Sikhs ? If so, will the Government please state the reasons why no such chance was given to a Sikh as promised ?

Sir George Anderson : Yes. The officers chosen were considered the most suitable. It is not clear how the statement that the honourable member's suggestion would be borne in mind can be interpreted as a promise that such an appointment would be made.

DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.

2407. Sardar Tara Singh : Will the Government please state what is the total number of District Inspectors and Assistant District Inspectors, respectively, in Multan and Rawalpindi divisions and how many of them are Hindus, Muslims, Sikhs and Christians ?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

*Appendix VIII.

†Vol. VIII-A, pages 109-110.

ORIENTAL TEACHERS.

2408. Sardar Tara Singh : (a) Will the Government please state how many posts there are of oriental teachers (Munshi Fazil) in all the Government High Schools of the Punjab and how many of these teachers are Muslims, Sikhs, Hindus and Christians, respectively ?

(b) Is it a fact that Hindu and Sikh Munshi Fazils applied for these posts but were refused ? If so, will the Government please state the reasons for such action ?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975*.

J. V. AND S. V. STUDENTS OF NORMAL SCHOOLS.

2409. Sardar Tara Singh : Will the Government please state the number of J. V. and S. V. students separately who joined the Normal Schools in the Multan and Rawalpindi divisions during each of the last four years and how many of them were Hindus, Sikhs, Muslims and Christians, respectively ?

Sir George Anderson : The required information is being collected and will be supplied to the honourable member when ready.

EXCISE INSPECTORS AND SUB-INSPECTORS.

2410. Sardar Tara Singh : (a) Will the Government be pleased to state the number of Sikh Excise Sub-Inspectors and Inspectors in the province and the proportion it bears to the total strength of the cadre ?

(b) What measures the Government contemplates taking to give the Sikh community due share of these posts commensurate with their population ?

The Honourable Rai Sahib Chaudhri Chhota Ram : (a) Out of a total cadre of 163 Inspectors and Sub-Inspectors of Excise 33 are Sikhs, or 23.3 per cent.

(b) According to the last Census Report 11.9 per cent. of the population of the Province are Sikhs. Government does not propose to take any action, such as is suggested by the honourable member, as this would involve the dismissal of many Sikh officers.

CANDIDATES FOR THE SUBORDINATE EDUCATIONAL SERVICE.

2411. Sardar Tara Singh : (a) Will the Government be pleased to lay on the table the list of the names of candidates according to communities together with their qualifications for the Subordinate Educational Service registered during the last five years for the grades of Rs. 80—4—100, Rs. 110—5—135, Rs. 140—10—190 and Rs. 200—20—250 ?

(b) How many of them have been appointed temporarily, substantively or permanently according to communities ?

[Sardar Tara Singh.]

(c) How many posts in the service have during the period of the last four years been filled up by the appointment of gentlemen outside this list according to communities and why were they chosen in preference to those already on the list ?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975.*

CANDIDATES FOR EMPLOYMENT IN THE EDUCATION DEPARTMENT.

2412. Sardar Tara Singh : Will the Government be pleased to lay on the table the list of the names of candidates together with their qualifications, community-wise, who were registered for Government service in the Education Department in 1921 and who have not yet been provided with suitable posts ?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975.*

DETENTION OF CERTAIN PRISONERS IN MULTAN CENTRAL JAIL AFTER THEIR RELEASE WAS DUE.

2413. Sardar Jodh Singh : (i) Will the Government please state if the following prisoners lodged in the Multan Central Jail who were convicted in connection with the Bhai Phero struggle were or are being kept in the jail even after their release was due though their fines had been realised long ago—

- (a) Bhai Sundar Singh, of Chak No. 75, Sohal (who was fined Rs. 200 and whose due date of release was 2nd September 1925) ;
- (b) Bhai Asa Singh, of Chak No. 83, Gill (who was fined Rs. 200 and whose release was due on 25th August) ;
- (c) Bhai Laohbman Singh, of Chak No. 83, Gill (who was fined Rs. 300 and whose release was due on 3rd September) ;
- (d) Bhai Ganga Singh, of Chak No. 83, Gill (who was fined Rs. 200 and whose release was due on 3rd September) ; and
- (e) Bhai Sohan Singh, of Malan Gondian (who was fined Rs. 300 and whose release was due on 4th September 1925) ?

(ii) If the reply to the above be in the affirmative, what action has the Government taken or contemplates taking against the officers responsible for the same ?

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

CAMPBELLPORE MUNICIPAL COMMITTEE.

2414. Sardar Jodh Singh : (a) Has the Government granted communal representation to the inhabitants of Campbellpore town in the matter of the constitution of their municipal committee ?

(b) If so, has the Government received a representation from the Sikhs of that town to allot separate seats to them also on the grounds of their population and payment of house tax, etc.?

(c) If the reply to the above be in the affirmative, what action has the Government taken or proposes to take on that representation?

Mr. J. G. Beazley : (a) No.

(b) Yes.

(c) Is under consideration.

CLASSICAL SECTION OF THE SUBORDINATE EDUCATIONAL SERVICE.

2415.- Sardar Jodh Singh : (a) Will Government be pleased to state community-wise the number of teachers in the various grades of the classical section of the Subordinate Educational Service?

(b) Is it a fact that the Sikh representation in the said section of Subordinate Educational Service is almost nil?

(c) If the answer to (b) above be in the affirmative, will Government be pleased to state what steps it proposes to take to give the Sikhs a fair share in the service?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975.*

Sardar Jodh Singh : Is the honourable member aware that no answer to these questions have been given?

Sir George Anderson : I am not aware.

Sardar Jodh Singh : Does the honourable member know that the answers to these questions do not contain the answer to my question?

Sir George Anderson : The Honourable the Finance Member promised that certain information would be collected and made available to the Council. This is being done.

Sardar Jodh Singh : What is the answer to part (c) of my question?

Sir George Anderson : The suggestion contained in the question will be borne in mind.

APPOINTMENT OF VERNACULAR TEACHERS AS ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.

2416. Sardar Jodh Singh : (a) Will the Government be pleased to lay on the table a list of vernacular teachers appointed to work as Assistant District Inspectors of Schools, stating at the same time their educational qualifications, past experience, period of service and the community to which they belong?

(b) Is it a fact that no Sikh vernacular teacher has so far been appointed to the post of an Assistant District Inspector though there are several such teachers possessing requisite qualifications? If so, why?

Sir George Anderson : The honourable member is referred to the answer given to Council questions Nos. 1961 to 1975.*

STATUS OF VERNACULAR TEACHERS.

2417. Sardar Jodh Singh : (a) Is it a fact that the Punjab University has made vernaculars as alternatives to classical language in the M. S. L. C. examination?

(b) If so, does the Government propose to consider the advisability of raising the status of teachers teaching vernaculars in the high classes to that of teachers teaching classical languages?

Sir George Anderson : (a) Yes.

(b) Government will consider the suggestion of the honourable member.

DEPUTY INSPECTORS OF SCHOOLS.

2418. Sardar Jodh Singh : (a) With reference to the reply given to my question No. 1348,* asked on the 19th January 1925, will the Government be pleased to state if any vacancies since occurred in the cadre of Deputy Inspectors of Schools?

(b) If the reply be in the affirmative, will the Government be pleased to state if a Sikh has been appointed to any of them? If not, why not?

Sir George Anderson : Attention is invited to the answer given to Council question No. 2406.†

Sardar Jodh Singh : When a promise is made that the suggestion will be borne in mind, does it amount to this, that it will not be considered?

Sir George Anderson : That is not a supplementary question. That is rather a discussion.

BACTERIOLOGIST FOR THE PUNJAB.

2419. Sardar Jodh Singh : Will the Government be pleased to state—

(a) if it is a fact that the post of a Bacteriologist for the Punjab has been sanctioned since 1921;

(b) if so, why the post has so far not been filled up; and

(c) whether the Government proposes to make a provision in the next budget to fill the said appointment?

Mr. J. G. Beazley : (a) No separate post has been created but the Professor of Pathology receives an allowance for doing bacteriological work for Government.

(b) & (c) do not arise.

HORSE-BREEDING IN THE LOWER JHELUM CANAL COLONY.

2420. Sardar Jodh Singh : (a) Will the Government please state under what circumstances in the case of temporary resumption of lands granted to the horse-breeding tenants in the Lower Jhelum Canal colony the lease money paid by the new lessees is paid to the original grantee and under what other circumstances it is paid to the Government? Are there any rules that govern the decisions in such cases? If so, will the Government be pleased to lay a copy of the rules on the table?

*Vol. VIII-A, pages 109-110.

†Page 1693 ante.

(b) What percentage of colts and fillies bred every year in the said colony is found fit and bought by the Remount Dépôt and what is their average cost?

(c) What is the average yearly expense of upkeep per head of the colts and fillies thus bought up to the time when they are handed over to the Army for use?

(d) Does Government know the average yearly expense of the Remount Department engaged in the supervision and upkeep of the colts and fillies in that particular colony? If so, will Government state it?

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

JAIL COMMISSION.

2421. Diwan Bahadur Raja Narendra Nath : (i) Will the Government be pleased to state whether the Committee appointed by it to enquire into certain matters of jail administration will also hold enquiry as to the nature of food, clothing and accommodation provided for prisoners?

(ii) Did the Government consider the desirability of—

(a) co-opting some members of the Standing Jail Committee of the Legislative Council on the Committee of Enquiry so as to have more non-officials associated with it; and

(b) appointing some one to collect evidence in consultation with non-official bodies to arrange and classify the same and produce it before the enquiry committee instead of the Committee itself being allowed to fish evidence? If not, does it propose to do so now?

The Honourable Sir John Maynard : (i) A copy of the terms of reference to the Committee is appended to this answer. The nature of food, clothing and accommodation provided for prisoners are not directly included in the terms of reference.

(ii) (a) Government did consider the question of obtaining the co-operation of the Standing Jail Committee in this enquiry, but preferred to make use of it later, if it appears necessary, in the constitutional manner of seeking its advice on definite suggestions on which Government contemplates action.

(b) It is understood that a well-known non-official body does propose to collect evidence for the Committee. Government sees no reason to suppose that the Committee will find any difficulty in collecting evidence.

The terms of reference to the Committee are as follows :—

“To enquire into allegations of the practice of unauthorised punishments, and unauthorised indulgences in Punjab jails, and generally into the state of discipline among the staff and inmates, and the adequacy and effectiveness of the supervision over both : and to propose remedies for defects and means of stopping malpractices.”

PRISONERS IN THE CENTRAL JAIL, LAHORE.

2422. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state the maximum number of prisoners which the Central Jail of Lahore according to sanitary requirements of space is intended to accommodate and the number of prisoners actually accommodated therein at the present time ?

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

NAROWAL-SHAHDARA RAILWAY LINE.

2423. Mian Abdul Aziz : (a) Is the Government aware of the fact that the tract between Narowal and Shadara is absolutely destitute of any means of communication by rail or road, notwithstanding that it is an important rice-producing area ?

(b) Is it not a fact that there was a proposal to construct a broad-gauge railway line between these two places at the earliest opportunity ?

(c) If so, will the Government be pleased to state at what stage the proposal of the construction of this railway line has reached at present ?

(d) Has the Government impressed the Railway Board of the urgency of the proposed line ? If not, does it propose to do so now and request the Railway Board to expedite its construction ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The honourable member is referred to the answer to question No. 2396.*

Mian Abdul Aziz : Does the Government see that the answer to question No. 2396* does not cover my question ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The answer is already there.

Mian Abdul Aziz : For instance, where is the answer to parts (b) and (d) of the question ?

(There was no reply.) As no reply has been given, I take it that the answer is not forthcoming.

CIVIL AND MILITARY ASSISTANT SURGEONS.

2424. Mian Abdul Aziz : (a) With reference to the assurance given by the Honourable Minister for Education in this Council, on the 5th August 1924, in connection with the discussion of the Resolution re. the employment of Military Assistant Surgeons in the Civil Medical Department of the Punjab, will the Government please state whether any recommendations were made to the Government of India on the subject ?

(b) If so, will it please lay on the table the recommendations so made ?

(c) Is it a fact that the Government of India have accepted the recommendations in their entirety ?

(d) Is it also a fact that the Inspector-General of Civil Hospitals (Punjab) has issued a Circular letter No. 1866-S.E., dated the 5th October 1925, or some other letter to the same effect, to the Military Assistant Surgeons in the Civil Medical Department of the Punjab in which it is proposed to postpone giving effect to the recommendations till 1949?

(e) If so, will the Government please lay on the table a copy of the Circular letter, and also explain why and under what authority, it is proposed to postpone the reforms till 1949?

Mr. J. G. Beazley : (a) Yes.

(b) A copy of Punjab Government letter No. 28859-Medical, dated 22nd December 1924, is laid on the table.

(c) The Government of India accepted the recommendations of the Punjab Government (Ministry of Education) subject to the proviso that none of the officers of the Indian Medical Department at present in civil employ should be adversely affected.

(d) The communication of the Inspector-General of Civil Hospitals referred to was an endorsement on a memorandum of the Punjab Government (Ministry of Education) communicating to the Inspector-General the orders of the Government of India that the prospects of Indian Medical Department officers already in civil employ were not to be prejudiced by the acceptance of this Government's proposals with regard to the future employment of such officers.

(e) Does not arise.

No. 28859 (H.—Med), dated Lahore, the 22nd December 1924.

From—J. G. BEAZLEY, Esq., I.C.S., Secretary to Government, Punjab, Transferred Departments,

To—The Secretary to the Government of India, Department of Education, Health and Lands,

SUBJECT:—*Employment of officers of the Indian Medical Department in the Punjab.*

The Punjab Government (Ministry of Education) have recently had under consideration the question of the employment of officers of the Indian Medical Department in the Punjab. The question arose from a resolution moved in the Punjab Legislative Council at their session of August 1924, copy of which is enclosed. The non-official members were strongly in favour of the resolution and it was only because the Minister in charge undertook to put the matter right, and because the resolution was not happily worded, and all the officials voted against it that it was lost. In the opinion of this Government, the time has come to revise the system by which a large number of appointments are specifically reserved for Military Assistant Surgeons, thus evoking considerable and not unjustifiable criticism from the public.

2. There are at present nineteen purely provincial appointments reserved for Military Assistant Surgeons in the Punjab, as detailed in the enclosed statement. Of these appointments five, namely, those serially numbered (2) (7), (10), (12) and (14) could suitably be reserved for Military Assistant Surgeons as a permanent measure. There is no practical justification for the reservation of the remaining 14 appointments.

[Mr. J. G. Beazley.]

3. I am accordingly to recommend that the Government of India may recognise the following principles (which, it is understood, have been recognised for the United Provinces) for the employment of officers of the Indian Medical Department in the Punjab :—

(a) That in future no officers of the Military Assistant Surgeon Class will be transferred to civil employment in the Punjab save at the request of the Local Government.

(b) That without prejudice to the six officers holding reserved Civil Surgeoncies, the rule reserving six Civil Surgeoncies for officers of the Indian Medical Department will be cancelled.

(c) That of the remaining thirteen Military Assistant Surgeons serving in provincial appointments in the Punjab, five will ordinarily be posted to appointments specially reserved for them, and eight will take their chance along with members of the Punjab Civil Medical Service for any of the posts on the Provincial Medical Cadre other than those reserved for officers of the Indian Medical Service.

ENCLOSURE I.—Resolution moved in the Punjab Legislative Council (session of August 1924).

This Council recommends to the Government of India that—

- (1) in future no Civil Surgeoncies or other appointments in the Civil Medical Service of the Punjab be reserved for Military Assistant Surgeons.
- (2) Further importation of Military Assistant Surgeons into the Civil Medical Department of this province be discontinued.
- (3) All Military Assistant Surgeons serving at present in the Civil Medical Department of this province be reverted to the Military Department, and their places filled by Civil Assistant Surgeons.
- (4) Till such time as this reversion can be secured Military Assistant Surgeons in the civil employ of this province (except those be possessed of qualifications registerable in the United Kingdom) be entrusted only with duties in which Civil Assistant Surgeons are not required to serve under them.

ENCLOSURE II.—Statement of provincial posts reserved for Military Assistant Surgeons in the Punjab.

1. Six Civil Surgeons	...	...	...	6
2. Assistant to Civil Surgeon, Lahore	...	...	...	1
3. Deputy Superintendent, Punjab Mental Hospital	...	...	...	1
4. Assistant Deputy Superintendent, Punjab Mental Hospital.				1
5. Superintendent, Punjab Vaccine Institute	...	...	...	1

6. Deputy Medical Superintendent, Mayo Hospital, Lahore.	1
7. House Surgeon, Albert Victor Wing, Mayo Hospital, Lahore.	1
8. Officer in Charge, X-Ray Department, Mayo Hospital, Lahore.	1
9. House Surgeon, Obstetric and Gynaecological Wards, Mayo Hospital, Lahore.	1
10. Officer in Charge, Mashobra Dispensary, Simla ...	1
11. Officer in Charge, X-Ray Department, and Deputy Medical Superintendent, Civil Hospital, Amritsar.	1
12. Deputy Superintendent and Resident Medical Officer, Ripon Hospital, Simla.	1
13. Assistant to Health Officer, Simla ...	1
14. Officer in Charge, Kulu Dispensary ...	1

Total	19
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Mian Abdul Aziz : With regard to part (c) of the question, it was said that the Government of India's letter contained a proviso, etc. Is it that the Government of India's letter contains the proviso or is it the interpretation of Government ?

Mr. J. G. Beazley : The Government of India's letter says on the understanding that none of the officers of the Indian Medical Department at present in civil employ are to be adversely affected, the Government of India accept the recommendation of the Punjab Government for the future employment of such officers, etc.

Captain Dhan Raj, Bhasin : Will the Government please state if effect to these recommendations will not be given till 1949 ?

Mr. J. G. Beazley : As regards a part only of the recommendations that have been accepted. As regards civil surgeons this may be the result. I may say, for the information of the honourable member, that the question whether the Punjab Government should make a further representation to the Government of India is now under consideration.

DISTRICT BOARD ENGINEER, AMRITSAR.

2425. Chandhri Duli Chand : (a) Is it a fact that a resolution was passed by the district board, Amritsar, that the services of the District Engineer should be dispensed with, on a day when the Vice-President, Sardar Bahadur Sir Arur Singh, K.C.I.E., presided ?

(b) Is it also a fact that this resolution was nullified later on by the Deputy Commissioner, Amritsar ?

[Ch. Duli Chand.]

(c) If so, under what authority and why ?

(d) If not, what action has been taken on that resolution ?

Mr. J. G. Beazley : The honourable member is referred to the reply given to question No. 2359.*

REPORT ON THE FINANCIAL POSITION OF THE LUDHIANA DISTRICT BOARD.

2426. Chaudhri Duli Chand : (a) Is it a fact that about three years ago the Ludhiana district board adopted a resolution that a sub-committee be formed to examine the accounts and the financial position of the said board ?

(b) Is it a fact that this sub-committee, consisting of Rai Wali Muhammad, Sardar Raghbir Singh and others, worked for weeks together and prepared a report of about 140 pages on the subject ?

(c) Is it a fact that the said report was submitted under a registered cover to the President of the district board ?

(d) If so, will Government kindly lay that report on the table ?

(e) Was any action taken on that report ? If so, what ? If not, why ?

Mr. J. G. Beazley : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

BOOKS PROSCRIBED BY THE PUNJAB GOVERNMENT.

2427. Chaudhri Ram Singh : Will Government be pleased to state —

(a) the number of books proscribed by the Punjab Government from January 1921 to November 1925 ;

(b) the names of the books and the authors of such books ;

(c) the number of Musalman, Christian and Arya Samajist authors, respectively, whose books have been thus proscribed ;

(d) the number of authors of each of the communities referred to above against whom the Government launched prosecutions for the publication of such books ;

(e) the number of authors belonging to each of the communities who were convicted, and the nature of punishment awarded to each ;

(f) the number of authors belonging to each of the above-mentioned communities against whom the prosecutions were withdrawn and also the number of those who were discharged or acquitted ?

The Honourable Sir John Maynard : (a) 64.

(b) to (f) Government is not prepared to give the names of the books or their authors ; nor is it prepared to institute any comparison between the parts played by the different communities in producing literature which has to be proscribed.

PROSECUTIONS AGAINST RELIGIOUS PREACHERS.

2428. Chaudhri Ram Singh : Will the Government be pleased to state :—

- (a) the number of Arya Samajist, Musalman and Christian preachers, respectively, against whom the Government launched prosecutions for promoting hatred between communities during the period extending from January 1921 to November 1925 ;
- (b) the number of preachers convicted and the nature of punishment awarded to each ;
- (c) the number of preachers acquitted or discharged ;
- (d) the number of preachers against whom the prosecutions were withdrawn ; and
- (e) the number of preachers who were warned ?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready. On the same principles which have already been stated in reply to the last question, I should not like to give the proportion between the various communities.

GRANT OF LANDS IN THE NILI BAR TO THE LOCALS OF THE SHEIKHUPURA DISTRICT.

2429. Sayad Muhammad Husain : (a) Is it a fact that the tract of country north of the River Ravi around Syedwala now embracing the district of Sheikhupura constituted a part of the Montgomery district just before the opening of the Lower Bari Doab Canal ?

(b) Is it also a fact that the locals of this part of the province did not get land in local grants either in the Lyallpur or in the Montgomery district ?

() If the answers to parts (a) and (b) are in the affirmative, does the Government propose to consider their claims when distributing land in the Nili Bar ?

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

GRANT OF LAND TO THE JUNGLES OF THE LOWER BARI DOAB CANAL.

2430. Sayad Muhammad Husain : (a) Is a fact that a sufficient number of the deprived *Junglis* of the Lower Bari Doab Canal and riverain tract included in the list prepared by Messrs. Joseph and Puckle could not be accommodated on account of shortage of land and the influx of military grantees ?

(b) Is it also a fact that Mr. Wace, the Deputy Commissioner of Montgomery, after distributing land in 1924, to *Junglis* wrote a letter asking the Government for a further grant of land not for new locals but for old *Junglis* included in the list prepared by Messrs. Joseph and Puckle ?

[Sayad Muhammad Husain.]

(c) If the answers to parts (a) and (b) are in the affirmative, does the Government propose to consider the claims of these deprived locals for the grant of lands?

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

PROMOTION OF UPPER SUBORDINATES TO SUB-ENGINEERS' GRADE.

2431. Sayad Muhammad Husain : (a) Is it a fact that the Upper Subordinates of the Public Works Department (Irrigation Branch) are not being given promotion to the Sub-Engineer grade and consequently there is a lot of discontent and heart-burning among them?

(b) Is it a fact that in letter No. 01689-E.I., dated 25th July 1925, the Government has restricted such promotions only to those Upper Subordinates who have been in receipt of pay of Rs. 220 per mensem without any regard to their length of service?

(c) Is it a fact that the revised scale of pay of Upper Subordinates' establishment was brought into force in 1921 as a result of which no Upper Subordinate with eleven years' service and even more could reach the pay of Rs. 220?

(d) If the answers to the above are in the affirmative, has the Government considered the advisability of withdrawing the limit of Rs. 220 and calling for fresh recommendation from Superintending Engineers before such promotions are considered?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) No. Promotion to Sub-Engineer grade is being given to those Upper Subordinates who are duly qualified.

(b) No. This letter is only one of three, dealing with three different conditions of eligibility.

(c) No.

(d) Does not arise.

EXTENSION OF IRRIGATION IN THE MONTGOMERY DISTRICT.

2432. Sayad Muhammad Husain : (a) Is it a fact that there is a proposal to extend the perennial irrigation to J plot in the Montgomery district in the near future?

(b) Is it a fact that there are locals living from time immemorial in this tract?

(c) If the answers to parts (a) and (b) are in the affirmative, does the Government propose to prepare a list of these locals as has been done in other portions of the Bar?

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

GRANT OF LAND TO LOCALS OF KAMALIA.

2433. Sayad Muhammad Husain: Is it a fact that the locals in the vicinity of Kamalia, district Montgomery, were not given land in the Lyallpur district?

(b) Is it also a fact that the above-mentioned locals did not get land even in the Montgomery district and there is considerable heart-burning among them?

(c) If the answers to parts (a) and (b) are in the affirmative, will their claims be considered when the irrigation in their vicinity is extended from the Lower Chenab Canal?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) Yes.

(b) Yes.

(c) The matter is receiving careful consideration from Government.

APPEAL IN THE CASE RAI SAHIB LALA JAMNA DAS *versus*
"BANDEMATRAM."

2434. Lala Bodh Raj: Is it a fact that the Government has sanctioned the expenditure for an appeal being preferred in the High Court by the plaintiff in the case Rai Sahib Lala Jamna Das *versus* "Bandematram"?

The Honourable Sir John Maynard: Rai Sahib Lala Jamna Das, who has filed an appeal in the High Court, has been informed that he will receive the same assistance in the appeal as he received in the original suit.

CASE OF MUNICIPAL COMMITTEE, MULTAN, *versus* GHULAM SARWAR.

2435. Lala Bodh Raj: Will the Government please state if the judgment delivered on the 6th October 1925 by F. Meehan, Esq., Magistrate, 2nd Class, Multan, in the case municipal committee, Multan, *versus* Ghulam Sarwar under section 121 of Act III of 1911 has been brought to its notice?

If so, will the Government please state what action has been taken by the Government against the President or the municipal committee?

Mr. J. G. Beazley: (i) Yes.

(ii) As an appeal has been filed the matter is *sub judice* and no action has as yet been taken by Government.

COMPLAINT AGAINST SHAMS DIN, HEAD CONSTABLE, SADR POLICE
STATION, AMRITSAR.

2436. Sardar Dhira Singh: (a) Will the Government be pleased to state whether Shams Din, Head Constable, Sadr Police Station, Amritsar, went over to Verka on the 26th August 1925 and ordered the sweepers to be taken as *Begaries* to work at night as watchmen?

(b) Is it a fact that the sweepers refused to comply with the orders issued and for this infringement they were severely taken to task?

[Sardar Dhira Singh.]

(c) Is it a fact that the sweepers left their houses in terror and to teach them a lesson for this disobedience, pickets were posted round their mohallas with clear directions that the cattle of the sweepers should not be let off and the females should not be allowed to cook food?

(d) Is it a fact that on the 27th August 1925 the said head constable on his arrival in the mohalla found the sweepers absent and took ten females including young girls and old women into custody?

(e) Is it a fact that these females were kept under custody from 6 A. M. to 4 P. M., molested and beaten by the police and that one of these females fell senseless and that they were kept hungry for the time they remained under arrest?

(f) Will the Government be pleased to state whether any complaint was received by the authorities against the said head constable in the beginning of September 1925? If the answer is in the affirmative, will the Government be pleased to state what action was taken thereon?

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

WATERWORKS AND DRAINAGE AT MUKTSAR, DISTRICT FEROZPORE.

2437. Lala Mohan Lal, Bhatnagar: (a) Is it a fact that the waterworks at Muktsar is being run by the Sanitary Department of Government for the last seven months, but no house connection has been allowed as yet, notwithstanding the repeated requests of citizens?

(b) Is it also a fact that there is no drainage arrangement to clear out the water falling from public standposts and that the said water accumulates in streets to the great inconvenience of the public causing malaria and insalubrious atmosphere?

(c) Is it also a fact that during the last seven months the municipality has incurred an expenditure of nearly Rs. 10,000 on waterworks without getting any return from the said waterworks?

If the answers to (a), (b) and (c) are in the affirmative, will the Government be pleased to state the reasons for the same and the action proposed to be taken against those who are responsible?

(d) What steps does the Government propose to take to expedite the giving of house connections and construction of drainage as early as possible?

Mr. J. G. Beazley: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LYALLPUR MUNICIPAL COMMITTEE.

2438. Lala Bodh Raj: (a) With reference to the answer to question No. 1415,* asked on the 2nd March 1925, will the Government please state the reasons for not holding the elections of the Lyallpur municipal committee according to old rules in case there is no possibility of the new rules being adopted in the near future?

(b) Will the Government please state the period when fresh general elections are likely to take place?

(c) With reference to the replies to questions Nos. 772* and 1456†, asked on 8th August 1924 and 5th March 1925, respectively, will the Government please state the reasons for the long delay in the adoption of new electoral rules or in dividing the municipality into several proposed wards?

(d) Will the Government please state who is responsible for the delay caused by holding up the general elections?

(e) Will the Government please state the reasons why the vacancy caused by the removal of Khwaja Abdul Rahman Ghazi, an elected member of the municipal committee, on 20th September 1922, has not yet been filled up, while the vacancy caused subsequently by the death of a nominated member has been filled up?

Mr. J. G. Beazley : (a) With the present constitution of the Lyallpur committee there is a majority of appointed members and Government did not desire to preserve this constitution for another three years by holding elections under the old rules.

(b) It is hoped that a general election will take place under revised rules next year.

(c) & (d) Government do not desire to introduce communal electorates in places where such electorates are not already in existence if it can possibly be avoided. In the present instance owing to the peculiar distribution of voters of the different communities it has been found very difficult to devise wards which will afford a reasonable prospect of the election of members of the different communities in numbers proportionate to their population and voting strength, and this is the reason for the delay that has occurred in the revision of the rules.

(e) At the time when it was decided to leave unfilled the vacancy caused by the removal of the member named it was hoped that the rules would shortly be revised, and it was therefore considered that the trouble and expense of an election should be avoided. No such consideration, however, arose in respect of the appointment of a member.

Lala Bodh Raj : Will the Government be pleased to state if any date has been fixed for the holding of a general election?

Mr. J. G. Beazley : No.

Lala Bodh Raj : Will the Government be pleased to state the probable date for the holding of a general election?

Mr. J. G. Beazley : I cannot give any probable date.

ARREST OF *Giani* AVTAR SINGH.

2439. **Lala Bodh Raj :** (a) Is it a fact that *Giani* Avtar Singh, prisoner No. 4405, confined in Rawalpindi jail, was convicted on 15th June 1921 for three years and released on 7th September 1921 on giving some undertaking?

If so, will the Government please lay on the table the terms of that undertaking?

(b) Is it a fact that the period for which the undertaking was given expired on or about 5th September 1921?

(c) Is it a fact that the said *Giani* Avtar Singh was rearrested on or about 8th October 1924 after the period of the undertaking had expired? If so, will the Government please state the reasons for such rearrest?

* Vol. VII, page 250.

† Vol. VIII-A, pages 273-75.

The Honourable Sir John Maynard : (a) The member is referred to the Press *Communiqué* issued by Government on August 22nd, 1921.

(b) No. The promise given did not refer to any specific period.

(c) The promise given was broken and Avtar Singh was arrested in October 1924 and remanded to jail under section 401 (3), Criminal Procedure Code. The reason for his rearrest was that he failed to observe the conditions under which his sentence had been suspended.

Lala Bodh Raj : Will the Government please state whether it was by omission or intentionally that the specific period was not fixed?

The Honourable Sir John Maynard : The sentence was suspended. That means to say that it was temporarily broken off on the assumption that it might be completed later on.

ARREST OF SARDAR LAHAURA SINGH.

2440. Lala Bodh Raj : (a) Is it a fact that Sardar Lahaura Singh and Sardar Teja Singh, confined in Rawalpindi jail, were convicted along with some other persons for offences connected with alleged entry or attempt at entry upon the buildings of Gurdwara Manak?

(b) Is it a fact that some of the accused referred to in (a) preferred an appeal to the High Court and they were acquitted?

(c) Is it a fact that Sardar Teja Singh and a few others were released by the Government on their giving an undertaking? If so, will the Government please lay on the table the terms of that undertaking?

(d) Is it a fact that Sardar Teja Singh was rearrested for not complying with the terms of the undertaking? If so, will the Government please state when he failed to comply with the terms of the undertaking and what were the terms which he failed to comply with?

The Honourable Sir John Maynard : (a) A man named Lahaura Singh was convicted in what is known as the Manak case. No person named Teja Singh was convicted in that case.

(b) So far as I am aware, no appeal was preferred.

(c) & (d) The honourable member is referred to the answer given to part (a). Lahaura Singh was not released.

RELEASE OF ARJAN SINGH.

2441. Lala Bodh Raj : (a) Is it a fact that Arjan Singh, prisoner No. 245, confined in Rawalpindi jail, was serving out his substantive sentence of imprisonment and doing hard labour in other jails, while his case had been remanded by the Appellate Court for retrial on or about 5th December 1923?

(b) If so, will the Government please state if the above period has been counted in his sentence or not? If not, what are the reasons for not doing so?

(c) Will the Government please state if he earned any remission in jail during the period referred to in (a)? If so, has that remission been allowed to him or not? If not, what are the reasons for not doing so?

(d) Is it a fact that taking into account the period of sentence undergone by him prior to the date when the Appellate Court ordered his retrial and the remission earned during the said period, he has served out his full sentence?

If so, will the Government please state if it contemplates releasing him forthwith ?

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

RULES REGARDING FOOD AND CLOTHING AND LABOUR OF PRISONERS IN JAILS.

2442. Lala Bodh Raj : (a) Is it a fact that the attention of the Government has been invited from time to time in the press or otherwise to the fact that amendments are needed in the existing rules regulating the food or clothing of prisoners in the Punjab jails or the labour taken from them ?

(b) Will the Government please state if the subject referred to in (a) falls within the scope of enquiry by the newly constituted Jail Commission ?

(c) If the reply to (b) be in the negative, will the Government please state the reasons for not including the subjects of food, clothing or labour within the scope of enquiry of the Commission ?

The Honourable Sir John Maynard : (a) Criticisms of this nature have been made and have been considered by Government.

(b) Not directly, but the subject will no doubt be considered by the Committee so far as it is strictly relevant to illegal punishments and illegal indulgences.

(c) The subject of jail administration in general has recently been exhaustively considered by an All-India Commission. In appointing a Provincial Jails Committee to consider certain specific questions, there was no intention of duplicating the labours of the All-India Commission.

SALE OF SHOP SITES IN THE COLONY AREA IN JHANG.

2443. Lala Bodh Raj : (a) Is it a fact that the Settlement Officer, Jhang, has issued notices to the shopkeepers of the colony area that they should either purchase the sites of their shops at the rate of Rs. 20 a *marla* or vacate them ?

(b) Is it a fact that for the last twelve years or so they have been in possession of these sites free of the rent which they were formerly paying ? If so, what were the reasons for remitting the rent during the past 12 years ?

(c) Is it a fact that within the last two or three years such sites have been sold by the Government at Rs. 5 a *marla* for the purpose of shops and at Rs. 2-12-0 a *marla* for the purpose of residence ?

(d) Is it a fact that Re. 0-1-3 a *marla* was charged as the price from the zamindars within the last three or four years who were already in possession of such sites ?

(e) If the reply to part (a) be in the affirmative, will the Government please state the reasons for levying such high charges ?

(f) Will the Government please state if any representation has been made on the subject by the persons affected thereby ?

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

SENTENCE OF FINE AGAINST SARDAR TEJA SINGH.

2444. Lala Bodh Raj : (a) Is it a fact that Sardar Teja Singh *alias* Niranjjan Singh, son of Sardar Atma Singh, of Khan Pira, tahsil Gurdaspur, thana Chunian, confined in the Campbellpore jail had not any sentence of fine standing against him ?

(b) Is it a fact that Rs. 300 have been realised as fine by the sale of his landed property ?

(c) If the reply to (a) be in the affirmative, will the Government please state at whose instance the action referred to in (b) above was taken ? Will the Government please state if any action has been taken against the person at whose instance the above action was taken ?

(d) Will the Government please state how it intends to compensate Sardar Teja Singh for the loss he has suffered ?

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

RELIGIOUS PREACHING IN LAHORE JAILS.

2445. Lala Bodh Raj : (a) Is it a fact that facilities are provided to Maulvis and Christian priests to visit Lahore jails and preach religious sermons to prisoners confined therein ?

(b) Is it a fact that no Hindu or Sikh missionary has been appointed for the same purpose ? If so, will the Government please state the reasons ?

(c) Will the Government please state if it contemplates making the appointment of any Hindu or Sikh missionary in the near future ?

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

TRANSFER OF PRISONERS FROM THE ANDAMANS TO JAILS IN THE PUNJAB.

2446. Lala Bodh Raj : (a) Will the Government please state how many prisoners that were sent back from the Andamans having been declared unfit to remain there on account of climatic conditions or otherwise were admitted in Lahore Central Jail within the last three years and how many of them died while confined in that jail ?

(b) Will the Government please lay on the table the rules for the commutation of sentences of transportation of prisoners who are either not sent to the Andamans or who are sent back from the Andamans having been declared unfit to remain there ?

(c) Is it a fact that the rolls of prisoners referred to in (b) and convicted in or after 1919 are sent to the Government for the commutation of their sentences while those of prisoners convicted before 1919 have not been sent to the Government for the same purpose ? If so, what are the reasons for such distinction ?

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

BRIDGE OVER THE DEK NULLA NEAR ZAFARWAL AND METALLED ROAD
FROM QILA SOBHA SINGH TO ZAFARWAL.

2447. Khan Muhammad Abdullah Khan: (a) Is it a fact that the nearest railway station for Zafarwal ilaqa is Qila Sobha Singh (Sialkot-Narowal Railway) and that there is no metalled road from Qila Sobha Singh to Zafarwal and the passengers have to detrain at Chawinda station and travel about 12 miles by road from Chawinda to Zafarwal and *vice versa* and to cross the Dek Nullah which is dangerous and troublesome in the rainy season?

(b) If the answer to the above is in the affirmative, will Government kindly state whether it is proposed to construct a bridge over the Dek Nullah near Zafarwal or a metalled road from Qila Sobha Singh to Zafarwal in order to remove the inconvenience of the public?

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

PARTICULARS OF CERTAIN OFFICERS OF GOVERNMENT AT ZAFARWAL.

2448. Khan Muhammad Abdullah Khan: (a) With reference to the answer to question No. 1738*, asked on the 1st May 1925, will Government kindly state the names of the tahsildar, sub-inspector of police, sub-assistant surgeon, sub-overseer and the two honorary magistrates at Zafarwal in the Sialkot district as they stood on the 1st January 1925, indicating the community to which each of them belonged?

(b) Will Government also kindly state the date of appointment or posting of the above officials at Zafarwal?

Mr. J. M. Dunnett: (a) Government is not prepared to give names.

(b) Does not arise in view of the answer to (a).

DEPUTY COMMISSIONER FOR SIALKOT DISTRICT.

2449. Khan Muhammad Abdullah Khan: With reference to the answer to the latter part of question No. 1735 (c)†, asked on the 1st May 1925, will Government be pleased to state whether it is a fact that no Indian officer with the requisite qualifications is available for being posted to the Sialkot district as Deputy Commissioner?

Mr. J. M. Dunnett. The post in question is not at present vacant and no question therefore arises of the qualifications for it of any particular officer.

NAROWAL MUNICIPAL COMMITTEE.

2450. Khan Muhammad Abdullah Khan: Will Government be pleased to state the population of Muhammadans, Hindus, Sikhs, Christians and others in Narowal in the Sialkot district and the number of nominated and elected members of each community on the Narowal municipal committee according to the present constitution of that committee?

*Vol. VIII-A, page 871.

†Vol. VIII-A, page 869.

Mr. J. G. Beazley : A statement giving the required information is laid on the table :—

	Population.	Members.	
		Elected.	Appointed.
Muslims	3,116	3	...
Hindus and others ..	1,813	8	...
Sikhs	414	1	1
Others ... ..	...	...	1

NORMAL SCHOOLS IN THE PROVINCE.

2451. Khan Muhammad Abdullah Khan : Will Government be pleased to state the total number of pupils under training in Normal Schools in the province and the total number of stipends held by them in each case stating the number of Muslims, Hindus, Sikhs and others?

Sir George Anderson : The required information is being collected and will be supplied to the honourable member when ready.

BALWANT SINGH, *alias* LONDONTOR SINGH, PRISONER IN RAWALPINDI JAIL.

2452. Lala Bodh Raj : Is it a fact that Balwant Singh *alias* Londontor Singh, prisoner No. 5761, now confined in Rawalpindi jail, was classed as C.G.B. on 8th September 1924 for one month but he was stopped being treated as such on 19th September 1924 before the expiry of one full month? If so, will the Government please state the reasons?

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

CORRUPTION AMONG GOVERNMENT OFFICIALS.

2453. Lala Bodh Raj : Will the Government please state how many cases of corruption amongst Government officials were brought to its notice during the last five years and how they were disposed of?

The Honourable Sir John Maynard : The statement now placed on the table is the most recent statistical information that Government has collated. This statement is being brought up to date annually under recent orders. Information prior to this period was furnished in answer to Council Question No. 1193* put by Chaudhri Afzal Haq in this House on the 24th of November 1924.

Statement showing action taken against corrupt officials in the Punjab for the period 1st April 1924 to the 31st March 1925.

Head of Department.	No. of officers punished.	Nature of punishment awarded.
Chief Engineer, Punjab, Public Works Department, Buildings and Roads Branch.	(1) Overseer ... (2) Head Clerk, Circle Office. (3) Upper subordinate ... (4) Upper subordinate ...	(1) Dismissed. (2) Reduced. (3) Retired. (4) Deprived of Sub-Divisional charge.
Chief Engineer, Punjab, Public Works Department, Irrigation Branch.	8 Patwaris ...	(1) Fine, stoppage of leave and other minor punishment. (2) Dismissed and proscribed for further employment in the Department. (3) Services terminated for concealment of irrigation. (4) Dismissed for permitting unauthorised passengers to travel by Ballast Train, issuing a false pass and taking a bribe. (5) Dismissed and proscribed from further employment in Irrigation Branch, Punjab, for demanding bribes, altering figures in Khazra, inciting zamindars against recent enhancement of occupier's rates and for absconding himself from his halqa. (6) Dismissed for preparing wrong Khafanis with a corrupt motive. (7) Fined for having received petty sums as illegal gratification. (8) Dismissed for failing to register 60 acres of grass with dishonest intentions and tampering with certain words in his Khazras.
Director of Agriculture, Punjab.	2 Jamadars (Civil Veterinary Department).	1 Pay reduced by Rs. 2 per mensem for 3 months. 1 Fined Rs. 23.
Inspector-General of Police, Punjab.	5 Sub-Inspectors ... 18 Head Constables (including 2 Lance-Head Constables).	3 Dismissed. 1 Permitted to resign. 1 Approved service forfeited. 4 Dismissed. 1 Dismissed following judicial punishment for corruption. 2 Reduced. 1 Lance-Head Constable discharged. 1 Awarded minor punishment and also transferred from office involving loss of an allowance of Rs. 20 per mensem. 1 Ordered to retire on reduced pension. 3 Names removed from list of Head Constables eligible for promotion to Sub-Inspector.

[Hon'ble Sir John Maynard.]

Head of Department.	No. of officers punished.	Nature of punishment awarded.
Inspector-General of Police Punjab— <i>concid.</i>	24 Foot Constables ...	14 Dismissed. 2 Dismissed following judicial punishment for corruption. 2 Reduced. 1 Discharged. 1 Awarded minor punishment. 1 Approved service forfeited. 3 Awarded minor punishment.
Inspector-General of Prisons, Punjab.	5 Head Warders ...	1. Fined Rs. 5 for writing an application for a prisoner for an interview and accepting money from his relatives. 2. Suspended for 3 months for concealing money. 3. Suspended for 4 months for possessing a letter from an inmate to his friend. 4. Minor punishment for possessing forbidden articles. 5. Minor punishment for possessing forbidden articles.
	17 Warders ...	9 Dismissed for serious jail offences of a corrupt nature. 8 Minor punishment awarded for various forms of misconduct of a corrupt nature.
Director of Public Health, Punjab,	1. Vaccinator (District Staff). 2. Sanitary Inspector (Temporary Plague Staff).	1. Awarded minor punishment for taking a bribe. 2. Discharged from the service for giving a false certificate and for negligence of work generally.
Deputy Commissioner for Criminal Tribes, Punjab.	1. Assistant Superintendent, Reformatory Settlement, Amritsar. 2. Officiating Superintendent, Industrial Settlement, Shahpur, Jand. 3. Assistant Superintendent, Industrial Settlement, Pirowalla.	1. Dismissed for embezzlement of public money. 2. (a) Reduced in pay by Rs. 5 per mensem for 6 months and ordered to recoup half the cost of the misappropriated article, viz., two bed curries. (b) Annual increment stopped for 6 months. 3. Dismissed for dishonest practices generally and particularly for raising loans from criminal tribes inmates for private use.
DEPUTY COMMISSIONERS.		
Deputy Commissioner, Rehtak.	1. Sub-Registrar. 2. Reader. 3. Reader. 4. Moharrir. 5. Tahsildar. 6. Tahsildar.	1. Suspended and Government sanction asked for prosecution. 2 and 3. Reprimanded and adverse remarks made in their character rolls. 4. Increment stopped. 5. and 6. Unfavourable entries made in their confidential reports.

Head of Department.	No. of officers punished.	Nature of punishment awarded.
Deputy Commissioner, Ludhiana.	1. Patwari.	Fined Rs. 200, or in default to undergo 4 months' simple imprisonment. (The Patwari holds charge of a circle. He has filed an appeal in the Sessions Court and the decision is awaited.)
Deputy Commissioner, Ferozepore.	1 Peon ...	1 Dismissed. (Reason not furnished.)
Deputy Commissioner, Jhang.	1. District Board Moharir.	8 months' rigorous imprisonment and a fine of Rs. 300 under section 409, Indian Penal Code, 4 months' rigorous imprisonment and a fine of Rs. 125 under section 409, Indian Penal Code.
DISTRICT AND SESSIONS JUDGES.		
District and Sessions Judge, Hissar.	1. Process Server	1. Suspended for 6 months as he asked for a bribe of Rs. 1 for effecting service of process.
	2. Bailiff ...	2. Fined Rs. 10 and retired on pension, as he arrested a judgment debtor and then let him off. Decree-holder made a complaint. On departmental inquiry punishment was awarded.
	3. Naib-Sheriff ...	3. Suspended for 6 months, the period of suspension not to count towards pension. After rejoining a special report about his honesty to be called every 6 months for a period of 3 years. To be dismissed if any complaint made against him again.
District and Sessions Judge, Attock, at Campbellpur.	4. Process Server ...	4. (As in the above case.)
	1. Naib-Sheriff ...	1. Warned that on any next complaint about his civil reputation judicial action will be taken against him.
	2. Civil Nazir ...	2. Suspended for taking illegal gratification. (He was prosecuted under section 161, Indian Penal Code, but acquitted and was then reinstated in his substantive post as Nazir.)
	3. Bailiff ...	3. Suspended along with No. 2 above. (He too was reinstated. The period under suspension in both cases being without pay).
	4. Reader ...	4. Warned that on any next complaint about him judicial action would be taken against him.
District and Sessions Judge, Mianwali.	1. Naib-Nazir ...	Fined Rs. 10 for intentionally avoiding execution of an auction warrant with a view to obtain illegal gratification.
District and Sessions Judge, Multan.	1. Naib-Sheriff ...	Reduced to Muted Naib-Nazir for his corrupt ways.

TRANSFER OF GOVERNMENT OFFICIALS.

2454. Lala Bodh Raj: (a) Will the Government please state if there are any rules relating to the transfer of Government officials? If so will the Government please lay them on the table?

(b) Will the Government please state if there are any executive officers at Hissar who have been posted there for more than five years? If so, will the Government please state the reasons why they are not being transferred, to some other district?

Mr. J. M. Dunnett: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

CRIMINAL CASES IN THE HISSAR DISTRICT.

2455. Lala Bodh Raj: Will the Government please state for the Hissar district—

- (i) the number of criminal cases instituted by Government in the years 1923-24 and 1924-25, respectively;
- (ii) the number of cases among them disposed of till now; and
- (iii) the longest period as well as the shortest period taken for the disposal of such cases?

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

DELAY IN THE DISPOSAL OF SUITS.

2456. Lala Bodh Raj: Has any representation been made to Government that the litigant public of Hissar has been feeling great inconvenience owing to long adjournments given in the course of disposal of cases? If so, will the Government please state what action has been taken thereon by it?

The Honourable Sir John Maynard: No representation of the nature referred to can be traced by the Local Government.

BHIWANI MUNICIPAL COMMITTEE.

2457. Lala Bodh Raj: (a) Has the attention of the Government been drawn to the protest filed by certain members of the Bhiwani municipal committee while submitting their resignations? If so, will the Government please state what action has been taken by it regarding the allegations made in the protest?

(b) Will the Government please lay on the table a copy of such protest?

Mr. J. G. Beazley: (a) A printed copy of the letter of resignation addressed by Mr. K. A. Desai to the President of the municipal committee has been received direct and not through local officers, who will doubtless refer to Government in due course.

(b) A copy of the letter of resignation is laid on the table.

Dated Bhiwani, 9th October 1925.

From—K. A. DESAI, Member, Municipal Committee, Bhiwani,

To—The President and Members of the Bhiwani Municipality, Bhiwani.

As a protest against the unfair and highly disappointing decision of the Punjab Government in the matter of the corruption inquiry of Thakur Bhani Singh, the President of the committee, I beg to tender to the local Government, through you, my resignation as a member of the committee, and do so more especially on the following grounds :—

Ever since the right of the election of a non-official president was given to the committee the then Tahsildar Chaudhri Lajja Ram was much aggrieved, as he had special interest in continuing as the president and he tried his level best to see that one of his nominees whom he could wield as he liked be appointed the non-official president. He succeeded therein by sheer influence of his official capacity. This fact is well-known to the higher authorities. Then began the continuous struggle between the members of the popular side who worked for the welfare of the city and those known as the Tahsildar party headed by Thakur Bhani Singh and backed up by Chaudhri Lajja Ram, the Tahsildar.

Time after time I brought all the instances supported by facts to the notice of the Deputy Commissioner and the Commissioner, Ambala Division, who I have strong reasons to believe were prejudiced against all Congressmen and non-co-operators and myself in particular as I had the good fortune to be in their leading ranks and consequently no heed was paid to these matters.

Thakur Bhani Singh and his patron Chaudhri Lajja Ram always took protection under cover of this boggy of non-co-operation and Congress. The subordinate staff of the Hissar and Ambala authorities were led by the nose by the Tahsildar and the president all throughout, and justice, fairness, and the committee's welfare were all shelved. Corruption has been ruling rampant in the city and the president and the Tahsildar were talked of freely by all.

Some time in March 1923, 8 members of the committee being disgusted with the methods of work of the president and the undue interference of the Tahsildar sent a joint memorandum to the then Deputy Commissioner, Sardar Bhai Dalip Singhji, who after careful inquiries gave his findings against Thakur Bhani Singh on all the counts of complaint. A few extracts from the said findings are given below :—

1. "I would advise (the president) that any alterations of the proceeding book be always made in the meeting so that there no doubts may arise in the minds of the members."
2. "The president is incorrect in his assertion as Section 25 of the Act makes it obligatory for the president to call a meeting of the committee. The president should observe this rule strictly."
3. "My finding is that the decision of the majority must have been complied with. The president's attention is drawn to Section 19 of the Act."

[Mr. J. G. Beazley.]

4. "Thakur Bhani Singh president's action in erecting a platform on the municipal land afterwards removing it was objectionable and he is warned not to do so in future."
5. "It is the duty of the president and the secretary to see that all official correspondence between the Deputy Commissioner and the president is laid at the next meeting."
6. "Re Babu Gangaprasad. He (The President) acted rather unwisely in this case."
7. "Re Nasimullah bill of Rs. 2,223. The payment (by the president) of the bill under the circumstances appears not to be valid and further inquiries should be made.....and the price be recovered from the contractor."

No departmental action was taken by the Government against the president on these for reasons best known to them. This convenience made the president bolder and he carried on his corrupt practices with double vigour fearlessly.

After some time an anonymous letter mentioning some of the cases in which Thakur Bhani Singh had taken bribes was received by the Deputy Commissioner who sent it to Mr. Connor, the first class Magistrate for a preliminary inquiry. He being convinced that there was some truth in the allegations directed a regular inquiry to be made by the police. Deputy Superintendent Abdul Rahim was entrusted with the work of investigation which he did with great zeal and care. He collected a great deal of documentary evidence against Thakur Bhani Singh and in some cases entries were also found implicating the Tahsildar. In all 13 cases were investigated and he made his report strongly recommending the prosecution.

The papers were then sent in the usual course to the public prosecutor who selected two best cases out of all these, viz., one of Kushladas Bhaganka and the other of Lala Chiranjit Lal of Lala Baijuath todda fame. Depositions of all these people concerned were taken before a first class Magistrate so that they may not turn round and they all declared and stated that they had given bribes and they supported their statements by their account books. Papers were then forwarded to the Local Government for formal sanction as required by law. One full year nearly passed before the Government could come to a decision in such a strong *prima facie* case.

When the Commissioner, Ambala Division, was here and he visited the committee in the open meeting the citizens charged the president of corruption, in his presence. How this could not satisfy him is also a thing that cannot be explained at this stage.

Shriman Diwan Tekchand is known to be angry with the Congressmen and Non Co-operators at Bhiwani as they had opposed his receptions from time to time. Thakar Bhanisingh and the Tahsildar took advantage of this feeling of the Local Government and they kept on playing on it. Thakar Bhanisingh made it no secret in the city ever since the inquiry was started, that Chandhri Chhotu Ram Sahib, the Minister, being a fast friend of Chandhri Lajjaram will see that no prosecution is sanctioned by Government. This declaration has come out true. It is also surprising that the Thakar Sahib knew of the Government's decision, days before the Deputy Commissioner of the district knew it.

Government in spite of this overwhelming *prima facie* evidence did not deem it worth their while to sanction the prosecution. This is the fate of the inquiry and the sham show after a year.

The local newspaper "Sandesh" has been for the last six months printing and charging the president of being corrupt and taking bribes. All these issues of the paper are before the Government and some were specially sent by me to the higher authorities. Thakar Bhanisingh never cared to refute these public charges, nor filed a suit of defamation in self-defence. In spite of this the Punjab Government think the Thakar Sahib not worth a prosecution and the papers are ordered to be filed.

The undersigned has been fortunate enough to have a glance at the departmental circulars issued by Government from time to time regarding corruption. The anxiety and care shown therein to root out this evil and purify the service are quite different from the actual practice followed when such cases are brought to their notice. The acceptance of resignations from the Income-tax collector Lala Devi Dayal from the Sub-Registrar, Rohtak and the Extra Assistant Commissioner in that district are all fresh instances to support my contentions. I am, however, not disappointed with the decision. Attempts will be made to start the prosecution privately and directly and to show how the Government erred. It has only made my conviction doubly strong that the Government is only bluffing the local bodies in such matters. I have made no secret of it and have already laid the charge of the responsibility of the decay and downfall of the Municipal administration at Bhiwani at the door of Hissar and Ambala authorities. The present chaos and corruption prevalent here are the direct outcome of their one-sided support of Thakar Bhan Singh and his patron Chaudhri Lajjaram. The Deputy Commissioner of Hissar in his recent report of inspection has supported all my contentions with this little difference that he has blamed all the members while I blame the Hissar and Ambala authorities.

The higher authorities being misled by such selfish people were prejudiced against the members of the popular side who looked to public interests and allowed the misdeeds of the Tahsildar party to thrive. The proceeding book is full of hundreds of illegal actions of the president. All laws, byelaws, the sections of the Act and the town map and the orders of the Government were shelved. The record room of Hissar is full of files showing these actions. Members who were exposing their corrupt actions were even assaulted and false misleading letters were written to the Deputy Commissioner by the president without the knowledge of the members. The president prided himself as being loyal and was thus indemnified against all his sins. The staff at Hissar was bought over by him to his side and he could make them issue any orders to suit his purpose. With a view to get rid of those members who exposed him and his methods he even made the Hissar authorities issue notices against some under Section 18-E, which had to be ultimately dropped as they were baseless and without any substratum.

The promptness with which the Deputy Commissioner's Office and the Ambala authorities acted against the opponents of Thakar Bhanisingh is worth noting and is in direct contrast to the one year process of the corruption papers. The recommendations of the Deputy Superintendent

[Mr. J. G. Beazley.]

ent of Police, the public prosecutor and the views of the Deputy Commissioner are nothing when the question of this president is concerned. All these things could be ignored and treated lightly. I have with me proofs for the above case and I have intimated to the Government this fact. I was ready to help Government if they so chose. This has been all to no purpose.

Thakar Bhanisingh was to be saved and given protection and the papers are filed. I need hardly narrate what the effects of this action of Government will have on the prestige of the Government and the fair name of British justice. I may only submit that this decision will give a free passport to corrupt Members of Government subordinate staff to carry on their corrupt methods without any compunction and fear. Hissar and Rohtak are well-known for corruption and this will give the corrupt servants in these districts a fresh impetus.

Under the circumstances there is no recourse left to me but to tender my resignation as a protest against the action of the Government as I now believe with this attitude of the Government it is useless waste of time to continue as a member of the Committee.

I hereby tender my resignation as a protest.

PRESIDENT, MUNICIPAL COMMITTEE, BHIWANI.

2458. Lala Bodh Raj : (a) Will the Government please lay on the table a statement giving the following particulars in connection with the corruption enquiry of the President, municipal committee, Bhiwani :—

- (i) the date on which the enquiry was first started ;
- (ii) the date on which the Deputy Superintendent of Police submitted his report ;
- (iii) the date on which the Deputy Commissioner, Hissar, forwarded the papers for the orders of the Local Government ;
- (iv) the date of final orders passed by the Local Government ;
- (v) the decision finally arrived at and the action taken against the President ?
- (b) Is it a fact that the Commissioner, Ambala division, approved of the election of Thakar Bhani Singh as President of the municipal committee, Bhiwani, in spite of the facts revealed in the corruption enquiry against him ?
- (c) Will the Government please lay on the table the several letters sent by the Tahsildar of Bhiwani in support of Thakar Bhani Singh, President, municipal committee ?

Mr. J. G. Beazley : (a) (i) 27th November 1924.

(ii) 5th February 1925.

(iii) Not known, but the Commissioner forwarded his original report on 12th March 1925.

(iv) 3rd September 1925.

(v) The attention of the honourable member is invited to the reply given to part (d) of question No. 2119*.

(b) Yes.

(c) Government have no knowledge of any such letters.

TEACHERS OF BOARD AND MUNICIPAL SCHOOLS.

2459. **Lala Bodh Raj**: Will the Government please state if the Inspector of Schools, Ambala, observes Rule 212 of the Education Code before making appointments and transfers of teachers of Board and Municipal Schools? If not, will the Government please state the reasons?

Sir George Anderson: Yes.

TEACHERS AND INSPECTORS IN THE EDUCATION DEPARTMENT.

2460. **Lala Bodh Raj**: Will the Government please lay on the table a copy of the rules governing the appointments, promotions and transfers of the teachers and inspectors in the Education Department?

Sir George Anderson: The honourable member is referred to Volume I of Punjab Financial Handbook No. 2 to Appendices E and G of Volume II of the same publication, and to Punjab Government (Ministry of Education) notification No. 5565-E., dated the 2nd May 1925.

GRADATION LIST OF TEACHERS.

2461. **Lala Bodh Raj**: Will the Government please state if any regular gradation list is kept of all teachers of the Board and Municipal Schools in the province by the Education authorities?

Sir George Anderson: The Education Department does not maintain such a list.

MUNICIPAL BOARD HIGH SCHOOL, BHIWANI.

2462. **Lala Bodh Raj**: Will the Government please state the reasons for the appointment of Mr. Qamr-ud-Din, B.Sc., on a salary of Rs. 120 per mensem in the Municipal Board High School, Bhiwani, superseding the claims of Mr. Hans Raj, M. Sc., of some years standing for the post?

Sir George Anderson: L. Hans Raj had no claims to the post in that he only held a temporary post at the School for a few months.

APPOINTMENT OF BABU HAR LAL SINGH AS SECRETARY, BHIWANI MUNICIPALITY.

2463. **Lala Bodh Raj**: Is it a fact that the question of appointing Babu Har Lal Singh as Secretary, Bhiwani municipality, was kept pending in the Commissioner's office for over a year? If so, why?

Mr. J. G. Beazley: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

BREACHES IN THE BHIWANI CANAL.

2464. **Lala Bodh Raj**: (a) Will the Government please state the reasons for so many breaches in the Bhiwani Canal throughout the year?

[Lala Bodh Raj.]

(b) Will the Government also please state what steps have been taken by the Government to stop such breaches ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia :

(a) The breaches are suspected to be mainly due to unauthorised cutting of the banks consequent on very keen demand for canal water.

(b) All such cases have been investigated and action under the Canal Act taken where found possible.

WORKING OF THE CANAL DEPARTMENT THROUGH THE REVENUE DEPARTMENT.

2465. **Lala Bodh Raj :** Will the Government please state how far the new system of working the Canal Department through the Revenue Department proved successful ?

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia : The honourable member is referred to the answer given to Council question No. 2156.*

COTTON CROPS IN THE PROVINCE.

2466. **Lala Bodh Raj :** (a) Will the Government please state the steps taken for the increase and improvement of cotton crops in the province ?

(b) Will the Government please state the total crop of cotton produced annually in the Hansi tahsil of the Hissar district during the last five years ?

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

SUGARCANE AND COTTON CULTIVATION.

2467. **Lala Bodh Raj :** Will the Government please state the total area under sugarcane and cotton cultivation respectively in the Rohtak district and the total annual crop of each kind produced during the last five years ?

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

VISIT OF LALA BODH RAJ TO CENTRAL JAIL, MULTAN.

2468. **Captain Dhan Raj Bhasin :** (a) Is it a fact that the Superintendent, Central Jail, Multan, wrote a letter to the Inspector-General, Prisons on or about the 10th of August last making certain allegations against Lala Bodh Raj, M.A., LL.B., M.L.C., a non-official visitor to the jail in connection with a certain visit of his to the said jail ?

(b) Is it a fact that the District Magistrate, Multan, and two other non-official visitors accompanied Lala Bodh Raj during his visit referred to in (a) above ?

(c) Is it a fact that Lala Bodh Raj was asked by the Government to answer the allegations contained in the letter referred to in (a) and that his explanation was submitted to the Government by the District Magistrate along with his report?

(d) Is it a fact that the District Magistrate corroborated the allegations of the Superintendent against Lala Bodh Raj?

(e) Will the Government please state what action has been taken on the allegations of the Superintendent and the answer of Lala Bodh Raj?

(f) Will the Government please lay on the table the letter referred to in (a) above, the explanation of Lala Bodh Raj and the report of the District Magistrate?

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

VISIT OF LALA BODH RAJ, M. L. C., TO MULTAN DISTRICT JAIL.

2469. **Captain Dhan Raj, Bhasin:** (a) Is it a fact that an Assistant Jailor, District Jail, Multan, wrote a letter on or about the 29th August 1925 making certain allegations against Lala Bodh Raj, M.A., in connection with his visit to the said jail on or about the 28th of July 1925?

(b) Is it a fact that Lala Bodh Raj was asked by the Government to answer those allegations?

(c) Will the Government please state the reasons why the Assistant Jailor did not make his report for over one month after the said non-official visitor paid his visit to the jail?

(d) Will the Government please state what action has been taken by the Government on the said letter?

(e) Will the Government please lay on the table the contents of the above letter and the explanation of Lala Bodh Raj?

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

VISIT OF CAMPBELLPORE JAIL BY SARDAR GURBAKHSH SINGH AND LALA BODH RAJ.

2470. **Captain Dhan Raj, Bhasin:** Is it a fact that Sardar Gurbakhsh Singh and Lala Bodh Raj, Members, Jail Standing Committee paid a visit to Campbellpore jail recently and submitted reports to Government about the jail?

(b) If so, will the Government please state what action has been taken on their reports?

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

SUPERINTENDENT OF CAMPBELLPORE JAIL AND OUTPUT OF LABOUR BY *AKALI* PRISONERS.

2471. Captain Dhan Raj, Bhasin : (a) Is it a fact that the present Superintendent, Campbellpore Jail, Major M. D. Wadia, requires the *Akali* prisoners to give a greater output of labour than they have been required by the three *ex-Superintendents* during the last 18 months? If so, what are the reasons for deviation from the old practice?

(b) Is it a fact that the prisoners are put in "Peshi" and punished for not turning out the amount of labour allotted by the present Superintendent?

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

PUNISHMENT OF PRISONERS IN CAMPBELLPORE JAIL.

2472. Captain Dhan Raj, Bhasin : Is it a fact that in the Campbellpore Jail : (a) the newly admitted prisoners are not shown any consideration in the matter of allotting work for them for the reason that they are new to the jail work and that they are punished for short work ;

(b) the prisoners reduced in weight by 10lbs were not classed as C.G.B. ;

(c) a few prisoners had been given unserviceable woollen blankets at the time when Sardar Gurbakhsh Singh or Lala Bodh Raj paid the visits while there was a sufficient number of them in stock ;

(d) a large number of Sikh prisoners had not been provided towels along with their jail uniforms at the time of admission ;

(e) the prisoners working in the kitchen are all confined at night hours in a small room attached to the old kitchen where the prisoners have no facilities for answering calls of nature? If so, will the Government please state the dimensions of the room and the number of prisoners working in the kitchen?

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

COMPLAINT OF PRISONERS IN THE CAMPBELLPORE JAIL.

2473. Captain Dhan Raj, Bhasin : Is it a fact that some prisoners confined in the Campbellpore Jail complained to Sardar Gurbakhsh Singh and Lala Bodh Raj, non-official visitors, that they were abused and roughly handled by the jail official, and that the Sikh prisoners were pulled their hair by the jail officials or by the warders?

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

SUPPLY OF COTTON CLOTHING TO PRISONERS IN CAMPBELLPORE JAIL.

2474. Captain Dhan Raj, Bhasin : Is it a fact that in the Campbellpore Jail the cotton clothes had run short in the stock and that the uniforms of prisoners were not changed for 8 or 9 months ?

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

PRISONERS WITH BAR FETTERS OR CROSS-BARS.

2475. Captain Dhan Raj, Bhasin : Will the Government please state if any consideration is shown in the matter of labour to such prisoners as are undergoing the punishment of bar fetters or cross-bars, because of their inability to work freely like an ordinary prisoner ?

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

ILL-TREATMENT OF UNDER-TRIAL PRISONERS IN LYALLPUR JAIL.

2476. Captain Dhan Raj, Bhasin : Is it a fact that the under-trial prisoners confined in the Lyallpur jail complained to the non-official visitors that the jail officials were exacting work from them and that sick prisoners were not given facilities for admission into the hospital unless they paid a certain amount of admission fee ?

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

COMPLAINT AGAINST SUB-INSPECTOR, HANSI POLICE STATION.

2477. Chaudhri Sahib Dad Khan : (a) Will the Government be pleased to state if it is a fact that the Sub-Inspector, Hansi police station, did not register the information report when one Dauman Rajput of village Rajampura recently called at the Hansi police station to report the theft of his buffaloes, and on the other hand, threatened the complainant for making false report ?

(b) If so, was the conduct of the Sub-Inspector brought to the notice of higher authorities, and if so, what action was taken on the same ?

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

COMPLAINT AGAINST SUB-INSPECTOR, RORI POLICE STATION.

2478. Chaudhri Sahib Dad Khan : (a) Is it a fact that the Sub-Inspector of Rori police station refused to take any action when a report was recently made to him that the daughter of an aged Muhammadan resident of village Mattuwala had been abducted by some Sikhs and that she was being kept in village Sahuwala ?

[Ch. Sahib Dad Khan.]

(b) If so, was the conduct of the Sub-Inspector brought to the notice of higher authorities, if so, what action was taken in the matter?

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

IRRIGATION IN THE HISSAR DISTRICT.

2479. Chaudhri Sahib Dad Khan: Will the Government be pleased to state —

- (a) whether its attention has been drawn to the fact that big and rich landlords in the Hissar district are shown special favour by the canal authorities in the matter of distribution of canal water;
- (b) whether it is a fact that unirrigable lands of such landlords as mentioned in (a) get a due share of canal water which they divert to their irrigable lands for which they get in addition a separate share of canal water;
- (c) whether it is a fact that such unirrigable lands belonging to Mahajans of Hissar and situated at village Mangali get a due share of canal water and thus reduce the water supply to other zamindars and also cause a loss of the Government revenues?
- (d) whether it is a fact that the outlets discharging canal water into the lands of zamindars of village Naya Goon in the Hissar tahsil have been considerably reduced in size, while the irrigation of a big proprietor of village Budha Khara on the same Sirsa Branch has been considerably extended by the construction of a new outlet or by the enlargement of the size of the already existing outlets or in both ways;
- (e) whether it is a fact that the outlet of Pahra Minor irrigating the land of Ahmad Hasan, Syed, of Daulatpur, has been reduced in size thus reducing his supply of water, the surplus water thus saved being supplied to other big zamindars; and
- (f) whether it is a fact that outlets supplying water to the lands of zamindars owning small holdings of village Hajainpur in the Hansi tahsil are closed in order that the Mahajans of Hansi may irrigate their land to the full extent?

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

RECRUITMENT OF ENGINEERS FOR THE MANDI HYDRO-ELECTRIC SCHEME.

2480. Professor Ruchi Ram, Sabni: (a) Is it a fact that the Government has ordered the recruitment of engineers for the Mandi Hydro-Electric Scheme?

(b) If so, does the Government propose to see that the appointments are properly advertised in India so that competent Indians may apply for the posts?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) Government has up to the present time made definite arrangements for filling five of the engineer posts for the Mandi Hydro-Electric Scheme.

(b) All the other posts, except such as Government is able to fill by the selection of officers who are already in Government service and are known to possess special experience or qualifications, will be advertised both in India and England.

INSPECTION OF CERTAIN FILES.

2481. Professor Ruchi Ram Sahni : (a) Will the Government be pleased to state whether a predecessor of the present Deputy Commissioner of Montgomery issued instructions to the following effect :—

(i) that files and papers relating to certain Revenue Acts, such as the Punjab Land Revenue Act or the Colonization of Government Land Act should not be allowed to be inspected by the parties or their counsels concerned nor are copies to be supplied to them?

(ii) that legal practitioners should not be allowed to appear in cases under the Punjab Colonization of Government Land Act?

(b) Is the Government aware of the fact that the instructions so issued are opposed to the provisions of Section 106 (d) of the Punjab Tenancy Act, 1887, and Financial Commissioner's Standing Order No. 62, and sections 3 and 7 of the Colonization of Government Land Act and 18 of the Land Revenue Act, 1887?

(c) Will the Government be pleased to lay on the table a copy of the instructions referred to in (a) above?

(d) If the answer to (b) is in the affirmative, will Government please say whether they propose to have the instructions cancelled at an early date?

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

BAR ROOM AT MONTGOMERY.

2482. Professor Ruchi Ram Sahni : (a) Is the Government aware that the Bar Room at Montgomery is much too small for the growing requirements of the station?

(b) Is it a fact that the Bar Association more than once made a representation to the authorities concerned on the subject?

(c) If so, does the Government propose to consider the desirability of providing increased accommodation for the members of the Bar at Montgomery?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
 (a) Yes.

(b) Government has no information in regard to representations by the Bar Association, but the Commissioner, Multan Division, has on more than one occasion recommended the construction of a new Bar Room.

(c) The matter has already been under consideration for four years, but it has not been possible so far, to provide funds.

Professor Ruchi Ram, Sahni : Does the Government consider the construction of a Bar Room less urgent and less important than the construction of a house for the officials that they have done ?

Mr. President : That is not a supplementary question.

MONTGOMERY SESSIONS JUDGE'S COURT.

2483. Professor Ruchi Ram, Sahni : (i) Will the Government be pleased to state—

(a) whether the Montgomery District and Sessions Judge's Court is located at Lahore ;

(b) whether the Government is aware that this is producing a prejudicial effect on the administration of justice and is felt as a great hardship by the litigant public ;

(c) whether representations have from time to time been made to the authorities concerned by the members of the Montgomery Bar ?

(ii) If the answers to the above are in the affirmative, has the Government considered the desirability of transferring the District and Sessions Judge's Court to Montgomery ?

If so, with what result ?

The Honourable Sir John Maynard : (i) (a) Yes.

(b) Government are not aware of any prejudicial effect on the administration of justice, or of any hardship on the litigating public. The greater part of the work of the officer in question comes to him in his capacity of Additional District and Sessions Judge of Lahore, and therefore the balance of public convenience is decidedly in favour of his sitting at Lahore, except to hear sessions cases, which as a matter of fact he does hear at Montgomery.

(c) Yes. There is no doubt that it would be more in the interests of the Montgomery Bar to have a resident District and Session Judge. But Government do not consider that the interests of the Montgomery Bar and the Montgomery litigant public are identical. The latter may have to spend a small amount in travelling to Lahore, but to counterbalance this they undoubtedly get the advantage of more efficient and cheaper legal representation.

(ii) Yes. For the reasons given in the first part of this reply Government do not propose to post a District and Sessions Judge at Montgomery.

INCREASE OF CRIMES IN THE SARGODHA DISTRICT.

2484. Professor Ruchi Ram, Sahni: (a) Is it a fact that the number of cases of crimes has of late largely increased in the Sargodha district?

(b) Will the Government be pleased to mention the number of cases challaned for every quarter since the beginning of 1924 both for the district of Sargodha and police station of Miani?

(c) Does the Government propose to send a stronger police officer to the Sargodha district for reducing the number of crimes there?

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

Lala Bodh Raj: May I ask, Sir, if there is any special machinery for eliciting answers to these questions?

Mr. President: I think that when a Government member says that the answer to a question is not yet ready, no supplementary question can be asked. Article 41 of the Manual says:—

“Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given.”

The answer that the answer is not yet ready is not an answer to the question and therefore no supplementary question can be asked.

Mian Abdul Aziz: Is not the asking of the reason why the answer is not yet ready supplementary to the question to which no answer is given?

Mr. President: My ruling is that if a Government member says that the answer to a particular question is not yet ready, that is not an answer to the original question and therefore no supplementary question can be asked with regard to it.

PROVINCIALISATION OF SCHOOLS.

2485. Professor Ruchi Ram, Sahni: (a) Will the Government be pleased to place on the table a list of the schools which have been provincialised since the present Education Minister assumed office, i.e., from the beginning of 1921?

(b) Will the Government be pleased to give the total number of teachers who have thus been taken over into Government Service?

(c) Is it a fact that Education Commissions had previously recommended the transfer of Government schools to the management of local bodies and that accordingly under the orders of the Government most of the Government schools were transferred to the control of district boards and municipal committees?

(d) Will the Government be pleased to say why the policy of progressive decentralisation in all departments of Government has been abandoned in the case of the Education Department?

Sir George Anderson:

(a) The information is laid on the table.

(b) 544.

(c) Yes.

(d) The energy and funds of local bodies are now concentrated on the provision of education to the masses. In consequence, almost

[Sir George Anderson.]

all local bodies have requested Government to provincialise their high schools. The provincialisation of these schools in backward areas is particularly urgent.

Name of School.		Date of provincialisation.
1. D. B. High School,	Gurgaon	}
2. " " "	Rahon	
3. " " "	Peerur	
4. " " "	Talagang	
5. M. B. High School,	Jagadhri	
6. " " "	Fasilka	}
7. " " "	Kasur	
8. " " "	Pind Dadan Khan	
9. " " "	Kahrur	
10. " " "	Kamalia	
11. " " "	Jampur	}
12. " " "	Jagraon	
13. " " "	Phillaur	
14. " " "	Rupar	
15. " " "	Chunian	
16. " " "	Hazro	}
17. D. B. High School,	Bhara	
18. " " "	Pakpattan	
19. M. B. High School,	Khushab	
20. " " "	Sirsa	
21. D. B. High School,	Jaranwala	}
22. " " "	Phalia	
23. " " "	Baghbanpura	
24. " " "	Tanda	
25. " " "	Chakwal	
26. " " "	Kahuta	}
27. " " "	Dera Baba Nanak	
28. M. B. High School,	Palwal	
29. " " "	Alipur	
30. D. B. High School,	Akalgarh	
31. M. R. High School,	Babadurgarh	}
32. " " "	Pindi Gheb	
33. D. B. High School,	Pattoo Hira Singh	
34. " " "	Gujarwal	
35. " " "	Taunsa	
36. M. B. High School,	Kaithal	}
37. " " "	Sahiwal	
38. " " "	Isa Khel	
39. D. B. High School,	Naushehra	

Professor Ruchi Ram, Sahni: Is it not a fact that the Education Commission presided over by Sir William Hunter definitely provided against cases of this kind, namely, that grant-in-aid may be given to encourage primary education and not that schools be taken over?

Sir George Anderson: I want notice of that question.

CIVIL ASSISTANT SURGEONS.

2486. Sardar Jodh Singh: (a) Is it a fact that five appointments were made in the provisionally permanent cadre of Civil Assistant Surgeons during this year and none of the candidates appointed was a Sikh?

(b) Is it a fact that a number of posts are going to be added to the cadre next year? If so, will the Government consider the claims of the Sikhs for a fair share of such posts?

(c) While making new appointments will the Government consider the claims of those who were already in the service but came under reduction after the war?

Mr. J. G. Beazley :—

(a) Yes.

(b) Probably; and the claims of all communities will be carefully considered.

(c) Yes.

Captain Dhan Raj, Bhasin : As regards paragraph (c), will Government be pleased to state in what exact manner Government intends to give preference to those who have already been in service?

Mr. J. G. Beazley : I have not said that Government intends to give preference. I have said that Government will consider the claims of those who have already been in service.

Captain Dhan Raj, Bhasin : Does it mean that they are not going to give any preference?

Mr. J. G. Beazley : The fact of service in the war will be considered.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY GRANTS 1925-26.—(CONCLUDED).—

MISCELLANEOUS (TRANSFERRED) GRANT.

Mr. President : The Council will resume the discussion of the amendment moved by Sardar Jodh Singh :—

"That the grant be reduced by Rs. 1."

Chaudhri Duli Chand [Karnal (Non-Muhammadian) Rural], (Urdu) :
Sir, the amendment before the House is :—

"That the grant be reduced by Rs. 1."

Sir, this amendment simply means to place before the Government this request that all the Akali prisoners should be released unconditionally before the Gurdwara elections take place. Sir, I may say that these Akalis were imprisoned on account of their doings in connection with the Gurdwara reforms. When the Sikh Gurdwaras Act was on the anvil of the Legislative Council, it was fervently hoped that all the prisoners, who were incarcerated in connection with the Gurdwara reforms would be released forthwith. But, I am sorry to say, that these expectations were not fulfilled. On the contrary, Government has laid down for the prisoners to sign an undertaking. Sir, I may be allowed to remark that the Sikh community takes this undertaking as a downright insult. It may be possible that Government does not mean any insult by issuing this undertaking but the fact remains that Sikhs deem it to be insulting and humiliating. I do not see, Sir, how this undertaking is of any material good when the Sikh community take it to be of unwholesome character. Sir, every nation has got susceptibilities of its own and the feelings of self respect of the one differ from those of the other. What I wish to bring to the notice of the Government is that this undertaking is likely to be resented by the people of this country and especially by the Sikhs who belong to martial tribes. It may be said that this undertaking is a simple thing for Englishmen or other Western peoples, but here in India this sort of thing is not tolerated. The Sikh community prefers death rather than undergoing any kind of insult and humiliation. Government should have studied the Sikh mentality but so far it has failed. Even now it is possible to mend matters, and that can be done by letting out all the prisoners from jails unconditionally.

[Ch. Dali Chand]

Sir, one point more and I have done. It is a matter of common knowledge that these prisoners are those men who, in their doings, were actuated by the noble desire of liberating their shrines and Gurdwaras from evil hands. This movement was not in any way political. It was purely a religious one. I am at a loss to understand why Government still insists upon having these undertakings signed by the outgoing prisoners. Sir I may be permitted to remark that Government should not be so punctilious in releasing these prisoners unconditionally. In my opinion it was advisable on the part of the Government to release all the prisoners just when the Gurdwara Bill was passed into an Act and by this act it would have encouraged other communities also to reform their religious institutions. Sir, it is in the fitness of things that these prisoners be released unconditionally so that the old relations between the Sikh community and the Government be restored. With these words, Sir, through you I, request the Government that all the Akali prisoners be released unconditionally before the elections under the Sikh Gurdwaras Act take place. By doing so Government will not only place the Sikh community under a deep debt of gratitude, but other communities will also feel grateful. I hope, Sir, that Government will not disappoint us.

Malik Firoz Khan, Noon (Shabpur East (Muhammadan) Rural): Sir the situation about the Akali leaders in jail and other prisoners in jail seems to be very interesting. Government and the Sikh community seem to be united in principles but divided in practice. Government have declared that they are prepared to let out all Sikh prisoners who are prepared to give a written undertaking that they will work the Gurdwara Act when they come out of jail. On the other hand, the Sikh leaders in jail and other prisoners say that they are prepared to work the Gurdwaras Act and they have advised their friends outside the jail to work the Act, but they are not prepared to give an undertaking in writing. That seems to be a situation which to say the least of it is most interesting. At present the effect of the passing of the Gurdwaras Act is nullified by the unpleasant relationship between the Government and the Sikhs. As far as I can see, the Sikh community have done well in accepting the Gurdwaras Act and in giving an undertaking that they will work the Act, and the Sikh leaders have also done well in saying that they will work the Act. It is high time that Government should come a little further than they have done already and meet the wishes of the Sikh community in letting out the prisoners. As far as the Akali leaders in the Lahore Fort are concerned they say that they will work the Act but that they will not give any written undertaking. If they are so punctilious I think the Government should not insist on making them do something which they consider to be against their prestige. Government is spending such a lot on the Sikh leaders' case and that expenditure is in the present circumstances being entirely wasted. There is no question of their having waged a war against the King. If they had committed an offence of such a serious nature, Government would never have been prepared to let them out on their merely signing an undertaking. I do feel that it will be in the interest of Government and the peace of this Province that the Akali prisoners in the Fort and elsewhere should be let out, specially when Government is prepared to let them out on their giving an undertaking. After all they have given the undertaking orally, what matters it if they do not give it in writing?

Sardar Tara Singh (Ferozepore (Sikh) Rural): Sir, I may again make it clear that the object underlying this motion for reduction of this grant by Re. 1 is not to reduce the grant but to draw the attention of

Government to a highly important and allied subject which is part and parcel of elections. Sir, the Sikh community is prepared and will take up the elections. We do not want to reduce the demand by Re. 1 but we are simply anxious to see that the old relations between Government and the Sikhs are restored as soon as possible. Those who are well acquainted with the various stages of this movement might have learnt by this time that the main reason for the breakdown of the Birdwood negotiations was the question of the release of prisoners. Sir, after that when a formal discussion took place between the Sikh Councillors on the one side and Mr. Emerson on the other, there seemed to be a certain amount of anxiety on both sides. They agreed to restart the negotiations though clearly on a specific understanding that the Bill will be discussed on its merits but there was also another anxiety that Government was also anxious to solve the question wholesale and not piecemeal. When the discussions were being held between the Sikhs and Government authorities, all through from November, 1924, up to the present the latter gave the impression that Government was really very anxious that this question of Gurdwara reform and the allied question should be once for all settled.

But, Sir, an *impasse* has been created since the announcement made by His Excellency in July 1925 at the Simla session. From the very beginning when this question was started all the members of the Shromani Gurdwara Parbhandak Committee were very keen on this particular subject, namely, that unless and until the question of the release is settled we should not proceed with the discussion of the Gurdwara Bill. But anyhow through persuasions of friends wiser counsels prevailed and the Shromani Gurdwara Parbhandak Committee very kindly allowed us to proceed with the discussion and drafting of the Gurdwara Bill. Throughout the discussion, at every stage there was a suspicion in the minds of the Gurdwara Parbhandak Committee that the Government will not release the prisoners, and this idea always gave colour in the minds of the workers to the idea that the Government was only anxious that this question of the passing of the Gurdwara Bill should be finished. The Sikh Councillors on their part tried to allay all apprehensions in the minds of the Sikhs by saying that the Government was ready to decide this question once for all. Thus through the different stages we overcame the obstacles that came in our way and at one stage the obstacle was so serious that we were afraid lest our attempts at settlement of the question might break down. Of course we agreed to discuss the Bill on its merits and so we thought of raising this question of release afterwards and so we kept quiet on this question though we had our suspicions. Then, Sir, we had to present the report of the Select Committee, when we had a very clear and elaborate information from certain workers that Government will place certain mild conditions. I can very well realise the nights I had to keep awake and the persuasions that myself and my friends had to prevail upon the members to give up all side issues for the present and to give all their attention and energies towards this question of improving the Gurdwara Bill. They at that time also gave up all their apprehensions and again allowed us to proceed with the presentation of the report. But when the announcement came at the end imposing this condition on the prisoners it was an enormous shock and it was unparalleled in the history of the Punjab and this imposition of the condition marred the otherwise wholly satisfactory settlement. The Government was keen on having this undertaking from the prisoners and it was thought advisable that if a sort of collective understanding could be given by the whole community it would be more valuable and

[Sardar Tara Singh].

more impressive and would probably serve the purpose of Government and they might then forego their persistence on signing the undertaking. Accordingly we consulted our leaders in the Lahore Fort and they all expressed their readiness to work the Gurdwara Bill. They even passed a resolution that the Bill should be worked whole-heartedly by the whole community. So, if the Government merely wished to know the minds of the Sikhs they had sufficient idea of the minds of the Sikhs, and they could have dispensed with the stipulation of the conditions. But, Sir, as fate would have it otherwise, the question did not settle there. Afterwards the Shromani Gurdwara Parbhandak Committee in a body passed a resolution accepting the Gurdwara Act and calling upon its community to take part in the elections to the Central Board and the various local boards. Not only that, the committee took action under certain sections in the first part of the Gurdwara Act. Still there was some doubt lurking in the minds of some that the Sikhs may change their minds later. But, Sir, the exact and punctual and expeditious translation of their resolution into action by the voters in general and especially by those leaders in the Fort should have been sufficient to remove those doubts immediately thereafter. Though from the very beginning there was a clear understanding between the Government and the Sikh Councillors that the question would be discussed on its merits still all the masses had a clear and genuine impression that the Government will release the prisoners immediately after the passing of the Act. Their expectations have not been fulfilled and so their suspicions of Government still continue. When the bone of contention has been removed where is the necessity for retaining the prisoners any longer in jail. The *morcha* of Bhai Phero though it was only the exerting of moral pressure for the eradication of certain evils in that institution was stopped in order to show to the Government the *bond fides* of the Sikhs. I may say that the Sikh community have from the very beginning of 1924 given best proofs of their *bond fides* for the attainment of a satisfactory legislation in connection with this question. If the Government had any apprehensions as to the sincerity of the Sikhs, the Akhand Path at Jaito must have belied them. The exemplary conduct shown by such a numerous body consisting of 25,000 without a single complaint to the authorities continuously for 20 days must have proved to the Government that the object of the Sikhs is nothing but to attain a satisfactory settlement of their religious question and that they had no ulterior motives. The passing of the resolution by the leaders, the stopping of the *morcha* at Bhai Phero, the peaceful termination of the Akhand Path at Jaito and last of all the passing of the resolution by the Shromani Gurdwara Parbhandak Committee and its translation into action in a very short period must be sufficient to prove to the Government the *bond fides* of the Sikhs. Now, Sir, that the Sikhs have done so much, what is the reason for Government insisting upon having the undertaking? I may briefly put before the House certain aspects of the case. The Government in its heart of hearts believes that these prisoners who are in the Fort have more influence. If they are released unconditionally they will be helpful in creating a better atmosphere. The result of insisting upon their signing the undertaking will be that they who are looked upon as heroes, as martyrs and as people who have sacrificed their lives for the sake of religion will look small in the eyes of other men, they will be considered to have signed the undertaking for the sake of getting liberty and all their influence will be gone and nobody will pay any heed to their words. There-

fore, Sir, if the Government release them without the undertaking they will work in co-operation and will also help in the smooth working of the Gurdwara Act. It is therefore from this point of view that I request the Government not to insist on this undertaking. Again, Sir this imposition of the condition is not consistent with the Gurdwara Act. When it is actually being worked, the placing of this condition looks inconsistent at this stage. The list of properties of the Shromani Gurdwara Parbhandak Committee is being prepared. It may be pointed out that the list has not been put in. My reply to it is that the putting in of a list is a very responsible and difficult task and involves a good deal of labour. The Shromani Gurdwara Parbhandak Committee have appointed special staff so that it may effectively check and scrutinise all the papers. The lists will be put in in a very short time.

Sir, in raising this question at this stage was to find an opportunity to appeal to the Government that they have no reason to withdraw now the hand of fellowship which they extended to the passing of the Gurdwara Act and the working of the same. The main desire that actuated me to speak on the subject at this stage was to reconcile the Government and the Sikh community and to restore permanently the old relations which existed before 1920 so that we may work hand in hand each for the betterment of the other.

The last point that I wish to place before the House is—I do not know whether this has already been placed before the House—that the members of the second batch of Shromani Gurdwara Parbhandak Committee are already coming out. Their ordinary term of imprisonment is expiring. There remains the question of payment of fines. If all of them had paid their fines by this time, they are entitled to release and so they will all come out in a few days within this month. Then, Sir, those members who have been convicted on account of the Bhai Pheru affair, their term of imprisonment will partly expire in a month or two and they are a few who are due to come out somewhere in March or April. Then, Sir, there is the third batch, that is the leaders in the Lahore Fort. That case is going on for the last two years and at this rate I am afraid it will not be finished for another two years. As has already been pointed out by one of my honourable friends, if that case is for waging war, why should the Government be prepared to withdraw it if the leaders are prepared to sign an undertaking. This means that from a legal point of view, it will be a difficult task for the Government to convict them under the charges framed against them at present. So it will really be graceful and it will be an act of kindness on the part of the Government to release them unconditionally. It will be an act of "*must ki meh-bani*," gratis kindness as it were. If the Government withdraws the prosecution against these leaders without attaching any condition, then it would look very graceful on the part of the Government and it would prove to the people that the Government is really as generous as the Sikh community has been to reconcile or compromise. Therefore, Sir, I will appeal to the Government and through you, Sir, to His Excellency Sir Malcolm Hailey that he should at least, if for no other reason, for protecting the honourable members of this Council release all the prisoners unconditionally. The people take us to task. That is the greatest difficulty we are labouring under. The people say: "Whenever you want us to do something, you come running to us; whenever we raise any difficulty, you at once silence us or you always try to persuade us and prevail upon us to withdraw our objections. But you do not ask the Government to release all the prisoners unconditionally."

[Sardar Tara Singh.]

That is the sorry plight in which we the Sikh Councillors are put. We, the Sikh Councillors have till now co-operated with the Government without the least demur on various occasions. This is what we have done. What has the Government done in its turn? Is the Government doing anything to save us, to save our skin and to protect us from being taken to task by our people? I again appeal to the Government that it should appreciate the efforts of the Sikh Councillors and in appreciation of their services, if for no other reason, the Government should release all the prisoners without attaching any condition whatsoever. I hope, Sir, that my appeal will not go in vain and that it will not fall on deaf ears but that it will be listened to and acted upon. The appeal made by the worthy son of the Motherland, Pandit Madan Mohan Malavaya in the Legislative Assembly, was sympathised with and encouraged by the Home Member in the Assembly. I hope, Sir, that the Honourable Sir John Maynard will not only sympathise but will give an encouraging reply this afternoon for which we, the Sikh Councillors, will be thankful to him.

Rana Feroz-ud-din Khan [South-East Towns (Mubammadan), Urban]
(Urdu): Sir, there is a Persian proverb which runs thus:—

روزمه ملکت شاهان بداند

(The Kings alone have a knowledge of the *pros and cons* of the Statecraft of their kingdoms.)

In other words it means that the supreme heads of Government are in a better position to understand the matters of their immediate concern. Old order has changed giving place to new. New forms of Government have come into existence. But the old Persian proverb is still applicable to certain branches of administration of Government. It usually applies to governmental secrets. But here the secret, of which we are talking, is an open secret. The Gurdwara Bill was passed by the co-operation of both the Sikhs and the Government. The Shromani Gurdwara Parbandhak Committee approved it after consultation with those who are in jails. Had those who are now in the jails differed from the Shromani Gurdwara Parbandhak Committee as to the usefulness of the Bill they could not have dared to support it. It was thoroughly discussed by the Committee before the Sikh community gave its approval. Now, Sir, when such has been the case I am at a loss to understand why the Government suspects the *bona fides* of the prisoners, some of whom are the leaders of the Sikh community. They are responsible men. They have always been true to their word. They have made great sacrifices for the cause of their religion. When the Gurdwara Bill was under consideration, I submit, Sir, the Government did handle the question in a statesmanlike manner. With the passage of the Bill it was in the fitness of things that the Government should have released the Sikh prisoners there and then. This would have produced a very wholesome effect on the Sikh community. But the Government did not realise that at that moment. That time has passed. Now when the Sikh community through their representative body the Shromani Gurdwara Parbandhak Committee has decided to work the Gurdwara Act and the Shromani Gurdwara Parbandhak Committee has passed a resolution to this effect I see no reason why the Government should hesitate to accept that assurance. Electoral rolls are being prepared now and I hear that the Sikh prisoners of the Lahore fort are getting their names registered for the purpose which leaves no doubt as to their intention and willingness to work the Act. When such is the state of affairs I ask where lies the difficulty. It is improper

to suspect the *bona fides* of those prisoners who are getting their names registered in accordance with the provisions of the Act. The Sikh prisoners could have given that undertaking but there lies one difficulty in their way, that is, they would be scoffed at by the ignorant masses who would remark that they have got their release by giving an undertaking to the Government. Of course this would be disgraceful for them. This would lower them in the estimation of the public. Under these circumstances I think it is not expedient to persist in getting the undertaking from the Sikh prisoners. Government may be under the impression that when these people will come out of the jails they would take to some direct action. Sir, I believe the Sikh prisoners have no such intentions, but supposing for the sake of argument that after their release they do not work the Act but try to place hindrance in its way, then I ask the Government would it not be possible for it to send them again to jail? In that case they would not have the support of the Shromani Gurdwara Prabandhak Committee as well. They would be responsible for their own action. In my opinion there is no justification for insisting upon getting the undertaking from the prisoners unless there is something to show that the prisoners if they are released unconditionally, are bound to create disturbance. Sir, I again submit that it is expedient that the Sikh prisoners should be released forthwith unconditionally. The British statesmanship demands the action which I have suggested in connection with the release of the Sikh prisoners. I appreciate the conciliatory views expressed by His Excellency the Governor of the Punjab in his speech delivered after the passage of the Gurdwara Bill. Sir, the Sikhs have suffered much for their religion. They had no other ulterior motive. They have gone to jail for the sake of their religion. Therefore, it is impolitic to keep them in jails now when they have actually got the object for which they had gone there. Otherwise there is every likelihood that such conduct of the Government may again create misgivings in the minds of the Sikhs. And if it so happens, every body can well guess the results that would probably follow. I hope the Government in response to the appeal just made by the honourable member Sardar Tara Singh, would take time by the forelock and accede to the wishes of the Sikh community.

5 P. M.

Mr. V. F. Gray : Sir, I beg to move—

"That the question be now put."

The motion was carried.

The Honourable Sir John Maynard (Finance Member) : Sardar Jodh Singh in introducing this subject said that he did so with a heavy heart. I can assure him that his heart is no heavier than mine, when I recall the many occasions on which I have stood up in this Council to deal either with this identical subject or something very much approaching it in identity. I have listened to the same arguments that I have listened to before and if I were to go into detail, I should have to employ very nearly the same arguments that I have employed on a former occasion. But there is one thing which has been borne in upon me by my long experience of these Sikh difficulties, and that is that mischief is done by talking. I do not mean to say that the mischief is done entirely by the talking on one side; I think the mischief is done by talking on both sides. I think the mischief that is done by the gentlemen who sympathise with this community, who desire to have their own way in everything, I think that mischief is not

[Hon'ble Sir John Maynard].

inconsiderable. I will not say that it increases the natural tendency of a certain community to obstinacy, for I do not wish to make the charge of obstinacy, against anybody, but I might say perhaps that it diminishes that natural sweet reasonableness and that natural delicate consideration for the rights of others which is so marked a characteristic of the Sikh community. Then as I have said I think the talking on the other side also does harm. I might for instance, to-day put forward a number of cogent arguments. I might refer yet once again to the historical consequences of unconditional releases in the past. I might even say that even within the last few days Government has received threats of renewal of direct action in a certain direction. But if I were to point out the lessons of the past or draw attention to the things which are even at the present moment being done on behalf of that community, I feel that I should be only causing irritation without useful result. It would do no good and when I had done it, though my arguments might be quite satisfactory, they would not make any difference to anybody's preconceived opinion. Everybody is completely tired of arguments and simply wants to have an end of the question somehow, they do not mind how. Unfortunately, of course, in dealing with a matter of this kind Government must not be actuated by a sense of lassitude and weariness, it must not say we are so infinitely bored with this question that we will do just what anybody asks us to do. Government must hold a steady course and not be bored or wearied into injudicious action. I am personally convinced however that going into the arguments on my side will do as much harm as has been done by the speeches which have been made in this House on the other side. Therefore I am not going to do it. All that I am going to say is this, that there seems to be a prospect of peace and I am not going to spoil it by any arguments of any sort. I think that everybody in this House probably knows. I think it was actually mentioned even by one member, that arrangements are being made for registering as voters Sikh prisoners in jails. While that shows the sort of spirit in which Government is dealing with the matter, of course, we must hope, and I am not entirely sanguine, we must hope that when we set about registering the voters, we shall not find that the newspapers are spreading stories of how we are compelling prisoners to register themselves as voters. We trust that the opportunity to register would be taken without any allegations as to any excesses or brutalities and stories of how the Honourable the Finance Member is compelling the unfortunate Sikh prisoners to register themselves as voters. There, again, I say that past experience does not altogether give rise to optimism but I shall hope for the best and without intending the least disrespect to any of the arguments which have been brought forward, without slighting them or wishing to appear to pay no attention to them, all that I can say at present is that I am not going to add to the trouble by talking and that the time for the measure which the honourable gentlemen ask for is not yet.

Mr. President: Grant under consideration... ..

Sardar Jodh Singh: I rise to a point of order. It has been pointed out to me by a high authority on the Government benches that the demand relates to a Transferred Department, while the release of prisoners is in the hands of a Reserved Department. I want to know precisely that if this out is made will it mean more than the expression of a wish on the part of the non-official members that the Akali prisoners should be released unconditionally? We do not want to implicate the Transferred Departments in a matter that concerns the Reserved Department.

The Honourable Sir John Maynard : Sir, I must protest against the statement that Government is two or three or four. Government is one.

Professor Ruchi Ram Sahni : When it suits Government, it is one.

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

“That the grant be reduced by Rs. 1”.

The motion was carried.

Mr. President : The question is—

“That a supplementary sum not exceeding Rs. 2,34,968 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Transferred).”

The motion was carried.

PROVINCIAL LOANS AND ADVANCES (RESERVED) GRANT.

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

“That a supplementary sum not exceeding Rs. 2,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1926 in respect of Provincial Loans and Advances (Reserved).”

The motion was carried.

PROVINCIAL LOANS AND ADVANCES (TRANSFERRED) GRANT.

The Honourable Rai Sahib Chandhri Chhotu Ram (Minister for Agriculture) : Sir, I beg to move—

“That a supplementary sum not exceeding Rs. 3,00,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Provincial Loans and Advances (Transferred).”

The motion was carried.

REFUNDS (RESERVED) GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

“That a supplementary sum not exceeding Rs. 66,833 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Refunds (Reserved).”

The motion was carried.

IRRIGATION GRANT.

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

“That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Irrigation.”

The motion was carried.

JAILS AND CONVICT SETTLEMENTS GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Jails and Convict Settlements."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

Sir George Anderson (Director of Public Instruction) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Education (Transferred)."

The motion was carried.

MEDICAL GRANT.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Medical."

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Civil Works (Transferred)."

The motion was carried.

IRRIGATION WORKS (CAPITAL EXPENDITURE) GRANT.

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

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of construction of Irrigation Works (Capital Expenditure)."

The motion was carried.

THE PUNJAB MONEY-LENDERS BILL.

Mr. President : Mir Maqbool Mahmood.

Malik Firoz Khan, Noon : Sir, is it possible for anybody else to move the motions standing in the name of Mir Maqbool Mahmood during his absence ?

(At this stage Mir Maqbool Mahmood came to the Council.)

Mir Maqbool Mahmood [Amritsar (Muhammadan), Rural] : Sir, I must crave your indulgence and that of the House for being late to-day, but I may say that it was not due to any fault on my part. My temperature even now is 104 degrees and I had been just vomiting and I feel sick. If in my speech to-day I disappoint my friends or if I am not able to explain my point as well as I would like to do I hope my friends will give me the indulgence which I crave of them.

Diwan Bahadur Raja Narendra Nath : May I suggest, Sir, that provided the House is willing, the consideration of the matter may be adjourned, because the honourable member is ill and his temperature is high and it would be rather cruel to compel him to move his motion now ?

Mir Maqbool Mahmood : I would rather move them to-day because I fear that to-morrow I may grow worse and may not be able to move at all.

Mr. President : Is the honourable member fit to move for leave to introduce the Bill ?

Mir Maqbool Mahmood : Yes, Sir. I quite appreciate the courtesy of my friend, the Raja Sahib, but I fear that I may not be fitter to-morrow than I am to-day and I fear I will be failing in my duty if I do not move the motions at all. If I do not propose to ask for adjournment of my motions to a later date it is not because I do not appreciate the courtesy shown by Raja Sahib.

Sir, I beg to move :—

“ That leave be granted to introduce the Punjab Money-lenders Bill”.

Sir, in November last the House will remember that it granted leave to introduce the Punjab Money-lenders' Registration Bill. That Bill enjoined compulsory registration of money-lenders and the supply of regular accounts and information to the borrower. The present Bill is in principle of a narrower scope and I submit that it is the principle that we are concerned with at this stage. When the last Bill was introduced I invited opinions by circulating the Bill. Many opinions came, but unfortunately only a few were of a constructive character. Most of them exhibited communal feeling on both sides and helped nobody. But there were a few which were really of a constructive nature and I have tried to incorporate them in the present Bill. I take this opportunity of publicly thanking them who sent in suggestions. But, Sir, all the amendments that were suggested could have been incorporated in the old Bill in the Select Committee stage, but this did not meet with the approval of some members. There was also another consideration. Most of those who opposed the Bill vehemently opposed the registration provisions as being absurd. Other arguments were also advanced against registration. I confess I did not anticipate them. I still

[Mir Maqbool Mahmood.]

declare that I do not agree with most of those arguments. When lawyers and doctors have to register themselves, when even Khan Bahadurs and Rai Bahadurs have to register themselves, I do not see why the money-lenders should resent being registered. However inasmuch as it was suggested to me I felt like accepting it and I tried to meet my objects without prescribing the compulsory registration. *(At this stage The Honourable Sir John Maynard gave a vote to Mir Maqbool Mahmood)*. Sir, there are many friends here who do not approve of my exerting myself too much in moving this motion. I must respect their advice. More blessed are they that offer than those who accept. I shall not detain you with a long speech in support of the motion that leave be granted to introduce the Bill.

Mr. President : The question is :—

“ That leave be granted to introduce the Punjab Money-lenders Bill”.

Dr. Gokul Chand. Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, I am extremely sorry to find that my learned friend Mir Maqbool Mahmood is not in good health. That not only creates a deep and sincere sympathy in my mind, but I am sorry for another reason also, namely, that it will take the edge away from the criticism that I might make on this motion and from the opposition that I intended to offer to the grant of the leave for the introduction of this Bill.

Sir, the Bill which was circulated for opinion was in certain respects quite different from the present Bill. But I confess that if the two Bills are compared dispassionately, the present Bill will be found to be no improvement on the first. It suffers from the same defects and in certain respects it is worse. Criticism was made against the old Bill because in the first place it was likely to be looked upon as a communal measure. In fact the honourable member sitting by my left (Pandit Nanak Chand) declared openly and emphatically and repeated his declaration that it was a Muhammadan measure. I leave that part of the criticism to him and I am sure when his turn comes he will develop his theme and try to convince this House that it is a Bill which savours of communalism and therefore is likely to create dissensions and feelings of ill-will between the two communities. *(Chaudhri Duli Chand : No.)* Chaudhri Duli Chand need not have said ‘ no ’, because we already know that he will never say ‘ aye ’ to anything that is said from this side of the House.

My reason for opposing this Bill is that no case has been made out for the enactment of such a measure. It has been said that a similar measure exists on the statute book of England and this has been advanced as a justification for the introduction of this Bill. I would submit that the argument of analogy is very dangerous. My learned friend, the honourable mover, must know very well that the circumstances which necessitated the introduction of a Money-lenders Act into England do not exist in this country. This measure was not intended to provide against money-lending itself. There was a particular class of money-lenders who were preying upon society and it was to check their depredations that a measure of this kind was considered necessary. I have in my hand just now Thitty's statutes which contain both the Money-lenders Acts, one of 1900 and the other Amending Act of 1911. There is a reference there to the deliberations of the Select Committee which was appointed to consider this measure. The Select Committee consisted of a very large number of members including such men as Mr. Lloyd George

THE PUNJAB MONEY-LENDERS BILL.

and others. That committee sat for two sessions considering the various provisions of that Bill. The evidence on which they acted and the circumstances which called forth this measure are given at page 75 of this book. The report says :—

“ Misleading advertisements or circulars offering to lend money ‘ without sureties,’ ‘ at low rates of interest,’ or at ‘ 5 per cent.’ when in fact the lenders’ practice is to require sureties and the actual rate is 5 per cent. per month, equivalent to 60 per cent. per annum, are very common.

“ A professional money-lender, after exposure under different *aliases* will sometimes resort to such descriptions as a ‘ wealthy capitalist residing in a private house,’ a ‘ widow lady,’ a ‘ bank,’ a ‘ finance and advance corporation,’ or even a ‘ bank expressly incorporated under Act of Parliament to advance money at a low rate of interest to respectable persons.

“ The loans are usually advanced on the security of promissory notes, given by the borrower either with or without sureties, or of bills of sale, and the minimum rate of interest is generally 60 per cent. While some money-lenders charge a uniform rate of interest, others charge as much as they can get, and one lender admitted that his rate had sometimes been as high as 3,000 per cent. ”

Now, Sir, I do not want to read the long quotations given here from the report of the Select Committee that sat to prepare the English Money-lenders Act when it was at the stage of a Bill, but what I have read will be sufficient to show the circumstances which the English measure was intended to meet. I would ask my honourable friend, the mover of the Bill, whether he had met with any advertisements of that kind circulated by money-lenders of this province, whether he had met with people who had made false representations to would-be borrowers that they would lend money at five per cent. giving them the hope that they would get a loan at five per cent. *per annum*, while they were actually going to charge them five rupees per cent. *per mensem*. I am not aware of a single money-lender in this province who has sent out such advertisements or circulars. I have come in contact with hundreds of money-lenders, but I have not found any money-lender charging such a high rate of interest as 60 per cent., which is the minimum rate given in the Select Committee’s report as being charged by English money-lenders. One class of money-lenders in this province, which might require some sort of legislation in order to protect the society from their depredations consists of the wandering Pathans who cross the border and come into the British territory and who lend money to washermen, syces and to other menials at one anna per rupee per week or sometimes even more than that. That would mean that they charge as much as 25 per cent. *per mensem* which would come to 300 per cent. *per annum*. They realise this money from the borrowers at the point of the *latki*.

Professor Ruchi Ram, Sahni : At the point of the knife too.

Dr. Gokul Chand, Narang : As my honourable friend Professor Ruchi Ram says, they realise the money at the point of the knife. I was all along under the impression that the weapon they employ to realise their debts was only the *latki*, but as the Professor says they employ the knife also, he

[Dr. Gokul Chand Narang.]

must have good authority to make such a statement. So they realise their outstandings at the point of the knife. Now, Sir, there may be some measure which may be necessary to meet this class of money-lenders, but the ordinary class of money-lenders we come across in this province are not the class of people who require any legislation. I am really sorry that my honourable friend, the mover of the Bill, is not in a fit condition of health to-day to put all the arguments before the House as he did on a previous occasion, but I take it that he is not prepared to withdraw any of the things that he said in the speeches that he made when he introduced his first Bill. It was pointed out that there were people in this province who charged high rates of interest, who deceived their customers and who refused to give receipts to their debtors when they made payments and demanded a receipt. Well, Sir, if these things prompted my honourable friend to introduce this measure or rather to beg leave for the introduction of such a measure as this in this House, I will submit that even if he succeeds in getting this Bill passed a thousand times, the evils which he alleges are existing in this province will never be eradicated for the reason that it is simply impossible to eradicate any evil altogether from any society whatsoever. This evil is not so common and so widespread as to call for legislation of the kind proposed just now. My learned friend himself surely cannot be thinking that the evil can be made to disappear altogether from this province or from the whole world. It may be a very good thing to wish for, but the very idea that it is an impossible feat to perform would deter any man from making the attempt by means of a piece of legislation such as the present one. Such evil is bound to exist here and there. Black sheep exist in every society and unless the number of such black sheep is so large as to make it a source of danger to society no legislation is necessary.

My honourable friend has not realised the difference between England and India and particularly the Punjab on another point. In England the percentage of literacy is perhaps cent. per cent. or almost cent. per cent. because only such people are deprived of education whom nature has deprived of the power to receive education, otherwise education is compulsory to a certain stage. But in this province where literacy (here I speak subject to correction by the Director of Public Instruction) hardly exceeds ten per cent., we cannot have a Bill of this sort.

Malik Firoz Khan Noon : Is there no time limit to speeches made at the time of the introduction of a Bill ?

Mr. President : All that the honourable member is entitled to do at this stage is to offer a brief explanatory statement after which the question will be put to the Council. He need not enter into any discussion of the principles or details of the Bill.

Dr. Gokul Chand Narang : I do not wish to transgress the spirit of the rule on this point. The speech is not limited by minutes, but of course by the scope of the criticism and I am conscious that it ought to be as brief as possible. I was just discussing the difference between the Punjab and England so far as literacy was concerned. Can my honourable friend really believe that people in this country who are given to money-lending will be able to carry out the provisions which he has incorporated in the Bill ? Are there post offices in every village in this province which would afford facilities for the compliance with the provisions of the Bill

which require that every time a transaction is entered into some step requiring the assistance of the post office is necessary? Is my learned friend who is a Punjabi himself unaware of the fact that post offices are as much as 10 or 15 miles or even perhaps more removed from some of the villages and yet there is hardly a village in which money-lending of some sort and to a certain extent is not carried on, not necessarily by the professional money-lender or by people whom my honourable friend Chaudhri Duli Chand contemptuously describes as *Banias*, but by Jats who are the kith and kin of my honourable friend Chaudhri Duli Chand? Does my honourable friend expect the Jat who happens to have some surplus from his annual income and who wants to invest his savings in loans advanced to his own brother Jat and who himself lives by the plough and who has no other occupation, to leave all other business to run to the post office which may be 10 or 15 miles away from his village in order to drop a post card and to have it registered whenever he advances Rs. 20 or Rs. 25 or Rs. 30 to a cousin of his or a fellow agriculturist? If this has to be done, then certainly his business will be hampered. Then, take the case of a professional money-lender. Perhaps he enters into half a dozen or even a dozen transactions every day and that means that every time he has to run to the post office to drop a post card or to send these returns fixed in the Bill for every bit of money lent as if the money-lender were an incorporated company doing banking business. That certainly is expecting too much from the ordinary money-lenders of this province. Then there are people who might be doing money-lending on a small scale out of the surplus that they may have from their yearly budget. If they are illiterate, they will have to employ clerks to carry on the business for them. As it is they find it very difficult to keep accounts and when it is made obligatory under the statute and other provisions have to be complied with for which literacy is required, their condition would be pitiable indeed.

With reference to the provision for maintaining regular accounts, it should not be understood for a moment that I am for keeping irregular accounts, but I still maintain that it is not necessary to incorporate it in any measure such as this because already people who are not keeping regular accounts are suffering in courts of law. I think the judiciary of this province is improving every day and the number of honorary sub-judges is increasing—of course I speak subject to correction in this matter. I think that the number of sub-judges who are not graduates is also gradually going down. We, as a rule, have now got double graduates of law and arts as sub-judges and they all know the law of evidence very well. Whenever they find that a money-lender is not keeping regular accounts and that his books are not regular, their suits are liable to be dismissed by the sub-judges.

The Honourable Sir John Maynard: Is this a brief explanatory statement, Sir?

Dr. Gokul Chand, Narang: I am closing shortly. My honourable friend, the mover of the Bill, has overlooked one important point, and that is that the disabilities of the money-lenders are already very heavy. They advance money and when it comes to the question of realising their money, they are told that this thing cannot be attached in execution of the decree, and that thing cannot be done or that this thing is essential for agriculture and therefore exempt from attachment and so they have to hang about

[Dr. Gokul Chand Narang.]

with their decree sheets in their hands which they may lick, as the Punjabi proverb goes, without getting any nourishment from them. It should not be overlooked that the money-lender also plays his humble rôle in the economy of the nation and generally he also deserves some sympathy at the hands of the legislators of this province. The money-lenders invest money in the shape of loans to the agriculturists and thus improve the agriculture of this province.

Mr. C. M. King: Sir, I rise. . . .

Dr. Gokul Chand, Narang: Without giving an opportunity to my honourable friend to rise to a point of order, I will conclude by saying that the money-lenders also should be shown some consideration in this Council.

Mr. President: The question is—

“That leave be granted to introduce the Punjab Money-lenders' Bill.”

The motion was carried.

Mir Maqbool Mahmood: Sir, I beg to introduce the Punjab Money-lenders' Bill.

Mir Maqbool Mahmood: Sir, I beg to move—

“That the Punjab Money-lenders' Bill be referred to a Select Committee consisting of the following:—

The Hon'ble the Finance Member,

The Honourable Rai Sahib Chaudhri Chhotu Ram,

Mr. J. M. Dunnett,

Diwan Bahadur Raja Narendra Nath,

Chaudhri Duli Chand,

Sardar Tara Singh,

Khan Bahadur Chaudhri Fazl Ali,

Lala Mohan Lal,

Mian Muhammad Shah Nawaz,

Lieutenant Sardar Sikandar Hayat Khan,

Lala Diwan Chand,

Mr. Owen Roberts,

Nominee of the Honourable the President,

The Secretary to Government, in the Legislative Department, if he is a member of the Council and

The Mover.

Mr. President: My nominee is Sardar Mohindar Singh.

Mir Maqbool Mahmood: Sir, when I am moving for the reference of the Bill to the Select Committee, I am aware that on a Bill like this differences of opinion are bound to exist—and they do exist—nor do I claim as my learned friend Dr. Gokul Chand Narang, has said that this is a counsel of perfection, nor do I claim that all the money-lenders in this province are guilty of shabby doggedness, of which I have made a mention. But what I certainly claim—and even those who oppose the Bill will agree with me and most of those who support the Bill—that the preponderating majority of borrowers need some kind of protection. Now, Sir, I ask, has a borrower or has not a borrower a right at any stated interval to get a statement of his account from his creditor? If he has, I say, is it possible to have any other method than by prescription of some form of accounts to enable him to know how he stands with his money-lender? But I admit it at this stage that it is open to objection. My friend Dr. Gokul Chand Narang and others who agree with him say that the account forms that I have prescribed or that I have suggested are dilatory. But that is a matter that can be thoroughly threshed out in the Select Committee and all that I can claim at this stage is that some form of regularity of accounts should be maintained and I am prepared to concede that I

would accept any workable suggestion consistent with the principle underlying the Bill for the simplest form in which these accounts should be kept. I remember, Sir, when I had the privilege of making a motion about my earlier Bill, my friend Raja Narendra Nath said that most of the money-lenders do keep accounts already. What would be the special sanctity attached to the new forms that I suggest? I submitted to him that if they keep some form of account already, will he agree with me or not that most of them keep accounts in a loose running sort of *bahi* which admits of insertion or removal of pages conveniently and with little or no probability of detection, on *bahis* which violate all the laws of finance. I submit that if you keep regular accounts, why not keep them in a regular form of book that is paged and bound? You say we can have these *bahis* numbered. But then is it not easy enough to insert new pages in the *bahi*? Therefore, if you care to have some form of accounts provided on the *bahis* or on the account book, why not have the same kind of form? You cannot have an efficient system of account books unless they are controlled by some central agency and it is the duty of the State to protect the simpleton.

The second point which my Bill suggests is that there should be supplied information by money-lenders at intervals to the borrower. Here again I am prepared to say that I do not want the Council to commit itself to the form of information which I have suggested in the Bill. It may be information for a re-entry or for a certain number of entries and certain other matters, these are matters of detail and will be threshed out in the Select Committee. All that I ask is that a borrower is entitled to get information from his creditor in order to get fairplay under the Usurious Loans Act. You may remember that under that Act courts are empowered to reopen the transactions between borrowers and money-lenders to take an account between the parties and to relieve the debtors of excessive interest. But that Act can be, and is being, defied by getting a new bond executed, just before coming to court, describing all the old interest and principal as fresh principal lent, without any reference to old documents or loans. If a borrower is unable to convince the court that he has had an old account with the lender, and that the so-called principal is really made up of a long-standing interest on principal, the court is unable to help him because under that Act the court has no discretion to reduce the principal and in the circumstances any reasonable plea for some form or some method by which the borrower could trace that transaction is in the interest of fairplay. And here again I submit to Dr. Gokul Chand, Narang, and those who agree with him, that I do not insist on the Council committing itself to the present form that I have suggested of giving information. These are matters of detail to be threshed out in the Select Committee.

The third thing is the definition of money-lender. I am sure there may be many men in the Council and many outside it who object to the definition. Some say that it is too wide, while others say that it is too narrow. I submit, Sir, that this again is a matter which can be taken up by the Select Committee. Let me, however, make it clear that I have no idea whatsoever to touch the industrial or commercial life of the Province, except to the limited extent of a quasi-money-lender which is necessary in order to prevent wholesale evasion of the Act by the *Sahukar* class. Sir, I will not detain the House over the penalty clause which is likely to be discussed by some. It is not an essential part of the Bill and its inclusion will depend on the prescriptions that are laid down by the Select

[Mir Maqbool Mahmood.]

Committee. I cannot anticipate what they will be. It will be open to my friends who do not agree with me to vote against it but at this stage I submit that it is open to my friends to say that they are looking forward for the Select Committee to devise a very simple form of accounts.

Mr. Strickland, to whom I am grateful for the forms which he has supplied me in his personal capacity, suggests that all entries should be made in the form of figures.

One word more before I have done. I understood from Dr. Gokal Chand Narang's speech that my friend Pandit Nanak Chand is going to take this measure also as a Muhammadan measure. I might make it clear to him if he suggests that it is a Muhammadan measure because a Muhammadan happens to move this idea of money-lenders' legislation; I tell him that he is sorely mistaken, because the idea of registration of money-lenders was moved in this country by no less a gentleman than Dr. Tej Bahadur Sapru in 1918; and he takes the clue from him. If it is a communal measure at all, it is a Hindu measure. But if he means that it benefits the Muhammadans alone because they form the majority of the urban borrowers then he is mistaken. This Bill will protect 15 million agriculturists, of which 33 per cent. are Hindus, 15 per cent. Sikhs and 51 per cent. Muhammadans. As a matter of fact, the majority of the Hindus of this Province happen to be agriculturists. I am prepared to grant that a majority of those who will benefit by this Bill may be Muhammadans and I am prepared to grant that a majority of money-lenders are Hindus. But I want the members to imagine the application of the Bill somewhere in the corner of the Frontier inhabited solely by Hindus who, let us assume, happen to be at the mercy of unscrupulous Muhammadan money-lenders. Propose a measure for the protection of those Hindu friends who are being badly tackled. I appeal, Sir, to the patriotism of the honourable members to get above their sectarian limitations and to say that even if a majority of Muhammadans get a fair protection, it should be for them to give it.

One word more. Those who know me and who are aware of my past know and I declare this that I am incapable of launching anything merely from a communal point of view and if I were convinced that it could be so, I am sure I shall have no justification for standing here to-day. With these words I move that the Bill be referred to the Select Committee.

Mr. President : The question is—

“That the Punjab Money-lenders Bill be referred to a Select Committee consisting of the following :—

“The Honourable the Finance Member,

The Honourable Rai Sahib Chaudhri Chhottu Ram,

Mr. J. M. Dunnnett,

Diwan Bahadur Raja Narendra Nath,

Chaudhri Duli Chand,

Sardar Tara Singh,

Khan Bahadur Chaudhri Fazl Ali,

Lala Mohan Lal,

Mian Muhammad Shah Nawaz,

Lieut. Sardar Sikandar Hayat Khan,

Lala Diwan Chand,

Mr. Owen Roberts,

Sardar Mohindar Singh,

Secretary to Government in the Legislative Department, if he is a member of the Council, and

The mover.

The Council then adjourned till 2 P. M. on Saturday, the 12th December 1925.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Saturday, the 12th December 1925.

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

FAREWELL TO THE HONOURABLE SIR JOHN MAYNARD AND
THE HONOURABLE SARDAR BAHADUR SARDAR SUNDAR
SINGH, MAJITHIA.

Mr. President : It appears that this is the last day of the sittings of the Council and that in all probability it will not have to meet again before the Honourable the Finance Member and the Honourable the Revenue Member will be relieved of their high offices on completion of their terms. The Honourable Sir John Maynard, the leader of the House and Sardar Bahadur Sardar Sundar Singh, Majithia, have been the two distinguished members of this Council ever since the inauguration of the reforms. I think, I am voicing the unanimous opinion of this House that members are very anxious to say farewell to their parting colleagues and friends and express appreciation of their excellent work, good fellowship, pleasant comradeship and sincere friendship for a long period of five years.

The Honourable Rai Sahib Chaudhri Chhout Ram (Minister for Agriculture) : Sir, it is not long before Sir John Maynard and Sardar Bahadur Sardar Sundar Singh, Majithia, will be leaving this Council and there will be no opportunity for this Council to express its appreciation of their services to it. Sir John Maynard has been in our midst for the past forty years and his association with this province has been so long and so intimate that we have come to regard him as one of us. As Finance Member he has always taken pride in being called a *pucca bania*. That is of course, the function of a Finance Minister. But even *banias* have very important functions to perform in the economy of life (Hear, hear) and if they know how to perform those functions properly and legitimately they will be regarded as a very important and indispensable part of the population. Sir John Maynard though he was a *pucca bania* was not one of the extreme type. I can say from my personal knowledge that though he kept a very watchful eye over the finances of the province he was always reasonable and open to conviction. If there was anything which a member wanted to bring to his notice and if he put forward arguments Sir John was always ready to listen and even change his opinion if convincing arguments were put forward. So, in spite of his being a *pucca bania* he was not so unreasonable as people generally think a *bania* is. Sir Fazl-i-Husain is not now a member of this House and so is not present here to-day, but we both have worked with Sir John Maynard, Sir Fazl-i-Husain for over five years and I for over fifteen months, and I can say on behalf of both Sir Fazl-i-Husain and myself and I say most sincerely that it is a pleasure to work with Sir John Maynard. It has been most pleasant for me to work with him. As leader of the House, every member here present knows that he discharged his duties with marked ability and courtesy. There were very few breezes and even when there were breezes I should say they

[Hon'ble Rai Sahib Chaudhri Chhotu Ram.]

only served to relieve the monotony of the proceedings of the House and they were always of a pleasant character. Everybody present here will agree with me that Sir John Maynard discharged his duties as leader of this House with conspicuous ability and unfailing courtesy. As a civilian he set before himself a very high standard of sense of duty, industry and diligence (Hear, hear). That standard I must say is not easy of attainment. However it ought to serve as a source of inspiration not only to the coming generations of civilians, but also to public men in general. There was one more peculiar trait in his character for which Indians must be very grateful. That is, that Sir John was a liberal at a time when liberalism among officials if not at a discount, was not regarded as much of a virtue. He has consistently and uniformly been sympathetic to Indian aspirations and for that he is very much respected and honoured and held in great affection by Indians in general. I am sure that for an officer who has to work not in close touch with the subjects, but in close touch with the class of people who wield considerable power when it comes to the parting of that power it is not easy to be sympathetic as he might be in ordinary vocations of life. But from what I have heard of Sir John's thoughts, and ideas on questions of Indian aspirations I gather that he was extremely sympathetic towards Indian aspirations and I am sure when he leaves this province and this country and retires to his own home in England he will be working to promote the cause of Indian aspirations while he is there (Hear, hear). By his long service here, a service of a very high order, he has endeared himself to Indians in general and the Punjabis in particular. I have no doubt that when he retires from service, he will continue to take the same kindly interest in the affairs of India and of the Punjab as he has been doing while he was in our midst, and when the question of giving further powers to the people of this country arises, I have no doubt that his sympathies and his help will be with us and if the question of provincial autonomy comes to be discussed we may count upon his help to the full. I am sure that if any distinction is to be made between one province and another in giving provincial autonomy, the Punjab will, through his help, be among the first to get provincial autonomy. He leaves behind him a large circle of friends and admirers and we can assure him of our affection in his retirement, we shall always be praying for his long life and prosperity and health and I am sure he will live long to enjoy his well-earned rest and will be helpful to India after he has retired to his own home in England.

With regard to the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, we have all known him for a considerable number of years. He was a vigorous worker for the good of the Sikh community and took an appreciable interest in the general affairs of his province and country. Having made a name for himself in the general affairs of the province and the country, he was called upon to occupy the high office which he has occupied for five years with conspicuous ability. His courtesy and his politeness are known to one and all of us. He was equally pleasant to work with and his company was always a source of joy to those who came in contact with him. No doubt it will be a kind of a wrench to us all to part with such colleagues and with such excellent officers and I am sure that both the Honourable Sir John Maynard and the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, when they have retired will look back upon this Council and their connection with the Government and this House with pleasure and will not forget us in their retirement (Cheers).

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : Sir, I have very great pleasure in associating myself with all that has fallen from the lips of the Honourable the President and the Honourable the Minister for Agriculture with regard to the Honourable the Finance Member who is the leader of the House and the Honourable the Revenue Member. With sincere thanks and gratitude we appreciate and acknowledge their distinguished and meritorious services to the province. I must say that the leader of the House has treated members of the council quite fairly and openly in all questions of controversy that have come up before this House. It is really painful to bid farewell to Sir John Maynard who is an officer of ripe experience and who has performed the duties of his high office with great ability and integrity. Five years ago when he took over charge of the Finance Department, the financial position of our province was practically in a state of bankruptcy. Through his efforts and hard work the financial situation is now quite stable and it is indeed more than satisfactory. I have had the honour of sitting with the Honourable Sir John Maynard on several important committees and although there were sometimes differences of opinion, these differences created better relations and in my heart inspired more respect and admiration for the Honourable the Finance Member. He guided us through many difficult times and also maintained the dignity of the House. He is indeed one of the finest debator I have come across whose speeches always command respect and confidence.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, is one of us. Suffice it to say that his appointment as Revenue Member has proved a complete success. He has done his work with ability and industry and to the satisfaction of all concerned. He has given us the Sutlej Valley Canal, which is nearing completion and which will irrigate nearly one million acres of land in British territory alone and thus add to the prosperity of the province. Further he has charted out another irrigation scheme of great magnitude, namely, the Thal Project, which is now before the Government of India and which I have every hope will soon be sanctioned by the Secretary of State. His courteous manners and generous disposition have won laurels from members of all communities. I have every hope that these gentlemen will continue to take interest in the affairs of India and particularly in the affairs of the land of Five Rivers. With deep regret we bid them farewell and wish them both long life, prosperity and all happiness.

Professor Ruchi Ram, Sahni (Punjab University) : Sir, I also want to associate myself wholeheartedly with everything that has been said about the Honourable Sir John Maynard and the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia. All leave takings are sad, but when I reflect that I have known one of the two gentlemen for something like 15 or 20 years and the other for a period longer than half of my life, farewell cannot be anything but filled with regret and sorrow. The Honourable Sir John Maynard's lot has been cast during the last forty years in many different spheres, but whatever the sphere of activity in which it was his good fortune to work, he has left the impress of his individuality on that work. I think I am not doing any injustice to any one else when I say that, although I have known a great many distinguished officers and had the pleasure of working under several of them, I have not known one more conscientious in the discharge of his duties, or one more straightforward in his dealing with his fellowmen or more industrious in his work (Hear, hear). One thing more

[Professor Ruchi Ram Sahni.]

and that is the regularity of his habits. I think that I might say with absolute truth that the very trees under which he has been working will literally bear standing witness to the regularity of his habits. It has been said of Charles Darwin that his housemaid used to regulate her clock by the movements of her master. I think I can say with truth that we may say something of the same kind about Sir John. I have had the very great fortune and pleasure of working with him in the University for a good many years, and if the work of the Punjab University is going on so regularly, methodically and so well, it is largely due to the method of work which Sir John brought to bear upon the proceedings of the University. In the Syndicate, if on a certain date and at a certain hour, a particular thing was fixed to be done, on that day at that hour, Sir John was sure to be at his post. There was not a single file which he did not examine beforehand, not a single case about which he did not know what had to be said either for or against it. There were occasions when the work progressed slowly, and, if an important work had to be done, he would call a special meeting. We did not like it, but we appreciated it all the same. When we realised what the nature of the work was and that it had got to be done, we did not grudge the extra time to attend the special meetings. On two occasions, I believe, he held special meetings lasting for a considerable length of time. In one case, I believe a special meeting lasted for five hours and, in another case, if I remember right, it lasted for four hours continuously. No one would grudge the labour, and the trouble when one has to work with a man like Sir John. It was in that spirit that all of us approached the work before us. In the University, particularly Sir John Maynard's work is simply monumental. Without going over the whole field of his activities there I may only refer to the Honours Schools in the various subjects which he has been instrumental in inaugurating, as well as in giving effect to the great scheme of post-graduate teaching. Personally, considering that my whole life has been spent in connection with one particular subject, I am deeply grateful to the Honourable Sir John Maynard and generations of Punjabis will remain grateful to him for what he has done in establishing an excellent Honours School in Chemistry.

As I have already said leave taking is a painful affair, but we have the consolation that although Sir John will be away from us, his heart will be with us. As the Honourable Minister for Agriculture has said, Sir John is a liberal in politics. He himself told me this not long ago. He also said to me that most of the members of the civil service wanted India to get Swaraj at the earliest possible moment. Whether that is so or not, I do not know. But I welcome the assurance that it is so. We do not often see signs of it (Laughter), but I am perfectly certain that Sir John himself is as good as his word and when he retires to his home I trust he will do his best to see that India gets what is after all her birthright.

Then, Sir, about the Honourable Sardar Bahadur Sardar Sundar Singh Majithia, I need not say much about him for the simple reason that he is not leaving us in the sense in which the Honourable Sir John Maynard is leaving us. We all know how much the province owes to the Sardar Bahadur not only with regard to the Sutlej Valley Project and other irrigation works which owe their initiation and progress to him but also in various other public activities in which he has been engaged so devotedly all his life.

His life has been dedicated to public work for the Punjab, and the Sikhs in particular. The great Khalsa College owes a great deal to his selfless

labours and there are other activities also in which he has left the stamp of his personality and of his individuality. Sir, I wish to say at the end that we deeply appreciate the work that these two gentlemen have done in this Council as well as outside the Council.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural] : Sir, I have great pleasure in associating myself with the previous speakers. The Punjab owes a great debt of gratitude to Sir John Maynard for many reasons and particularly for putting the finances of this Province on a sound basis. It was particularly through the efforts of Sir John Maynard that instead of the deficit budget which we had from year to year, we have a surplus budget now. Inside the Council he has set up healthy Parliamentary traditions and his uniform courtesy to the non-official members has always been appreciated and will be remembered. Sir, as leader of the House, he has been tolerant to us and has shown us every consideration in the difficult task before the House. - He is leaving us after 40 years' hard and laborious service and we wish him health and all prosperity in his well deserved rest. He has, Sir, commanded respect of all classes and communities in this House as well as outside it.

As regards Sardar Sundar Singh, Majithia, he is leaving this Council, but he will still be with us and we hope he will be useful outside this Council just as he has been here. The zamindars have been connected with the Revenue Department and as the head of the Revenue Department he has been sympathetic in their aspirations and has done a great deal to look after their interests. I hope he will continue to take a keen interest in them when he has left this Council and will be of help and benefit not only to zamindars but to the whole province. Sir, we part with a heavy heart and wish them prosperity and good health and bid them God speed.

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, we are always impressed with some distinguishing features of every individual with whom we mix. I have always been impressed with the personality of Sir John Maynard, who has worked as a real leader of this House. Sir, I have learnt many a lesson from him in the Council Chamber, one of them being that he had great respect for officials. Whenever the Hon'ble the President entered the Council Chamber or went out of it, he was the first man to stand in his seat. That is one lesson I have learnt from him. The second lesson I have learnt from him is that throughout the period of two years that I have been a member of this Council he never lost temper. There have been many heated discussions in the Chamber and on many occasions we have differed, but Sir John Maynard always spoke with calmness, a quality which is truly found in a leader. That is another lesson that I have learnt from him and which I am trying myself to put into practice. The third thing that I have noticed in him is that up to the last he has been quite active and buried in piles of files. This also shows how much regard he has for the conscientious discharge of his duties. We generally see that people are not so very mindful of their duties at the end of their term, they rather become slack ; but Sir John Maynard has been discharging his duties with as much interest as he took at the beginning of his career. That is also a lesson that I have learnt from his life. Another good trait that I have found in him is that he has always patiently heard the grievances of the public and has tried his best to find remedies for the removal of those grievances. Therefore I heartily associate myself with the expressions of feeling that have fallen from the lips of various members who have spoken before me with a wish that he may live a long life and get the rest that he so much deserves.

[Sardar Tara Singh.]

As regards Sardar Sundar Singh, however much is said will be too little. The present prosperity of the Sikh community, I may say, is due to his popularity. In all departments of life he has given to his brethren a leaf out of his own book. He is about the only Sardar who is busy with his work from morning till evening. Therefore, Sir, I am much indebted to his personality on that score. He is not going to leave the Punjab and I am still hopeful that he will be able to continue to help us. With these words I bid the two gentlemen good-bye.

Diwan Bahadur Raja Narendra Nath [Punjab (Land-holders), General]: Sir, I wish to join in these laudatory references that are being made to the retiring members of the Executive Council. I have had the honour and the pleasure of knowing both these gentlemen for a long time. With Sir John Maynard I was associated officially and I first came to know him about 15 years ago, though I knew him before too. As regards the Sardar Sahib, I have known him longer; I have had the honour of coming into contact with his illustrious father, Raja Surat Singh, Majithia. He belongs to a family that has played an important part in the political history of the province and I am glad that the expectations that were formed of him when he took over charge have been fulfilled. He has proved to be an open-minded, sincere, honest and frank adviser of Government, putting all his cards on the table whenever occasion required it. As to Sir John Maynard, I have always looked upon him as an officer who combines in him rare qualifications. His high lofty principles of justice and integrity, his great sympathy with Indian aspirations mark him out as a prominent member of his service and deserve our respect and admiration. I am sorry that their term of office has expired so soon. We would have been glad to keep them longer in this Council to guide the deliberations of the Council and to watch the political conditions of the province. But as it is, they probably wish to take rest after the hard labours which they have been doing, Sir John Maynard during the last 40 years and Sardar Sundar Singh for the last 5 years, though as a non-official he took great interest in all the public movements of the province. As they would prefer to take rest, we would not grudge it to them, but at the same time we cannot help giving expression of our regret on their departure from us. I wish that they may enjoy long life and rest and I hope that Sir John Maynard will continue to take interest in matters relating to this province even from his distant home and Sardar Sahib whose home is only 35 miles from Lahore will continue to watch the progress of the province with great interest and will help us with advice whenever we have recourse to him.

Malik Firoz Khan, Noon [Shahpur East (Mubammadan), Rural]: Sir I heartily associate myself with the previous speakers in what they have said in connection with the past services of our departing colleagues, the two Executive Councillors. Sir John Maynard has been in this country eight years longer than the whole of my life and it will be very difficult for a man in my position to review the work which he has done in this country within the short space of time in which we are expected to say what we have to say. But let me give this assurance that the work that he has been doing in this province is not wasted; the work that he has been doing in this province will not be forgotten. The labours that he has put in as Settlement Officer or as Financial Commissioner or in any other capacity or as Finance Member will be remembered by coming genera-

tions. He has been noteworthy for his sense of justice in all his dealings with other communities. I have heard some Mussalmans say that he is pro-Hindu. I have heard some Hindus say that he is pro-Muhammedan. But I personally say that he was pro-neither; he was pro-justice, and I think this should be the aim of all Government servants in this Province. As regards Sir John Maynard's work in the Council, he has been a very capable and wise leader of the House and he has proved a very capable debater. I think I am not passing any reflections on his successor, because we do not know who is likely to be, but I think it will be very difficult to find another man with Sir John Maynard's ability and industry. There is one thing that I have noticed in Sir John Maynard in this Council and I think that Government officers will agree with me, that he has always been very careful in defending Government servants both inside the Council and outside and we non-official members have appreciated this sense of duty and responsibility which Sir John Maynard has discharged so creditably, for I do think that Government officials do deserve a certain amount of support from members in this Council.

As for Sardar Bahadar Sardar Sundar Singh we shall have the pleasure of meeting him now and again after he leaves this Council and I hope that the sweet atmosphere of his sugar factory in the United Provinces will not take him away from us for ever. I hope that he may come back to us as an elected member of this House and help us in our deliberations. As far as his administration of the Revenue Department is concerned he has been the right man in the right place and all of you will agree with me that he has been very sympathetic to all persons with whom he had to deal with in the discharge of his official duties. I wish them both a very long, happy and prosperous life.

Mr. J. M. Dunnett (Home Secretary) : Sir, I trust that on this occasion you would permit one from the Government back benches to say a few words. Our tongues are tied regarding Sir John Maynard by our pride and regret, regret that one so energetic, competent, and in a word so young should be laying down his office at a time when so much is still to be done for the province and for India. (Hear, hear). I can only trust that a portion of his mantle, a double portion of his spirit that spirit of liberalism, affection for India, and respect for parliamentary institutions and procedure will descend on us. Sir, the work of the Honourable the Revenue Member is before you and before this House and before the province and has been described, necessarily inadequately in the preceding speeches to-day. But in the hearts of the members of the Government benches there is a grateful feeling of acknowledgment, a feeling of recognition of that kindness with which Sardar Sahib has exercised authority over us and the great encouragement which he has always given us in serving in office and doing our duty in the Council. Sir, the Punjab will never fail to provide competent statesman-like members, but the first Indian Revenue Member will leave in our hearts the memory of kindness and friendship and a fragrant recollection. (Hear, hear).

Mian Abdul Aziz [Lahore City (Muhammadao), Urban] (Urdu) :— Sir, at the outset let me submit that I am not at one with the Hon'ble the Minister for Agriculture when he says that Sir John Maynard during the tenure of his office has proved a *pucca* "Bania." I understand that the Honourable the Minister for Agriculture did not mean what the word "*bania*" can easily be construed to convey, but even then I do not agree with him

[Mian Abdul Aziz.]

in the use of the word *bania* which is generally misconstrued. As regards Sir John Maynard's personal qualities I beg to submit that I had known very little of him before I came to this Council. My acquaintance of him extends to a very short period, and I would express it in a few words. Sir, he is one of those few Englishmen, whose integrity, ability, impartiality and industry have left a permanent impression on my mind. Sir, I would submit that it is my honest view that most of the rare qualities which ought to be found in a leader of the House find expression in Sir John Maynard. I congratulate him on his geniality, tact and love for justice. I hope when Sir John Maynard hands over charge of his great office, he would lay out the lines on which he had so successfully worked here so that his successor might act on them. It would be very difficult for us to find another Englishman so capable and efficient as Sir John Maynard. Sir, when I say these words I do not mean any reflection on other officers but I am simply expressing my own estimation of Sir John Maynard.

Sir, as regards Sardar Bahadur Sardar Sundar Singh, Majithia, we need not dilate much because he will not be leaving us in the same sense as Sir John Maynard. The Sardar Bahadur's home is situate some 35 or 33 miles away from here. He will be always with us and among us. Sir, he is the first Indian Revenue Member and when he was appointed to this office it was very much doubted whether any Indian would ever be able to discharge successfully the onerous duties of this great office. But, Sir, Sardar Bahadur, through his conspicuous ability and untiring energy, has come out with flying colours in the test to which he was submitted. I know Sir John Maynard will leave us for ever but in the case of Sardar Bahadur we have this consolation that we will be able to meet him every now and then. We congratulate him on his splendid success which he has achieved in the performance of his duties connected with the office of Revenue Member of this province. We also request him to impart the same lesson to his successor on which he himself acted successfully during the tenure of his office. In conclusion I wish both the retiring honourable members, long life and good health and hope they would try to make themselves as much useful to this province as they have proved hitherto.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban]: Sir, I should have been perhaps the first to get up and express my sincere appreciation of Sir John Maynard's work in this Council and also of the work of Sardar Bahadur Sardar Sundar Singh, Majithia. I was a bit late, but it does not mean that I am behind any body else in appreciating the good work done by these two members of the Executive Council. I have had the privilege of knowing Sir John Maynard in three different capacities, as Financial Commissioner, as the Vice-Chancellor of the Punjab University and as the Finance Member of Government. As Financial Commissioner I had to deal with him as a practising barrister and I appeared before him at least a dozen times and I can say without the slightest exaggeration and without the slightest attempt at flattery of any kind whatsoever that I always found him most courteous as a Judge. I had nothing to do with his administrative functions as Financial Commissioner, but I always found him as Financial Commissioner when hearing cases most courteous and considerate not only to myself but to the junior-most counsel who had the good fortune to appear before him. As you know, Sir, the greatest thing which a counsel cares for in a Judge is his courtesy, his patience and his equal treatment of the senior most and the juniormost counsel. Judged by this standard I can say that Sir John

Maynard was an excellent judge and would have made a most excellent High Court Judge if he had cared to sit upon the bench of the High Court of this province. Then, Sir, I knew him as the Vice-Chancellor of the Punjab University as I have also been a fellow of the Punjab University for the last four years or so and I always found him carrying on his work with the same courtesy and with the same patience, listening to speeches which might make other people yawn and which might make them lose their temper and even fall foul of speakers and call them to order. But I found Sir John Maynard as patient as any one who in the most trying circumstances may be called upon to listen to dull speeches. Then, Sir, I had to deal with him at closer quarters in this House. It was my privilege to oppose him on many occasions and I may say that in my enthusiasm as a fresh member and impelled by my sense of duty, my love for my country and by a sense of my country's wrongs I might have said many hard things and might have treated him on terms of equality and perhaps some times even on different terms altogether. But even then I am fully conscious that I did not find except on very rare occasions Sir John Maynard feeling upset by the idea that a member of council was treating him on terms of equality and daring to oppose him, daring as it were, the lion in his own den. He was never discourteous, he never tried to snub any member of this Council and these are virtues which every leader of the House ought to possess. I am sure the gentleman who is fortunate enough to succeed him will not forget that whatever his views may be these are the virtues that he must learn if he wants to be the real leader of this Council.

In Sir John I have found virtues which I have not always found in a bureaucrat. His learning and ability are well-established and there may be many others who may be possessed of that learning and that ability and that forensic skill which he so often displayed in this House, but there are few who possess his other gifts. I was a little surprised that the Honourable the Minister for Agriculture compared him to a *bania*, although it gave me a little pleasure that a Jat Minister for Agriculture had at last found one *bania* whom he could eulogise. It is really a great thing that in this zamindar-ridden council where the word, zamindar, is heard more often than the name of God, there was at least one *bania* who could command the allegiance of the House. This gives me pleasure. I do not agree with my honourable friend Mian Abdul Aziz that the Honourable the Minister for Agriculture should not have compared Sir John to a *bania*. My learned friend Mian Abdul Aziz evidently thinks that it is quite unfair to compare Sir John to a *bania*. There is nothing degrading in the word *bania* and I am sure that the Honourable Minister or anybody else did not mean it as an insult to compare Sir John to a *bania*. I remember that the Honourable Sir John Maynard himself once said in one of his budget speeches, if I remember aright that he is a *bania* so far as the finances of the province are concerned and I am sure Sir John himself does not despise the word *bania* as much as my honourable friend Mian Abdul Aziz and gentlemen of his way of thinking may do. If I were in the place of—I should not be misunderstood when I say so—my honourable friend Chaudhri Chhotu Ram, the Minister for Agriculture, in the matter of making this speech, I would have compared Sir John to the great Hero in a *Mahabharata*, I mean the great *Drona*. *Drona* was the teacher of both the *Kauravas* and the *Pandavas*. The *Kauravas* of this Council are those who are seated entrenched

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[Dr. Gokul Chand, Narang.]

behind Sir John in the official block and Sir John himself leads them as the great *Drona* did in the famous Kurukshetra battle. I suppose every Civilian, almost everybody here is his junior, must have found a lot to learn from him and I may also say that even the *Pandavas* who are seated in the block in which I am seated will have to learn a good deal from him. I myself when I came for the first time in this Council did not know many things and I have learnt some of them from Sir John. I have learnt from him a deeper sense of duty. I have learnt from him industry. I have learnt from him to try to appreciate the adversary's point of view and to listen to the opponent with patience and with courtesy and to try to look at things from that point of view so that one's own judgment might be corrected. Comparisons are always odious, Sir, but I have always found Sir John trying to appreciate the view of his opponents. These are really great virtues and I am sure that honourable gentlemen sitting on the same side of the House as the Honourable Sir John would take this lesson to heart as also honourable members sitting on my side would try to act upon that lesson. I wish Sir John a long and happy life. He has served this province to the best of his light, faithfully and with great devotion, and my only regret is that a man of his attainments instead of being on the official side had not been on my side. We would have then felt much stronger and we would have been in a much better position to face that solid phalanx of gentlemen who are almost always in things which are very often material to us from the country's point of view opposed to us. I am sure Sir John seated on this side of the House would have been a tower of strength to us as he has been to the other side of the House. We find in the Sikh history that after the battle of Sobraon or some other battle, I forget which, a British soldier taunted an old Sikh soldier thus: "Well, you used to boast of your courage and bravery but we have beaten you". The old soldier put his hand on his long beard and retorted: "Well, Sahib, had we one or two generals like yours the story of to-day would have been different". Similarly, if Sir John had been on our side (and there is nothing to prevent him now from being on our side) the story of many a battle fought on the floor of this House would have been different (Applause).

As regards the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, my honourable friend Raja Sahib has already pointed out that he belongs to one of the noblest families in this province, a family which has rendered important services to this province in the past fight from the Sikh times up to the present time. There are many noble names associated with his family and it may not be known to many honourable members of this House that not only have they been great soldiers, great landholders and administrators, but at least one member of their family was a great scientist as well as a great mathematician and astronomer, a scientist of a very high order if we take into consideration the times in which he lived. The Sardar Bahadur was our first Revenue Member and as has already been pointed out I am exceedingly delighted to be able to say today that the first Revenue Member has been a very great success. He has not given cause to any community to find fault with him. He is as popular today as he was on the day when he first took charge of this exalted office (Hear, hear). I wish everybody who occupies or is expected to occupy any of the high posts which are now available to the Indians would keep that great lesson in view (Hear, hear). My learned friend Mian Muhammad Shah Nawaz has spoken of the great schemes which have been launched during the term of the Sardar Bahadur as Revenue Member, but I may say that when we

compare the future of this province with the material benefit that these two schemes may bring to this country, the latter is of very little importance. His success, and his popularity are a guarantee for the future that if larger instalments of self-government are given to the people of this country, they would not necessarily abuse those powers. This is to me of much greater importance and of much greater value than anything else that the Sardar Bahadur might have done. It is a source of great pleasure and great satisfaction to me that the Sardar Bahadur is not going away to Hungary or Austria or to any other country in Europe, and that he is going to stay either in the Punjab or in the United Provinces where he has got a nice sugar mill. He may either stay in this province and be a tower of strength to us if he condescends to come into this Council as an elected member or if he stays in the United Provinces, I am sure there also by his example to other talukdars he will prove a source of material help to the United Provinces of Agra and Oudh. Both of them are in the prime of youth, if I may so put it because a man is never old if he feels that he is young. Though the Sardar Bahadur has got a grey beard as compared with Sir John, I may apply to him the epithet of *semper juvenis* which one of the Congress leaders once applied to another Congress leader. I think this can be applied to both of them. Both of them are young and they are ever green and I wish them long life and happiness and opportunities of doing service to this country and to England, because by serving this country they, especially Sir John, will be doing great service to his country as well (Applause).

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, every one of us has to depart from this world one day or other. If a tyrant or an unscrupulous man departs from this world, all the people heave a sigh of relief, but the departure of the righteous and the just and the noble is always a real calamity to the country. The departure from service of two eminent Panjabis—I include Sir John with the Sardar Bahadur as a Panjabi because Sir John has spent the prime of his life in the uplift of this province—is really a great calamity to this province and their loss is really irreparable. The Honourable Sir John Maynard notwithstanding he was an Englishman was looked upon with the same confidence by all classes of people. All classes of Indians, the Hindu or the Muhammadan, the Sikh or the Christian, zamindar or a non-zamindar, rich or poor, officials or non-officials had all alike the same confidence in him. I am proud to say that he always sympathised with the hard lot of the poor and tried his best to uplift him from his poverty, misery and squalor. I have known Sir John as the Commissioner of our unfortunate division, the Multan division, where poverty prevails even to this day. The way in which Sir John helped the cause of the people of Dera Ghazi Khan when the whole district was washed away by the Indus and the way in which he tried to relieve distress and misery of the poor in other parts of the division will ever remain as one of the brightest chapters in the annals of his public career in this province. I have had the honour of being associated with Sir John in this Council for the last five years and though on many occasions, I did not see eye to eye with him in his views or in his policy of administration yet I honour him no less than those whose cause he advocated. If I suffered defeat, I felt proud to have been opposed by no less a person than Sir John.

As regards my honourable friend Sardar Bahadur Sardar Sundar Singh, Majithia, I have been associated with him in many ways. He is the most

[Sayad Muhammad Husain.]

senior student of the institution to which I and several other members of this Council have the honour to belong. He is the seniormost student of Aitchison College, an institution which has saved several large families from ruin. It gives me very great pleasure and pride to see one of the seniormost students of the Aitchison College at the helm of affairs in the Government. The Sardar Bahadur has always been trying his level best to uplift the old families and the zamindar cause here. He is leaving us soon, and he would have been very glad had the Land Revenue Bill been pushed through in his Council life time. I know it very well that it is due to no fault of his that the Bill is not yet an accomplished fact. Who does not know with what zeal he championed the cause of the Land Revenue Bill in the proper quarters and he has been trying his very best to see the Bill passed before he lays down his office? Needless to say how anxiously every zamindar of this province is looking forward to this legislation which was promised by the Select Committee of both Houses of Parliament. Sorry it is that it has not been ordained for the Sardar Bahadur to see the most cherished measure of his being put permanently on the Statute Book; his is not the role to pilot this Magna Charta of the zamindars through this Council. All the same let us hope that he will come back to us at no distant date as an elected member and see that the Bill which he was trying to evolve in his official capacity is passed through the Council to the everlasting benefit of the poor zamindars of this province.

Sir, these two eminent Punjabis are soon to lay down the reins of their high office, but their memories shall ever remain green in our hearts. Every man who belongs to this province will honour their names and cherish their memories in his heart of hearts. In Sir John we lose from our midst a true friend of our province and we all hope that in the free atmosphere of England he will champion our cause boldly and earnestly and help us through thick and thin. I hope that after his retirement from public service, he will from his place in England as a non-official member espouse the cause of this province in particular and see that provincial autonomy is granted to us at no distant date. Therefore we shall always count upon his support and help in England in furthering our cause in this province.

Then as regards our Sardar Bahadur, I hope that when he shall have managed the sugar factory in the United Provinces, he will come back to us and see that his most cherished object, namely, the Land Revenue Bill, is pushed through this Council and we all trust that he will be a tower of strength to us, the non-official side, when he comes back to us as an elected member.

Once more I wish them long life and happiness.

Mr. Owen Roberts (Non-official, nominated) : Sir, I feel it an honour to associate myself with the appreciation which has been expressed by other speakers. If anything can contribute to confidence in the future, it is the standard of administration which has been set by these honourable gentlemen whom we are now bidding farewell. On behalf of those whom I am here to represent I thank them and bid them God-speed.

Rai Bahadur Sir Gopal Das, Bhandari (Non-official, nominated) : Sir, it is too difficult for me to give expression to our feelings of gratitude to Sir John Maynard and Sardar Bahadur Sardar Sundar Singh, Majithia. We shall be paying a homage of the heart and not a tribute of the tongue if we were to say that in Sir John Maynard we find an officer of charming

personality, possessed of uncommon intelligence and ability, in fact of unusual qualities of the head and heart, and possessed of amiability and devotion to a sense of duty. I shall be considered to be right in saying that in Sir John Maynard and Sardar Sundar Singh, we shall be missing two luminaries, two bright stars from the firmament of the province as well as of the Council. They have made a deep impression on our minds which it will be too difficult for time and distance to efface. I can say as regards Sir John Maynard that in him elements are so combined that even Nature standing here could say that he is a man. As regards Sardar Sundar Singh, I have known him for a very long time and I shall not stand the charge of being partial to him if I say that it is really the proudest day for me to say that Amritsar has produced a man who wherever he was placed did his work and did it to the satisfaction of all concerned. I shall have more occasions to meet him than other honourable members, but it is the prayer of each and every one of us that they may have the rest which they have so fully earned, that God may give them a long lease of life and that they should enjoy this rest in happiness and prosperity.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I feel I shall be failing in my duty if I do not associate myself whole-heartedly with everything that has been said about the Honourable Sir John Maynard and the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, by the speakers who have preceded me. Before the Councils I had no personal knowledge of Sir John Maynard and I am not in a position to refer to his official career and other activities in other spheres of life. But I may say that in this very Council I have seen so many good qualities of head and heart that I can confidently say that his official career might have been of a very high order. In this House, Sir, he was entrusted with the duties of the leader of the House which are of a critical and responsible nature and I am glad to be able to say that he has acquitted himself of these duties very creditably. My viewpoint of the things has often been quite different and at times I have opposed the Government and criticised it very severely. As leader of the House and as Finance Member of the Government Sir John always received these adverse remarks calmly and with a smiling face. I quite agree with the expressions of appreciation which have fallen from all the speakers, but I would like to make one or two observations. During the deliberations of this House Sir John was always found to be closely attentive to the proceedings and frequently rose for personal explanations and points of order. He listened to each and every word of the speaking member with rapt attention, and whenever he defended the Government he was never found to lose temper or to make personal attacks on his opponents. This is a great epithet. In other committees also he never allowed even a minute to be wasted. All these things show that his services have been of a most valuable character and we all expect that when he returns to his home in England freed from office responsibilities he might be able to render further services in the cause of this country generally and to this province in particular along the path of constitutional evolution. My honourable friend, Rai Sahib Chandhri Chhotu Ram, in eulogising the Finance Member, described him as a *bania* and Mian Abdul Aziz and Dr. Gokul Chaud, Narang, have made certain remarks regarding it. Dr. Narang is glad that after all the Honourable Minister for Agriculture has a good word to say about one *bania* at least. I say this shows the true zamindar mentality. His quarrel is with fleeing *bania* spirit and not with the word

[Rana Firoz-ud-Din Khan.]

bania, and that he is not slow to acknowledge good qualities even in a *bania*.

As regards Sardar Sandar Singh Sahib I have no personal knowledge of his services other than those which are connected with the office of the Revenue Member. My friend, Sardar Tara Singh has just remarked that our Revenue Member has been long associated with the public life of this province and has done his best to forward the progress of this province. His one quality which I admire is that even during the tenure of his high office he lost no opportunity of helping the cause of the nation. I hope, Sir, that even now he will associate himself in doing good to the province in the same manner as before. I need not say much for the simple reason that he is not leaving us in the sense in which the Honourable Sir John Maynard is leaving us. Sardar Sahib will remain in this country whether in this province or in another. He is old, but he is young at heart.

Dr. Gokul Chand, Narang: He is not so old. Only his beard is grey.

Rana Firoz-ud-Din Khan: I stand corrected. Sir, in concluding my remarks I beg to say that both these honourable gentlemen have discharged their onerous and responsible duties with conspicuous ability, integrity and fairmindedness and I hope that their successors will also keep in view the traditions which they have established during their office tenures.

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, I thank you for giving me an opportunity for associating myself with the remarks that have been made about the two retiring members. I have known these two members for a much lesser time than most of the honourable members of this House have, and I must say that I am filled with a great deal of admiration for what they have done. The way Sir John Maynard used to control the House is really marvellous. He has laid an example that will be rather difficult to follow and I have to thank him on many occasions for the help he has given me whenever I have wanted anything very special, particularly for my community. I have the greatest pleasure in wishing them both success and happiness now that they are laying down their duties.

Chandhri Duli Chand [Karnal (Non-Muhammadian), Rural] (Urdu): I thank you, Sir, for having allowed me to express a few words of tribute to the most valuable services of the Honourable Sir John Maynard and the Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.

Sir, the previous speakers have touched upon all the points on which I intended to speak and I do not propose to reiterate any of them, lest Sir John Maynard should rise to a point of order, because he knows so many points of order. Anyhow I wish to say one or two things more. As regards Sardar Sundar Singh Sahib, I may say that he is one of the most popular officers of cheerful disposition. Cheerfulness is one of the special traits of his character and I must admit that I have learnt from him that one should always be cheerful in one's dealings with others. Sir, it is a matter of common knowledge that when Government officials go on tour they consider themselves, perhaps for keeping the prestige, superhuman and do not mix with people. The poor people get frightened and cannot express themselves truthfully. I may be allowed to refer to a recent tour of the Honourable Sardar Sahib. When he came to our district people thought him like other touring officers.

but when Sardar Sahib was found sympathetic and genial to everybody they were astonished and some of them remarked to the effect that Sardar Sahib was also a human being like themselves. Sir, it was due to his genial and cheerful disposition that even older men came forward and related the state of affairs quite fearlessly and truthfully.

As regards Sir John Maynard, I may say that when I came into this Council and saw his active habits and smart looks, I thought that he might be a few years older than myself. But when on a certain occasion I happened to have a peep into the pages of the Quarterly Civil List, I found that Sir John Maynard entered the Government service at the time when I had not even seen the light of the world. It was a matter of astonishment for me and I have been trying to know the secret principles he has been acting upon to look like a young man. Perhaps it is due to the regularity of his habits. One can never take him so old as he really is. It may be said that morning walks might have helped him in keeping such a good and enviable health. Anyhow there are some secret principles and only Sir John Maynard can tell about them.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, Rural] (Urdu): It was my earnest desire to be the first man to pay a tribute to the high qualities of head and heart of Sir John Maynard, but I was not fortunate enough to catch the eye of the Honourable President. Sir, before my career as a member of the Council, I had had the opportunity to work in a department where one can have any amount of experience as regards human character. Like my honourable friend Chaudhri Duli Chand, I will not say that Sir John Maynard is an ordinary human being. It is my firm belief that he is more than an average human being, though I may have differed, and still differ from him in religious and political beliefs. You might have read the lives of saints and highly religious people. What is it that is most appreciable in them? It is their lofty character. Sir, I am not an admirer of *faqirs* and *dervishes* or even of the clergymen, but what I most admire in a man is his character whether he be a layman or a religious preacher. My honourable friend Dr. Gokul Chand, Narang, has quoted the example of *Dronacharya* in this connection. Although I dislike comparisons between laymen and religious luminaries, yet I never hesitate to compare them in the capacity of human beings. The most striking feature of the character of Ali was that he was never put out. Once Ali caught hold of one of his deadly enemies and was about to kill him when the latter spitted on his face. Thereupon the magnanimous Ali let him off saying that he would not avenge himself upon his victim for that personal injury. Sir, it had been my lot to oppose the Government off and on and in this connection I am reminded of an unpleasant incident that happened on the floor of this House some time ago. A personal attack was made on Sir John Maynard, but he took it lightly and was not moved. The attack was repeated, but still he kept silent and when that attack was made for the third time, Sir John Maynard thought it fit to leave the Council Chamber rather than replying to that attack. It is possible that Sir John might have forgotten that unpleasant incident, but it has left an indelible mark on my mind. Moreover, Sir, I have seen leaders of various legislatures, but the rare qualities which Sir John Maynard possesses are scarcely found in others. Such leaders, when they have to make any remarks, do not care whether the feelings of others will be hurt thereby, but this has never been the case with Sir John Maynard. He has always been courteous and his remarks, though sometimes unpalatable, are

[Chandhri Afzal Haq.]

couched in words which completely lose their sting when uttered by him. I know that the qualities of head and heart are not self-acquired things. Powers of clear reasonings, lucidity of language do not much count in my eyes. The character of a man is everything. I know every member on the Government benches is diligent and hardworking, but I am sure we will not find a leader of the calibre of Sir John Maynard. We are beginners and Sir John Maynard has left a good impression on us all. As regards Sardar Bahadur I would submit that I do not know much of him, but I can say this much from my personal experience as a prisoner that the Jail Administration was more satisfactory than it is at present when he was in charge of the Department. I am sure that if he had continued to be in charge of the Jails, there would have been fewer complaints. I have nothing else to say with regard to Sardar Bahadur, because I do not claim to know much about him.

Before I close my remarks I wish, and heartily wish, both the retiring members long life and good health and hope that they would try to be as much useful to this province in their private life as they had been in their public capacity.

Sardar Jodh Singh [Sikh, Urban] : Sir, I being the last speaker on this subject, nothing is left for me to say except to feel the satisfaction that the epithet of '*pucca bania*' which I used in reference to the Finance Member during my last budget speech is going to endure. I may recite here my first experience of this House. On the first day when I got up to deliver my speech I had not spoken two or three sentences when up rose Sir John Maynard and at once referred to a point of order. I did not know the procedure of the House and so I felt confused, and I must confess that in my confusion I forgot all that I had to say. But after that date the first thing for me before getting up to speak was to learn the procedure. I studied the Manual and afterwards in spite of the interruptions that came from the Finance Member I could proceed with what I had to say. So, Sir, I may acknowledge Sir John Maynard to be my teacher in the art of Council debate. Sir, I am a commoner and I have not had as much experience of officials as some others in this House have. But in my retired life whenever I heard some of the officials well spoken of by the general public, one name among them I always found to be of Sir John Maynard. He was generally said to be a very reasonable and sympathetic officer, liberal in his ideals. In the Finance Committee where I have known him very closely for the past two years I found that though the functions of the Committee according to the rules were purely advisory, whenever the non-officials made a case for rejecting a demand put forward on behalf of Government he always respected their wishes. From these things one can conclude that though the instalment of reforms given to us is very small yet the way in which the Honourable the Finance Member worked it made it appear very large in our eyes.

As for Sardar Bahadur Sardar Sundar Singh, I need not say much. I have the honour of knowing him for the last 23 years and in a junior capacity I was associated with him in the work that he undertook for the uplift of his community. Sir, I need only say this much that I have seen very few honorary workers who drudged so diligently for the duties that they took up without remuneration and who perhaps in return for all their sweating may get a bad name instead of fame. Grief has been expressed by many members because of his parting with us in this House, but in a way I am pleased because

as soon as he leaves his present office he will turn to the educational activities which are now suffering for want of him. When he comes back to public life we are not going to allow him as Malik Firoz Khan Noon has said to run to his sugar factory in the United Provinces, but we propose to see him at the helm of the affairs of the Khalsa College and see it converted into a University ere long. With these few words, Sir, I bid a hearty farewell to both the retiring members.

The Honourable Sir John Maynard (Finance Member): Sir, I am touched and made happy by the many kind things which have been said by you, Sir, and by the speakers who have followed. This is the sort of thing that makes one realise, though I knew it before, how many friends one has. Somebody said that farewells are always sad. It is always sad to be doing a thing for the last time. I feel just now that for the last time I have said in this Council 'I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready'. May I say, Sir, what I think I have said before that in the capacity of a Finance Member it is really a satisfaction to me to have been described by that name which I think Sardar Jodh Singh invented and which has now become a sort of tradition? Though a '*pucca bania*' I am not a registered one, (Laughter) and I am perfectly prepared to render account to anybody who wishes to have it. I am prepared to provide accounts and provide a memorandum of all transactions to anybody who may desire to have it. In a long official career, somebody has called it 40 years, as a matter of fact is, 39, but that is quite near enough for all practical purposes, in a long period of 39 years of service in this province, I have enjoyed deeply many most interesting episodes, but I think the crowning episode of all was when I saw this young Parliament coming into existence and when I myself was privileged to take part in its deliberations. That I think was the episode which was most interesting to me. It has been said that I have occasionally taken part in what the newspapers termed "breezes" in the House. Well, Sir, it is very dull when there is nothing of that sort blowing. If we never had it and if our differences never set the wind blowing a little, then I think it shows that the interest in the subjects which were discussed was not so profound as I believe it actually should be. I am therefore glad that I should now and then have been the centre of a breeze. I have already said that to me this last episode in my official career, this participation in the work of the Council has been perhaps most interesting of all the episodes and in fact that is so. I have been, as some honourable members have said, I have always been one of those who believed that the same parliamentary institutions which have given greatness to the political system of my own country was also capable, if properly handled of bringing a combination of freedom with order to other countries also. Therefore this last episode was one to which I had beforehand looked forward and in which I felt myself, as it were, thoroughly at home. I have watched with the greatest of satisfaction what I may call the growth of parliamentary habits in the Council, respect for the Chair, courtesy to opponents and all those other qualities and conventions which make of Parliament what it should be. I have also watched, I am not going to flatter, I am not going to put it too strongly, I have also watched the growth of the habit of studying facts, without which it is impossible for any popular assembly to conduct its affairs as they should be conducted. I go away with the feeling that this young Parliament has been launched on a career which may be and will be of value to the province. In conclusion, let me say that the greatest pleasure which can come to any man at

[Hon'ble Sir John Maynard.]

the close of his life when he begins to say farewell to the things with which he has been familiar is to feel that he leaves behind him many real friends and if I had ever doubted that there were such, to-day's proceedings and the things which have been said to-day would have assured me that I have really earned that crown of a man's career (Applause).

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I must thank you heartily and all my brethren in the Council for the very kind way in which they have remembered me and my humble work in this Council for the past five years. I have also to thank my official friends in the back benches for the very kind way in which they have made mention of me and my connection with them. Sir, when I came to this office I was not well-versed with the ways of officialdom and I was feeling that in coming to a new place, I was probably coming amongst foreigners and strangers. But my five years' experience have given me impressions which I shall cherish with fond memory throughout the remaining years of my life. I found my official colleagues not only helpful, not only considerate, but always kind and pleasant to meet with and to talk to and discuss matters. I have had the good fortune of coming in contact with a good many heads of departments and I testify here on the floor of this House to the very great help that I have received in the discharge of my duties pertaining to my office (hear, hear) from the members of the Civil Service whom I have had to deal with, either as Secretaries of departments or heads of departments.

No doubt in my private life, I had been doing some sort of clerical work (a little bit of clerical work), for my community to which I have the honour to belong, but when a man comes to a new office, he sometimes feels shy and particularly in a big office like that of the Punjab Government where he has a lot to do with many files. I have had long occasions of having to sit amongst files throughout the past five years of my service, but I must say that the subject matter contained in the cases put before me had been so well put, or shall I say that the matter had been so well cooked that I had not very great difficulty in digesting what was placed before me and in forming my own conclusions thereon. Sir, to the honourable members of this Council I must express my thanks for the uniform courtesy which I received at their hands and I will carry back with me pleasant memories of my five years' life in this House. To the kind brethren and friends in this House, and to my colleagues, I am very grateful for the kind way in which they have remembered me and for appreciating what little I have been able to achieve in this office. Sir, I am growing old (*Voices: No, no*), though I have a great complaint against my honourable colleagues to my right and this was very vividly testified to me when His Excellency the Governor came for the first time to the Punjab on the occasion of his public arrival. My honourable friend Sir John Maynard was sitting in the same carriage with me and I had to sit as a junior member to his left. Some of the outside public who were seeing all of us said : see, there goes a *Budha*, probably my grey beard gave them that impression that I was old. Though I must say that the young looks of my honourable colleague to my right belied his years, yet I could not hide my age from the public gaze with my grey beard and though I asked my colleague to exchange places, he would not give his place to me because he was really senior to me in life.

Sir, it is always a great pleasure to one, who is laying down the reins of his high office to carry with himself fond memories and kind treatment such as

I have received at the hands of the honourable members of this House. If I may be permitted to say, Sir, I have throughout my official career kept before my mind's eye one ideal in the discharge of my official duties, and that is the oath that is administered to us on the assumption of our office. When we take office, we are enjoined not to show any favour to any man but to discharge our duty honestly, straightforwardly and justly. I have always had that oath before me and though by persuasion I am a Sikh, yet as a public servant of the Punjab, I had been a servant of all the communities (Hear, hear). I have tried to keep this principle before me, namely, that I am neither a Sikh, nor a Muhammadan, nor a Christian nor a Hindu so long as I am a member of this Government and holding this high office, though by belief I am a Sikh, but that is between me and my God. Sometimes, Sir, I felt and felt it very strongly and it always pained me to hear of dissensions and differences between the different members of the various communities that inhabit this Province. What is it after all a few loaves and fishes that we are wrangling and quarrelling for? Is that to be the be-all and the end-all of our existence? Surely not. We should work for the advancement of the province in which we live; official and non-official all alike must join hands in happy concord to carry on the great work that lies before them. We must always learn from those who are able to give us instructions and we must never hesitate to learn things which might go to improve us, whatever be the source from which they come. If we all cultivate the habit of loving each other, of respecting each other and of respecting each other's religious feelings and sentiments, I am sure that a good deal of the misunderstandings and differences that we find in this world to-day would come to an end and not only the Government and Government officials would be happy, but also the whole world would become a peace-loving and a happy family.

In conclusion I thank you all once more from the bottom of my heart for all the kind words that you have said about me. To my friend Mian Muhammad Shah Nawaz, I must express that I am afraid that I have not done much for his project but I can take pride in the fact that the scheme about the Thal project has gone to the Secretary of State for his sanction. Though I am not able to convey to my honourable friend the sanction of the Secretary of State, let me hope that it will come, as it is bound to come in course of time. No doubt the scheme has been a little bit delayed, but deferred hope is always sweet (Applause).

THE PUNJAB MONEY-LENDERS' BILL (CONTINUED).

Mr. President: The Council will now resume discussion on the motion that the Punjab Money-lenders' Bill be referred to a Select Committee consisting of the following :—

- The Honourable the Finance Member ;
- The Honourable Rai Sahib Chaudhri Chhotu Ram ;
- Mr. J. M. Dunnett ;
- Diwan Bahadur Raja Narendra Nath ;
- Chandhri Duli Chand ;
- Sardar Tara Singh ;
- Khan Bahadur Chaudhri Fazl Ali ;

[Mr. President.]

Lala Mohan Lal ;
 Mian Muhammad Shah Nawaz ;
 Lieutenant Sardar Sikandar Hayat Khan ;
 Lala Diwan Chand ;
 Mr. Owen Roberts ;
 Sardar Mohindar Singh ;

The Secretary to Government in the Legislative Department, if he is a member of the Council ; and

Mir Maqbool Mahmood (the mover).

Mr. Owen Roberts [Non-official (Nominated)] : Sir, when I got up to speak last night, I was about to say that I was labouring under a great disadvantage in not thoroughly understanding the rules of procedure but I have since made reference to the rules. References had been made to the details of the Bill, to the systems of accounts prescribed and to the form of notices and I felt somewhat alarmed to think that I should be called upon either to discuss the whole Bill forthwith or by my silence allow it to be inferred that I agree to these provisions. However, I have had time now to refer to the Punjab Constitutional Manual and I am greatly relieved to find that under paragraph 76 of that Manual I am to discuss the principle only of this measure. I wish to say at the outset that I oppose the motion to refer the Bill to the Select Committee. On its first introduction into this Chamber, the Bill met with strenuous and, in fact, I think I should be justified in saying bitter opposition, and as a concession to that opposition it was circulated to elicit opinion. The opinions that were received as well as the findings of the Committee that sat in Simla have been taken into consideration in the preparation of the present Bill and I submit, Sir, that this Bill meets none of the fundamental objections raised in regard to its predecessor. The Bill leaves me with two impressions, one that it is an attempt to get at a particular class of persons by indirect methods and the second that the need for the Bill has been largely assumed and its promoters are grappling in the dark with the subject.

As regards the first of these impressions, I would ask honourable members to refer to the lengthy list of exceptions under clause 4. It appears to me that to bring an economic measure of this kind into the Council with such a lengthy list of exclusions from its operation is a confession that there is something fundamentally wrong with the measure and a closer examination of these exceptions appears to me to disclose what is fundamentally wrong with the Bill. Would it not be a more straightforward policy to withdraw this Bill and to present a clean issue to the Council by framing a measure aimed directly at that particular class which you wish to restrain?

But a closer examination of the exceptions reveals the fundamental weakness in principle of the Bill. If the promoters of this Bill came to us and said : All we desire is to frame a Bill which will protect the weak from the strong, the ignorant from the avaricious, although we might question the expediency of the means none could question the principle of such a Bill. I submit, Sir, that by the inclusion of exceptions (h), (i) and (j) the promoters have debarred themselves from this position. The relative strength

and weakness of the landlord, the manufacturer or the contractor and their tenants and labourers is not to be doubted, but can we say that there is never avarice on the one side or ignorance on the other? No Sir. The fact of the matter is that this Bill is not directed against facts, but against individuals and this constitutes its fundamental weakness.

I will take the liberty to read to the Council a paragraph from Mr. Darling's book on "The Punjab Peasant in Prosperity and Debt." There is no doubt in the mind of any one of us as to the class of persons the Bill is aimed at and on this point, Sir, this is what Mr. Darling says :

"Financing the village, marketing its produce and supplying its necessities the money-lender in India frequently stood between the cultivator and death; and, as Sir William Hunter remarks, he represents the one thrifty person among an improvident population, 'without whose help the cultivator would have had nothing to depend upon, but the harvest of a single year.' Whenever, therefore, we are tempted to revile him, we should remember that by his assistance to agriculture for 2,500 years he has made life possible for millions who must otherwise have perished or never been born."

This is the class aimed at and this is the class for whom we ask no more than fair play.

The second impression that I said I have formed on the Bill is that the need for the Bill is largely assumed, I use the word "assumed" for want of a better word. If there are any real reasons for the bringing of this Bill into existence, they would surely be indicated in the Statement of Objects and Reasons. I submit that there is nothing in the Statement of Objects and Reasons which can be regarded as a valid reason for the Bill by this Council. I will take two of its concrete statements. We are told in the first place that there are 15 million agriculturists and 33,750 money-lenders in the Punjab. The honourable mover himself does not ask us to believe that the whole of these 15 million agriculturists are being victimised by the whole of the 33,750 money-lenders, because he himself makes a reservation in respect of money-lenders, where he says the "unscrupulous" among the 33,750 money-lenders. But the question that I want to ask the Council is whether it is going to accept a statement of this sort as a sound reason for dragging us into an economic measure, the effects of which nobody can perceive. I submit it is, at best, a vague allegation.

Then again, it is stated that the provisions of the Usurious Loans Act are being evaded. Well, the remedy is surely to amend the Usurious Loans Act; the remedy does not lie, as I said before, in dragging us into an economic measure, the result of which none of us can foresee.

On this point of necessity I should like to place a piece of evidence before the Council. I handed this Bill to a man who for the last 35 years of his life has lived in villages among agriculturists, a man who has their moral and material welfare very much at heart. I asked him his opinion as to whether there was in any degree a necessity for a measure of this kind to help the agriculturist. The reply was startling because he not only denied that this was the case, but he went on to say that in his own opinion the restrictive legislation that is already in existence in favour of the zamindar tended to make him a fraudulent debtor. I must say that I attach a great

[Mr. Owen Roberts.]

deal of importance to a statement of this sort coming from the source from which I obtained it.

Malik Firoz Khan Noon : Was he a *bania*?

Mr. Owen Roberts : No. I have so far dealt with what may be called the moral principle of the Bill, but I think if the Bill goes to the Select Committee, in its present form, we stand more or less committed to the principle of the measure by which it is proposed to deal with the assumed evil and I must now look at the Bill from another point of view. I will ask the Council to consider the matter from the point of view of an analogy. Let us suppose that a Bill to standardise weights and measures is before the Council. If such a measure is proposed by the Council, the first question one would be called upon to answer would be, how is it proposed to enforce the provisions of the Bill? There is no use in laying down standard weights and measures, unless it is possible to enforce their employment. It has been done in other countries and it has been found to be useless unless stringent steps are taken to inspect everybody using weights and measures. It is only by such precautions that the maximum amount of benefit can be derived from the measure and this entails the employment of an enormous amount of staff and what I submit in regard to the present measure is that there is no use committing ourselves to the principle of accounts unless we are prepared to create an enormous staff to see that the accounts kept by the money-lenders are properly kept in every case. Unless we create a huge machinery to inspect the accounts, there is the danger of only those cases of accounts being inspected which come before the courts and there will be no guarantee that there is any regularity of the majority of accounts being regularly kept as all other cases would be settled between the borrower and the money-lender. So my submission is that there is no use our committing this House to a Bill which is unworkable in practice.

There is one other test which I have tried to apply to this Bill, and that is to see how it would act when applied to a concrete list of abuses under money-lending. I have been able to find a list of such abuses in Mr. Darling's book. Mr. Darling in his book, quotes from the "Attock Gazetteer" under the heading "malpractices in backward areas" and says:—

"The Attock Gazetteer gives a long list of malpractices, most of which will be found wherever the money-lender is dominant. The commonest are as follows:—

- (a) An anna is deducted from every rupee advanced and interest is charged upon the whole amount;
- (b) When the balance is struck, the debtor may be forced to go before the sub-registrar and state that he has received the whole amount in cash, though most of it is accumulated interest;
- (c) debts are misrepresented in the ledger by entering inferior grains as if they were wheat;
- (d) no interest is allowed on repayments in kind, and not as much as is due on credits in cash;
- (e) a full year's interest is charged on a loan, though the latter may only have been taken a few months before the balance is struck;

- (f) accounts are kept in such a loose, unintelligible way that interest cannot be separated from principal;
- (g) old grain is doled out for food in the cold weather and repayment is taken a few months later in wheat or cash, plus 25 or 50 per cent. (rates which during the recent drought in Talagang and Pindigheb were doubled), and finally
- (h) the bulk of a man's grain is taken straight from the threshing-floor, so as to compel him a month later to borrow at a high rate of interest for the payment of his land revenue."

I submit that this Bill as now framed would affect only two out of eight abuses namely, those under (b) and (d) and then only by means so vicarious in their character as to be thoroughly objectionable and subject to all the drawbacks and costs of inspection already mentioned. The fact is that the Bill is fundamentally wrong. There is only one reasonable course to pursue, and that is to enquire into the question of money-lending and separate the ascertained evils and legislate against them directly. I would like to make two suggestions to the Council under this heading; the first is that it might be made illegal for any transaction to be entered into for repayment of a loan in kind. I can understand that transactions of this nature are very unlikely to be entered into by persons equally well informed on both sides and such bargains are in most cases likely to be very one sided.

Another suggestion that I would like to offer is that it might be made illegal to claim interest unless a written agreement for interest in respect of each item of an account exists at the time of entering into the transaction.

Before I resume my seat, I should like to assure the honourable mover of the Bill that my remarks are due entirely to views that I have formed on the subject unassociated with anybody else and if it is the will of the Council that the Bill must go to the Select Committee, then I will co-operate whole-heartedly and contribute my share to make the Bill as harmless as possible, if we cannot make it useful.

Sardar Jodh Singh [Sikh, Urban] : Sir, as has been remarked by Mr. Owen Roberts, it is very unfortunate that economic Bills should be brought before this Council without giving due thought to the problems that they involve. He has put it clearly to us that this Bill is designed against a particular class. Money-lenders are hated, I think, all over the world, but in spite of that hatred all over the world they manage to live and they will live in this land also. The Jew hated of all Christendom is still to a great extent the financier of Europe.....

Lieutenant Sardar Sikandar Hayat Khan : But he is homeless.

Sardar Jodh Singh : One gentleman says that the Jew is homeless, but I think he is wrong. He has found through his financial activities a new home for himself in Palestine. Many statements made by the honourable the mover of the Bill may be challenged. The number of money-lenders that he has given is not found in the census report. The group in the report includes bank-managers, money-lenders, exchange and insurance agents, money-changers and brokers also. Again he excludes from this number those who finance trade and industry. How many of them there are who are engag-

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ed in this class of money-lending, we do not know. The number of money-lenders is probably large in the Punjab as the honourable the mover remarked, but perhaps he has forgotten that of all the provinces it is the Punjab alone which contains small peasant proprietors, and the number of money-lenders, if it is large, introduces an element of competition which, I think, is to the advantage of those who want to borrow money.

Besides, Sir, to take away the money-lenders, that is the financiers of the rural Punjab and not to give a better substitute will mean chaos in the rural finance. Co-operation has up to this time only touched 6 per cent. of the population and finances only 1 per cent. of the total loans that are required annually by the agriculturists. Ninety-four per cent. yet depend upon money-lenders and by means of further restrictions if we reduce the number of money-lenders and concentrate on a few, the result would be that the price of capital would rise and the rural zamindars who cannot do without the money-lender will have to pay higher rate of interest which my learned friend, the mover of this Bill, wants to bring down. I am not one of those who cry against protection on theoretical principles. I do not say that the freedom of contract ought to be maintained under all circumstances and we should not undertake any protective legislation. Agriculture is the only industry in this province and if agriculture wants protection, we ought to give it. But the question is whether by passing this Bill we will be affording any protection to that honourable occupation. Twenty years back there was brought on the Statute Book a protective measure under the name of the Land Alienation Act. May I put one question to the honourable mover of the Bill? Does he know that during the past 20 years the indebtedness of the rural population has increased? He may say that the value of money has fallen down, but that does not explain the whole phenomenon. We brought that Act on the Statute book simply to decrease the indebtedness of the agriculturist, but we find that though in some cases the personnel has been changed, the indebtedness itself has increased very appreciably. There are some people in this Council who while discussing these problems always turn them into communal channels. There are some of us who think that if the *sahukars* were Muhammadans they would be a boon to the community, if they were Jats they would be more humane in their transactions and so on. Without saying anything myself, I would refer to the excellent book by Mr. Darling. His experience is that the Muhammadan money-lenders, who are known by the name of *Khojas* are more extortionate than their brother *baniyas* who are known as *Kirars*. There is a saying which I may repeat for the benefit of this Council:—

Kirar Dan li. Khoja Phaura.

So a *Kirar* is like a toothed rake which leaves something behind while the *Khoja* is like the scraper which leaves nothing behind. As for the Jat who has newly come into the field I shall just read what Mr. Darling has got to say of them.

"The *sahukar* will occasionally knock off part of his interest, but as a villager in Ludhiana remarked: 'The Jat foregoes nothing—not even a pebble (*gilli*)'. The Jat too being an agriculturist, knows how the cow can be milked, and is able to squeeze the last drop out of his client. Moreover, the *sahukar*, being timid by nature, can sometimes be intimidated, but 'the Jat seizes you by the throat and knocks you down'. As a zamindar said to the writer, if the Land Alienation Act

has rescued the sheep from the wolf, it has only been to hand him over to the butcher."

Sir, I have read these extracts simply to dispel the idea that money-lender like the leopard of the old proverb would not change his spots by the change of his religion or by the change of his caste. A money-lender is a money-lender whether he is a Hindu or a Muhammadan or a jat or *bania*, and he would exact his last pie if he possibly can. There are some people, Sir, who think that by passing the Land Alienation Act they have conferred a real boon on the community. I was astonished to read some remarks in the *Civil and Military Gazette* on this subject. While reviewing this work of Mr. Darling, the reviewer remarked that it was perhaps better that land should pass into the hands of agriculturists than into the hands of non-agriculturists, because by heredity they are better fitted to till the land and to get as much out of it as possible. In theory I admit this to be right, but in practice, I will again refer to the remarks of this very writer Mr. Darling, who has very carefully studied the rural problems. At page 189 of his book '*The Punjab Peasant in Prosperity and Debt*' he says.—

"It is not one that is entirely endorsed by experience", *that is the proposition that heredity is necessarily the best Judge of the occupation.* "In at least one part of the province, the south-west, agriculture owes much to the townsman. As long ago as 1859 the comparative prosperity of Multan was attributed mainly to the efforts of wealthy landowning *kirars*, who by their labour and capital had greatly improved the productive power of the soil; and even now the *kirar*, with whom we are familiar from a previous chapter, is better than the ordinary landlord, not only in Multan but also in the adjoining districts of Muzaffargarh and Dera Ghazi Khan. In Muzaffargarh he is said to be the only progressive influence in an otherwise stagnant neighbourhood. If, for instance, a well has a covering of thatch to protect the ever-circling bullocks from the sun, if mango trees line the watercourses, or if capital has been sunk in the land, it is almost certain to be due to the despised *kirar*. Though he seldom works with his own hands, he supervises his labourers minutely, and rarely gives his land out to be wasted by tenants".

I need not read further. This shows that the supposition that land will yield more in the hands of the agriculturist than in the hands of a non-agriculturist has been proved to be wrong by experience. Now, Sir, there is one thing more which I think I should explain before I proceed further. Some gentlemen think that capital means merely liquid money. Very few of us realise that land is also a form of capital and that big landlords are as good capitalists as *banias* who have got money. This Land Alienation Act, though it may have given protection to the zamindar and might have saved him from the *bania* has delivered him into the hands of the landlord. What is the comparison between these two? I again will not say anything from my own experience, but only refer to that same work to which I have referred already. I think my friends in this Council who are landlords—who fortunately for me have now gone out perhaps for tea—will excuse me if what I read from this book may prove distasteful to them. He says that in the Multan division there are three curses under which a ryot has to suffer, first the landlord, second the

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pir—I say this with due apologies to my friend Pir Muhammad Husain—and third the *kirar*.

"Every five miles or so is the house of a tribal or religious leader, who maintains a band of retainers to enforce his influence on his poorer neighbours, and to conduct his feuds with his equals. The poor man pays blackmail for his cattle", *I should like to draw the special attention of the leader of the House to this portion*, "the poor man pays blackmail for his cattle to these local chieftains and for his soul to his *pir*, who may or may not live in the neighbourhood, but visits his followers yearly to receive his dues. As would be expected, the bulk of the land is held by the rich men, who are increasing their possessions. Peasant proprietors exist on the outskirts of the small towns; elsewhere the small lordless man cannot hold his own. If he attempted to do so, his cattle would be driven, his womenfolk carried off, himself challanned (prosecuted) before an honorary magistrate on a charge of cattle theft, and in a short time he would be glad to hand over his land and secure protection on any terms. Society then in the main consists of the land-holding squires, whose local authority is only limited by their mutual jealousies and of their retainers and tenants, who, holding no share in the land which they till, and knowing that an appearance of wealth will lead to exaction from their feudal or spiritual masters, are content to lead a hand-to-mouth existence."

Further down Mr. Darling says in the district of Dera Ghazi Khan—

"the landlord's only idea of progress is to buy up the land of all who are obliged to sell. His maw is insatiable, and in the last 20 years, since the Land Alienation Act gave him his chance, he has sometimes doubled his acres. The tenant too, is at the mercy of the local squire and his myrmidons."

Mr. Darling speaks of the horrid *kirar* also and of him he says—

"There remains the *kirar*, as the money-lender and trader of these parts is called. He will only be briefly dealt with here, as the money-lender of the province has a chapter to himself. He is only less dominant than landlord and *pir*, and is at once the curse and the salvation of the country: the curse for obvious reasons, and the salvation because he alone stands for capacity, intelligence and thrift. Moreover, in a tract where wells have to be sunk and drought has to be faced, he and his capital are indispensable; nor without him could people market their grain, as local markets hardly exist. He is often a landowner, not infrequently a cultivator, and, though it is fashionable to decry the non-agriculturist's control over the land, it has to be admitted that, in this part of the world at least, he is often an asset of importance. If cultivation is anywhere above the average, if fruit trees are growing along the water-courses, or if an experiment is being tried, it is ten to one that there is a *kirar* in the background directing and supervising the work. As a landlord he is often to be preferred to the Muhammadan squire, but as a money-lender he has all the vices of his trade."

Sir, I have read these long extracts simply to show that when people dabble in economic questions merely on account of prejudice and merely on account of communal jealousies, they may commit mistakes which if they are not warned in time will spell ruin to the very community which they seek to help by this sort of legislation. Now, Sir, I will deal with some of the facts which the honourable mover has mentioned in his Statement of Objects and Reasons. He says that the total debt of the Punjab is 90 crores and the average rate of interest is 15 per cent. per annum. That of course. . .

Mir Maqbool Mahmood: Is my honourable friend quoting from the Statement of Objects and Reasons? I am quite sure that these figures do not occur in the Statement of Objects and Reasons attached to this Bill.

Sardar Jodh Singh: I am quoting from the speech which the honourable mover made during the last time that he introduced his Bill.

Mir Maqbool Mahmood: These figures do not occur in my last speech either.

Sardar Jodh Singh: I am sorry that I gave wrong reference. The total debt of the Punjab is 90 crores. This has been estimated not by the honourable mover who has not read enough of economic books to estimate that, but this is an estimate made by higher authorities than him. The average rate of interest is 15 per cent. per annum. Now if we take it collectively the figure is very great, but if we take into consideration the figures of other countries where the agriculturists are indebted, the debt of our province is not much. It will be seen that Prussia with half as much agriculturist population as this province has 563 crores. The farmers of the United States owe a debt of 475 millions of pounds, but in our case the misfortune is that the debt is not a productive one. The debt itself does not show anything, but it is the non-productiveness or the productiveness of the debt that proves whether the people who are indebted are rich or poor. The Punjab Government itself is in debt to the extent of 23 crores for canals, but that debt is a productive one and is not a burden on the province. Now, Sir, may I ask, is the money-lender responsible for the non-productive debts of the ryot? Is the money-lender alone responsible for it, or is there something radically wrong with the social customs, habits and method of living of the ryot which obliges him to be perpetually in debt and thus waste all his life energy? Sir, those who have made a thorough study of the debt problems have divided the causes under four main heads. The first heading is the fragmentation of the holdings. In the Punjab there is no law of primogeniture and all the sons can divide and sub-divide the lands that they inherit from their forefathers with the result that this uneconomical fragmentation of holdings is going on *ad infinitum*. The second cause is the lack of a subsidiary or a second occupation for the zamindars, that is there are no cottage industries. The one cottage industry that flourished in the Punjab for a long time but which ceased to exist later on was that of spinning and making khaddar. Sir, in all countries where the peasants are living on their own incomes, you will find that they are either working on their farms from morn till night or they sow what are called industrial crops or they have got a second bow to their strings. I can show to you, Sir, that even in this province where the people are industrious or are engaged in subsidiary occupations the incidence of debt is very small compared to the incidence of debt in those parts of the province where the people are idle and do not

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take to any subsidiary occupation. In the second category of causes that contribute to indebtedness is also included the insecurity of crops. In India and especially in the Punjab before the Government gave us a system of canals, agriculture was merely a gamble in the rain, and of course those who are engaged in such insecure industry must necessarily bear the fruits of such insecurity.

The third great cause is the mortality of cattle. In this country there is no system of insurance for cattle and when famine comes and the cattle die in hundreds, the poor zamindar has to begin the whole thing anew over again.

The fourth cause is the insecure income of the agriculturist. Owing to wide divergences in his income, he becomes improvident and sometimes extravagant. I do not deny that the money-lender too might have a share in his poverty but if these causes are taken into consideration, the share of money-lender in the impoverishment of the zamindar is quite negligible. There are several other causes against which we have to fight if we want to save the poor zamindar. Up to this time, since I have come to this Council, I have not yet seen a single zamindar member doing anything to remove these causes which are eating into the very vitals of the agriculturist population. I will be the very first man to vote for any proposal which will really lead to the betterment of the life of the zamindar and I am prepared to vote for any amount from provincial funds to remove the causes that lead to the poverty of the agriculturists of this province. My honourable friend Sayad Muhammad Husain last time hinted at a proposal but he did not develop that idea fully. You can really help the zamindar only if you give him agricultural banks where he can get loans on easy terms. Instead of compelling him to go to the money-lender for debt, he must have within his easy reach agricultural banks and if you do not open such banks and thus automatically remove the money-lenders, ruin will stare the poor zamindar in his face. You cannot cheat economic laws; you cannot take away capital which is available to him without substituting some form of banking which should provide him with easy capital.

Then, Sir, as to the causes which I have enumerated which go to the impoverishment of the zamindar, some people may contradict me by saying: how can a poor zamindar be extravagant or how can he be improvident? I do not think that any honourable member who knows the zamindar well will join issue with me on the score of his improvidence. Perhaps they may say how can you call the poor zamindar extravagant? It is a well known fact which every man who is a villager and who is a member of this House knows, how much they spend on marriages. Generally they spend more than a year's income on marriages and competent authority estimates that in 1889 the Financial Commissioner of the Punjab found that out of 6,500 cases of alienation nearly one-sixth was due to extravagant expenditure thoughtlessly incurred. There is another cause of unproductive expenditure in which the rural zamindar is generally involved and that is his love of litigation. In the Punjab, Mr. Calvert estimates that 2½ millions of persons, that is to say, nearly 40 per cent. of the adult male population resort to courts every year either as parties or witnesses and that 3 to 4 crores are wasted annually in this process. An Indian closely acquainted with the Central Punjab says that the cost of a trifling case is seldom less than a hundred rupees, even if the case is compounded at the earliest opportunity.

All these causes, the insecurity of crops, the evil of fragmentation of holdings, the cattle-mortality and above all his own thriftlessness and extravagance combine to make him fall into the clutches of debt and in my opinion unless some of these root causes are removed, it is very difficult to extricate him from this mire of debt and any makeshift arrangements such as those proposed by the honourable mover of the Bill will without achieving any tangible result only drive capital out of the village and may bring it into the town for being invested in industries or crafts. I am sure the proposal of my honourable friend is not going to solve the problem of indebtedness of this province; on the other hand there is the danger of its driving the capital even out of this province to the neighbouring provinces where no such disabilities exist for the money-lender and in any case the Punjab will be the poorer for it and will eventually be the loser.

Sir, some honourable members may say that I am drawing upon my imagination. I shall compare two tribes and then I will take the instance of a district to show that those people who are thrifty and diligent, in spite of the bad harvests that they have, still manage to keep themselves out of debt. Sir, I hope, I shall not be accused of wounding the feelings of anybody who belongs to that class. I know as a matter of fact that the Rajputs do not like the idea of ploughing lands with their own hands and they generally employ other people to do this work. Certainly agriculture is not so profitable in this land of five rivers that a man could employ another to look after ploughing, sowing and harvesting and himself sit idle. Besides, these people keep their women-folk in strict *purdah* with the result that all the labour that ought to have been spent on agriculture is wasted. In contrast with this tribe, there is a diligent and hardworking tribe in Jullundur district called the *Makhan*. In his book the *Punjab Peasant in Prosperity and Debt*, Mr. Darling has shown that this tribe is almost free from debt. Then I will take a western district, that is my own district of Rawalpindi. The average size of a holding in the district is 4 acres and in Murree tahsil it is only $2\frac{1}{2}$ acres but the incidence of debt in that district is the lowest in the Punjab. Why is this so? Because the zamindar in the Rawalpindi district is not an idle fellow, but he will turn his hand to another occupation when his labour is not required by his land. Mr. Lucas, another observer, says that for an economic holding generally a zamindar requires 200 days of labour and for the rest of his days in the year, he has nothing to do. Sir, this Rawalpindi zamindar is not ashamed of working as a cooly or as a carter when he has nothing else to do and therefore he remains free from debt. If he does not get any other work, he joins the army. In passing I may refer to another thing, though it may be termed irrelevant to the debate. In season and out of season, I have already heard in this House that the zamindars alone are the bravest people on the face of the earth and that all others are cowards. But, Sir, this is only true of the zamindars of some districts which produce men fit for military training. Otherwise

Chaudhri Duli Chand : Is this relevant, Sir, to the debate?

Sardar Jodh Singh : I have stated in the beginning that though this may not appear to be relevant yet in order to show that those zamindars who take to this occupation do not die of starvation and are not in debt

Sayad Muhammad Husain : I rise to a point of order, Sir. How is all this relevant to the question of reference to the Select Committee of the Money-lenders Bill?

Sardar Jodh Singh : I think it is the President that should call me to order and say whether what I say is relevant or not. Sir, there are zamindars.....

Mr. President : I wish to point out that under the rules the honourable member can only discuss the principle of the Bill and its general provisions. But he cannot discuss its details further than is necessary to explain its principle.

Sardar Jodh Singh : Sir, I am discussing the causes of indebtedness of the peasant to remove which this Bill is framed and I think, Sir, that in discussing these causes I am pointing out that the money-lender is not the only cause, though in season and out of season it is the money-lender alone that is being attacked in this Council. I give reasons to-day to show that the zamindars are just as much to blame if not more than the money-lender himself. I hope, Sir, that honourable members will not be allowed to interrupt me. They can raise a point of order, but they should not unnecessarily interrupt me.

Mr. President : The honourable member will please proceed with his remarks.

Sardar Jodh Singh : It is the zamindars who do not take to a second profession, military or some other, who are found in debt. There are tracts where the zamindars did not produce a single soldier during the war, for example, the janglis of Lyallpur, and inhabitants of Muzaffargarh and other districts which lie to the south of Shahpur on the banks of the Indus. For the poverty of those who do not work for so many days in the year and who do not take to a second occupation, it would be very difficult for Government to provide a remedy.

As regards the principles of the Bill, there are one or two of them to which I would like to turn my attention at this stage. The honourable mover proposes to exclude from the money-lenders the class which he knows will oppose him in this Council and make the passage of the Bill impossible, i.e., the landlord class which lends money to its tenants. He knows that the majority of the members belong to that class and will not let the Bill be passed. Again he says that lenders should be compelled to send accounts to the borrower by law. Sir, if in spite of what I have said, the Council wants to pass this Bill, may I ask one question and that is, why should the money-lenders be obliged to send the accounts? It seems to me clear that if the borrower sends a registered notice to the lender asking him that he should be furnished with a copy of his accounts he should comply with it, but to make it incumbent on the lender to send a copy of accounts to the borrower under the penalty of his debts being cancelled if he failed to do so, is a *quodammodo*. Again, Sir, I draw the attention of the honourable mover to another point. If the law is enacted in its present form it will compel several money-lenders who are already engaged in this trade to keep accounts in a certain form and for that reason some of them may like to give up that occupation. What provision is made for them? My proposal is that even if this House considers this law to be necessary and concludes that it will benefit those for whom it is ultimately intended, then, Sir, it should apply to transactions that will take place after it is passed, that is to say, if some people do not want to engage in money-lending after the passing of the Bill into an Act and want to realise their standing debts from the people who already owe them

money, they should be excluded from the working of the Act. Otherwise there may be quite a number of illiterate people, particularly women, who do not know how to keep accounts and who are engaged in this business because there was no law at the time when they took it up. To cancel their debts simply because they are illiterate and do not know how to keep accounts in a particular form would be a sort of tyranny over them. With these remarks I oppose the sending of this Bill to the Select Committee.

The Honourable Sir John Maynard (Finance Member): Sir, I think it is desirable that at this stage I should explain on behalf of Government what the attitude of Government is towards this Bill. As it is only with its principles that we are concerned at present and not with the details, I shall confine myself to dealing simply with the main principles. Many honourable members have been studying that excellent book of Mr. Darling's on "*The Punjab Peasant in Prosperity and Debt*", and they must have noticed certain features which emerge in connection with the system of rural credit in the Punjab. In the first place, everybody, I suppose, now quite realises that the country needs the money-lender, it cannot do without the money-lender. He is essential to the system of rural economy and also very largely to the system of urban economy too. Among the enquiries which have been made in order to inform the Government on the subject of the actual proportion of the requirements of rural credit which could be supplied otherwise than by the money-lender, an enquiry has recently been made and roughly this is the result of that enquiry. The rural borrower needs from 10 to 12 crores of rupees every year in order to carry on his business of agriculture. Out of that sum, the co-operative banks are at present only in a position to provide approximately one-tenth, that is to say, something like 10 crores per annum are required every year from the money-lender in order that the agriculturist may be able to carry on. That is a fact which at the outset it is desirable for everybody to realise. Then I again appeal to readers of Mr. Darling's book. They must have noticed that there are certain evils which he summarises in the system of rural credit. He points out, in the first place, that one of the evils is a too facile credit leaving a large mass of unproductive debt. Another evil is the too high rate of interest. Mr. Darling points out that interest averages something like 15 per cent. per annum and in European countries had they had to pay at the rate of 15 per cent. per annum for all their requirements in the way of capital their development would have been very seriously retarded.

Another fact also emerges from Mr. Darling's enquiries. Among the causes of the high rate of interest the main one is the insecurity of the position, the doubt whether the debt will be realised. Any thing therefore which increases the risks to the money-lenders and makes it more probable that the debtor will evade payment or will not actually pay when the time comes to pay does mischief to the borrower by increasing the already high rate of interest. That is one of the leading facts of the situation, those who wish well to the borrower will not do anything to make it more probable that the borrower will not pay and thereby raise the rate of interest against him.

There is a further evil to which Mr. Darling alludes in very definite terms, and that is what he calls the vicious system of money-lending. He refers to certain evils, in particular, one of which is the confusion in the accounts between the principal and the interest and the other is the bad and unintelligible method of keeping accounts and another is the withholding

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of information from the debtor about the state of his accounts. These are the main features of the existing system. Ten crores a year required for the agriculturist to carry on; a too facile credit producing a large mass of unproductive debt; a too high rate of interest, tending to be increased by increasing the risk of non-payment, and a thoroughly bad and vicious system of account keeping. This Bill naturally does not attempt to cover the whole field. This Bill, if I may put it in my own words and not in the words of the Objects and Reasons, aims at dealing with one particular evil and that is the evil of the bad and vicious system of money-lending, the bad accounts, the withholding of information, the mixing up of principal and interest and the occasional falsification which occurs in books. Now, when Government found that it had to deal with the question of the attitude which it was to adopt on the motion for reference to Select Committee it was necessary to make a very thorough investigation into facts and come to conclusions which required a considerable amount of information to enable Government to reach them. For this purpose two expert committees were appointed by Government. One of them dealt with the question of the share of the amateur money-lender in providing the need of the rural borrower and another dealt with the question of the method of accounts which might be prescribed in the event of a Bill of this kind becoming law. The enquiries were made and a great deal of thought was bestowed upon the problem. The ultimate result is the Bill which is now before the House for the purpose of deciding whether it should be referred to a Select Committee or not.

I wish to draw attention to the main features of this Bill, because neither those who have spoken for it this afternoon nor those who have spoken against it have described its main features. In the first place one feature of the former Bill has entirely disappeared from the present Bill. The present Bill is no longer a registration of Money-lenders Bill, because the provision for registration has entirely disappeared. The reason of that was this: It appeared upon close examination that the registration of money-lenders would only have the effect of driving certain classes of money-lenders out of the business. It appeared to have the effect of pushing out what we call amateur money-lenders or zamindar money-lenders out of the business. It seemed that that would be a dangerous thing, because a very considerable proportion of the finance which is required for the purpose of this province is provided by the zamindar himself or by what may be called the amateur money-lender. In portions of the Central Punjab the share which this functionary provides amounts to something approaching one-half of the total amount which is given elsewhere it may be less. Therefore I draw particular attention to this very important point, namely, that the proposal to register money-lenders, which was the cause of a good deal of the indignation expressed when the former Bill was brought forward, has been entirely eliminated from the present Bill. That is one feature of this Bill. Another is this, that an improved definition of the expression money-lender is provided. I am not going into that in detail, because this is not the time to do it, but I would only point out that care has been taken to eliminate from the Bill certain features with regard to the definition of money-lender which appeared to be objectionable and these are of course capable of improvement as may be necessary in the select committee.

Another feature of this Bill is that it leaves Government to decide the actual form of accounts which should be prescribed. Government was at

first very doubtful whether it would be possible to prescribe any reasonable form of accounts, but after investigation of this matter by an expert committee summoned for this purpose the conclusion reached was that it was perfectly possible to prescribe the form of accounts which would serve the purpose required without causing any difficulties to the lending class. (Hear, hear).

Another feature of this Bill is that it leaves to Government to fix the date when the Bill will come into force. This is an extremely important provision, because the preparation of the form and of the books which will be required under the new system will take a considerable time, and even when the forms have been printed and circulated a considerably longer time will be required in order that the lender may have an opportunity of familiarising himself with the new system. The object of this provision is to secure that the lender shall have sufficient time to familiarise himself with the new system.

The new Bill also provides certain methods of keeping the borrower informed on the subject of his financial position in regard to the lender. Those forms may or may not be satisfactory, but we have had from the mover himself an assurance that every possible improvement of it will be very carefully considered in the select committee and there is no reason why the defects which may exist at present should not be removed.

One point more in the Bill is the question of the penalty which is to be imposed in the event of the lender not carrying out the requirements of the law. On that point I may say that this also is a thing to which the select committee will be expected to give very close attention. Government stands in no way committed to the existing penalties and contemplates and hopes for an improvement in the Bill in this respect in the select committee. I ought to say that Government has laid down conditions in regard to the attitude which the mover of the Bill should be prepared to adopt in the select committee and he has assured us that he has thoroughly understood what those conditions are. In the event of the Bill issuing from the select committee in a form which Government could not approve, of course it will hold itself completely at liberty to take any attitude on the future stages of the Bill that might appear to it to be proper. For the present I on behalf of Government support the motion for reference of this Bill to the Select Committee. (Hear, hear).

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, realising that the mover seriously thought of improving the lot of the masses in the Punjab I voted in favour of the Bill on the last occasion. But even then I had great doubts whether he could do so. He was, however, allowed to circulate the Bill. The result of the criticisms mostly adverse is the new Bill in front of us now. I really must ask the Council to pause before attempting to place this measure on the statute book. (Hear, hear). Before referring this Bill to Select Committee we have to consider whether we can accept the principle underlying this Bill. If we are not careful now, we shall get on the statute book a law, of which we should be ashamed. The first Bill was bad, but this one is ten times worse. As the Honourable Sir John Maynard pointed out, the first Bill was based on registration. Well, that is one of the things I had no objection to. I like registration and I would very much like to have it extended to every commercial business in this country. The Associated Chambers of Commerc

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India had been urging the registration of business names for the last ten years. So people know definitely whom one dealt with. Registration is a thing which everybody, even an illiterate money-lender, can do on payment of a small fee. But the present Bill is worse. This new Bill has the penalty based no longer on registration, but around detailed routine. If the money-lender forgets to send a postcard every six months, not only does he lose his interest, but he has to lose his capital and interest and everything else. Do you think a single man can under those circumstances lend money to anybody? Will Government lend money under such penalty clauses when their capital is dependent on fulfilment of routine by a clerk. Sometimes the postcard may be lost in post. Is he to be penalised for this by being made to lose his capital? I have never seen such a Bill in my life where such severe penalties have been imposed.

The result of this measure will be to drive away the money-lender from the province. That argument having already been advanced I will pass by. Every money-lender will be driven from the province and you will have absolutely no money left to finance produce. I may illustrate my point by an example. Suppose you have an overdraft in a bank and suppose the bank has to send you the pass-book once a month recording your accounts and if it fails to send the pass-book on the prescribed date the overdraft will be wiped out. Very fine for the borrower, but what bank will do business under those circumstances? (A voice : Banks are excluded from the operations of this Bill) I only cite this as an example. We are trying to legislate, I understand, to protect the illiterate borrower. The Usurious Loans Act of 1918 should be sufficient for that purpose. In the Statement of Objects and Reasons it is said that a man can by getting a new bond executed before coming to court evade this Act. If a man is such a fool as to execute a new bond before going to court, what legislation is going to help him? In the circumstances the best course will be to educate the people. In my opinion the only remedy is to educate the people and to increase the number of banks so that the people may turn to banks for loans instead of the money-lender. The money-lender will still continue to exist in spite of the increase in the number of banks, but he will be forced to work on the same lines as the banks. He will by competition be forced to comparatively straightforward dealings.

If the idea is to put down usury, why not put in the Bill a restriction as to the amount of interest to be allowed? (Hear, hear). I do not think it is possible to work a Bill of this sort. If the Bill is eventually referred to Select Committee, I urge them to reduce the Bill to three points. The first is in making the money-lender keep proper accounts. There is no harm in asking him to keep simple accounts. The second is to give the right to the borrower to ask for the position of his accounts with the lender. Don't force the lender to send statements periodically to the borrower at the risk of losing his capital. Make it obligatory on the part of the lender to have the accounts produced on request from the borrower and put a penalty if he fails to state the position of the accounts to the borrower when asked to do so within a given period. Even then the penalty should not be so severe that he will have to lose his capital. It may be a small penalty. Such as the cessation of interest until the information is to hand. The third is that you might put a restriction on the rate of interest. The rate may be limited to double that of the bank rate or perhaps one or two per cent. more. I don't think you can expect the money-lender without taking sufficient security to lend money at less than double the

Imperial Bank rate. With this at say 7 per cent. this would mean 14 per cent. Now with full security in commercial circles to-day 9 per cent. is constantly charged and often as much as 12 per cent. in the bazaars. So there is no reason why the money-lenders should not be allowed double the rates, or say 15 per cent., when there is no security. With these remarks I oppose the motion to refer the Bill to a Select Committee.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I thought much of the apprehensions which have been removed by the explanation given by Sir John Maynard in his speech. This Bill does not aim at curtailing the activities of the *bantias* pure and simple, but it curtails the avaricious activities of all money-lenders whether they be Khojas or Jats. This Bill is intended to put an end to the vicious habits of the money-lenders. Two of my friends who have just spoken before me are under the apprehension, especially Mr. Gray that the *bantia* is a poor illiterate person.

My honourable friend Sardar Jodh Singh quoted many passages from Mr. Darling's book to show how innocent the money-lender is. I shall quote from the same book and depict the money-lender in his true colours. Mr. Darling says in his book, *the Punjab Peasant in Prosperity and Debt*:

"The Arora is a useful servant, but an exacting master. For centuries he was nothing but a servile adjunct to the Muhammadan cultivator, who despised him as much for his religion as for his trade. Forbidden to wear a turban, and allowed to ride only on a donkey, and often the object of 'unmentionable indignities', sufferance was the badge of all his tribe; but when British rule freed him from restraint and armed him with the power of the law, he became as oppressive as he had hitherto been submissive. 'Shylock', says Mr. Thorburn (*the financial commissioner, at will be remembered*) was a gentleman by the side of Nand Lal, *kyar*, as Shylock, though he spoiled the Gentiles, was yet a man of honour. Nand Lal has none, commercially speaking. His greed for gain, the shameless effrontery with which he adds 50 per cent. to a debt, calls the total principal, causes his debtor to execute a bond for that principal with interest at 36 per cent. per annum (*not 15 per cent. as some honourable members said*) more, a year or two after strikes a balance against his debtor and cajoles or wearies him into mortgaging to him an ancestral plot of good land or its produce, on the understanding, carefully excluded from the deed, that the mortgagor is to remain in cultivating possession, have entirely alienated the sympathies of district officers from men of his calling. Such hard business qualities make him feared, hated and despised by the agricultural classes."

Well, Sir, this was the class of people against whom the Alienation of Land Act was passed which my honourable friend Sardar Jodh Singh condemned as having tended to increase the indebtedness of the rural population. Mr. Darling in his book has also given the photograph of the fatty Arora money-lender and the thin emaciated, ill-clad borrower who is left only his body and soul to eke out his miserable existence in this world. It is to guard against such merciless *bantias*, Jats and Khojas that the present Bill is sought to be placed on the statute book. It is absolutely necessary to get the accounts of the money-lender to be put in order. Who are the contracting parties? On the one side there is the poor illiterate borrower, knowing nothing, usury-ridden and labouring under various other

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disabilities; on the other side is the calculating, cunning and literate money-lender who writes his accounts in Landi, a language mostly unknown to the borrowers. The poor borrower easily falls a prey to the machinations of the resourceful money-lender. In order to convince the House of the utter helplessness of the poor zamindar borrower, I may give a concrete instance about which I am fully aware. In my own village there is a poor zamindar who in order to pay his land revenue borrowed a sum of Rs. 7 from the money-lender of the village. As the borrower was quite illiterate, he did not know what the money-lender wrote in his accounts. After some time to his utter dismay and astonishment, legal proceedings were taken against the poor debtor by the wily money-lender for the recovery of Rs. 700. How heart-rending is it, Sir, that for a sum of Rs. 7 advanced to a poor zamindar, he should be called upon to pay Rs. 700? Can cunningness and treachery go any way deeper than this? The suit was dismissed in the lower court, and in the appellate court, where you, Sir, were the pleader, the appeal was accepted and the decree of Rs. 700 passed. How many untold miseries have been wrought by the money-lenders of this province on the poor zamindars. God alone knows. Some come to light and many more are hushed up in silence. Many are the woes which the poor zamindar suffers, but the greatest of all the miseries is the oppression of the money-lender under which the agriculturist groans literally. If only the money-lender writes to the borrower on the day he lends him money and posts the letter containing the information, the poor borrower would wake up to the situation before it is too late and would have sought a remedy at the proper quarters. If a borrower takes only Rs. 7 and the money-lender writes in his accounts Rs. 700, then the borrower would at once give a complaint to the magistrate for cheating, and proper punishment would have been meted out to the erring money-lender. The borrower also would have been saved the trouble of being faced with a decree for Rs. 700 later on. In my humble opinion, Sir, this Bill is a very innocent but important measure and it will harm only those people who do not keep regular and proper accounts. A money-lender whose dealings are open and aboveboard need have no fear from this Bill. All that the money-lender is asked to do is that he should intimate to the borrower now and again the exact state of his accounts, the amount borrowed, the amount of payments made towards principal and interest, the balance outstanding, and so on. Any money-lender who has no underhand dealings can possibly have no objection to comply with the provisions of this Bill. The money-lender has to keep a register which can show at a glance the exact state of account of each individual borrower. Nothing more is required by the Bill. My honourable friend Sardar Jodh Singh complained that it would be very difficult for the money-lender to go to the post office to post the letter containing the details required by the Bill and that it was an unnecessary expenditure to the money-lender. Evidently my honourable friend has not read carefully the Bill before coming to criticise its provisions. It is explicitly stated in the Bill that the borrower is to be debited with the cost of postage and registration and I cannot understand why the money-lender should raise any objection to comply with the provisions of the Bill, especially when it does not touch his pocket even to the extent of a pie. The very fact that such a great hue and cry is raised goes to show that the money-lender has got something to hide and that he does not want his accounts to be exposed to public gaze. It is a very simple thing for the money-lender to write a post card and get it registered.

My honourable friend raised the boggy that the agriculturists would suffer if the money-lenders withdrew from the field. He said that it was the money-lender who was advancing money to the agriculturist and in the absence of any substitute in his place, it would seriously tell upon the agriculturist. My answer is that if the money-lender is wiped out of the field by the Bill, so far so good for the country. Now the colossal sum of 8 or 9 crores of rupees is being wasted in the shape of interest. This huge waste in the shape of interest if diverted into proper channels such as industry and commerce would bear fruit and would solve all the acutest problems of the province. Thereby a great impetus will be given to industry. I can tell the House why the *banias*—and in this I include the zamindar *banias* also—do not invest their capital in industries, because it does not pay more than 7 per cent. per annum. Even in England I am sure industries do not yield more than seven per cent. return on the capital outlay. The *bania* knows this only too well. He is shrewd enough to understand that if he invests his capital in loans, he will get a return of more than 25 per cent. This Bill is intended not only to guard against the evils of the *bania*, but it is also intended to curtail the malicious activities of the Pathans who cross the border and take unwary people into their snare. This Bill is also intended to check the usurious propensities of the money-lenders generally, whether they are *banias*, or Pathans or Jats or zamindar *banias*. The money-lenders of the Punjab are as a class avaricious and it is to save the agriculturists from the mischievous propensities of the money-lenders that this Bill is sought to be placed on the statute book. All are enjoined to keep regular accounts. My honourable friend Sardar Jodh Singh complained that the root causes of the impoverishment of the agriculturist of this province should be weeded out and unless this was done the zamindar would not be free from the troubles under which he was suffering. He also complained that no concrete measures were adopted to bring about this result. Well, Sir, I came forward with a concrete proposal in the shape of a resolution having the amelioration of the poor zamindar in my view. My honourable friend Sardar Jodh Singh cannot claim to say that he supported the measure. He suggested that the conditions of the South-west Punjab were very good. I am afraid my honourable friend has not seen much of the Punjab, otherwise he would not have expressed such a view in this Council. Has he ever gone to the rural parts of the Muzaffargarh District where the relapsing fever took away a heavy toll of human lives? Once an officer asked one of the inhabitants there to remove his clothes lest the fever germs should take a permanent abode in his body. Would you be astonished, Sir, to hear the most heartrending reply. They could ill afford to remove their clothes as they had no other to substitute in their place. If only my honourable friend Sardar Jodh Singh had deigned to enter into the house of one of these people, he would have seen with his eyes the miserable life that these poor zamindars lead owing to poverty. What is it that these zamindars can call their own on this earth? All their belongings consist of a wooden *pela*, a mud pitcher and a few date mats. These are all the earthly possessions of the poor agriculturist in the village. We can see in any house in the village, poor, ill-clad, emaciated men and women folk sitting round the fire to make themselves warm against the chill blasting winter. Who is responsible for this miserable existence of the poor zamindar? Is it not the *bania* who is responsible for all the woes of the zamindar? The only way to remove the root cause of the impoverishment of the zamindar is to put an end to the vagaries of the money-lender. Year

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in and year out the zamindar groans under the debt without any way of escape. All the savings that he may have, go to the payment of the exorbitant rate of interest without any chance of the principal being repaid. I was told by responsible authorities that the condition of Muzaffargarh and other places in the South-West Punjab to which my honourable friend Sardar Jodh Singh referred was such. I am really ashamed to bring this to the notice of the House that the money-lenders were so depraved as not to be satisfied with the mortgage of the property of the borrowers but to outrage the modesty of the girls of the poor borrower. The money-lenders go to the length of demanding the mortgage of the chastity of the poor innocent girls of zamindars. It is simply heartrending to narrate the long tale of woe of the poor zamindar.

Lala Bodh Raj : I challenge the honourable member to prove his statement.

Sayad Muhammad Husain : Mr. Calvert knows this and I have also been informed about this by various high officers.

Rai Bahadur Sir Gopal Das, Bhandari : Does the honourable member mean to say that this evil is prevalent as a general rule ?

Sayad Muhammad Husain : Even one case is enough.

Mr. President : Honourable members should not interrupt the speaker like this. He must be allowed to proceed with his speech without any interruption.

Dr. Gokul Chand Narang : My honourable friend Sayad Muhammad Husain is really appealing to the lower passions of honourable members of this House. Most of the remarks that he made are quite irrelevant to the subject under discussion and they are simply intended to rouse the passions of honourable members and in this he is really carrying out the object with which this Bill was introduced and he has allowed himself perhaps unconsciously to assist in the nefarious object of the Bill.

Mir Maqbool Mahmood : I am sure that my honourable friend Dr. Gokul Chand Narang is doing an injustice in characterising the Bill or those who support the measure as appealing to lower passions of the House.

Mr. President : The explanation, if any, was due from the honourable member who is in possession of the House, namely, Sayad Muhammad Husain, and not from any third person.

Sayad Muhammad Husain : On a point of personal explanation, Sir, I have been appealing to the higher instincts of humanity. I am not appealing to the beastly instincts of anybody, but I am appealing to the higher instincts of the House. I am simply bringing to the notice of honourable members the miserable condition of the zamindar owing to the rapacity of the money-lenders and suggest that some remedy in the shape of the present measure under discussion is an absolute and imperative necessity. There is no use of merely sympathising with the hard lot of the agriculturist just as my honourable friend Sardar Jodh Singh does. There is no use of mere

lip sympathy; that sympathy must be translated into concrete action. Unless immediate steps are taken to relieve the zamindars from their miserable condition, there is no hope of salvation for them. Without economic salvation, the life of a zamindar is not worth living. The only way to save the agriculturist is to liberate him from the economic bondage to the money-lender. The zamindar must be saved from the trickeries of the money-lenders who are at present the masters and kings of the poor zamindars. If you want to see the zamindars of this province happy and prosperous, all the obstacles in their way must be removed. The money-lenders at present charge from 20 to 80 percent and sometimes even cent. per cent. interest per annum and the money-lenders sometimes charge a '*tikka*', that is, they realise this exorbitant rate of interest beforehand. It is to guard against such evil and to put an end to such unconscionable transactions that this measure is brought to this Council. But by this one measure, all the evils that are surrounding the zamindars cannot be removed instantaneously, but as has been suggested by the Honourable Sir John Maynard, this will be a step forward, the first step on the road to the complete emancipation of the zamindar from his economic slavery. The present measure is but the fulfilment of a tardy act of justice which was long overdue. Some honourable members suggested that the introduction of a check in the rate of interest would be much more useful in its results than the introduction of the present measure. If it is feasible to introduce a measure regulating the rate of interest I would be the first man to welcome it but the difficulty is how to enforce such a measure. If the rate of interest is regulated and brought down to a reasonable level, the crafty and cunning *bania* will in the very beginning while advancing Rs. 100 to the poor zamindar will write that he has advanced Rs. 200 and so the good effect of the fixing of a low rate of interest will be neutralised by the entry in the accounts as principal an amount double that of what is actually advanced. Are not the honourable members of this House aware that the Usurious Loans Act is already on the statute book and it is practically treated as a dead letter? May I ask, you, Sir, who have been practising as a lawyer until the day you were elevated to this high office, whether in your experience in the law courts any effect has been given to this most beneficent Act? In fact if we analyse the members who form the judiciary, we will be astonished to find that a large percentage of them belongs to the very class of people from whose underhand dealings the present measures wants to save the zamindar. When the judiciary is mostly composed from top to bottom of the very class against whose unconscionable transactions the present Bill is aimed, how can we expect them to administer the Usurious Loans Act and thus protect the poor zamindar from the clutches of the money-lender.

Pandit Nanak Chand : Is the honourable member justified in casting reflections on the judiciary of the province in the manner that he does?

Mr. President : In any case, the honourable member Sayad Muhammad Husain is not in order in asking a question from the Chair which is entirely impersonal.

Sayad Muhammad Husain : I beg the pardon of the Chair. I ask my honourable friends belonging to legal profession who are waxing very eloquent against the Bill whether they ever told any of their clientele that the interest which they were charging was in contravention of the provisions of the Usurious Loans Act. If my lawyer friends had ever had the interest of the poor zamindar at heart, they would not have filed complaints in courts seeking

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for relief calculated at a usurious rate of interest. The whole *bania* community has become demoralised to charge an abnormally high rate of interest and in the words of Mr. Gladstone 'the demoralization of the national sentiments is a calamity of the greatest magnitude'.

If only my lawyer friends had realised the hopeless extent to which their demoralization has gone, then they would have been the very first to come forward with a measure to bring relief to the poor zamindar. After all, the zamindars too are our brethren and they should not be left to labour under any disadvantage or disability. You are more educated, you have been in this profession of money-lending from time immemorial and his poor zamindar is no match to your machinations—he knows nothing. After all he is your own brother quite ignorant of the ways of the world and it is your duty not to deceive but to see that he gets on in this world tolerably well.

Pandit Nanak Chand : Whom does the honourable member refer to by 'you'?

Sayad Muhammad Husain : The whole tribe that is conducting money-lending. It is only to safeguard the poor zamindar from the clutches of the money-lender that this Bill is designed.

Dr. Gokul Chand, Narang : May I ask the honourable member to whom would he compare those who pay nothing but receive everything from their clientele?

Sayad Muhammad Husain : My submission is that 3 to 4 crores are being annually wasted upon litigation and this expenditure must have considerably increased since the enhancement of the court-fees recently. I can safely put the expenditure under litigation at 5 crores annually. What is that due to? If only an Act like the present one had been on the statute book, many of the vexatious suits would not have come to courts. It is because free scope is given to money-lenders to manipulate their accounts to suit their ulterior purposes that the courts are flooded with suits. Most of the expenditure incurred in the province is on account of litigation on the civil side; for criminal cases do not cost much. Criminal complaints require one rupee stamp and if the complaints refer to cognisable offences, the witnesses are produced at the expense of the Government and sometimes Government engages lawyers to defend the accused *amici curiae*. So criminal litigation does not cost much. The whole money that is spent on civil litigation is a sheer waste. Do not the honourable members know how many hundreds of suits were filed when the limitation was reduced from six years to three years? If all the money wasted in civil litigation had been spent in proper channels, such as industries what a good deal of benefit would have accrued to our province. If only we spend annually 5 crores on the industrial improvement of the province instead of wasting a like amount in civil litigation, then the Punjab would be one of the best industrial centres of India and will thus renew the glory of India. That would be a day of real Home Rule to India. What does Home Rule mean? It means in my opinion equality amongst all sections of the community (Hear, hear). If in order to remove the slavery in which we find the poor zamindar of the province a young man like the honourable mover of this Bill comes forward with a measure and if he has the unusual good fortune to receive the support of the Government, all the leading lights of the bar come forward to oppose the measure characterising it as a communal Bill. I say this Bill is not meant to safeguard the interest

of the Muhammadan community as it is wrongly supposed to be, but this is intended to safeguard the interest of the zamindar, the poor zamindar, the weaker of the two contracting parties. On the one side there is literacy, cleverness and resourcefulness and on the other side there is illiteracy, simplicity and tactlessness. Let this Council decide which side is to be supported. By bringing forward this measure the honourable member is entitled to the undying gratitude of the poor zamindars of the whole province.

With these few words, I support the motion to refer the Bill to the Select Committee.

Mr. President : As a very large number of members appear to be anxious to take part in the debate I take it that the Council will meet on the 14th instant, unless, of course, it is found possible to finish the whole business by continuing the sitting by about half an hour after 6 p.m.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) (Rural)] : Sir, last time when the Money-lenders' Bill was being discussed in this Council I characterised it as a communal measure, and now that so many months have passed since that happened, I have no reason to change my opinion and I hope that during the few minutes that are at my disposal, I shall be able to convince my friend, the mover, if he keeps an open mind that the Bill which he has proposed is really a communal measure in the sense that it is aimed by one community against another. Sir, I gave three reasons last time for calling it a communal measure and I shall not repeat them again. Some gentlemen took me to task outside the Council especially some of my Muhammadan friends, for having described the 'Money-lenders' Bill' as a communal measure, but while I was delivering my speech here, in the streets of Lahore there was being sold a paper called 'The Muslim Outlook', a paper which is the exponent of educated Muhammadan opinion. (A voice : "Is it?") Well, Sir, it is the leading organ of Muhammadans and it is the supporter of the policy which is pursued by the Muhammadan Minister in this Council (eries of Order, order) and therefore I am justified in calling it a paper which gives expression to the opinion of the educated Muhammadans of the Punjab. Here is a quotation from an article from this paper "Muslim Outlook", dated 18th November 1924.

Mr. President : What principle of the Bill is the honourable member discussing now?

Pandit Nanak Chand : I am attacking the principle of the Bill. The principle of the Bill is not to remove the troubles or trials of the agriculturist but that it is aimed really at the Hindu community as a whole and I am going to quote chapter and verse to show that the Bill is inspired by that spirit and has got that aim and object. I quote, Sir, from a leading article of that paper : "Money-lenders *versus* Muslims." In this article it is stated :—

"We will cheerfully admit that the Bill marks an instance of Muslim revolt against Hindu rapacity, for it must follow that any undue tenderness expressed by Hindu leaders for a class of traders whose greed is a byword and notorious throughout India betrays the Hindu propagandists in their true colours, the colours of confederates of people who are morally criminal and whom Islam teaches Muslims to despise and to denounce."

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This was the article which was being distributed in Lahore on that very day when I was giving expression to my opinion here that the Bill was a Muslim measure. I was ignorant of the existence of this article and here is the testimony which supports me in characterising this Bill as a Muslim measure.

With regard to the new Bill, I quote from the "Muslim Outlook" dated November the 26th, 1925:—

"Need we add that the passage into law of Mir Maqbool Mahmud's Money-lenders' Bill may be regarded by Muslims and treated as necessary part of Tanzeem work?"

This Tanzeem is a movement as opposed to the Hindu Sangathan movement which is described in one of the Government reports as a body of Hindus working against Muhammadans. (A voice: Question) Well, it is so described there. The Government report describes it as such. I do not say it is. Now, Sir, this is with regard to this Bill which my friend has chosen to move in the present session of the Council and if my learned friend will pardon me, I will say that the agitation shows that the Hindus are thoroughly opposed to this Bill and the Muhammadans are with certain exceptions in favour of this Bill. This dividing line between one community—the non-Muslim community in opposition to the Bill and the Muslim community in support of the Bill—supports my argument that this is a Bill which has the whole-hearted support of one community and the whole-hearted opposition of the other. If any other proof were needed that proof is given here to-day that in this Council out of 35 Muhammadans not one single Muhammadan is there who is prepared to say that the Bill is a pernicious measure. . . . ?

Sayad Muhammad Husain: What about the Khojas of Sardar Jodh Singh?

Pandit Nanak Chand: Am I to be interrupted by my friend Pir Muhammad Hussain at every step?

Mr. President: The honourable member will please continue.

Pandit Nanak Chand: After this piece of evidence can anybody say that the measure is not inspired by that communal jealousy or communal hatred which unfortunately is the bane of our province? Now, Sir, I am very glad that Sir John Maynard has enlightened us about the attitude of the Government with regard to this measure. I wish to enlighten the members of Government with regard to the attitude of the Government of other provinces in regard to measures of a similar nature.

I will quote from a discussion which took place on the Money-lenders' Bill in the Legislative Assembly in 1923. There also a Bill was moved by one Mr. Muhammad Yamin Khan and there that Bill was stoutly resisted by Government officials and the leave to introduce was not given. Mr. P. B. Haigh (Bombay Nominated official) said—he quoted the opinions of several Governments in his speech. . . .

The Honourable Sir John Maynard: How is it against the principles of this Bill?

Mr. President: I have already informed the members of this House that only the principle of the Bill is to be discussed at this stage. I do not

think that all these points can be brought into the honourable member's speech. He should discuss the principle and nothing else.

Pandit Nanak Chand : I understand that, Sir, quite well and I am only discussing the principle and I am trying to show by quoting authority of higher people that it is impossible to define the term "money-lender" and that it is impossible to keep prescribed accounts. If the Honourable the Finance Member had waited for a short time, he would have seen that I would have quoted only the relevant pieces and not irrelevant pieces from the debate.

Sayad Muhammad Husain : Is the attitude of Government also a principle of the Bill ?

Mr. President : No.

Pandit Nanak Chand : The Government of Madras reported—

"The registration of money-lenders would be a formidable and almost impossible undertaking and would be so far from complete as to be useless..."

The Honourable Sir John Maynard : Sir, I rise to a point of order. We are not at present concerned with the registration of money-lenders, but the honourable member is reading something which talks of registration. I think that is irrelevant.

Pandit Nanak Chand : I quite understand that, but if the Honourable the Finance Member had a little patience to hear what follows he would have understood my point.

"Nor does the Governor in Council consider that any useful results would be produced by compelling money-lenders to keep accounts or give receipts from counterfoil receipts books"

Then, Sir, it was said that there is a Money-lenders Act in England and that we are dealing with a similar sort of problem here. The Government of Bombay have replied to that argument. They say—

"The problem of dealing with money-lenders in England is totally different from that of dealing with them in this Presidency, and arguments from the success of the Money-lenders Act in England are in the view of the Governor in Council full of danger. In England a small and fairly well defined class of professional lenders catering for a comparatively small class of borrowers has been taken under control without difficulty and without interfering with or unsettling the whole of the credit system of the country. In India practically every one with a little money in hand lends it out, and the agriculturist, who has saved a few rupees is often quite as rapacious as any *sahukar*."

Shaikh Faiz Muhammad : I rise to a point of order. How can a difference of opinion between two Governments be regarded as a discussion on the principles of the present Bill ?

Mr. President : I think the honourable member is quite in order. So he may proceed.

Pandit Nanak Chand : My learned friends are not able to stand these heavy blows that are being dealt with (Laughter). I proceed, Sir, with what the Government of Bombay said :

"Registration of money-lenders would represent enormous difficulties in India and in fact may be said at once to be impracticable. Even to arrive at a satisfactory definition of 'money-lender' would be a hopeless task."

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The Burma and the Central Provinces Governments were of the same opinion. The Lieutenant-Governor of the United Provinces thought that "all ideas of registering money-lenders insisting on their keeping books and the like are quite out of the question". This was what was said by the Governments whose opinions were collected. If my learned friend Mir Maqbool Mahmood wants further evidence that this is a Mussalman measure I may point out that a similar Bill was moved in the United Provinces Council and this is what the mover of that Bill said: "A Bill to remove the evil was moved, I might inform this House (the Legislative Assembly) in the United Provinces Council and there it was rejected on the ground that it was beyond their jurisdiction to consider it." The various Governments considered very deeply when in 1918 the question of passing the Usurious Loans Act came before them, the various questions connected therewith. An exhaustive enquiry was made as to whether it was possible to impose any conditions on money-lenders, as to how they should keep their accounts, as to who the money-lenders were, whether it was possible to define the word or not and after deep consideration the unanimous verdict of all these Governments except perhaps of the Punjab Government, was that it was impossible, first of all, to impose these conditions and then to ask the people to keep their accounts in a particular manner and it was impossible to arrive at a satisfactory definition of the word 'money-lender'. If you turn, Sir, to the provisions of the Bill you will find that Mir Maqbool Mahmood also is unable to give any satisfactory definition of 'Money-lender'. He says " 'Money-lender' shall mean a *sahukar* and includes every person whose business is that of money-lending, or who advertises or announces himself or holds himself out as carrying on that business, or who is a *quasi-money-lender*, but it shall not include, etc., etc." You will find, Sir, that he borrows a portion of the definition in the English Money-Lenders Act. That portion does not apply to the conditions in the Punjab or anywhere in India. There are no people who advertise themselves or announce themselves or hold themselves out as carrying on the business as money-lenders as was pointed out by Dr. Gokul Chand the other day. Curiously enough he adds one other clause, "*quasi-money-lenders*." In that expression he wants to include shopkeepers who sometimes charge interest on the balances of their accounts with their customers. Not only this, there is a long list of exceptions extending from (a) to (f). By making these various exceptions he shows that he is helpless in defining the word "money-lender" and he cannot say which class to include and which not to include in his definition. Curiously enough though he borrows this definition from the English Money-lenders Act he includes in his definition money-lenders of two classes which the English Act excludes, one, pawnbrokers and the other bankers. Let me explain my position in regard to these bankers. The English Money-lenders Act specifically excludes bankers, that is, those people with whom you entrust your money for want of a bank in your town or village and for which they pay you a small rate of interest. These bankers carry on their business in large towns and villages of this province and they are to be included in this definition. Thus you see how a blow is dealt with at the activities of those men who are really safeguarding the savings of those who have got surplus money and who lend it out and make a little profit out of this money. It was rightly pointed out by Mr. Owen Roberts and some other speakers that this Bill excludes landlords who advance money to their tenants, lessees or partners in cultivation. What is the object of such exemption? This shows

that this Bill is intended to aim a blow not on the money-lenders in general, but on a special class of money-lenders whom the Bill has in view. Why should the landlord who advances his money to his tenants or lessees or partners in cultivation be excluded and why should he not be called upon to prove that he keeps regular accounts just as any other lender has to do when he comes to a court? How are you going to make a difference between the landlord money-lender and the money-lender who carries on money-lending as his principal source of business? The real reason why Mir Sahib is so charitable to this class of people is that he wants their support in this Council for getting his Bill through, otherwise it will be thrown out. The difficulty with regard to money-lending is really felt by the honourable mover himself when he says that the word "money-lender" will not include "any individual or individuals specially exempted by the local Government in this behalf". Is my learned friend really serious in excluding these classes of money-lenders? Is he not aware that there is a great amount of communal feeling in this province and that it would be possible for the predominant party in the Government to exclude certain classes of people from the operation of this Money-lenders Act? Does he not know that there is already a large amount of class hatred and when one party gets predominant power in this province it will be easy for that party to exclude any individual or individuals whom they want to favour from the operations of this Act? The real point is this. Mir Maqbool Mahmood himself is unable to arrive at any satisfactory definition of the word money-lender and, as was pointed out by much higher authorities than myself, it is impossible in India to define this word money-lender. Now, Sir, may I ask the honourable mover why he includes *quasi*-money-lender? Under what system of jurisprudence are these people whom he describes as *quasi*-money-lenders, regarded as money-lenders? He defines a *quasi*-money-lender to mean "a retail dealer who advances loans in cash as well as in kind or who charges interest on his trade balances". How on earth can you ask that these people are to be included among money-lenders? I therefore submit that the definition of money-lender is too vague. It includes those people who ought to have been excluded and excludes a large number of people who ought to have been included, and at the same time it arms the executive with powers which the executive ought not to possess.

Well, Sir, this is one part of the question. Then comes clause 8 which is very ridiculous. A more obnoxious and ridiculous and dangerous clause than this I have never seen in any system of jurisprudence or legal enactment. What does he say in clauses (a) and (e)? Clause (d) says "A money-lender as defined by this Act shall within one week of the advancing or renewing a loan of more than twenty rupees value, or of receiving a repayment of that value, send to the borrower concerned, through a registered letter-card with acknowledgment (debiting the borrower with the actual cost of registration), a *memo of transaction* (in the form prescribed by the Local Government showing accurately the particulars mentioned in Schedule I about that transaction)". Clause (e) says he "shall send a combined *memo of transaction* (in the form prescribed by the Local Government), through a registered letter-card with acknowledgment (debiting the borrower with the actual cost of registration), to each of his borrowers to whom he has advanced or renewed loans (or from whom he has received repayments) of the value of rupees twenty or less each amounting to more than fifty rupees (since this Act comes into force or subsequent to the despatch of the last such memorandum whichever be later), and within one week

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of the closing of the calendar month in which they ultimately so amount showing accurately the particulars mentioned in Schedule I about all such transactions with the borrower concerned in the course of that period". I ask, Sir, is the honourable member serious when he puts in these two sub-clauses in clause 3? Does he really mean to say that he is framing a Bill which will be workable under the present condition of Indian Society? Does he really mean to say that he expects all these money-lenders who are carrying on their business in villages to fulfil the conditions required by these two sub-clauses? Just consider for a moment what would be the effect of these sub-clauses? Here is a village money-lender carrying on his trade, he is not a money-lender but a *quasi*-money-lender. He advances certain loans to his next-door neighbour. There is no post-office in his village, he has to take his horse and go ten miles off and post the letter-card as required by this sub-clause. He returns to his village and there is another borrower standing at his door who wants 20 or 30 rupees. He has again to put his horse in order and go again to the post-office to post his letter-card. Sir, do you seriously mean that the business of money-lending can be carried on in the face of all these difficulties? Would not the money-lender be well advised to take a pill

of opium and end his life instead of carrying on his money-lending business against such odds? That would be the right thing for him to do. If you are really serious in proposing such an obnoxious, such an utterly ridiculous and such an inhumane clause in your Bill which stands in the way of freedom of contract between those who want to borrow and those who want to advance money, then how can you expect money-lending to be carried on under such hazardous conditions? Are you, Sir, I ask in all seriousness, advancing the cause of the agriculturist? Do you say, in the name of the agriculturist, that this clause is going to benefit the agriculturist who has every day to go to the Mahajan or the money-lender for his daily necessities. I submit, Sir, that a clause like this would act like a halter in the neck of the agriculturist as well as the money-lender and it would be fatal to the interests of the poor zamindar whom you want to befriend. I submit, Sir, that this Bill is not going to benefit that class of people whom my honourable friend the mover wants to help. I really doubt, Sir, whether the honourable mover is really serious in bringing forward his measure. When I read these clauses I thought that the honourable mover wanted to play some sort of joke on the Council, otherwise these utterly ridiculous and obnoxious and pernicious provisions would not have found a place in a Bill proposed in this Council

Mr. President: Is the honourable member likely to take a long time before he finishes his speech?

Pandit Nanak Chand: As this measure is an important one, I would like to speak on it at some length.

Mr. President: Then the Council will adjourn.

The Council then adjourned till 2 p. m. on Monday, the 14th December 1925.

FUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 14th December 1925.

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

OATH OF OFFICE.

The following member was sworn in :—

Mr. D. Reynell (Official, nominated).

QUESTIONS AND ANSWERS.

VERNACULAR CLERKS AND MINIMUM PAY.

2487. Chaudhri Nur Din : With reference to the answer to question* No. 1927, put on the 20th June 1925, will the Government please state whether after the introduction of the revised scale of pay any representation was received from the Munshi Association of the Irrigation Department protesting against the time-scale fixed for them? If so, what action was taken on that representation?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Yes. Preliminary investigations have been made and are under the consideration of Chief Engineer.

ADDITIONAL INSPECTORS OF CO-OPERATIVE SOCIETIES.

2488. Chaudhri Nur Din : (a) Is it a fact that the request made by the Registrar of Co-operative Societies for Additional Inspectors has not been recommended by the Finance Committee?

(b) Is it a fact that the Finance Committee before disapproving the said budget did not consult the Minister for Agriculture or the Registrar of Co-operative Societies or the Co-operative Societies Standing Committee?

(c) If the answers to parts (a) and (b) are in the affirmative, will the Honourable the Finance Member explain the reason?

The Honourable Sir John Maynard : (a) No recommendation for Additional Inspectors has been laid before the Finance Committee.

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

CONFISCATION OF ROUBLE NOTES.

2489. Lala Mohan Lal : (a) Will the Government please state if it is a fact that the merchants of the Hoshiarpur district trading in Central Asia have been ruined or are on the verge of ruin by the rouble notes in which form they held their capital having been confiscated by the Government of India in 1920?

(b) If so, will the Government please say what action it has taken or proposes to take to ameliorate their condition?

[Lala Mohan Lal.]

(c) Has the Government considered the advisability of moving the Government of India in the matter? If so, with what result?

The Honourable Sir John Maynard: The matter is not one with which the Provincial Government is competent to deal.

ANSWERS TO CERTAIN UNANSWERED QUESTIONS LAID ON THE TABLE.

Secretary: Answers to certain unanswered questions which have been received since the publication of Volume VIII, No. 25, of the Council Debates, are laid on the table. *

THE PUNJAB MONEY-LENDERS' BILL.

Mr. President: The motion before the Council was—

"That the Punjab Money-lenders' Bill be referred to a Select Committee."

The Council will resume discussion on this motion.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural]: Sir, day before yesterday when the Council rose I was trying to show by reference to certain clauses of the Bill that it bore internal evidence of being a class measure, particularly directed against a particular class of people. I had commented with that object on clauses (d) and (e) of section 3. I propose to deal with clause 6 with the same object.....

Malik Firoz Khan, Noon: Sir, I rise to a point of order. Is this the stage where the Bill is to be dealt with clause by clause?

Pandit Nanak Chand: I have already stated that my object in referring to these clauses is to show that this is a class measure and directed against a particular class. Clause 6 runs as follows:—

"Notwithstanding anything to the contrary in any enactment, rule, bye-law, or any other provision of law—

(a) No Civil Court shall entertain any suit or pleading relating to a loan advanced or renewed or security taken therefor after the commencement of this Act by a money-lender unless the money-lender had complied with the requirements of the provisions of section 3 of this Act with respect to the subject-matter of the suit.

(b) No Civil Court shall grant any interest to a money-lender, with respect to a loan advanced or renewed after the commencement of this Act, for any period of six months for which a statement of account was due but had not been supplied in accordance with section 4 of this Act, unless the money-lender can satisfy the court that the omission was due to some reasonable excuse and that he had submitted the six-monthly statement of account in the prescribed form and manner as soon as he was able to do so."

Now, Sir, these clauses distinctly show the intention of the mover in framing them. It means merely that he has aimed a blow at those money-lenders or those who belong to a particular class by inserting these clauses and asking the House to accept them. It means nothing less than this, that the money-lender will not be able to get the protection of the court if he has not complied with those pernicious clauses to which I made a reference the other day. No civilised system of justice, no law however harsh it may be, provides penalty of the kind which the learned mover provides in this section.

I challenge my friend to quote from any law, whether in India or outside India, which prescribes a penalty of this kind. Just fancy, a man forgets to send a letter card to the debtor and brings a suit. Perhaps the suit is worth Rs. 500, or 5,000 or 5,00,000; it is to be dismissed outright because for some reason or other the money-lender has failed to send that letter card which the honourable mover requires the creditor to send to the debtor under clause 3 (a). What does it mean except that according to this measure the money-lenders are to be treated as outcasts and pariahs whom the courts are not to protect? I submit, Sir, that this shows vindictiveness on which this Bill is based.

Now, Sir, it has been suggested that it is a measure which is going to protect the agriculturist. It is also suggested that the Bill is going to benefit the urban population as well. Do you mean to say that when this Bill comes into force, it will not interfere with trade or industry? Will it not affect the trade at Amritsar and other commercial centres? Is it not a fact that commerce and industry of the country will be disturbed to a very great extent? The honourable mover of the Bill says in the statement of objects and reasons that "there is evidence to show that the poorer classes of urban borrowers are also being exploited by the unscrupulous money-lenders and need protection against the latter". He ought to have produced evidence of facts and figures to substantiate his statement. What are those classes which he refers to in his Bill? If a certain dhobi here or a barber there is cheated, is he going to deal a blow at the root of commerce and trade in urban areas? My contention is that in no case should the application of the Bill be extended to the urban areas. Sir, when the last Bill was circulated for opinion, every urban centre resisted and opposed the passing of that measure into law, and if public opinion has to carry any weight, the mover ought to restrict the operation of this Bill only to rural areas. There is no demand, no expression of opinion by the urban population against the so-called unscrupulous money-lenders and there is no justification why the Council should extend the application of the Bill to urban areas as well.

Then, Sir, my submission is that I am one of those who realise that there is a lot of harsh dealing on many occasions between the debtor and the creditor, between the money-lender and the agriculturist, and this point has been considered more than once by the various legislatures, and there is ample provision in the present law where more than ample protection has been guaranteed to the debtors. Those who try to bring Bills of this kind seem to be ignorant of the existing law on the subject. First of all I wish to draw the attention of the Council to the provision made in section 16 of the Indian Contract Act, where the burden of proof for any transaction which appears to the court to be harsh and unreasonable is thrown on the money-lender, that is to say,

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if there is any transaction which comes to the notice of a court and if it is found that the transaction is harsh and unconscionable, the burden of proof is not thrown on the debtor as it would be in the ordinary case, but the money-lender is called upon to explain under what circumstances the transaction was entered into and whether it was free from pressure or undue influence of any kind.

An illustration was added to section 16 of the Indian Contract Act to carry out this intention. Sir, that very Act gives ample powers to courts to interfere in any bargain or transaction which appears to them to be hard, unconscionable or inequitable. Even the most solemn transaction evidenced by a registered deed, etc., can be upset by a court if it is of opinion that the transaction was harsh or unconscionable or inequitable. That is not all. It is said that the Bill is meant really for making these lenders keep regular accounts. The honourable gentlemen who support the Bill from that point of view entirely forgot the provisions of section 34 of the Indian Evidence Act according to which it is the duty of the money-lenders or those who rely upon their account books to show that their account books are regularly kept and if the Government or the honourable mover of the Bill had made some enquiry into the number of suits that are dismissed by courts because of the plaintiffs' keeping irregular account books he would not have said that the courts afford no protection at the present time. Take any district where money suits are filed, call for statistics and facts and figures, you will find that 30 or 40 per cent. of the suits are dismissed because the *hikis* or account books are not reliable. This fact has entirely been forgotten by those who ignore the provision of section 34 of the Indian Evidence Act. Not only that. The section provides that *hikis* or account books by themselves will not be sufficient evidence and if a case has to come to court, some independent evidence must be produced and it must be shown to the satisfaction of the court that besides account books there is other independent evidence and only in that case is the suit decreed. I fail to understand what more provisions are required for the regularity of the account books.

This is not all. In 1917 this question of the indebtedness of the peasantry of India came to the notice of the Government of India. An exhaustive enquiry was made and ultimately the Usurious Loans Act of 1918 was passed. Honourable members who are citing the English Money-lenders' Act have failed to look at the Usurious Loans Act. With your permission, Sir, I will read from the Objects and Reasons of that Act and I will show you convincingly that that Act was meant to remedy the evils which the present Bill intends to remedy. This is what is said in the Objects and Reasons:

"The remedy proposed by this Bill is to empower the courts on the lines of section 1 of the Money-lenders' Act, 1900 (English Act), to reopen transactions by way of money or grain loans in cases where the court is satisfied (1) that the interest or other return is excessive and (2) that the transaction is substantially unfair, and after investigation of the circumstances, both attendant and antecedent to revise the transaction between the parties and, if necessary, to reduce the amount payable to such sum as the court having regard to the risk and all the circumstances of the case, may decide to be reasonable. Provision has been made to cover the case of loans of grain as well as of money, as loans in kind are often made on very oppressive terms."

This is what Sir William Vincent and Sir Alexander Muddiman said in the Objects and Reasons. A commentator on this Bill says :

" This Act is much wider in its scope than the Money-lenders' Act as regards the class of transactions embraced by it.A transaction by a firm *bona fide* carrying on any business, not having for its primary object the lending of money, in the course of which money is lent, is excluded from the operation of the Money-lenders' Act. There is nothing in the Usurious Loans Act which would exempt such a loan from coming within its purview. All loans of money, as well as loans in kind, come within the purview of the Usurious Loans Act."

I ask, Sir, in face of these facts, what more do you want than this Usurious Loans Act? Let me read section 3 of this Act and you will see whether you could in reason and justice enact a law harder and more harsh against the money-lenders than this Usurious Loans Act. It says :

" Notwithstanding anything in the Usury Laws Repeal Act, 1855, where in any suit to which this Act applies, whether heard *ex parte* or otherwise, the court has reason to believe—

(a) that the interest is excessive ; and

(b) that the transaction was, as between the parties thereto, substantially unfair,

the court may exercise all or any of the following powers, namely, may—

(i) reopen the transaction, take an account between the parties, and relieve the debtor of a liability in respect of any excessive interest ;

(ii) notwithstanding any agreement, purporting to close previous dealings and to create a new obligation, reopen any account already taken between them and relieve the debtor of all liability in respect of any excessive interest, and if anything has been paid or allowed in account in respect of such liability, order the creditor to repay any sum which it considers to be repayable in respect thereof ;

(iii) set aside either wholly or in part or revise or alter any security given or agreement made in respect of any loan, and if the creditor has parted with the security, order him to indemnify the debtor in such manner and to such extent as it may deem just.

Now, Sir, I ask all fair-minded persons here whether there can be any stronger safeguard of the debtors' position than this. This Act has not been given a chance to operate. It was passed only in 1918 and my learned friend comes here again with the Money-lenders' Bill and says, " Look here, there is a Money-lenders' Act in England and there must be a Money-lenders' Bill here too ". He forgets as was pointed out by the authors of the Usurious Loans Act and its commentator that this Act is wider in scope and gives greater protection to debtors than the English Money-lenders' Act. I

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therefore contend that there is ample provision in the existing law to meet the needs of the debtors. Loading the Statute Book by passing more enactments is not going to remedy matters any further. You will not be able to do away with the usury of the money-lenders any more than the existing laws can. Human nature being what it is, no amount of legislation can cure the evils which exist at present. You talk of money-lenders as being dishonest. For that matter there are a large number of people who cheat others. There are hundreds of Government servants who take illegal gratifications, there are hundreds of lawyers who take to illegal practices.....

Mr. President: The honourable member should please note that the present discussion is on the principles of the Bill.

Pandit Nanak Chand: I am submitting, Sir, that there is absolutely no need for this legislation, and that you cannot correct the evils which exist and which are inherent in human nature by passing any number of legislations of this kind. I agree entirely with Mr. Owen Roberts in his remark that you must show the necessity, the circumstances which did not exist before and which have since arisen which necessitate this legislation. From that point of view I say it is absolutely impossible for any legislator or for any person to school people into morality by legislation of this kind. I realise, as well as my friends on the other side realise, that there are dishonest money-lenders just as there are dishonest debtors. While legislation has done everything to protect the dishonest debtor it has shown no protection so far to, it has done nothing to improve the condition of, the honest money-lenders. Hundreds of difficulties are placed in the way of those who get decrees from courts and who are unable to realise their money. I submit, Sir, that the supposition that all money-lenders are rich or that they have hoarded much wealth is a mere shibboleth. It is a mere fib, it is an error. There are hundreds and thousands of them who live from hand to mouth; and therefore to ask them to comply with the provisions of the Bill which is now under discussion is absolutely inequitable and unjust.

Sir, there is one further reason which perhaps may appear strange to those who are in favour of this measure why I oppose this Bill. As a representative of the agriculturist classes, as one who has the honour of representing them here in this Council I say that this measure will only improve and strengthen the hands of the usurious lenders and will not destroy them. I want the honourable members to listen to my argument on this point carefully. There are a large number of people who belong to what are called the money-lending classes. They have been doing this work since generations. They know how to keep the accounts. But there have entered into competition with them the so-called agriculturist classes, Jats, Gujars and others who have started doing money-lending business. These people have entered, I say, into competition with the professional money-lenders and these new money-lenders are increasing everywhere. By their competition they are thus spoiling the business of professional money-lenders. What will happen if this Bill is passed? One result of it will be that a large number of these people will not be able to comply with the terms which this Bill proposes to impose upon the money-lenders. A large number of them will therefore have to go out of the field. There would then be less competition and money-lending business will be in the hands of hereditary money-lenders who know how to keep accounts and who know how to manipulate accounts and it will not be impossible for them to get out of the clutches of this law and take advantage of the poverty of the debtor. I may read out a passage

from this book (Punjab Peasant in Prosperity and Debt) which has been quoted again and again. This is what Mr. Darling says in his book. "The most prominent type is the Sikh Jat of the Central Punjab, who has some of the canny business flair of the Lowland Scot. Round Jullundur he has already ousted the *sahukar*, and in Amritsar, Ludhiana and Hoshiarpur he meets him on almost equal terms. In the south, the Hindu Jat of Rohtak, a district full of ex-officers, runs him close, and here and there even the Muhammadan Jat is finding ways of squaring the precepts of religion with the claims of business". Farther on, Mr. Darling says, "There is truth in the old saying, 'The cock and the crow nourish their families; the Jat and the crocodile destroy them'. The *sahukar* will occasionally knock off part of his interest, but as a villager in Ludhiana remarked, 'a Jat foregoes nothing—not even a pebble'. The Jat, too, being an agriculturist, knows how the cow can be milked, and is able to squeeze the last drop out of his client". (At this stage Chaudhri Duli Chand interrupted). I wish to inform my honourable friend Chaudhri Duli Chand that if I am to be interrupted like this I will go on for three hours. I know what is relevant and what is not relevant. If I am not interrupted I shall close my speech very soon. Well, Sir, Mr. Darling goes on "Moreover, the *sahukar*, being timid by nature, can sometimes be intimidated, but 'the Jat seizes you by the throat and knocks you down'".

This shows how the Jats have taken to money-lending and I know that in the Hissar district hundreds of Jats do money-lending business. I know hundreds of Jats who do money-lending business and they come in competition with the village *bania* or the money-lender with the result that this competition is quite favourable for those who borrow. This Bill therefore is not favourable to the zamindar. If this Bill is passed, the result would be that you would drive out those various classes of money-lenders out of the market and the village money lender, the *bani* money-lender or the Arora money-lender or the Khatri money-lender will remain. All other money-lenders will go out and there will be a monopoly of this business in the hands of only a few classes with the result that they would exact as hard terms as they can get. If they comply with the provisions of this law, what would be the fate of the debtors in court? To-day thousands of suits are dismissed. To-morrow, after this Bill is passed, will it lie within the power of any judge or a court to dismiss any suit when the plaintiff has complied with all the terms of this Bill. The result would be that the court would be unable to grant any protection which sometimes and in some cases they do desire to give. Therefore I say that this law will really strengthen the hold of Shylocks and this law will not destroy them; my submission is that the more stringent the law, the greater will be the hold of these Shylocks on society and instead of driving them out of the market by competition, you leave the field quite open for them. I therefore urge upon all my honourable friends with all the emphasis at my command that they should think twice before they pass a law of this kind. By passing this Bill, they will be doing a great harm to those whom they profess to represent in this Council. I speak from the point of view of the agriculturist whom I have the honour to represent in this Council and I submit that I do not belong to a money-lending class. I am speaking in this House simply to advance the cause of the agriculturist and I appeal to honourable members not to allow this Bill to be passed into law. Well, Sir, I, as I said before, agree with my honourable friend Sayad Muhammad Hussain and others that there is a real danger and that there are really some people who do

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practise fraud on others, who do take advantage of the inability or incapacity or poverty of other people. But what is the remedy? You have already passed these laws to which I have referred. If you really want to do away with Shylocks, the only course to do that is to make these people who belong to the debtor class more educated and to give them the means of defending themselves. In order to make the people more educated I asked my honourable friends to openly come out and say that they would have compulsory education up to the sixth or the seventh standard and that for that purpose they would impose fresh taxes if need be. When I make such a proposal not a single member on the other side responds to the call. The only possible remedy and the only remedy that will save these unfortunate people is that they should be educated. Let us like men face the burden, let us like men come out and shoulder the burden of extra taxation if need be. If you introduce compulsory primary education up to the sixth or the seventh standard you will have done a great deal for these people. You will be paving the way for saving them not only from the unscrupulous money-lender, but the unscrupulous trader, the unscrupulous professional man, the unscrupulous Government servant who takes money by illegal gratification, and in fact against all unscrupulous people. This is the remedy. If you are earnest, if you are going to protect these people, then come out into the field and I promise you the votes of the members of my party. There would not be one man of our party who would shirk the burden that you would impose upon the richer classes, not one man who would say that this remedy should not be applied or that this matter should not be taken in hand. That is the solution of this difficulty. Make as many statutes as you like. Let your table reel under the load of statute books, but you will not have removed the real disease. You are only treating the symptoms. The cause of the disease is poverty and illiteracy and if you remove them you shall have gone a great way in earning the blessing of those whose cause you seem to fight for.

I have one last word to say to the members of the Government. They must remember that this Bill is wholly resented by the Hindus and the Sikhs in the Punjab.

Chandhri Duli Chand: No.

Pandit Nanak Chand: My honourable friend Chandhri Duli Chand will always say, no; but my honourable friend Dr. Gokul Chand Narang, gave a reply to him and I do not wish to repeat it again. This Bill is resented most by the Hindus and the Sikhs and this Bill is not wanted by either of the communities. On the last occasion when the officials gave their votes in favour of the measure, I drew their attention to the fact that there should be no measure of a party character. Now, I understand that the Government is pledged to see this motion go into the Select Committee. This is a Bill which the Government ought to have knocked on the head from the very beginning. What is it that has led the Government to give this pledge that they will support the Bill up to the Select Committee stage? Should I understand that some influence has been brought to bear on the Government to give their support to the Bill?

Shaikh Faiz Muhammad: May I know, Sir, if this is a discussion of the principles of the Bill?

Professor Ruchi Ram, Sahni: Is it not?

Pandit Nanak Chand : I have every right to canvass the votes of the Government and I ought to show to the Government that they should take the side of reason and not adopt an unreasoning attitude. My suspicion is that the Government are now under the influence of the Income-tax Department. Many complaints are made by these income-tax officers who are quite incompetent to understand the accounts and who are unable to follow the account books and therefore they want that something should be done in this direction to facilitate their work. I submit, Sir, that that should not be the sole reason for the Government members to give their support to a measure of this kind. I do not believe and I do not imagine for one moment that the Government could have been influenced by the threat in the *Muslim Outlook*, which suggested that if the Government was not prepared to help the Muhammadans, it should not expect to rely on the votes of the Muhammadans in the Legislative Council. Sir, I appeal to the Government members in the name of justice and fair play that they should not throw in their weight on the side of a measure which is resented most bitterly by the members of my community and the members of the Sikh community. They must not forget the fact that we are not in a majority here. We are a minority community living under the protection of Government which professes to hold the scales even between all the communities of the Punjab, and if they treat us as if we were a majority community in this land, that would be hardly fair and just. Already you have passed statutes, you have passed laws which impose civil disability on different castes and tribes and which afford no protection to the poor agriculturist. Acts of the kind imposing special disability on castes and tribes are bitterly resented by men of my community and I ask you before you allow this Bill to go to the Select Committee, to consider twice, three-times and a thousand times lest you should become a party to the passing of a communal and a class measure of this kind.

Maulvi Mazhar Ali, Azhar [East and West Central Towns (Muhammadan), Urban] (Urdu) : Sir, I have listened with wrapt attention to the speech delivered by my honourable friend Pandit Nanak Chand to day and the day before yesterday. I have weighed very carefully the appeals he has addressed to the House and the Government. The thing which struck me most in the whole of his speech was the contradiction that existed between the first part of his speech and its concluding portions. Last November when he addressed the House on the subject he branded the Bill as a Muhammadan measure and day before yesterday too he characterised it similarly and showed it to be a class measure devised against a particular class of persons. He describes it to be designed against the interests of Hindus. He, therefore, representing the Hindu interests has opposed it. Now, if we refer to the other part of his speech, my point will be manifest. Addressing those who support the Bill, he argued that it would prove harmful to the zamindars and would be beneficial to the sahukars. If this Bill is really a blessing in disguise to the Shylocks whom he represents, may I know what for all this hue and cry is raised? Why are their representatives up in arms against it? (Hear, hear, from the Muslim benches). (A Voice : He does not represent those Shylocks.) But he thinks he represents them. If the villagers will be the losers, why then do you call it a Muslim measure? It can be harmful either to the zamindars or to the sahukars. How can you reconcile the two things?

I would now discuss the reasons for calling it a Muhammadan measure. The greatest argument that he has advanced is that Quran forbids Muslims to take interest. That is why he says, that it is a Muham-

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madan measure. This Bill does not state anywhere that nobody should take interest. I fail to see any force in the argument. It is really very curious to say that since Quran forbids taking of interest and as this Bill regulates the profession of money-lending so it is a Muhammadan measure. The second argument that he advances is that while Hindus and Sikhs are against it, no Muslim has opposed this measure. The other day it was asked if all the Hindus are opposed to it and if there are any who are in favour of such a Bill. It is not correct to say that all Hindus are opposed to it. My honourable friend Chauthri Duli Chand has informed us that he is a Hindu and is in favour of this Bill. He also represents a Hindu constituency as my honourable friend Pandit Nanak Chand does. Chaudhri Sahib is preparing to make a speech and I do not know whether he is in favour of it or opposed to it now but appearances show that he is in favour of it.

Pandit Nanak Chand said that it will be harmful to the agriculturists. I know there is cause for such a view. It will apply to Hindus as well as non-Hindus and as it will be harmful to the zamindars you cannot say that all Hindus are opposed to it. I had a chance of meeting some Hindu friends and discussing this Bill with them. I found two under-currents of opinion among them. They said, in a way, such a Bill is not a bad thing. One view is that it will not tell very heavily on *baniyas* who are professional money-lenders and have long been keeping accounts. Therefore, they do not think this Bill in any way injurious to them. Again, there are novices also who have only recently entered into the profession. These will certainly be driven out of the field and thus it will be advantageous to the old hereditary *baniyas* and they will instead of losing gain through the passing of this Bill. The other view is that there are those among the *sahukars* who resort to some objectionable practices. They either do not produce their *bahis* in the courts and thus destroy all evidence of the payment having been made or if they produce any *bahi* at all they produce the wrong one, having kept more than one *bahi*. These *bahis* are not pagged and contain loose pages which can be removed easily. No member has denied such practices. Where is the harm if such things are put an end to? The honourable member in support of his statement that it is a Muhammadan measure quoted some extracts from the *Muslim Outlook* and inferred therefrom that it is a Muhammadan measure and the editor of the *Muslim Outlook* represents the views of the Muhammadan educated public. If this is so, on one side, then the honourable Pandit is representative of the educated Hindus on the other and both of them have taken the extreme view of the case and have failed to find a *via media*. Both have got similar temperament and if one moves towards the North Pole the other is bound to move on facing towards the South Pole.

I am constrained to submit that none of those who have opposed the Bill have tried to bring into prominence the good points and remove the defects of the Bill. My friend Pandit's position is very contradictory. Day before yesterday he objected to sub-clause (h) being added in the list of exceptions. He says that the list of exceptions is very large and it contains the sub-clause (h) which reads :—

"A landlord who advances money to his tenants, lessees or partner-in-cultivation."

It purports to exclude the landlord from the list of money-lenders. He suggests that this has been done to canvass the votes of the landlord members of this Council without which this Bill cannot be passed. But

Sir, when in November last he spoke against this Bill one of the chief points on which he based his opposition was the fact of this very landlord class being included in the definition of a money-lender. I shall read what he said :—

"Then my learned friend says that he brings this measure for the benefit of the agriculturists. My submission is this measure would be a blow to the agriculturists. It would not improve agriculture. There are Hindu landlords in the province who own any number of acres and these lands are cultivated by the Muhammadans mostly. I know that whenever these cultivators come to the landlord and ask for a loan of money which is to be repaid at harvest period it is generally given. If this loan is refused the cultivators will suffer a great deal. It would be absolutely impossible for these landlords who do not know book-keeping and who carry on their book-keeping in an ordinary way to advance loans to these cultivators...."

This is what my honourable friend said on the 18th of November last year then he objected to landlords being included in the list of money-lenders, but now that this class of men has been exempted he takes up cudgels against the framers of this Bill. Probably, methinks, the honourable mover incorporated this exception after hearing this very speech and only in deference to the wishes of the honourable Pandit. And whereas the Pandit should have been thankful to the mover, it is really surprising to find that he objects to the very thing which he himself suggested.

Again, my friend stated that when the various provincial governments were asked their opinion if there should be a system of registration of the money-lenders they all opposed the idea. Again when they were asked to define the word money-lender they all expressed their inability to do so. Sir, the word money-lender is certainly not so complicated as to defy all efforts at its definition. Certainly the provincial governments can find a satisfactory definition of it. We also can improve upon the present definition if it is any way defective and more so only if we all try together. Certainly, Sir, if we can claim to be fit for Swaraj, we should be able to define the word money-lender. At one time it was said that the word Swaraj was difficult to define. Now if we can define the word Swaraj, we can no doubt define the word money-lender also. If we cannot define it we are not fit to sit in this young parliament, as the Honourable Sir John Maynard called this House the other day.

Pandit Nanak Chand : I agree with you.

Maulvi Mazhar Ali, Azhar (continued in Urdu) : Most of the provincial governments are composed of *buzurs*. It is, therefore, not surprising that they did not think it profitable to define the word money-lender. But the Punjab Government has a lot to do with agriculturists. It is, therefore, not out of its reach or against its interests to define the word. We can certainly, if we care, find a very good definition of the word. Why should we be so diffident of our abilities and capabilities. No perfect definition of many words can be obtained in the legal phraseology. Land is defined in one way in an Act and it is defined quite differently in another. One High Court gives one ruling as to its interpretation while another High Court takes entirely an opposite view. If we cannot find a definition that may be universally accepted and be of universal application, should we then refuse to pass any law? Should we then have no jurisprudence? This is certainly a curious argument.

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Again it has been said that if you want to impose it in villages do so if you will, but why thrust it upon the cities when no demand has been made by townspeople. I submit, Sir, that you cannot draw a line between the towns and the villages. A man may lend money in a town and go back to the villages, or a man living in towns may lend to one living in a village or even a man living in a village to-day may shift to a town. Such a delimitation will give rise to many curious complications which it will be hard to be extricated from. It has been said that in towns there are only *dhobis* and *nais* who take loans. Now if there are only *dhobis* and *nais* in towns these poor people also require protection.

They also deserve our attention. These people are those who are called *kamins* of even those agriculturists whose terrible lot has called forth all the provisions of this Bill and the application of other legislative measures. These *kamins* are much worse even than the agriculturists and need greater protection. But, Sir, I ask are there no agriculturists in the towns? Are there none in Lahore? There are so many *Arains* in Lahore that you cannot find any other single brotherhood (*bradri*) as large as this one. Therefore, there can be no distinction between towns and villages.

Again, Sir, it has been said that there is no need of a Money-lenders' Act like the present one in the presence of section 16 of the Contract Act, section 84 of the Evidence Act and the Usurious Loans Act. The Usurious Loans Act is stricter than the Money-lenders' Act. So says Pandit Nanak Chand relying on the commentator he has quoted from. Now, if this is true and even stricter measures are already on the statute book, I submit, Sir, what is the force in objecting to a milder measure like the one before us now? What loss have the Sikhs, Hindus, and Muslims suffered from the Usurious Loans Act that they should fear the Money-lenders' Act. The Usurious Loans Act can serve you only if the old accounts are extant and before the court. But when the books are not produced and accounts not cited, how can you avail of the Usurious Loans Act. It has been said that 30 per cent of cases are dismissed for want of any proof of transaction or good accounts. Sir, I challenge the correctness of the statement. I think the number of all the money suits that are dismissed for whatever reason does not exceed 5 per cent. It is a great exaggeration to compute it at 30 per cent. Sir, if we were to get the figures for the years 1918-25, through the kindness of the Honourable Sir John Maynard, about the number of cases in which there was any appreciable interference by the courts under the Usurious Loans Act, we will find that the cases are very rare where it was felt necessary or the required material was available to take action. If such stringent measures as section 16 of the Contract Act and section 84 of the Evidence Act can stand on the Statute Book, this Bill I am sure, will not(?) make you groan under its weight. If the above sections had been enough to ameliorate the condition of the agriculturists then certainly there was no need for such a measure. Why should the honourable mover and the Government have bothered about it? But as there is a real need for such a measure and as these sections of the Acts are not enough to safeguard the interests of the agriculturists it is imperative that there should be such a Bill on the statute book as may tend to put an end to all dishonest transactions at least in future.

My honourable friend has said that these dishonest transactions will continue to remain even if this Bill is passed into law. Sir, I ask, is there

any law which has not been broken by some one or other? We ourselves opposed certain laws framed by the Government who sent thousands of us into jails. Do you then mean that there should be no law because people are opposed to and break every law. Sir, even in spite of the Indian Penal Code and its Section 302 and the capital punishment provided thereby we find that no sun shines and no night casts its dark shades but we hear of murder in one part of the country or other. There are scores of police stations to prevent crime and to investigate after its commission and there are courts of sessions scattered in every part of the country. Every day sentences are pronounced and the criminals are hanged. Have the people therefore ceased to murder others for the fear of these enactments? Sir, if people have been murdered from the days of Adam and will go on being murdered even in spite of the measures taken by society to stop them, should we then repeal all these Acts and let people free to live and do whatever they like? But, if in spite of the fact that people do murder and loot, enactments continue to be on the Statute book then the Money-lenders' Act should also be allowed to come into existence. Some people obtain property by murdering others; some do so by resorting to dacoity; some go about picking other people's pockets; but we have not dispensed with the enactments punishing their deeds in spite of the fact that there have always been those who broke the law. Why, then, should we not try to check the loot of those who apply the system of irregular accounts and untraceable *bahis* to achieve their end. Nobody ever said that the Bill is intended to stop all cheating transactions. Dishonesty will continue; but if this enactment works as even a weak check on such misdeeds, I think it is worth while trying it. Did anyone ever hint that the Money-lenders' Bill was panacea to all evils that it would leave no scope for dishonesty and that the kingdom of heaven would be established on this frail earth after this Bill is passed into law. Had the mover of the Bill claimed and proclaimed that, the objection of the honourable Pandit could have some weight. But as the possibility of cheating and committing fraud was never denied by the supporters of the Bill, the argument of the honourable Pandit has no force.

Sir, my honourable friend has complained that so many things have been done to strengthen and safeguard the position of the debtor but nothing has been done to protect the creditor. But, Sir, this is not true. I will tell the honourable member what has been done to safeguard the interests of the creditors. Negotiable Instruments Act lays the burden of proof of the loan having been advanced on the debtor. The Chief Court of the Punjab had decided 30 years ago that on the plea of lack of consideration being raised the burden of proof will be on the creditor, but now it has been ruled by a full bench of the High Court that if the signatures of the debtor are proved to have been affixed on a deed or *Bahi* the burden shall lie on the debtor to prove that there was no consideration for the document.

Chaudhri Duli Chand: Really very sad.

Maulvi Mazhar Ali Azhar (continued in Urdu): Sir, this is the ruling of a full bench of the High Court and for me it has the force of law and I do not challenge it, but then this should show what protection has been afforded to the creditor.

Now, Sir, my honourable friend says that these troubles cannot be removed unless there is a widespread free primary education. Sir, I heartily agree with the idea. But if it means that the spread of primary edu-

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cation will of itself remove all cause for grievance, then I submit it is a false hope. What can a man who reads up to the fourth class think of his legal rights and his legal disabilities. He cannot guard against the trickeries of clever people. This little education does not fit him to fight on equal grounds with the wily money-lender. He requires further protection. If in these 5 years of reformed government we have not been able to do much for the spread of education, we cannot hope to do enough even for ten years to come. But if we find at any time that the circumstances have so changed that people do not require any further legislative protection, the Act can be repealed. But it is not wise or just to prevent its being enacted even to-day when our masses are sorely in need of such a measure. We should pass it, but before so doing we should all put our heads together and remove its defects. Then, Sir, my friend suggested that these complaints cannot be done away with without the removal of general poverty of the masses. Sir, I submit it is to remove the causes of poverty that this Bill has been launched. But we see that they are opposed to this even. How can we remove poverty if all efforts we make to do so are to be opposed? If our friends take such an attitude towards our efforts to educate and remove the poverty of people, how can we hope to see the dawn of the day we are all looking forward eagerly to when no such enactment shall be needed.

Appeal has been made to the Government to protect the Hindus who form a minority in the Council. Sir, I suppose, I shall be the first man to let out the truth in this Council. It has been said that Hindus and Sikhs form a minority in this Council and the Government should protect their interests. But, Sir, Hindus and Sikhs together number more than the Muhammadans are. How then do they become a minority?

Pandit Nanak Chand: I never said that they formed a minority in the Council.

Maulvi Mazhar Ali Azhar: The honourable member said so but he has evidently forgotten. (Then continued in Urdu): Sir, how far is it, then, true to say that Government side with the majority at the cost of the minorities? Sir, Muhammadans form 55 per cent. of the population of the province but they have not been given an equal representation in the Council. Here we are less than half of the House and form a minority. Until the present constitution is changed we cannot hope to get a fair share of representation.

After this little digression I shall now turn to the objections raised by other honourable members. Mr. Owen Roberts has objected to a long list of exceptions to the definition of money-lenders in the Bill. Now, Sir, when the Bill was first introduced, it was urged that even business people have been included in the Bill who should be excluded. Such a thing they said would injure the trade of the province and business would unduly and unnecessarily suffer. Then, Sir, exceptions were introduced to remove these objections. But now that these exceptions have been included the critics have changed their front. If you do not want these exceptions or you want any more let us try to exclude or include them as the case may be. It is not good to be afraid of the list of exceptions. There are so many exceptions, in fact, a full chapter of them, in the Indian Penal Code. Do we object to the Code on account of these exceptions? Sir, I submit that exceptions in themselves are not bad. (Dr. Gokul Chand Narang: There are dishonest exceptions). If these exceptions are dishonest then try to remove these dishonest ones and include those which are honest.

But to pass a wholesale verdict of dishonesty on the whole list is certainly not reasonable. Do not call it a class Bill or a section Bill, and refuse to help in improving and polishing it. Otherwise I am afraid this spirit of antagonism may do serious injury and the Bill may be passed in a form which may be detrimental

Dr. Gokul Chand, Narang : Is that a threat?

Maulvi Mazhar Ali, Azhar : No, I simply say that you should take better counsel and help in making honest changes. I simply want your co-operation.

Dr. Gokul Chand, Narang : No co-operation with the dishonest.

Maulvi Mazhar Ali, Azhar : But co-operate with honesty and uproot dishonesty if you can.

Pandit Nanak Chand : We are doing that.

Maulvi Mazhar Ali, Azhar (continued in Urdu) : Sardar Jodh Singh said that there are many causes of poverty amongst the zamindars. If you want to take steps against money-lenders you should also try to eliminate other causes also. Sir, I submit that we should try all possible ways to remove this poverty. But to say that uncertainty of crops and lack of a subsidiary profession and cattle mortality are the only causes, is not true. Now, Sir, cattle mortality is an eventuality over which poor zamindars have no control. It is their duty to take care of the health of their cattle; but have they any control over death, and if due to mortality they have to take loans, are they to blame? Then, Sir, uncertainty of crops is another thing. I submit it is to their interest to improve the general productivity of crops, but, then, have they any control over sun or rain? Can they, in any way, regulate the seasons? Poor zamindars have no hand in the working of nature. Then, Sir, remains the question of an auxiliary profession. To expect a zamindar to do the work of spinning or weaving is wrong. This work has always been done by non-zamindars and they can never do that now. I do not mean that they should not take to a subsidiary profession. They should do everything to earn more and to improve their lot. But we should not shut our eyes against all other evils and exert not to remove them.

Then, Sir, the same honourable member said that frequent litigation is also another cause of their poverty. They are the greatest frequenters of courts. Now, Sir, it is a fact that zamindars go to courts mostly in connection with money suits, and that even not of their own accord. They are forced to go to the courts. You know when in 1919-21 we refused to take resort to law courts how we were dragged there handcuffed whether we wished it or not. Highly respectable people were treated in this way. These zamindars also do not go there of their free will. They are forced to go and if they go in large numbers it is because they form a majority in the province.

It has been advanced that if this Bill is passed the capital will flow out of villages to towns and from towns to other provinces. I admit that this Bill will tend to reduce the number of money-lenders. But this is what the Government and the honourable mover of this Bill stated in the Statement of Objects and Reasons. (Hear, hear).

Mr. J. M. Dunnett : That is not the Statement of Objects and Reasons and that is an object to which the Honourable Sir John Maynard has in no way committed the Government.

Mir Maqbool Mahmood: I might say, Sir, that there seems to be some misunderstanding on the point. I distinctly stated that I did not want to stop money-lending, but I only wanted to bring it in cleaner hands.

Pandit Nanak Chand: The honourable member Maulvi Mazhar Ali is perfectly justified in drawing his own conclusions.

Maulvi Mazhar Ali, Azhar (continued in Urdu): Sir, if this is the object of the Bill, then I do not deny that. The Act in no way prohibits the increase of money-lenders. But there is a certain class of people who are not able to keep accounts and they will naturally go out of the profession. But this will not mean the reduction or expulsion of capital. I am afraid my view has not been understood by both the sides. I still hold that there will be certain number of money-lenders who due to their failure to meet the conditions of the Bill will have to go out of the profession (Hear, hear). But this number will not be so great as to affect in any appreciable degree the capital of the province. On the other hand, after some time when all the defects are removed and people learn to keep good accounts and the uniformity of the book-keeping all through the province makes the system familiar to all, high and low, educated and uneducated and evil practices greatly diminish, the profession will gain strength through the flow of more capital and better class of money-lenders. This will set a good example and others will be encouraged to follow it.

Sir, I want to make my position clear as Sir John did about the position of the Government. I am not in favour of the Bill as it stands and if it has to be passed in its present form, then I am afraid I shall have to go into the lobby along with my friend Pandit Nanak Chand. But if all these defects are removed and particularly those in sub-sections (d) and (e) (Hear, hear), then I shall be glad to vote for the Bill. The penalty sought to be imposed in clause 6 is highly unreasonable. Suppose a man owes another a lakh of rupees and he pays 21 rupees as interest. If the money-lender through oversight, illness, death or other unforeseen causes forgets to send a registered receipt within a week then the whole of his money will be lost to him. See how unreasonably harsh it is. There is no cause for such a drastic provision. Even as regards the penalty in clause 6 in respect of the six-monthly statements of account mentioned in clause 4, concession has been made in these words:—

“Unless the money-lender can satisfy the Court that the omission was due to some reasonable excuse, and that he had submitted the six-monthly statement of account in the prescribed form and manner as soon as he was able to do so.”

If such exceptions can be made in the case of six-monthly statement of accounts there is no reason why such drastic provisions be allowed to stand for receipts of repayments and memoranda of advances. The penalty for irregular accounts is all right, but to keep it for the failure of sending a registered letter is very hard. If zamindars are human beings and do make mistakes, money-lenders are also human and are liable to err. We should have consideration for them as well.

Sir, it is said in clause 2:—

“The question as to whether at the time a loan was advanced, the lender was a money-lender shall be a question of fact to be decided by the court.”

I fail to understand the meaning of this clause. It is wrong to declare that the question whether the plaintiff is a money-lender shall be a question of fact. It may not always be a question of fact and in all cases the question would be whether on the facts proved a person does or does not come within the definition of 'money-lender' given in the Bill. It is not proper or advisable to snatch away the right to lodge a second appeal by making this statutory provision that the question shall be a question of fact to be decided by the court. Such a question may be a pure question of law or a mixed question of law and facts and it is highly illegal to declare it for ever in each and every case to be a question of fact.

Now, Sir, I come to clause 5. It is said that—

"In every suit, relating to a loan advanced or renewed or security taken there for after the commencement of this Act, the court shall before granting relief frame and adjudicate upon the following preliminary issues :—

(a) Is the plaintiff a money-lender ?

(b) If so, has he complied with the requirements of the Money-lenders' Act ?

This is, Sir, wrong in principle and the Select Committee should try to improve upon it. How unjust would it be for the court to frame issues even if the defendant does not raise these points ? Even in the absence of this provision the suit can be dismissed. But this provision will not lead to better administration of justice. It is, therefore, wrong to impose an obligation on the courts to raise these points of their own accord in every case. It should be left to the parties to raise the plea, and like the question of limitation the court may if it thinks fit raise the question.

Sir, in the end, I have a few words to address to the Government. They have allowed this Bill to be discussed during this year and the last. And as Sir John said the other day on the question of the release of gurdwara prisoners that talk in this House sometimes leads to mischief, I submit, Sir, that opportunity that has been given to the people to discuss this Bill has given rise to a lot of mischief. Even the speeches of to-day are bound to contribute their share towards the creation of mischief. But where they have allowed and in fact have been instrumental to the creation of this mischief they have given no definite undertaking to see the passage of this Bill through the Council. It was the duty of the government to consider beforehand whether any Bill acceptable to the government could be drafted on the lines and principles in view, and it was not proper to let mischief have its way before considering whether the attempt could be successful. Now, if the Government is to withdraw their support at the eleventh hour the responsibility for the mischief will lie at their shoulders (Hear, hear). And we shall say that the government allowed all this mischief to reap political advantage. And if the Government is to withdraw at the last moment as they did in the case of the Borsal Bill it will be clear that Government let this Bill come before the House so many times only to create mischief. I, therefore, ask the Government to clear their position and be straightforward in their dealings and remove our fears on this point. With these words I support the motion.

Mir Maqbool Mahmood : On a point of information, Sir, I think it would help the discussion of this motion if we know whether the honourable members who have given notice of amendments are going to move them.

Mr. President : This may be left to the honourable member himself.

Rai Bahadur Lala Dhanpat Rai [Punjab Industries] : Sir, after having carefully gone into the various provisions of the Bill under discussion, I am afraid that the views so forcibly expressed by the businessmen in this Council about the mischievous effects of this Bill were not placed before the Government and the Governor-General before they gave their consent to the introduction of the Bill. If it were not for the fact that its provisions were detrimental to the best interests of trade and industry, I would not have stood up to oppose it. The Bill as framed will lower us in the estimation of the other provinces and most probably of European and American countries also. The Bill has been so inertly drafted that speaking for myself, I, who worked as a lawyer for a considerably long time and have been connected with banking and other industrial concerns for over a quarter of a century, must confess that I am at a loss to understand clearly the import of the various clauses of this Bill. If the framers of this Bill, I say framers, because I discern the hands of some other people in it besides the honourable mover, had introduced a Bill totally prohibiting the money-lenders to have any business connection with purely rural people I may have preferred it to the present Bill. Have this Act for the illiterate zamindars and illiterate Muslims if you like, but for God's sake do not apply it to other communities and literate classes of zamindars and Muslims, who have their big stake in the advancement of commerce and industries of the province. Our traders and commercial people are still suffering for refusing to honour the foreign drafts during the wave of non-co-operation and I as a banker know what difficulties and hardships they are put to in consequence of the contraction of the Punjab credits. The commercial and industrial development of the province depends upon credit and credit alone, and if you once shake it you will be putting Punjab 50 years back. Believe me when I say that when the commercial communities of our Port Towns and of other European countries come to know of this Act, they will think twice before they deal with Punjab people. Mr. Gray, the President of the Punjab Chamber of Commerce, and Mr. Owen Roberts, a prominent businessman, who know intimately the commercial conditions of our province have already warned you of the disastrous effects of this small Bill introduced by perhaps the youngest member of this House, pardon me to say, who has perhaps no experience about the business problems of this province.

Mir Maqbool Mahmood : On a point of order, Sir. Is the honourable member justified in reading out his speech?

Mr. President : He has the permission of the chair.

Rai Bahadur Lala Dhanpat Rai : I, as a member of the Industry Constituency and as Chairman of the premier Indian bank of our province associate myself with Messrs. Gray and Owen Roberts in condemning this Bill. I do not agree with Pandit Nanak Chand that it is a communal measure as by no interpretation of the Bill I can come to the conclusion that it will benefit one community at the cost of the other. If this Bill is passed, which I hope not, it will injure the agriculturists as much as the industrialists and the traders.

The one outstanding feature of this Bill is that it wants to make public every loan transaction entered into in this province excepting those with banks; otherwise there could be no meaning in sending a card letter to the debtor on his getting a loan and on his payment towards the same and after every six months on the balance due from him. I well remember a case which I conducted for the accused, who was being prosecuted for defamation and what was his fault may I tell you, it was simply that he had made a demand of his loan by a post card. The accused after spending thousands of rupees had to compromise the case by remitting a goodly portion of his loan. Will the honourable members of this House like to be served with a letter-card about their loan transactions? Certainly not, loan transactions are always considered to be confidential and secret, but our legislators seem to think otherwise. The object of this Bill is stated to be to protect the interests of the illiterate debtors. Why not restrict the operation of this Bill to the case of debtors who are illiterate and why make it applicable to an ignorant Jat as well as the highly skilful and intelligent members of the Government, although they may happen to be Jats? We have been told by Pandit Nanak Chand that the Government of India was against the introduction of a similar measure in the Legislative Assembly and other Provincial Governments were also against such Acts. Pray do not prove the maxim on the floor of this House 'fools rush in where angels fear to tread'. It is stated by the mover of the Bill that the average annual income of an agriculturist in the Punjab is from Rs. 40 to Rs. 60 per year. In striking this average, the big and fat Zamindars, whose specimen we have in this Council are also included, but if you take them out and then strike the average, perhaps it would shrink to Rs. 25 to Rs. 40 per annum. The very first question which faces one is how they are eking out their existence if the figures are correct as shown by the honourable mover. May it not be said, it is due to the *mehrbani* of the money-lenders, who have invested their crores and crores with them? If twelve crores is the annual interest paid by the zamindars, then the capital of the money-lenders invested with them comes to 150 crores if we calculate the rate of interest at 12 per cent. per annum.

Before I sit down I will just try to explain to the House how vague and inconsistent the provisions of this Bill are. The Bill does not make it clear what would be its effect if the parties belong to two different provinces or for the matter of that to two different countries or the loan transaction was entered into by a Punjabi beyond the territorial limits of the Punjab. Look again to the definition of interest. The last two lines seem to be redundant and meaningless and do not improve upon the first two lines in any way. In a highly penal statute, such as this Bill undoubtedly is, one should expect that the definitions at least of very important terms in the statute should be concise, to the point, and not too wide, but what do we find in the case of this Bill? They are as vague and as wide as any definitions could be. For instance, in the definition of the word "loan" we find that any transaction which the court finds to be a loan will be considered a loan. Now opinions differ. What I may consider to be a loan may not be considered as such by a court and I run the risk of losing any accommodation which I may have given to my friend simply on the ground that I honestly believed at the time that it was not a loan transaction. If any further proof was wanting that this Bill really aims at stifling all trade, you have simply to look to the definition of *quasi* money-lender. Then again take up the definition of a money-lender

[R. B. Lala Dhanpat Rai.]

which includes a *sahukar*. I ask the honourable mover if the five lines following the word *sahukar* do not include it. If they do, why make the definition cumbrous and wide? Again it may be asked why the mover in excluding the companies registered under the Indian Companies Act has confined it only to public companies and has ignored the private companies registered under it. Then clause 2 (e) although exempts the financing traders yet makes it obligatory on the money-lenders to see to the application of the money to trade purposes. If a trader comes to me and asks accommodation for trade purposes and I advance him the money knowing fully well that he is a trader, can I see that it will be applied for trade purposes only? It excludes exporters and importers, but not the inland traders and the industrialists. I need not tire out the patience of the House by pointing out similar defects in other provisions of this Bill. I will again before I close request the members of this House that they should not be carried away by the passion of the moment, but should carefully and calmly consider whether this Bill in achieving the object the honourable mover of this Bill has in view, may not pull down the whole fabric of credit and thus do great harm to the advancement of commerce and industry. It is for these reasons that I oppose it. In conclusion I hope that even if this Bill is referred to the Select Committee, the members thereof will so amend it as not to interfere with the free contracts of traders and industrialists and confine its operation only to cases where a borrower happens to be an illiterate samindar.

Khan Bahadar Chaudhri Fazl Ali [Gujrat East (Muhammadian); Urban] (Urdu) : Sir, I will not discuss the Bill clause by clause, for this is not the time to do so. That will be best done by the Select Committee and by the Council after the Bill has emerged from the Select Committee. When considering a Bill, the first and foremost thing to see is whether such a Bill, is at all necessary, because unless it is necessary, no reasonable man will support it. I will, therefore, try to show that this Bill is not only necessary, but is indispensable.

Time and again it has been urged and the other day too, when the question of the Jails Enquiry Committee was under consideration it was urged that the lot of the prisoners in the jails should be improved, and that they should be provided with better food and better clothing and certain other concessions inspite of the fact that some of them are murderers, some others dacoits and thieves and still others charged and convicted of certain other sundry crimes. Why was it so urged and why do we again and again declaim against corruption? It is because we feel for the prisoners and because we are anxious to root out corruption. But I wonder why there is opposition to this Bill which obviously aims at improving the lot of the borrowers and relieving them from the clutches of the unscrupulous money-lenders and particularly when the debtors are not few in number but are in a large majority and belong to different communities. The unscrupulous money-lenders too do not belong to one class or community. There are Hindu, Muhammadian, Sikh and Christian money-lenders. I have rather found, during the last few months as a Sub-Registrar, that Muhammadian money-lenders charge a higher rate of interest than the *baniyas* and I know of a venerable old Muhammadian having charged Rs. 3½ as interest for each hundred rupees on a mortgage bond. Not content with that he got a term inserted in the bond that the mortgagor should not claim redemption of the house mortgaged for the next 15 months which meant something over and above Rs. 3½ as interest. I

know what sort of men these money-lenders are? They have got with them the bonds already written. They have only to get the thumb impression of the borrowers at the bottom and then to fill in "Fazl Ali, son of so and so".

Dr. Gokul Chand, Narang: With your permission, Sir, may I ask whether the honourable member brought this case to the notice of the police?

Khan Bahadur Chaudhri Fazl Ali (continued in Urdu): I do not understand what do you mean by that? I think the whole class of lawyers should be first prosecuted.

Dr. Gokul Chand, Narang: On a point of order, Sir. Is the honourable member in order in making these remarks? I put him a question which I had a perfect right under the law to ask. Instead of answering that question, he is making a charge against the whole class. I still, with your permission, ask my question whether he brought this matter to the notice of the police.

Malik Firoz Khan, Noon: Has the honourable member any right to ask the question?

Mr. President: Will the honourable member continue his speech?

Khan Bahadur Chaudhri Fazl Ali (continued in Urdu): Sir, the honourable member opposite thinks that he will thereby succeed in cowing me down just as Pandit Nanak Chand tried to intimidate the Government by holding out this threat that the Hindus and Sikhs will be displeased if Government supported the Bill. Does Pandit Nanak Chand think that he will thereby succeed in winning over the Government to his side? Is he of opinion that the Government will vote in their favour without considering the merits of the Bill?

Lala Bodh Raj: No one said that.

Khan Bahadur Chaudhri Fazl Ali (continued in Urdu): What else does this threat mean then that the Hindus and Sikhs will be displeased? I think it is the duty of the Government to protect all classes, though they be small in numbers and not care for these threats. And I may let the honourable member Dr. Gokul Chand know that I am not to be cowed down like that. Reverting, Sir, to the question under consideration, I was saying that the Bill was a necessity. As pointed out by Mr. Darling in his excellent book, lakhs of rupees are every year paid by the zamindars to the money-lenders in the shape of interest and if to that interest be added the interest that the non-zamindars pay, I cannot say how much the total interest would amount to. It has also been proved beyond doubt that the interest so charged is unreasonable, illegal and highly exorbitant and further that the borrowers are often constrained to sell their sons and daughters in payment of that interest. Then, Sir, I ask, is it not in the fitness of things that such a Bill be supported and thereby this dangerous evil be uprooted? Pandit Nanak Chand, in his speech, said that 40 per cent. of the money suits are dismissed by the courts because of the irregularity of the accounts. It clearly shows that regular accounts are not kept. I should say that even false accounts are kept and such cases have often come to the notice of the courts. I should, therefore, very much like to have a section added in the Bill under which persons discovered to have kept false accounts should invariably be prosecuted.

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That is not all. These money-lenders strike a balance after every six months or so and under that balance, the borrower is required to sign or to give his thumb impression. But, on the other hand, no receipt is given by these money-lenders for the money that they receive. It depends upon their sweet will to credit the amount received in the accounts of the borrower or not. Under the present circumstances, no one can check whether the amount paid has been so credited or not. When such suits are filed in courts, the courts cannot detect the trickeries of these unscrupulous money-lenders. It is, therefore, highly essential that these money-lenders be required to keep regular accounts and to inform their borrowers after every six months as to how they stand with their creditors. If the present state of things is allowed to go on and the debts are allowed to increase at such an unreasonable and exorbitant rate, you can very well guess what the result will be. The borrowers will grow poorer and poorer and at last will be utterly ruined. They will then naturally resort to undesirable means for their livelihood and thereupon chaos and anarchy will follow. I say, stop this current here and do not compel these people to resort to questionable ways of earning their livelihood.

Sir, there is another thing to consider in this connection. Sometimes loans are advanced on bonds and very often the borrowers are required to deposit some ornaments with the creditors to be able to get money on loan. Now what do the creditors do in such cases? They attach a piece of paper with the ornaments on which is written the name of the borrower and the sum of money advanced. These ornaments along with that piece of paper remain with the creditors. They can do whatever they like with those ornaments. Now if a quarrel were to arise between the parties no one can, at that time, find what the ornaments were worth and how many they were in number. There is no regular record and therefore the money-lenders can cheat the borrowers with impunity.

All this goes to show that the present Bill is necessary and a recent Full Bench Ruling of the High Court has made this Bill highly essential, because, as pointed out by my friend Maulvi Mazhar Ali, according to that ruling, where there is the thumb impression or the signature of the borrower under the balance, the courts will presume that the consideration has passed and if that is objected to, the burden shall be on the borrower to prove that the consideration has not actually passed. It has perhaps been overlooked that it is very difficult to prove the negative. Supposing to-day a borrower writes a bond in favour of the creditor for a sum of Rs. 5,000 to be advanced as loan. The creditor advances only Rs. 2,000 at the time when the bond is executed and for the remaining amount he says "Khan Sahib, you please come in the evening when I will pay you the remaining amount." The Khan Sahib goes to him in the evening, but is asked to come again next morning. In this way the creditor evades payment of the balance for a considerably long time, but all the same the bond is with him. After sometime he brings a suit for the recovery of Rs. 5,000 alleged to be advanced as loan on the strength of that bond. Now the court is sure to give a decree for the whole amount unless the Khan Sahib can prove that the sum of Rs. 3,000 was never paid to him; but that is very difficult to prove. Therefore it is that the necessity of this Bill has been felt.

It has been complained that everything is being done for the borrowers, but nothing so far has been done to safeguard the interests of the creditors.

In regard to this I can say that the honourable member opposite has ignored the facts. There is the property of the borrower to be attached and put to auction in satisfaction of the money decreed and at worst he can be sent to jail in case he fails to pay the money decreed. May I ask whether this is not sufficient to protect the interests of the creditors? I think it is more than sufficient and if we ask the creditors to keep regular accounts and to inform the borrowers after every six months as to how their accounts stand, a hue and cry is raised that that demand is unreasonable and extravagant.

Then it has been contended that the money-lenders are not educated and unless they are educated, they cannot comply with the provisions of the Bill. This is a good pretext and I think if the money-lenders can under that pretext, escape any check on their accounts and can increase the loans from one thousand to two thousands by unscrupulous means and by a single stroke of pen, they would never like to be educated. And why they should like to be educated, for in that case, they will have very little chances to rob the poor borrowers of their hard-earned money. I wonder why this reasonable demand is being resented. The money-lenders can employ munshis if they themselves cannot maintain regular accounts, specially when in these days even Matriculates can be had only on Rs. 15 per mensem. No difficulty will be experienced in keeping proper accounts. We will even agree to paying Rs. 15, the pay of the munshi, but for God's sake, do not deny us our reasonable demand. Do not advance this plea, that the money-lenders are uneducated, for who knows when the time will come when all of them will be educated. I am reminded here of a well-known saying, which is:

تا تریاق از عراق آورده شود—مردم گزیده مرده شود

which when translated means that the man bitten by the snake would be dead and gone by the time the antidote for the snake bite is received from Mesopotamia.

One of the honourable members opposing the Bill said that most of the borrowers were dishonest. I cannot believe that for a moment. A creditor can tamper with the accounts and that with impunity, but if a borrower turns out to be dishonest—and he can only deny having received the loan—his property is sure to be attached and put to auction in execution of the decree. I would here like to put one question to Pandit Nanak Chand, and that is, that if he happens to have borrowed money (which I do not wish) and his creditor asks him to pay Rs. 99,555 as due from him, would he pay him or send the money without asking the creditor to render the account? If he can say honestly that he would send the money without hesitation, I would yield and support him. But I am sure that he would never do like that. He would surely ask for the account and similarly if we make the same demand, it is said that that demand is unreasonable. I say let the Bill be referred to the Select Committee and then passed because it is sure to relieve many people of their miseries.

One point more and I would have done. Pandit Nanak Chand has admitted in his speech that 40 per cent. of the money suits are dismissed by the courts because of the irregular accounts kept by the plaintiffs. I really sympathise with that unfortunate class and it is out of that sympathy that we want them to keep regular accounts so that their suits may not be dismissed like that. But if, inspite of that, we are

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deterred from compelling the creditors to keep regular accounts, it is but natural to draw this conclusion that if they lose some case, they make a lot of money in other cases by their unscrupulous means. We are tired of these unscrupulous means. They are worse than the worst form of bribery, because if a person accepts bribery, he does some service to the person giving the bribery, but these money-lenders are like so many leeches that are sucking the blood of the poor people who are already left with little and, therefore, it is the bounden duty, not only of the Government but also of all of us to give our hearty support to this Bill.

Lala Mohan Lal Bhatnagar [Lahore and Ferozepore-cum-Sheikhpura (Non-Muhammadan)] (Urdu): Sir, before I express my views as regards the Bill under discussion, I would like to explain it to the Council that I am neither a money-lender myself nor related to the money-lending class. But on the other hand I am closely connected with that class of people, most of whom are borrowers. Therefore, Sir, I would consider this Bill from a borrower's point of view. It is not my desire that the creditors may be deprived of their money so that a few of my brethren may grow fat on the money which is not really theirs. I see many defects in the Bill and if it is passed into law, I am sure this would, instead of ameliorating the condition of the cultivators, make it worse. Very often I hear many of the honourable members of the Council dwelling at length on the poor plight of the agriculturists of the province but I do not understand with what view they do so? Perhaps the zamindar members of the Council raise this hue and cry in order to get some concession for their constituents and the non-zamindar members of the Council, while supporting their (zamindar members') cause, have in view the sympathies of the zamindar members. I have gone through the Statement of Objects and Reasons. I see many fallacies in it. When I read the provisions of the Bill and think of the results that would probably follow its operation I come to the conclusion that the framers of the Bill would certainly meet with utter disappointment. The Bill, as it is said, is designed to protect the cultivators, but in my opinion it aims at the crushing of private money-lending. I am certain that the passing of this Bill into law would do no good to the Punjabi cultivators. Again if we leave it to the discretion of the Government to exempt any class of persons they like, from the operation of the Bill, it would create favouritism, which I condemn. Now I would consider the main provisions of the Bill. In the first place the Bill supposes that the majority of borrowers in the Punjab belong to rural areas and are both ignorant and poor. In the second place the money-lenders are supposed to be dishonest people. They debit their ignorant borrowers with more than is actually advanced and credit with less than what is actually received. In the third place the *bahis* (account books) are supposed not to be regularly kept. They admit of insertion or removal of pages with little possibility of detection. It is also suggested in the Bill that every money-lender shall, within one week of the advancing or renewing the loan, send to the borrower concerned, through a registered letter-card with acknowledgment, a memo. of transaction showing accurately the particulars of the loan thus advanced. If a new loan is advanced, he shall also through a registered letter-card, send to the borrower concerned a combined memo. of transaction within one week of the closing of the calendar month in

4 P.M.

which the loan is advanced. Sir, as regards these provisions of the Bill, I would submit that if this Bill is passed into law, they would prove a great nuisance both to the money-lender and the borrower. In order to illustrate the above assertion I shall give some concrete examples. Supposing Ram Parshad, a money-lender, advances a loan to Mr. Smith, a European, who executes a pronote for the actual amount advanced to him as loan. But under the provisions of this Bill Ram Parshad shall have to send a registered letter-card, otherwise no suit by him in respect of the money so advanced would be entertained by any court of the province. Again, Z, a pleader, borrows money from Y, a money-lender, and writes a note in his *bahi* to this effect. Even then Y shall have to send Z a registered letter-card in accordance with the provisions of the Bill. The absurdity of these provisions is quite obvious from the above examples. Again Devi Ditta, a borrower, executes a *kundi* in his own handwriting in favour of Ram Parshad, a money-lender. In that case also he is required by the present Bill to send the registered letter-card to Devi Ditta. Again Devi Ditta mortgages his house and gets the mortgage-deed registered under the Registration Act. In that case also the creditor, that is, the mortgagee, shall likewise send a registered letter-card. In another case Devi Ditta borrows money from Ram Parshad and executes a bond in favour of the latter. Even then he shall send a registered letter-card as is required by the Bill. Again, Sir, take some other instances. Ram Parshad mortgages his house to Nand Singh, who pays mortgage money in the presence of the Sub-Registrar. But even then the latter is required by the Bill to send the former a registered letter-card containing the particulars of mortgage loan. In another case Ram Parshad executes a bond in favour of Nand Singh, a money-lender, which is attested by five witnesses. Here also Nand Singh is required by the Bill to drop a registered letter-card to his borrower. Suppose Nand Singh is an illiterate money-lender and Devi Ditta a literate borrower writes the actual sum borrowed in the former's *bahi*, even in this case the illiterate creditor shall have to give information to his literate debtor. Sir, I would ask those honourable members who hold that creditors are almost all clever people as to how they justify their remarks in the cases quoted above. This is a wrong supposition that the creditors are always dishonest in their dealings with their borrowers.

Again it has been urged that no receipt is given for the repayment made by the borrower. As to this I would submit that there is a legislation already in existence on the subject and the borrower accordingly, on repayment of any money due by him to the creditor, can demand a receipt as a matter of right. Sir, though this Bill will put the creditors in great difficulties it will also disgrace and insult debtors. In Indian society a debtor is looked down upon by all persons who come to know that he is a debtor. Even in the law courts it is enquired from every witness whether he owes some money to somebody? Ordinarily it is the earnest desire of a borrower that no one should know of his indebtedness. And hence naturally the borrowers themselves do not like that there should be any publicity of their indebtedness. I, for one, at least do not like to borrow money on a bond even on a very low rate of interest if I could get money on a pronote at a very high rate of interest. But, Sir, the object of the present Bill goes against the wish of the borrowers. It aims to disclose what the borrowers want to keep a secret. According to the Government Servants' Conduct Rules a Government official should not borrow money from the place where he is appointed. Supposing a Tahsildar, on transfer from Rawalpindi, borrows one hundred rupees from a money-lender, the latter is required by the Bill to send a registered letter-

[Lala Mohan Lal, Bhatnagar.]

card to the former wherever he goes. In the like manner, supposing I borrow some money from a money-lender in order to attend the Council and the latter sends a letter-card after me which a chaprasi of the Council or a Postman can easily read. Surely I would take it as an insult. For God's sake if you intend to accept this Bill, do exempt at least that class of people to which I belong. I do not like that my creditor should send me a registered letter-card which I might receive in the presence of my clients who would certainly take me as a debtor and on this account will offer me comparatively a small fee. I enquire of the zamindar members of the Council if any one of them likes that his indebtedness, if there be any, should be given publicity in the proposed way. Sir, if you really want to protect the agriculturists seek some other means. In this connection I propose one. Please do not take it for granted that the creditors are dishonest persons and the borrowers are ignorant people in all cases. Make any such law which may give a right to the borrower to ask his creditor through a registered notice to state the accounts. And if he fails to do so, he may be forced to do it through the Tahsildar of his tahsil. In these days most of the rural debtors are as much acquainted with the significance of their acknowledgments made in respect of their loans as their urban brethren are. Sir, if the creditors do not give receipt for the moneys repaid to them by their borrowers, I would advise the Council to make a law which would enable the debtor to deposit with the Tahsildar what he wishes to pay to his creditor just as a tenant can deposit his rent in the revenue court under the Tenancy Act. This would be a good piece of legislation. But, Sir, do not make any such law which lowers the dignity of the borrowers. Why is it provided in the Bill to send a registered letter-card to the borrower? Everybody can read it. It would reflect upon the honour of the borrowers. Instead of doing this the creditor may be compelled through the tahsil officials to state his accounts whenever the borrower requires him to do so.

Mr. President: Order, order. This is a matter of detail. I do not think this is a matter of principle. Will the honourable member confine his remarks only to the discussion of the principle?

Lala Mohan Lal, Bhatnagar (continued in Urdu): Sir, this Bill would not serve the purpose for which it is designed. It is required by the provisions of this Bill to fill up the prescribed form in figures. Supposing a creditor writes the figure 10 and the debtor makes it one hundred (100) who can say which of the two has done it? Sir, if you want to make some provisions for the pleaders by increasing litigation in this way, you are welcome to do so, but I would submit that the Bill, as is framed now, can never be useful to that class of people for which it is made. Sir, before I resume my seat I would say a few words in respect of certain fallacies contained in the Statement of Objects and Reasons. For instance, it is said in that statement that the average income of the zamindars is calculated at Rs. 40 to Rs. 60 per head, while only feeding and clothing of a prisoner in the Punjab Jails costs over Rs. 92 yearly.

Mr. President: Order, order. I may again point out that this is not a matter of principle. It is a matter of detail.

Lala Mohan Lal, Bhatnagar (continued in Urdu): Sir, it is stated in the Statement of Objects and Reasons that the agriculturist of the Punjab is both ignorant and poor. I differ from this statement. When you say that the feeding and the clothing of a prisoner in the Punjab

jail costs more than the average income of a zamindar, your calculation is wrong because in the average income you include in it the children and the aged persons of both sexes. Mr. Gokhale in his budget speech of 1904 on the authority of Lord Curzon has told us that the income of an Indian is Rs. 30 per head. This shows that the Punjabee cultivators are better off than other Indians and specially the agriculturists of other parts of India.

It is also supposed in the Bill that indebtedness is one of the causes of the poverty of the Punjab agriculturists. The money-lender is responsible for this poverty of the zamindars and he should therefore be condemned for it. Sir, here also I differ. A person who borrows is poor before he actually borrows the money. He was in need of money and therefore he borrowed it. A thermometer shows the temperature of fever, but does not create it. Likewise the debt shows how much poverty there is. It does not create it. Where a person has a small income as compared to his expenditure he takes loan as a measure to ameliorate his own condition. It has been urged that it is the indebtedness of the agriculturists which is responsible for their poverty. It is, in essence, the same remark as was made by the brother of one Khushal Chand, a petition-writer of Ferozepore. Khushal Chand was attacked by fever and he used the thermometer to know the temperature. It was 102 degrees before he applied the thermometer. On applying it he found that it was 104 degrees. His brother, who came from a village, rebuked him saying that he had raised the temperature by using the thermometer. Sir, indebtedness is not the cause of the poverty. Poverty must certainly exist before one borrows money. There are two kinds of loans, productive and unproductive loans. The productive loan is beneficial. It is taken in order to make great profits. Unproductive loan is not as bad a thing as the people think it to be. It is taken in order to meet one's own needs. Supposing the oxen of a cultivator are dead, what should he do? He must borrow money for the purpose. I ask representatives of agriculturists here whether the agriculturists borrow money without any real needs. I am sure the answer will be in the negative. Now, Sir, it is clear that zamindars borrow money for their real needs. Increase the number of money-lenders and you will get lower rates of interest by competition. There is a good reason why the money lender charges higher rates of interest from the agriculturists. He is protected by many enactments now in force. So the money-lender has naturally many difficulties to overcome in order to realise the money advanced by him as loan to the agriculturists. Moreover, Sir, the highest rate of interest is charged on loans advanced to the British soldiers in cantonments simply because the creditors are aware of the difficulties which exist in their way of realising the advanced sum. They know that a British soldier possesses no property and when he enters a barrack he can never be forced to pay the borrowed money. Moreover, there is a danger of creditors being kicked to death whereupon the soldier can say in his defence that the deceased was suffering from enlarged spleen and his death was due to the rupture of the spleen. It is also said that extortionate rates of interest are charged from the borrower by the money-lender. In reply to this I would submit that he is neither an Income-tax nor a Police officer. Then why should the borrowers agree to pay such high rates of interests? From the perusal of the book written by Mr. Darling some of the honourable members of the Council must have known that the money-lender charges the rural borrower with the interest at the rate of 15 per cent. per annum, but have they cared to see that even the Government is charging them with interest at the rate of 22 per cent. in the canal colonies by way of *abiana*. Here, Sir, I would

[Lala Mohn Lal, Bhatnagar.]

submit that no one has tried to find out the real cause of the poverty of the Punjab agriculturists. First they have very small holdings. Secondly, when a police man enters upon an enquiry he calls upon many others in suspicion together with the real culprit and extorts from them as much as he can. The police, revenue and canal administrations are the chief causes of the alleged poverty of the zamindars. It is said that three Ps, i.e., Police, Pleader and Patwari, and fourth P added by Mr. Darling, i.e., Pir are feeding upon the vitals of the zamindar community. If you are really bent upon protecting the zamindars, protect them against these four Ps. In conclusion, Sir I would again say that if you intend to make any law on the subject, it should be such as may give a right to the borrower to ask and force the creditor, through the Tahsildar of his tahsil, to state the accounts whenever the former requires him to do so.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders' General]: Sir, I beg to move—

"That the Punjab Money-lenders' Bill be circulated for the purpose of eliciting public opinion thereon by 31st March 1926."

At the very outset, I may say that I am not very particular about the date. If an earlier date were wanted, I would accept it. But I think it is necessary that the Bill should be circulated for eliciting public opinion. Allow me, first of all, to assure you that I am not looking at the Bill from the point of view of any class, creed or community. I look at it from a general point of view and my criticism of the Bill may be worded in a sentence and it is this, that if the Bill is allowed to stand as it is, it will hamper trade, it will disturb the village economy and if it is shorn of its objectionable features, it will serve no purpose whatever. The principle and details of the Bill have been discussed at great length and I need not repeat what has been said for the purpose for which it is necessary to evolve my argument on this amendment. The learned mover has set up before himself a wrong ideal and has therefore fallen into a wrong groove. He is trying to frame his Bill on the model of the English Act forgetting that the conditions in this country are entirely different from the conditions prevailing in England. In this country the work of money-lending is mixed up with trade on a large or a small scale. You cannot differentiate the village money-lender from a trader and whatever restrictions you impose in the way of a money-lender, you impose them *pari passu* in the way of trade also. This Bill is said to be a communal measure; you have heard the speeches of Mr. Roberts and of Mr. Gray and of Mr. Dhanpat Rai. Although the latter belongs to the community from whom the majority of money-lenders come, the first two are Europeans and are interested in trade and connected with business. They object to the Bill from the point of view of trade, and it is a matter to be considered whether we should for the little advantage that there may be in the Bill allow the trade of the province to be hampered. A certain form of accounts is prescribed, but it is forgotten that a better and superior kind of accounts may be kept by the money-lender himself. They have the rookar (day book) and the ledger system and I think these afford a mutual check. I do not see why this Bill should call upon all money-lenders to substitute a different form of account for the one which they generally keep.

Dr. Gokul Chand, Narang: The money-lenders generally keep three books at present.

Diwan Bahadur Raja Narendra Nath: As my honourable friend says the money-lenders keep three books. This Bill prescribes certain conditions for giving notice to creditors and certain of the clauses are quite unintelligible to me. I do not understand what the honourable mover means by clauses (d) and (e) of clause 3, but reading the two together it seems to me that the issue of notice will be very frequent, perhaps three or four times in a month and this procedure is prescribed on the assumption that postal communications are well developed. There are a number of villages within a radius of 10, 12 or 15 miles of which there are no post offices and if the money-lender has to give notice to the borrower four times a month he has to undertake a journey of 20 or 24 or 30 miles to and fro. Well, Sir, you can very well understand to what inconvenience he is put. Probably he will consider that his profession is not worth carrying on especially when he has to labour under so many disqualifications. You will have to imagine to yourself the conditions of the province if the money-lender altogether ceases to lend money. We have heard it said that the zamindar carries on business with $1\frac{1}{2}$ crores borrowed from the *sahukars* and you can very well see to what extent the economy of the village will be disturbed if these conditions are allowed to remain.

Dr. Gokul Chand, Narang: That is said to be the interest that he is said to pay on his loans.

Diwan Bahadur Raja Narendra Nath: I think it was stated to be the principal.

The Honourable Sir John Maynard: May I say, Sir, that what the Raja Sahib has correctly represented is the total amount that is required annually to finance a rural borrower? That is approximately 11 to 12 crores.

Diwan Bahadur Raja Narendra Nath: What I particularly insist upon is that the opinion of the judiciary may be obtained before this Bill is referred to the Select Committee. We may have such valuable opinions from judicial officers as were read out yesterday to us from the proceedings of the Legislative Assembly in connection with a Bill of the same kind. The Local Government of the United Provinces said that it was impossible under the conditions prevalent in that province to define what a money-lender was or to prescribe a regular form of account. It also remains to be seen whether the conditions in this province are entirely different from those prevalent in those provinces. It is not the district board or the municipal committees whom we want to consult, but it is the law officers of the crown who ought to be consulted, when the magnitude of the task which the honourable mover has undertaken is such as cannot be easily discharged. I do not want to put any obstacles in the way of the Bill and I am quite prepared to accept an earlier date. I would once more urge upon the honourable mover that before the Bill goes to the Select Committee he should agree to its being circulated for eliciting public opinion. I do not know whether it would be possible for the Select Committee to remove the objections that are at present raised against the Bill. For instance it is an extremely difficult task to define a money-lender. I do not know what phraseology, even with the help of the Legal Remembrancer the Select Committee will adopt. I hope that the amendment moved by me would be acceptable to the honourable mover and also to the honourable members on the opposite benches.

Mr. President : The original motion before the Council was—

"That the Punjab Money-lenders' Bill be referred to a Select Committee."

To this an amendment has been moved :—

"That the Bill be circulated for the purpose of eliciting public opinion thereon by 31st March 1926."

The question is that that amendment be made.

Khan Bahadur Shaikh Abdul Qadir [West Punjab Towns (Muhammadan) Urban] : Sir, it was not my intention to say anything about this Bill at this stage, especially when so many speeches had been already delivered regarding the principles of the Bill and when the principles had been well thrashed, but it is the amendment of my honourable friend the Raja Sahib that makes me speak. I am rather surprised to see the suggestion made that the Bill requires further circulation for eliciting opinions. This Bill, as I understand it, is in principle the Bill that was moved in this Council about a year ago, minus the provision for registration of money-lenders. That was the provision to which strong objections were taken in certain sections of the Hindu Press and also on the part of certain Hindu gentlemen who expressed opinions on that Bill. When the committee sat to consider the old Bill it eliminated that provision to which the strongest objections were taken. The main desire of those who want to promote this Bill or to support it is that there should be systematised accounts and regular books of accounts according to a prescribed form. Regular pagged accounts should be kept and the borrowers should have an opportunity of having, from time to time, it is proposed twice a year, a quotation of the accounts as they stand at the time, in order to enable them to check the same and also to keep the memorandum with them as a check on the eventual settlement of accounts. I fail to see, in the first place what reasonable objection there could be to these two steps, which are the main points in this Bill and in the second place I fail to see what good purpose can be served by inviting opinions from outside on these two provisions, as opinions have been already expressed on them.

It is known to my honourable friend the mover of the amendment that the proposal is to submit this Bill to the Select Committee. Well any such defects that still exist in the Bill can be seen to in the Select Committee. There will be ample opportunity for everybody who wants to make any necessary amendments as to details to have those amendments proposed and decided upon in the Select Committee. The Select Committee will be sitting in about a month's time so far as one can estimate, and it will be able to consider the opinions that have already been received on those very points, because they were included in the old Bill (several voices : No). These two principles that I have referred to, I think, were included in the old Bill and are a part of the new Bill, and the opinions that were received form a fairly bulky volume and express the views on both sides of the question.

Dr. Gokul Chand, Narang : May I know, Sir, to which bulky volume my learned friend is referring? We are not aware of any such volume.

Khan Bahadur Shaikh Abdul Qadir : The opinions that were elicited have been printed and their record forms a fairly bulky volume.

Dr. Gokul Chand, Narang : Sir, I do not object to the word bulky, but what I am saying is that we do not know of the existence of any such record.

The Honourable Sir John Maynard : I can testify to the existence of the volume ; they were two volumes.

Dr. Gokul Chand, Narang : Did not the Government think it proper to circulate them ?

The Honourable Sir John Maynard. They were sent to the Council Office.

Dr. Gokul Chand, Narang : I did not get any copy, none of us got any.

Mr. President : Those opinions were not circulated.

Dr. Gokul Chand, Narang : But some intimation might have been sent to the members that a copy was somewhere to be found. One gentleman on the other side said that he had received his copy.

Mr. President : I do not know the circumstances under which he received that copy.

Khan Bahadur Shaikh Abdul Qadir : Anyhow I am not concerned with the fact whether all the members have looked at them or not, but I was just mentioning the existence of a bulky volume of opinions and we have been informed by the Honourable the Finance Member that more than one bulky volume exists. All that I was trying to point out was that opinions on these points have been given and given in fairly large numbers. We cannot improve upon the situation by trying to elicit any further opinions on these points and as I have said already any defects as to certain clauses that were referred to as unintelligible or undesirable can be amended in the Select Committee. In the light of these remarks it is obvious that this amendment can serve no purpose other than that of an obstacle in the way of the Bill, but my learned friend the mover of the amendment has clearly declared that he has no intention of doing so. Therefore I would say that the proper thing would be to allow this Bill to go to the Select Committee. In moving this amendment, apart from making the suggestion as to circulating this Bill further, Raja Narendra Nath has referred to certain reasons which in some way affect the principles of the Bill as well. One of the reasons given by him is that he is afraid that it will disturb trade. With regard to that argument, I think it is worth remembering that the Bill really aims at checking the vagaries of rural money-lenders and at ameliorating the conditions of rural borrowers. That is its main object. As is clearly stated in the objects and reasons, the urban lenders are also included on certain grounds mentioned therein but that is to make the Bill comprehensive. If there is the slightest apprehension of trade being hampered or being affected adversely, it can be only with reference to the urban portion of the lenders.

As we all know the large sum of money that has been mentioned in the objects and reasons as constituting the total debts of the agriculturists, that sum mainly represents the debts of the rural area and so far as the money-lenders are concerned who would be affected by a Bill of this kind, the majority of them, I believe, live in rural areas. The other money-lenders who do money-lending according to the banking system reside in towns, and would

[K. B. Sh. Abdul Qadir.]

not be in any way adversely affected, (A voice: Question) because many of them are already keeping fairly regular accounts, much more regular than the village money-lender keeps. The existing complaint relates chiefly to the village money-lender and it is to remedy that complaint that this Bill is being put forward. Therefore it is not true to say that this Bill will hamper trade. In this connection another observation was made by the mover of the amendment. He said that it was a mistake on the part of the mover of the Bill to try to shape it on the lines of an English Bill, as the conditions in this country and the conditions in England differ very much. Well, so far as that difference between the conditions of the two countries is concerned, I am glad that my honourable friend has made a reference to them, because that enables me to say that if there is a difference between the conditions of the two countries and I daresay there is, to my mind that difference is an argument in favour of this Bill rather than an argument against it. If in an advanced country like England, where the people are educated, where people can take much better care of their business and of their accounts, it is necessary to place a check on the money-lenders, it is much more necessary in a country like India and in a province like the Punjab. (Hear, hear). Another observation, by way of argument, that was made, was that this Bill will disturb village economy. Well, I do not know what my learned friend really meant by that observation. One form in which it is possible it might disturb village economy is that it may oblige the money-lender to keep better accounts and may stand in the way of his getting more out of his borrower than his due. If that is the disturbance of the village economy, then that is not unlikely but that is what is desired. But if it means that it would disturb the village economy in any other way, adversely to the interest of the agriculturists, I do not see many chances of that, except one and that is that the agriculturist may find difficulty in borrowing compared with the present state of things. That is some disturbance of the village economy and also might under certain circumstances mean hardship to the borrower, but at the same time we must consider that if the conditions of borrowing are such that the agriculturist cannot borrow with the ease with which he can borrow now perhaps it would be, in the long run, to his advantage that he does not get too much money for wasting. He would borrow for his real needs, and that is all that is really required.

In the end, before I resume my seat, I just want to emphasise one point which has been already mentioned by some speakers, and that is that it is very unfair to describe this Bill as a Bill which raises a sectarian or a Hindu-Muhammadan question. This is a Bill which is proposed in the interest of the agriculturist. It is a Bill which could well have come from the Government, which is a disinterested party in this matter. If Government had chosen to propose it, I think it would have done its duty by a very large number of its loyal subjects and it would have done nothing which was not demanded by justice or fairness. But it so happens that instead of that, a private member took up this Bill and that private member is a Muslim by persuasion. Suppose any of the Sikh gentlemen, representing the agricultural classes, or any Hindu gentleman representing the zamindars of the Punjab, for instance, a gentleman like Chaudhri Duli Chand (Hear, hear), had taken the idea into his head and brought forward a Bill of this kind, nobody could have even ventured to urge such an objection to the measure. Therefore the fact that Mir Maqbool Mahmood put forward this Bill should make no difference to the merits of the Bill. It goes without saying that this is a

Bill which will help the agriculturist. The agriculturists do not mean Mussalmans alone, because there are a large number of Hindu and Sikh agriculturists. This Bill will affect all alike. Again, take the money-lenders. Are there only Hindu money-lenders? It is not correct to think so: As was pointed out by Chaudhri Fazl Ali there are a considerable number of people among the Mussalmans who, in spite of the prohibition in their religion against taking interest, do take interest and make a business of money-lending and who have got a large amount of money lent to various people at fairly heavy rates of interest. When Mussalmans take to money-lending, they do not yield to the Hindu money-lenders in any way in the terms of usury imposed upon the borrowers. There are certain people who are not really residents of the province and who do lend people money and lend it on interest. For instance, there are some Pathans doing money-lending. There are certain people among the Jats and the Sikhs who do money-lending. So neither money-lending is confined to any one class, nor is borrowing confined to any one class. Therefore this Bill affects everybody alike and I would therefore request my honourable friends on the opposite benches to consider this measure dispassionately and to give the House the benefit of their advice to the Select Committee so far as the details are concerned, if they agree to the principles, and to consider the principles in a cool and business-like way, trying to get rid of the notion that this is a sectarian Bill. (Hear, hear).

Shaikh Faiz Muhammad: Sir, I beg to move—

“That the question be now put.”

The motion was carried.

Mr. President: The original motion was—

“That the Punjab Money-lenders Bill be referred to a Select Committee”.

To this an amendment has been moved—

“That the Punjab Money-lenders Bill be circulated for the purpose of eliciting public opinion thereon by 31st March 1926.”

The question is that that amendment be made.

The motion was lost.

Mr. President: Now I shall divide the motion into two parts, first relating to the main part, namely, the reference to the Select Committee and the other to the names of the members who constitute the Select Committee. I shall put these two parts separately. Does the honourable mover want to reply?

Mir Maqbool Mahmood: Sir, I would like to say a few words by way of reply. I do not want to detain the House for any length of time at this stage by a long speech, but there are one or two points which I would like to reply to before the question is finally put to the House. I would not commit the blunder which some members seem to have made of going into the details of the Bill. But there are one or two points which need be noticed. To begin with I would take the opinions of my European non-official friends who took part in the discussion and whose opinions have been repeated with a certain amount of importance by my friend Raja Narendra Nath. It has been said that the Bill as such will hamper trade. It is a pity that both these honourable members are not in the House at this time. Still I would first like to submit that in essence both of them seem to agree

[Mir Maqbool Mahmood.]

with me and they would vote with me when they realise that at this stage they are not concerned with the details but with the principles. Mr. Gray actually said in so many words that he had no objection to regular accounts, that he had no objection to the supply of regular information. Then, what is the objection to this Bill? I do not see any.

As regards Mr. Owen Roberts, he raised one or two points. He said that in the statement of objects and reasons there was no proof given for the necessity of this Bill. That argument has been repeated in another form by certain other members. I submit, Sir, with due deference to those who raised that point that the statement of objects and reasons is a statement not of the proof of the objects and reasons. It does not necessarily require a statement of the proof as well. Again the proof of the statement I have made is self-evident. Any person who has seen anything of the official or non-official records of the rural or urban economy of this province or had cared to see any important judicial decisions on money-lending transactions or who has at all any interest in the rural affairs of this province and has taken the trouble to go into the country or any person who is at all in touch with the official or non-official movement for the amelioration of the agriculturists or any person who has even talked to a *bond fide* villager needs no proof of the statement that the agriculturists fare very badly at the hands of the money-lenders with whom they deal. As has already been remarked that does not require any proof. If any documentary evidence is necessary I would refer the members to the discussions on the Usurious Loans Act of 1918 in the pre-reformed Imperial Legislative Council. There they will find that the Hindus, Muhammadans, Sikhs, Christians and others were all unanimous that the borrower needed protection from the money-lender. Then, Sir, Mr. Owen Roberts said that so far as the Bill was concerned it could only remove at best two of the eight evils which Mr. Darling has enunciated as existing in the money-lending transactions. I am prepared to concede for the purpose of argument that it will at the best remove only two evils. I say if it can remove two evils, then why not give a trial to it to remove at least those two evils. Mr. Owen Roberts has not given any reason why this Bill should not be given a trial.

There is one point I wish to touch and that is the reference made to the figure of 15 per cent. the average interest worked out by Mr. Darling. It was remarked that this was not a high rate of interest charged by the money-lenders of this province. Those who have collected that figure and drawn certain deductions from it have to be reminded that 15 per cent. average interest includes the rate of interest on mortgage as well as unmortgaged debt and if you reckon the rate of interest on debt which is not mortgaged it comes to much more than 25 per cent. Apart from this calculation Mr. Darling has not made any allowance for certain unlawful deductions that are made at the time the contract of money-lending is struck. There are many cases where the loan is settled for Rs. 100 while the actual amount lent is Rs. 90. If you allow for that it will raise the rate of interest much more.

Then, Sir, it surprises me to find some self-assumed spokesmen of the zamindars on the opposite benches get up and say this Bill will hurt the zamindars.

Pandit Nanak Chand: Sir, I object to the use of the expression 'self-assumed spokesmen of the zamindars.'

Mir Maqbool Mahmood : I said some of them. Possibly you are not one of them. Well, Sir, on that point I can refer them to some of the opinions that have been expressed on the old Bill. They will find that all sections of the agricultural classes, whether Hindus, Muhamadans or Sikhs really need this measure.

Pandit Nanak Chand : Where are the opinions ?

Mir Maqbool Mahmood : They are public property. The opinions have been expressed in the press. If the honourable member had read them he would have been with me to-day.

Pandit Nanak Chand : That is entirely wrong. I have read them.

Mir Maqbool Mahmood : Sardar Jodh Singh said, unfortunately he is not here to-day, he stated that we should begin with cottage industries and increase the average income of the agriculturists if we want to ameliorate their condition. I am prepared to support him actively in all the suggestions he has made. I have the privilege of moving in the provincial enquiry board to consider measures and suggest means to improve the average income of the agriculturists, but any improvement in the economic condition of the people must go by two sides. On the one hand you should try to increase his income and on the other you must stop the leakages in his income. This measure is intended to supply the latter need. I am fully prepared to endorse any scheme of cottage industries, but I fail to see any justification for not moving this motion as it stands.

I do not think I need detain the House any further. I would only submit, as I stated before, that all that I ask the Council to commit itself is to the principle. The definition of money-lender, the question of maintenance of regular accounts, the form of accounts to be prescribed all these will fully be considered in the Select Committee. With these remarks I once more request the House to support the motion to refer the Bill to the Select Committee.

Mr. President : The question is—

"That the Punjab Money-lenders Bill be referred to a Select Committee."

The Council divided : Ayes, 44 ; Noes, 10.

Ayes, 44.

Mr. W. P. Sangster.
Colonel C. R. Bakble.
Mr. C. A. Barron.
Mr. C. M. King.
Mr. K. G. Mitchell.
Khan Bahadur Nawab Muzaffar Khan.
Mr. D. Reynell.
Mr. A. R. Astbury.
The Hon'ble Rai Sahib Chaudhri Chhotu Ram.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.

The Hon'ble Sir John Maynard.
Mr. J. G. Beazley.
Mr. Miles Irving.
Mr. J. M. Dunnett.
Mr. B. H. Dobson.
Mr. H. W. Webb.
Khan Bahadur Shaikh Abdul Qadir.
Mr. J. Coldstream.
Malik Firoz Khan, Noon.
Nawab Sayad Muhammad Mehr Shah.
Munshi Fazl Khan.
Mir Maqbool Mahmood.

AYES, 44—concl'd.

Sardar Bahadur Sardar Jowahir Singh.	Chaudhri Ghulam Muhammad.
Khan Muhammad Saifullah Khan.	Chaudhri Nur Din.
Lieut. Malik Muzaffar Khan.	Chaudhri Sahib Dad Khan.
Khan Bahadur Chaudhri Karam Ilahi.	Sardar Randhir Singh.
Rai Shahadat Khan.	Chaudhri Afzal Haq.
Khan Bahadur Sir Sayad Mehdi Shah.	Shaikh Muhammad Sadiq.
Sayad Hussain Shah.	Khan Muhammad Abdullah Khan.
Shaikh Faiz Muhammad.	Mukhdumzada Sayad Muhammad Raza Shah Gilani.
Lieut. Sardar Sikandar Hayat Khan.	Sayad Muhammad Husain.
Khan Bahadur Chaudhri Fazl Ali.	Chaudhri Duli Chand.
	Rao Pohap Singh.
	Chaudhri Tek Ram.

NOES, 10.

Sardar Partap Singh.	Lala Sham Lal.
Pandit Nanak Chand.	Lala Bodh Raj.
Dr. Gokul Chand, Narang.	Lala Mohan Lal, Bhatnagar.
Professor Ruchi Ram, Sahni.	Rai Bahadur Lala Duanpat Bai.
Diwan Bahadur Raja Narendra Nath.	Mr. Labh Singh.

The motion was carried.

Diwan Bahadur Raja Narendra Nath : Before my honourable friend Pandit Nanak Chand moves his amendment I wish to move my amendment.

Mr. President : Did the honourable member give notice of his amendment ?

Diwan Bahadur Raja Narendra Nath : it is not customary to give notice of addition of members to the Select Committee. The addition of members to the Select Committee is proposed in the Council itself when the motion to refer the Bill to a Select Committee is under discussion or after it is passed.

Mr. President : After I have read out the names of members proposed by the honourable mover to form the Select Committee, any honourable member may propose additional names. I shall read out the names. The mover proposes that the Select Committee shall consist of the following members—

The Honourable the Finance Member,
The Honourable Rai Sahib Chaudhri Chhotu Ram,
Mr. J. M. Dunnett,
Diwan Bahadur Raja Narendra Nath,
Chaudhri Duli Chand,
Sardar Tara Singh,
Khan Bahadur Chaudhri Fazl Ali,
Lala Mohan Lal,
Mian Muhammad Shah Nawaz,
Lieutenant Sardar Sikandar Hayat Khan,
Lala Diwan Chand,
Mr. Owen Roberts,
Sardar Mohinder Singh,
The Secretary to Government in the Legislative Department, if he is a member of the Council, and
Mir Maqbool Mahmood (the Mover).

Diwan Bahadur Raja Narendra Nath : I move—

"That the following names be added to the Select Committee :—

Mr. V. F. Gray,

Rai Bahadur Lala Dhanpat Rai, and

Sardar Narain Singh."

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

"That the following names be added to the Select Committee :—

Sardar Raddhur Singh, and

Rao Pehap Singh."

Malik Firoz Khan Noon [Shahpur East (Muhammadian) Rural] : Sir, I beg to move—

"That the following names be added to the Select Committee :—

Sbaikh Faiz Muhammad, and

Khan Bahadur Chaudhri Fazl Ali."

Mr. President : I cannot have so many amendments at one and the same time. Honourable members will give me their amendments in writing. I shall take up the first amendment before the House, namely—

"That the following members be added to the Select Committee :—

Mr. V. F. Gray,

Rai Bahadur Lala Dhanpat Rai, and

Sardar Narain Singh."

The question is that that amendment be made.

The Honourable Sir John Maynard (Finance Member) : Sir, I want to say one word before these additions are made to the list of members to the Select Committee. It appears to me that partisan feeling on one side or the other of the House will have the effect of making this Select Committee as large as the Council itself. That will be the result of all these amendments, if carried. My own experience of these committees is that when you exceed a certain figure it is almost impossible to deal with business. A large number can be dealt with under the regular procedure of the Council, but it cannot be dealt with under the less regular procedure of a Select Committee. I would therefore make an appeal to the House to consider, before they vote on these various proposals whether they are not making the Select Committee entirely unmanageable by adding so many people.

Diwan Bahadur Raja Narendra Nath : Sir, may I say a few words in reply? I am anxious to secure on the Select Committee as many opponents of the Bill as there are supporters. If the sole consideration was to make the Select Committee manageable, then the honourable mover should have thought on this point before he proposed the names of members. I only desire that there should be on the Select Committee as many opponents as there are supporters leaving the final word to the Council. The two honourable members Sir John Maynard and Mr. Duanett would turn the scale. As it is there are more supporters of the Bill on the Select Committee than opponents. The measure very clearly savours of bringing a class measure if not a communal measure an

[D. B. Raja Narendra Nath.]

it is therefore very necessary that the two sides should be equally balanced. It is not in the least my desire to make the proceedings of the Select Committee unmanageable. I simply want to balance the two sections of opinion, one of which has got the strong backing of the Government behind them and this is quite unfair.

Mr. J. M. Donnett (Chief Secretary) : Sir, the observations made by my honourable friend the Raja Sahib raise very important considerations. It has been the effort of Government from the start to treat this as an economic question and not as a party question nor as a political question. (Hear, hear). I would venture to appeal through you, Sir, to the House to make this committee purely an economic committee which may, if necessary exercise its powers under the Rules and the Standing Orders to call for expert advice, a committee that will be interested chiefly in the accounts and form of accounts and will see that the Bill will not make credit cheap or difficult or money dear. I therefore appeal to the House to keep out of the constitution of this committee any question of balancing parties or any political or communal question, but to make this committee an expert economic committee to advise on this extremely difficult question.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan Urban)] : May I say a few words ? The principle which the learned Chief Secretary has enunciated is perfectly valid and sound, but nobody is more guilty of the breach of this principle than the Government itself (Hear, hear). Of course, it is very easy for the Government or for any other body to devise any formula which may serve the purpose for the time being.

This House has discussed this measure for about three days and you have seen, Sir, that a good deal of the argument was devoted to showing that the measure was an essentially class measure, if not actually a communal measure. Every speaker, whether he supported the Bill or opposed the Bill, had in his view one particular community or the other and it cannot therefore be said that the measure is a purely economic measure and even if it is so, may I ask through you Sir, the Chief Secretary whether the gentlemen who are now on the Select Committee are the best economists in the province or in this Council. I find, Sir, that even the name of the President of the premier bank in the province as also the name of the president and representative of the Chamber of Commerce in this Council is omitted. Does that show that the measure is being treated by the Government as a purely economic measure or is it special pleading for a special community or a special class ? I challenge any member of the Government to show that the measure is a purely economic measure and how many economists have been placed on the Select Committee. When certain names are proposed who are expected to give expert advice, it is sought to exclude them on the basis of a new formula which is now being devised by the representatives of Government. Really there is a limit to such unholy alliance as we find exemplified in this measure (*Crisis of Order, Order from the National Unionist Block and Hear, Hear from the Opposition Bench*). I am only using the word which was used by a representative of the Government in connection with another measure.

The Honourable Sir John Maynard (Finance Member) : On a personal explanation, Sir, I must say that this proposal is not a proposal of the Government.

Dr. Gokul Chand Narang : If the Government, as said by the Honourable the Finance Member, has not got any interest in this, then has it got any hand in the choice of the members of the Select Committee ?

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural]: Sir, unusual heat is being imported into the matter which does not require any. When I gave these seven names which you find noted against my name at that time I was not aware of the actual constitution of the committee. The paper that was circulated to us did not contain the names. So, according to my light I placed seven names before the House as representing our opinion and as those whom we wanted to be placed on the Select Committee. Sir, the making of all laws is a very important matter. I do not for a moment suggest that this or that party should be predominant in the Select Committee. This measure should be carefully deliberated upon in the committee and all points of view should be coolly considered. I wish that from our side some such gentlemen who are representatives of the banks, who know accounts and who know about economic facts which this legislation is intended to tackle, some such gentlemen should be placed on the Select Committee as well.

This measure is to be deliberated upon in the Select Committee and therefore I wish that from our side some such men who are representatives of bank, who know the accounts, who know about the economic effects which this legislation will have, should be placed on the Committee as well. I gave way to Raja Sahib principally for this reason that it may not be said that the names that I have proposed are those of persons who are inspired by any communal feeling. Therefore the name of Lala Dhanpat Rai was proposed. He is President of the Punjab National Bank and is an expert-banker. Then, Sir, the name of Mr. Gray was proposed.....

Mr. President: This argument has already been advanced. Please do not repeat what has been already said.

Pandit Nanak Chand: You will see, Sir, that those who are supporters of the Bill are properly represented. Can my friend Mr. Dunnett conscientiously say that they are experts in these matters? I do not want to pick out names and place before him, but I want to appeal to his sense of justice and fairplay whether he can say that these seven or eight names which have been proposed as members of the Select Committee and who represent the side that is supporting the Bill, whether they are experts in accounts, or whether they know about the economic conditions of the country. Therefore I submit ours is a very reasonable proposal. Government ought to accept it in a reasonable spirit and Government ought to give us this help. At least two if not three of our best men should be on the Select Committee, so that they may be able to properly represent the views which our party or which a very large number of the people in the country feel ought to be represented before the Select Committee. Therefore let me appeal to Mr. Maqbool Mahmood to choose any three names out of the seven names that I have submitted, or even two names instead of three. I do not wish for a moment that this matter be delayed any further. One member said that we should co-operate with them, and when we are prepared to place our best men, an objection is made that that is not to be done. I again appeal to the sense of fairness and justice which ought to predominate in this House that when you are introducing a measure of such far reaching effects, each community should be properly represented by the best men of that community.

Professor Ruchi Ram, Sahni (Punjab University): Sir, I only want to say that what is sought to be done is to balance the opposing opinions not on communal lines but on the basis of supporters and opponents of this measure. If that is not done, I am afraid the report of the Select Committee will not

[Prof. Ruchi Ram, Sahni.]

be such as will commend itself to the general public, since both points of view will not be properly balanced and considered in the Committee. I want, Sir, just to say one word more. Government in this matter holds the balance between the two communities. The Bill has littered whole provinces with lyddite and I would add that the fuse end is held by Government. Will they set fire to that fuse end and explode the whole province? That will be the result if our request is not considered in the spirit in which it deserves to be considered. That is the position which I want to place plainly before the Council.

Mr. President : The question is—

“That the following names be added to the Select Committee :—

Mr. V. F. Gray,

Rai Bahadur Lala Dhanpat Rai, and

Sardar Narain Singh.”

The Council then divided : Ayes 13, Noes 37.

AYES, 13.

Mr. H. W. Webb.
Sardar Randhir Singh.
Sardar Partab Singh.
Sardar Dhira Singh.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.

Diwan Bahadur Raja Narendra Nath
Lala Sham Lal.
Lala Bodh Raj.
Lala Mohan Lal. Bhatnagar.
Rai Bahadur Lala Dhanpat Rai.
Mr. Labh Singh.

NOES, 37.

Mr. W. P. Sangster.
Colonel C. R. Bakble.
Mr. K. G. Mitchell.
Khan Bahadur Nawab Muzaffar Khan.
Mr. D. Reynel.
Mr. A. R. Astbury.
The Hon'ble Rai Sahib Chaudhri Chhotu Ram.
The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.
The Hon'ble Sir John Maynard.
Mr. J. G. Beazley.
Mr. Miles Irving.
Mr. J. M. Dunnett.
Mr. B. H. Dobson.
Mr. J. Coldstream.
Malik Firoz Khan, Noon.
Nawab Sayad Muhammad Mehr Shah.
Munshi Fazl Khan.
Mir Maqbool Mahmood.

Khan Muhammad Saifullah Khan.
Lient. Malik Muzaffar Khan.
Khan Bahadur Chaudhri Karam Ilahi.
Rai Shahadat Khan.
Khan Bahadur Sir Sayad Mehdi Shah.
Sayad Husain Shah.
Shakh Faiz Muhammad.
Lient. Sardar Sikandar Hayat Khan.
Khan Bahadur Chaudhri Fazl Ali.
Chaudhri Ghulam Muhammad.
Chaudhri Nur Din.
Chaudhri Sahib Dad Khan.
Chaudhri Afzal Haq.
Khan Muhammad Abdullah Khan.
Makhdumzada Sayad Muhammad Raza Shah Gilani.
Sayad Muhammad Husain.
Chaudhri Dali Chand.
Rao Pohar Singh.
Chaudhri Tek Ram.

The motion was lost.

Mr. President : The Council will continue to sit till the business is finished. I do not think it will take more than half an hour.

5 P.M.

Lala Bodh Raj . Sir, I move—

“That the names of Dr. Gokul Chand, Narang and Lala Mohan Lal, Bhatnagar be added to the list of members of the Select Committee.”

The Council divided : Ayes 11 ; Noes 40.

AYES, 11.

Sardar Partap Singh.
Sardar Dhira Singh.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Diwan Bahadur Raja Narendra Nath.

Lala Sham Lal.
Lala Bodh Raj.
Lala Mohan Lal, Bhatnagar.
Rai Bahadur Lala Dhanpat Rai.
Mr. Labh Singh.

NOES, 40.

Mr. W. P. Sangster.
Colonel C. R. Bakhle.
Mr. C. A. Barron.
Mr. C. M. King.
Mr. K. G. Mitchell.
Khan Bahadur Nawab Muzaffar Khan.
Mr. D. Reynell.
Mr. A. R. Astbury.
The Hon'ble Rai Sahib Chaudhri Chhotu Ram.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.
The Hon'ble Sir John Maynard.
Mr. J. G. Beazley.
Mr. Miles Irving.
Mr. B. H. Dobson.
Mr. H. W. Webb.
Mr. J. Coldstream.
Malik Firoz Khan, Noon.
Nawab Sayad Muhammad Mehr Shah.
Munshi Fazl Khan.
Mir Maqbool Mahmood.

Khan Muhammad Saifallah Khan.
Lieutenant Malik Muzaffar Khan.
Khan Bahadur Chaudhri Karan Ilahi.
Rai Shahadat Khan
Khan Bahadur Sir Sayal Mehdi Shah.
Sayad Husain Shah.
Shaikh Faiz Muhammad.
Lieut. Sardar Sikandar Hayat Khan.
Khan Bahadur Chaudhri Fazl Ali.
Chaudhri Gholam Muhammad.
Chaudhri Nur Din.
Chaudhri Sabib Dad Khan.
Chaudhri Afzal Haq.
Captain Malik Muntaz Muhammad Khan, Tiwana.
Khan Muhammad Abdullah Khan.
Makhdumzada Sayad Muhammad Raza Shah, Gilani.
Sayad Muhammad Husain.
Chaudhri Duli Chand.
Rao Pohap Singh.
Chaudhri Tek Ram.

The motion was lost.

Mr. President : The motion before the House is—

“That the Punjab Money-lenders Bill be referred to a Select Committee consisting of the following :—

The Honourable the Finance Member,

The Honourable Rai Sahib Chaudhri Chhotu Ram,

Mr. J. M. Dunnett,

Diwan Bahadur Raja Narendra Nath,

[Mr. President.]

Sardar Tara Singh,

Chaudhri Duli Chand,

Khan Bahadur Chaudhri Fazl Ali,

Lala Mohan Lal,

Mian Mubammad Shah Nawaz,

Lieutenant Sardar Sikandar Hayat Khan,

Lala Diwan Chand,

Mr. Owen Roberts.

Sardar Mohinder Singh.

The Secretary to Government in the Legislative Department, if he is a member of the Council, and

Mir Maqbool Mahmood (the Mover).

The question is that that motion be adopted.

Mir Maqbool Mahmood : Sir, if the House will permit me I am prepared to have Rai Bahadur Lala Dhan at Rai as an expert member of the Committee.

Dr. Gokul Chand. Narang : He will now refuse to serve in the committee.

Mr. President : His name has already been put to the Council and it has refused its assent. The question cannot be opened again.

The Council divided : Ayes 44, Noes. 10.

AYES, 44.

Mr. W. P. Sangster.
Colonel C. R. Pakhle.

Mr. C. A. Barron.

Mr. C. M. King.

Mr. K. G. Mitchell.

Khan Bahadur Nawab Muzaffar Khan

Mr. D. Reynell.

Mr. A. R. Astbury.

The Honourable Rai Sahib Chaudhri Chhotu Ram.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.

The Honourable Sir John Maynard.

Mr. J. G. Peasley

Mr. Miles Irving.

Mr. J. M. Dunnett.

Mr. B. H. Dobson.

Mr. H. W. Webb.

Khan Bahadur Shaikh Abdul Qadir.

Mr. J. Coldstream.

Malik Firoz Khan, Ncon.

Nawab Sayad Muhammad Mehr Shah.

Munshi Fazl Khan.

Mir Maqbool Mahmood.

Sardar Bahadur Sardar Jowahir Singh.

Khan Muhammad Saifullah Khan.

Lieutenant Malik Muzaffar Khan.

Khan Bahadur Chaudhri Karam Ilahi.

Rai Shabadat Khan.

Khan Bahadur Sir Sayad Mehdi Shah.

Sayad Husain Shah.

Shaikh Faiz Muhammad.

Lieutenant Sardar Sikandar Hayat Khan.

Khan Bahadur Chaudhri Fazl Ali.

Chaudhri Ghulam Muhammad.

Chaudhri Nur Din.

Chaudhri Sahib Dad Khan.

Sardar Randhir Singh.

Chaudhri Afzal Haq.

Shaikh Muhammad Sadiq.

Khan Muhammad Abdullah Khan.

Makhdumzada Sayad Muhammad

Raza Shah Gilani.

Sayad Muhammad Husain.

Chaudhri Duli Chand.

Rao Pohap Singh.

Chaudhri Tek Ram.

NOES, 10.

Sardar Partap Singh.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Diwan Bahadur Raja Narendra
Nath.

Lala Sham Lal.
Lala Bodh Raj.
Lala Mohan Lal, Bhatnagar.
Rai Bahadur Lala Dhanpat Rai.
Mr. Labh Singh.

The motion was carried.

The Honourable Sir John Maynard : Sir, I understand that the main business will be disposed of without difficulty by 7 o'clock if it is considered desirable to sit through to-day. Otherwise I would ask you to appoint an additional day to-morrow to dispose of official business..

Mr. President : I have already announced that the Council will continue after 6 p.m. and finish the business of the day, if possible.

THE PUNJAB AERIAL ROPEWAYS BILL.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Agriculture) : Sir, I beg to move—

"That leave be granted to introduce the Punjab Aerial Ropeways Bill."

The motion was carried.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to introduce the Punjab Aerial Ropeways Bill.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to move :

That the Punjab Aerial Ropeways Bill be referred to a Select Committee consisting of the following :—

Mr. C. A. Barron,
Mr. Miles Irving,
Mr. K. G. Mitchell,
Malik Firoz Khan Noon,
Rana Firoz-ud-Din Khan,
Diwan Bahadur Raja Narendra Nath,
Chaudhri Duli Chand,
Sardar Tara Singh,
Nominee of the Honourable the President,
Mr. J. Coldstream, and

The mover.

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

The motion was carried.

THE PUNJAB TENANCY (AMENDMENT) BILL.

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

"That the Punjab Tenancy (Amendment) Bill, as reported by the Select Committee be taken into consideration."

Sir, I need only point out that only two amendments are made in the Select Committee. The first is that the definition of *muqarraridar* in clause 2 is amended so as to include the successors in interest of a *muqarraridar*. The

[Hon'ble S. B. S. Sundar Singh, Majithia.]
second amendment is that in two places the words "increase" and "diminution" have been substituted for "enhancement" and "reduction."

Mr. President : The question is—

"That the Punjab Tenancy (Amendment) Bill, as reported by the Select Committee be taken into consideration."

The motion was carried.

Mr. President : The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 3 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 4 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 5 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 6 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 7 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 8 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 9 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 10 stand part of Bill."

The motion was carried.

Mr. President : The question is—

"That clause 11 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

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

The motion was carried.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
Sir, I beg to move—

"That the Punjab Tenancy (Amendment) Bill be passed."

The motion was carried.

The Council then adjourned *sine die*.

[Note : By an order of His Excellency the Governor dated the 18th December 1925, the Council was prorogued unto a date to be hereafter fixed.]

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